
M E M O R A N D U M

DATE: January 31, 2003
TO: City Council Members
FROM: Russell Weeks
RE: Petition to Allow an Intermodal Transit Passenger Hub in
General Commercial District
CC: Cindy Gust-Jenson, Rocky Fluhart, David Nimkin, Alison Weyher, DJ Baxter,
Brent Wilde, Joel Paterson, Mary Guy-Sell, Gary Mumford, Janice Jardine

This memorandum contains new information not included in the previous memorandum dated January 16 pertaining to issues relating to Petition 400-02-33 to amend the text of the *Salt Lake City Zoning Ordinance*. The new information can be found in the first three bullet points of the *Issues/Questions for Consideration* section of the memorandum. The Administration is scheduled to brief the City Council on the proposal at the Council's meeting February 4.

The Planning Commission on December 12 adopted motions to approve the proposed Intermodal Hub at 280 South 600 West as a conditional use and as a planned unit development. The Planning Commission said its actions were subject to City Council adoption of a motion to approve Petition 400-02-33.

POTENTIAL OPTIONS

- Forward the petition for formal City Council action, including a public hearing.
- Refer the petition to the City Council Intermodal Hub Subcommittee for further refinement.

ISSUES/QUESTIONS FOR CONSIDERATION

- The Intermodal Hub Subcommittee met with Administration representatives on January 29. At the end of the meeting the Subcommittee said it could support the proposed amendments contained in Petition 400-02-33.
- Part of the discussion among the Subcommittee centered on the August 1999 *Interlocal Cooperation Agreement (Gateway Intermodal Terminal)* and the Administration's position that the City's intent always has been to turn over the Intermodal Hub to the Utah Transit Authority when the project is finished. Administration representatives at the meeting said it would be in the City's best interest to turn over the Intermodal Hub to UTA when it is finished. However, they acknowledged that the Interlocal Agreement would require another agreement between the City and UTA to turn over the property. The Administration's arguments in favor of turning over the property in the future were:
A) The cost of maintaining and operating the Intermodal Hub. B.) The City's interest in

maintaining and operating a mass transit intermodal hub. A policy issue the City Council might wish to consider is: Is it in the public's best interest for the City to maintain and operate an intermodal transit facility?

- One point the Administration made that may be pertinent to the policy question above is it is apparent that any revenue generated beyond the cost of maintaining and operating the Intermodal Hub would have to be returned to the Transit Authority because the federal government actually granted funds to UTA to finance building the hub. In turn, UTA passes those funds on to Salt Lake City.
- The City Council may wish to note that there are other areas in the City zoned for General Commercial use.
- The City Council may wish to note that one of three proposed amendments addresses parking for the Intermodal Hub, but the parking portion does not address parking for commuter-rail users such as park and ride lots.
- The City Council may wish to note that the Planning Commission Chair raised concerns about defining the Utah Transit Authority as a “public entity.”
- It should be noted that, according to draft minutes of the Planning Commission meeting, representatives of the Poplar Grove Community Council told the Commission that, based on the advice of a lawyer, the Community Council will contest every step the City takes to develop the Intermodal Hub. According to the minutes, the group plans to challenge in court whether an environmental assessment of the area in and around the Intermodal Hub adequately addressed larger issues affecting the Poplar Grove neighborhood, particularly those near Union Pacific's 900 South freight railroad line.

DISCUSSION/BACKGROUND

If the City Council decides to move Petition 400-02-33 forward, a public hearing will be required before the City Council considers formal action. The Administration would like Intermodal Hub construction to start in late March.

Petition 400-02-33 contains three proposed amendments to the *Zoning Ordinance*:

1. Amend 21A.26.080 *Table of Permitted and Conditional Uses for Commercial Districts* to add “intermodal transit passenger hub” a conditional use.
2. Amend 21A.44.060F *Schedule of Minimum Off-Street Parking Requirements* to include an off-street parking standard for intermodal transit passenger hubs.
3. Amend sections 21A.60.020 *List of Terms* and 21A.62.040 *Definitions* to include a definition for “intermodal transit passenger hub.”

1st Proposed Amendment

Adding the term “intermodal transit passenger hub” as a conditional use to the *Table of Permitted and Conditional Uses for Commercial Districts* would give the Planning Commission the authority to determine where and how – within areas zoned for general commercial use – intermodal passenger hubs could be built.

Clearly, there are more areas in the City zoned for general commercial use than at 280 West 600 South. However, according to the Administration, planners anticipated that the 280 West 600 South location would remain zoned for general commercial use after the City Council adopted a motion in support of the site on May 12, 1998.

While allowing an intermodal transit passenger hub as a conditional use in all areas zoned for general commercial use might be viewed as a potential downside, there also may be a potential upside: The City would have a mechanism in place should a second intermodal transit passenger hub become necessary in the future. If mass rail transit remains a viable form of transportation 25 to 50 years from now, it is conceivable that an intermodal passenger hub might become necessary in the southeastern quadrant of the City – possibly in or near Sugar House or Foothill Drive.

The Administration’s transmittal notes that the *Gateway Specific Plan* the 280 West 600 South site “has been identified as a potential intermodal facility where Amtrak, Greyhound bus, Utah Transit Authority buses, Trax light rail and perhaps regional commuter rail may all come together. Other transportation related uses such as taxi cabs and tour company uses may also be a part of an intermodal facility.”

A future site in another part of the City might not be served by all the above listed modes of transportation, but a combination of three or more of the modes would seem to warrant more than a Trax light rail stop.

2nd Proposed Amendment

The proposed amendment to 21A.44.060F *Schedule of Minimum Off-Street Parking Requirements* would include an off-street parking standard for intermodal transit passenger hubs. The proposed parking standard is the same standard as the current standard for a “bus facility.” The standard would require one parking space per two employees plus one space per bus, according to Table 21A.44.060F.

It should be noted that, according to the draft minutes of the December 12 Planning Commission, the Administration is quoted as saying, “Additional parking will be required in the future for people who would drive to this site and take commuter rail ... The City is looking at potential sites to house that parking in the future.”

3rd Proposed Amendment

The third proposed amendment involves two parts. The first part would add “intermodal passenger hub” in section 21A.60.020 *List of Terms*. The second part would add to section 21A.62.040 *Definitions* the following definition for “intermodal transit passenger hub”:

“Intermodal transit passenger hub” means a publicly owned and operated central transit passenger transfer facility service rail, bus, shuttle, limousine, taxis, bicyclists and pedestrians and may include, but is not limited to, the following complimentary land uses such as offices, restaurants, retail sales and service, bus line terminals, bus line yards and repair facilities, limousine service and taxicab facilities.

According to the Planning Commission draft meeting minutes, the Planning Commission Chair raised concerns about defining the Utah Transit Authority as a “public entity.” The chair raised the concerns in part because during discussion of the proposal the Administration indicated

that the City's intent always has been to turn over the Intermodal Hub to the Transit Authority. (Please see Page 3 Paragraph 3 of the draft Planning Commission meeting minutes in the Administration's transmittal.)

It should be noted that the August 1999 *Interlocal Cooperation Agreement (Gateway Intermodal Terminal)* contains the following sections:

Section 7(a) – The City shall be responsible for acquisition of property for the Terminal, including the conduct of all negotiations, the performance of all required appraisals, studies and evaluations, the preparation of a purchase agreement, consummation of the sale and acceptance of the deed of conveyance. . . . The City shall hold the property in fee simple, or in leasehold if agreed to by the parties, and assumes all liability based on fee ownership, including without limitation environmental liability.

Section 10 – Subject to GMO (Grant Management Oversight) oversight responsibilities, the City shall own, operate and maintain the Terminal, and shall have responsibility for execution of lease agreements between the City and Terminal tenants; provided, however, that said leases and tenants shall be subject to and consistent with FTA guidelines. As further consideration for UTA's performance under this Agreement, the City will grant to UTA perpetual use of a portion of the Terminal for all transit-related activities and purposes. At the time UTA elects to use a portion of the Terminal, the City and UTA will enter an agreement upon reasonable terms, which agreement will govern UTA's use of the Terminal and allocate between the parties responsibilities and liability regarding such use.

The City Council may wish to clarify with the Administration the City's ownership of the Intermodal Hub and what advantage, if any, the City would have in turning over the Intermodal Hub to UTA.

Other Issues

According to the draft minutes of the Planning Commission meeting, representatives of the Poplar Grove Community Council told the Commission that, based on the advice of a lawyer, the Community Council will contest every step the City takes to develop the Intermodal Hub. According to the minutes, the group plans to challenge in court whether an environmental assessment of the area in and around the Intermodal Hub adequately addressed larger issues affecting the Poplar Grove neighborhood, particularly those near Union Pacific's 900 South freight railroad line.

The Administration's transmittal, under the section titled *Exhibit 2*, contains responses to points made by members of the Poplar Grove Community Council. Council staff also has attached a letter from the Administration to people living in the area of Union Pacific's 900 South rail line and a document titled *Questions and Answers About the Salt Lake City Intermodal Hub* that the Administration included with the letter.