SALT LAKE CITY COUNCIL STAFF REPORT

DATE:	September 30, 2009
SUBJECT:	Petition PLNPCM2009-00135 - Wade Olsen - request to amend the Zoning Ordinance to allow a hotel/motel as a conditional use in the Community Business CB Zoning District
AFFECTED COUNCIL DISTRICTS:	If the ordinance is adopted the zoning text amendment will affect Council Districts citywide
STAFF REPORT BY:	Janice Jardine
ADMINISTRATIVE DEPT: AND CONTACT PERSON:	Community Development Department, Planning Division Kevin LoPiccolo, Planning Program Supervisor
NOTICE REQUIREMENTS:	Newspaper advertisement and written notification to surrounding property owners 14 days prior to the Public Hearing

Should the Council choose to move this item forward, Council staff has identified the following tentative dates:

- **October 6** **Set Public Hearing date**
- **October 20** **Public Hearing**

KEY ELEMENTS:

A. Due to negative recommendation from the Planning Commission, an ordinance has **not** been prepared for Council consideration. If the Council chooses to move this item forward, an ordinance will be prepared by the City Attorney's office prior to the public hearing.

B. If the zoning text amendment is approved, the Table of Permitted and Conditional Uses for Commercial Zoning Districts (Sec. 21A.26.080) would be adjusted to allow hotels and motels located on State-owned arterial streets as a conditional use in the Community Business CB zoning district.

C. The Administration's paperwork notes:

1. The following are communities that could have a hotel/motel use subject to the property abutting a state route/highway as found in the Salt Lake City Transportation Master Plan. (Please see attached map.)

Communities	Possible Hotel/Motel Locations that abut a State Route/Highway
Sugar House & Central Community	700 East, 1300 East & 3300 South 1100 East to 1300 East (Note – 1300 East is currently a city-owned street. The proposed text amendment would **not** be applicable along 1300 East.)
East Bench Community	Foothill Boulevard
Capitol Hill Community	300 West at 300 & 400 North
Northwest Community	Redwood Road at 700 & 900 North

2. The proposed zoning text amendment would be the first step in facilitating redevelopment of the properties located at 1345 and 1355 South Foothill Boulevard. The existing Scenic Motel and adjacent dental office building to the south would be removed and a new 82-room Hampton Inn and associated retail space would be constructed.
3. The existing motel is considered a legal non-conforming use because hotels and motels are not currently permitted in the Community Business CB zoning district.
4. Specific building development plans are not being entertained as part of the zoning amendment request.
5. Building development plans would be reviewed through the conditional use planned development process. Additional City processes would include a subdivision amendment to consolidate the two parcels into a single 1.28 acre lot and compliance with all applicable City permit requirements and any other requirement that may be discovered during the development and permit approval process.

D. The petitioner's application contains a detailed discussion relating to the proposed zoning text amendment. Key points are summarized below. (Please see the Planning staff report, Attachment A – Applicant Information and Item 7 - Original Petition at the end of the Administration's paperwork for additional details.)

Zoning text amendment background

1. The Scenic Motel was constructed in 1946, expanded in 1954 and received a 'modern' façade in 1964.
2. As an existing non-conforming use in this zoning district, the structure cannot be removed and replaced with a larger, more modern structure. The structure could only be renovated on its exiting footprint, which is not economically attractive or feasible due to the limited number of rooms. There are only 14 rooms at the Scenic Motel.
3. Currently, hotels and motels are allowed as a permitted or conditional use in the Commercial Corridor CC, Commercial Sugar House Business CSHBD, General Commercial CG and Transit Corridor TC-75 zoning districts.
4. Designating hotels and motels as a conditional use rather than a permitted use provides the opportunity for oversight by the Planning Commission and local community.
5. An expanded, upgraded and modern hotel in this location will meet the challenge of providing affordable short-term lodging to serve patients and their families who must travel to receive medical care at Primary Children's Medical Center, Huntsman Cancer Institute, the University of Utah Hospital and Clinics, the Moran Eye Center, etc.
6. The site is already within an exiting commercial district and the proximity of shopping, groceries, dining, and other retail uses, both adjacent and immediately across the street is advantageous for the proposed hotel use as well as providing an additional economic base for these businesses.
7. Public transportation is immediately accessible.
8. The proposed redevelopment meets criteria in the East Bench Master Plan by removing an aging, undersized, but successful business and consolidating parcels to allow room for expansion.
9. Components of the East Bench Master Plan can be more fully addressed as part of the conditional use application.

Proposed redevelopment project background

1. Preliminary designs for the proposed hotel include approximately 68,000 sq. ft. for 80+ rooms and suites and lobby/service areas. Approximately 6,000 sq. ft. of retail is incorporated into the street-level frontage of the building.
2. Access will be off Foothill Drive with a rear exit to 2300 East, reducing the present number of drive approaches onto Foothill Drive.
3. As part of the conditional use application, the owner will request a height adjustment to accommodate a 3-story structure. The site slopes 18 feet from the front to the rear (east to west).

The proposed hotel will be three stories above-grade along Foothill Drive but less than two levels above-grade in the rear, along 2300 East.

4. The site is bordered by retail, commercial and businesses to the north, south and west along Foothill Drive and by a cemetery to the east (rear) across 2300 East.
5. A single adjacent residence is located to the southeast, across 2300 East, kitty-corner to the site.

E. The purpose of the Community Business CB zoning district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site. (Building and area requirements are provided at the end of this staff report.)

F. The Conditional Use purpose statement notes that a conditional use is a land use which, because of its unique characteristics or potential impact on the municipality, surrounding neighbors or adjacent land uses, may not be compatible or may be compatible only if certain conditions are required that mitigate or eliminate the negative impacts.
    1. Conditional uses are allowed unless appropriate conditions cannot be applied which, in the judgment of the planning commission, or administrative hearing officer, would mitigate adverse impacts that may arise by introducing a conditional use on the particular site.
    2. It requires a careful review of its location, design, configuration and special impact to determine the desirability of allowing it on a particular site.
    3. Whether it is appropriate in a particular location requires a weighing, in each case, of the public need and benefit against the local impact, taking into account the applicant's proposals for ameliorating any adverse impacts through special site planning, development techniques and contributions to the provision of public improvements, rights of way and services.
    4. A planned development is a distinct category of conditional use. As such, it is intended to encourage the efficient use of land and resources, promoting greater efficiency in public and utility services and encouraging innovation in the planning and building of all types of development. Through the flexibility of the planned development technique, the city seeks to achieve the following specific objectives:
        a. Creation of a more desirable environment than would be possible through strict application of other city land use regulations;
        b. Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities;
        c. Combination and coordination of architectural styles, building forms and building relationships;
        d. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;
        e. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city;
        f. Use of design, landscape or architectural features to create a pleasing environment;
        g. Inclusion of special development amenities; and
        h. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.

G. The appropriate City's Departments and Divisions have reviewed the request. The Planning staff report provides a complete summary of the comments. (Please refer to the Planning staff report for details, pages 4-5) The Administration's transmittal notes that there were no issues raised by the City that would prevent the proposal from proceeding. The applicant must comply with all City requirements.

H. The Planning staff report provides the following findings for the requested zoning text amendment. Analysis and findings were evaluated in the Planning staff report and considered by the Planning Commission. (Discussion, analysis and findings are found on pages 5-7 of the Planning staff report.)
   1. The proposed text amendment is a change in current zoning allowances for the Community Business District relating to hotels/motels.
   2. The proposed text amendment may be harmonious with the overall character of existing development provided the proposed use is added as a conditional use when abutting a State Route to the CB zoning district.
   3. Adding a hotel/motel as a conditional use may have impacts on the residential uses that are located across 2300 East, but this could be addressed by conditioning the proposed use and restricting or minimize lighting, deliveries, and requiring enhanced landscaping for this type of land use.
   4. If a hotel/motel use is added as a conditional use in the CB zoning district, it would be required to comply with the standards of any applicable overlay zoning district.
   5. Adding a hotel/motel as a conditional use would provide for additional City review to determine if public services and facilities are adequate for the type of use.

I. The public process included a public open house on March 19, 2009, a presentation at the East Bench Community Council in April 2009 and written notification of the Planning Commission hearing to Community Council Chairs and the Planning Division electronic list serve. Notice was also posted on the City's website.
   1. The Administration's transmittal notes that one person attended the open house and opposed any type of zone amendment that would allow for a hotel/motel in the CB zoning district. Planning staff received one written comment and one phone call from a property owner to the south opposing the text amendment.
   2. Written information submitted to the Planning Commission from the East Bench Community Council Chair notes that some East Bench residents who adjoin the proposed project oppose it because of concerns about traffic and architectural design. However, the majority or residents in the East Bench Community Council, including some who live near the site, support or strongly support the planned development of the Scenic Motel site into a modern motel facility, in this case the Hampton Inn. (Please see the Planning staff report, Attachment E – Public comment – for additional discussion and details.)

J. On June 10, 2009, the Planning Commission held a public hearing and voted to forward a negative recommendation to the City Council that the hotel/motel use not be allowed in a Community Business CB district when abutting a State route, based on the fact that this might create unintended consequences and limit the ability of the City to deny conditional uses. The vote was six in favor, one opposed. (Please see Item 6. – Planning Commission Minutes from June 10, 2009 in the Administration's paperwork for additional details.) The Administration's transmittal notes findings identified by the Planning Commission included:
   1. The proposed text amendment was in violation of the intent of the CB district in that the purpose of that district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.
   2. The proposed text amendment would create a use that is considered auto-oriented and would intensify an already challenged boulevard in terms of traffic and pedestrian circulation. The Commission stated the proposed use would be more appropriate either in existing zones along transit-oriented development or in CB zones should they occur in that corridor.
   3. The Commission stated that this type of business does not relate to the residential areas that it was supposed to be supporting.
   4. The Commission stated that the proposed amendment is not harmonious with the overall character of existing development in the immediate vicinity of the subject property because it is out of scale.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR THE ADMINISTRATION:

1. Council Members may wish to discuss in further detail with the Administration other areas of the city that may be affected by the proposed zoning the text amendment. As previously noted, the Administration's transmittal identified the following communities that could have a hotel/motel use subject to the property abutting a state route/highway as found in the Salt Lake City Transportation Master Plan:

Communities	Possible Hotel/Motel Locations that abut a State Route/Highway
Sugar House & Central Community	700 East, 1300 East & 3300 South 1100 East to 1300 East (Note – 1300 East is currently a city-owned street. The proposed text amendment would **not** be applicable along 1300 East.)
East Bench Community	Foothill Boulevard
Capitol Hill Community	300 West at 300 & 400 North
Northwest Community	Redwood Road at 700 & 900 North

MASTER PLAN AND POLICY CONSIDERATIONS:

A. The Administration's transmittal and the Planning staff report note the following relating to adopted master plans and City policy documents that are applicable to the proposed zoning text amendment.

1. **Sugar House Master Plan**
   The Sugar House Master plan has much discussion about commercial land use, but it is primarily directed at the business district, strip commercial and neighborhood commercial zoning districts. There is discussion about nonconforming uses, but only within the residential districts. Areas in Sugar House zoned CB that abut a State Route/Highway are along 1300 East and the Brickyard Plaza area.
2. **Central Community Master Plan**
   On page 11 of the Central City Master Plan discusses the effects of nonconforming land uses and states that "the owners of nonconforming properties need to be responsible and understand the complexities of owning such a property. They should be aware of and understand the zoning and the primary land uses in the area. The mitigation of impacts and/or the quality of the use depends on ownership and management of these uses. Areas in the Central Community zoned CB that abut a State Route are along 1300 East and 300 South and 700 East at Markea (250 South) and Hawthorne (540 South). (As previously noted, 1300 East is currently a city-owned street. The proposed text amendment would **not** be applicable along 1300 East.)
3. **East Bench Master Plan**
   Redevelopment or at least renovation of some business properties in the East Bench area is quite likely and is considered the most desirable approach to meeting future business needs in the community. Two-level buildings, structured parking, and other provisions of the zone provide considerably more development potential than present use levels at many sites (page 6). Areas in the East Bench zoned CB that abut a State Route/Highway are along Foothill
4. **Capitol Hill Master Plan**
   On page 7 of the Capitol Hill Master Plan, states that "many of the existing commercial uses in the community are heavy commercial land uses or are oriented to servicing commuters or tourists and are not neighborhood retail/service oriented. The lack of neighborhood oriented retail services is a major concern voiced by citizens of the community during the public input process of the

development of this master plan". The area in Capitol Hill zoned CB that abut a State Route is along 300 West around 400 North and 300 North.

5. **Northwest Community Master Plan**
   On page 6 of the Northwest Community Master Plan discusses the Neighborhood Commercial area concentrated businesses at the center located at 700 North and Redwood Road. The areas in the Northwest Community zoned CB that abut a State Route/Highway are along Redwood Road at 700 North and 900 North
6. **Salt Lake City Vision and Strategic Plan Final Report**
   The Salt Lake City Vision and Strategic Plan applies to this proposed text amendment. Section 20.0, of the City Vision and Strategic Plan Final report encourages the development of a "business friendly" licensing and regulatory practices.

- Additional citywide Master Plan and Policy considerations are provided below.

A. The City's Strategic Plan and the Futures Commission Report express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting, but not at the expense of minimizing environmental stewardship or neighborhood vitality. The Plans emphasize placing a high priority on maintaining and developing new affordable residential housing in attractive, friendly, safe environments and creating attractive conditions for business expansion including retention and attraction of large and small businesses.

B. The Council's growth policy notes that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
   1. Is aesthetically pleasing;
   2. Contributes to a livable community environment;
   3. Yields no negative net fiscal impact unless an overriding public purpose is served; and
   4. Forestalls negative impacts associated with inactivity.

C. The City's 1990 Urban Design Element includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities. Policy concepts include:
   1. Allow individual districts to develop in response to their unique characteristics within the overall urban design scheme for the city.
   2. Ensure that land uses make a positive contribution to neighborhood improvement and stability.
   3. Ensure that building restoration and new construction enhance district character.
   4. Require private development efforts to be compatible with urban design policies of the city regardless of whether city financial assistance is provided.
   5. Treat building height, scale and character as significant features of a district's image.
   6. Ensure that features of building design such as color, detail, materials and scale are responsive to district character, neighboring buildings, and the pedestrian.

D. The City's Transportation Master Plan includes general policy statements summarized below:
   a. Focus on ways to transport people, not on moving vehicles at the expense of neighborhoods.
   b. Support transportation decisions that increase the quality of life, not necessarily the quantity of development.
   c. Support the creation of linkages (provisions and incentives) to foster appropriate growth in currently defined growth centers.
   d. Support public/private partnerships in which all who benefit from capital improvements participate in funding those improvements.
   e. Consider impacts on neighborhoods on an equal basis with impacts on transportation systems.
   f. Give all neighborhoods equal consideration in transportation decisions.

CHRONOLOGY:

The Administration's transmittal provides a chronology of events relating to the proposed zoning text amendment amendment. Key dates are listed below. Please refer to the Administration's chronology for details.

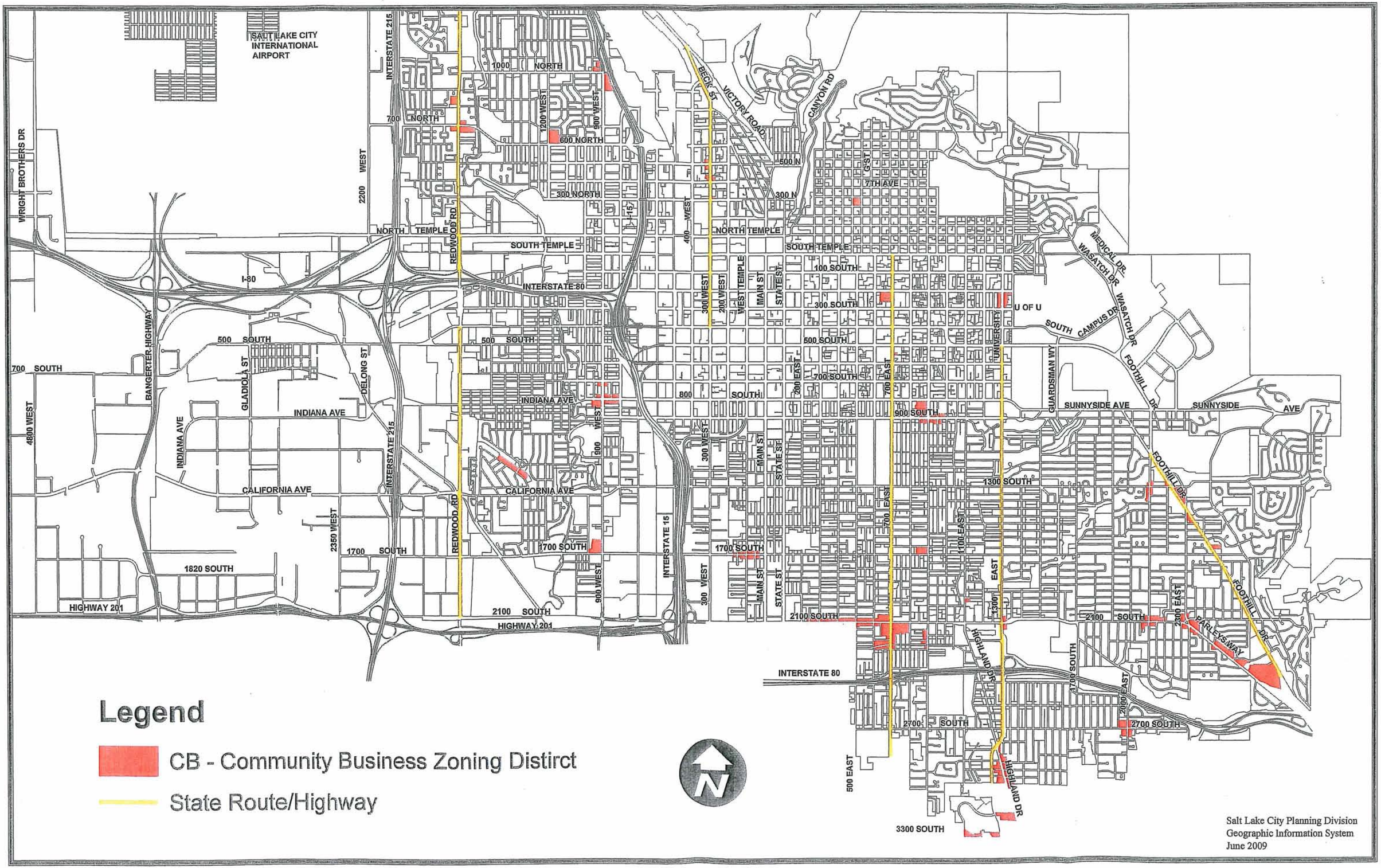
February 10, 2009	Petition delivered to Planning
March 19, 2009	Open House
June 10, 2009	Planning Commission public hearing
June 23, 2009	Minutes from the June 10, 2009 Planning Commission meeting approved.
August 11, 2009	Transmittal received in Council office

cc: David Everitt, Karen Hale, Lisa Harrison-Smith, Lyn Creswell, Ed Rutan, Lynn Pace, Paul Nielson, Frank Gray, Mary De Le Mare-Schaefer, Wilf Sommerkorn, Pat Comarell, Orion Goff, Larry Butcher, Kevin LoPiccolo, Council Liaisons, Mayors Liaisons

File Location: Community Development Dept., Planning Division, Zoning Text Amendment, Wade Olsen, Scenic Motel 1345 and 1355 South Foothill Boulevard

Community Business CB Zoning District – standards and design guidelines

1. **Planned Development Review** – Planned developments which meet the intent of the ordinance but not the specific design criteria (for the CB zoning district) may be approved by the Planning Commission through the Planned Development Conditional Use process.
2. **Lot Size Requirements** – no minimum lot area or lot width is required. Lots exceeding 4 acres shall be allowed only as a conditional use.
3. **Maximum Building Size** – any building having 15,000 sq. ft. floor area on the first floor or a total floor area of 20,000 sq. ft. shall be allowed as a conditional use.
4. **Maximum Building Height** – 30 ft. or 2 stories, whichever is less.
5. **Minimum Yard Requirements**:
   a. Front or Corner Side Yard – no minimum required
   b. Interior Side Yard – none required
   c. Rear Yard – 10 ft.
   d. Buffer Yards – any lot abutting a lot in a residential district shall conform to buffer yard requirements – (lots in a CB zoning district that abut a lot in a residential zoning district require a 7 ft. landscaped buffer)
   e. Accessory Building and Structures may be located in yard areas subject to applicable zoning regulations.
   f. Maximum Setback:
      - A maximum setback of 15 ft. is required for 75% of the building façade. Exceptions may be authorized by the Planning Commission through Conditional Building and Site Design Review process.
      - The Planning and Transportation Directors may modify this requirement if the resulting modification results in a more efficient public sidewalk.
      - The Planning Director may waive this requirement for any addition, expansion or intensification that increases the floor area or parking requirement by less than 50%, subject to certain criteria.
   g. Parking Setback:
      - Surface parking is prohibited in a front or corner side yard.
      - Surface parking lots within an interior side yard - 20 ft. landscape setback from the front property line or be located behind the primary structure.
      - Parking structures - 35 ft. landscape setback from the front or corner side yard property line or be located behind the primary structure.
      - Underground parking - no minimum or maximum setback required.
      - The Planning Director may waive this requirement subject to certain criteria.
6. **Landscape Yard Requirements** – if a front or corner side yard is provided, such yard shall be maintained as a landscape yard and may take the form of a patio or plaza subject to site plan review approval.
7. **Entrance and Visual Access**:
   a. Minimum first floor glass – 40 % glass surfaces required for first floor building elevations facing a street. Exceptions may be authorized by the Planning Commission through Conditional Building and Site Design Review process. The Planning Director may approve a modification to this requirement subject to certain criteria.
   b. Maximum length of any blank wall at the first floor level is limited to 15 ft.
   c. Screening – building and mechanical equipment, transformers and service areas shall be screened from public view.
8. **Parking Lot/Structure Lighting** – if located adjacent to a residential zoning district or residential land use:
   a. Poles for security lighting are limited to 16 ft. in height and lighting must be shielded to minimize light encroachment onto adjacent residential properties.
   b. Lightproof fencing is required adjacent to residential properties.



Salt Lake City Planning Division
Geographic Information System
June 2009

FRANK B. GRAY
DIRECTOR

MARY DE LA MARE-SCHAEFER
DEPUTY DIRECTOR

ROBERT FARRINGTON, JR.
DEPUTY DIRECTOR

SALT LAKE CITY CORPORATION

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
OFFICE OF THE DIRECTOR

RALPH BECKER
MAYOR

CITY COUNCIL TRANSMITTAL

RECEIVED
AUG 11 2009
By SRB

David Everitt, Chief of Staff

Date Received:

Date Sent to City Council: 08/20/2009

TO: Salt Lake City Council
Carlton Christensen, Chair

DATE: August 10, 2009

FROM: Frank Gray, Community & Economic Development Department Director

RE: Petition PLNPCM2009-00135: Zoning Text Amendment by Wade Olsen, 1345 & 1355 South Foothill Boulevard, a request to amend the table of permitted and conditional uses for the CB Zoning District by allowing a hotel/motel as a conditional use

STAFF CONTACTS: Kevin LoPiccolo, Planning Program Supervisor, at (801) 535-6003 or kevin.lopiccolo@slcgov.com

RECOMMENDATION: That the City Council holds a briefing to determine whether the request should be forwarded to a Public Hearing

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: None

DISCUSSION:

***Issue Origin*:** The owner, Wade Olsen of the property located at 1345 and 1355 South Foothill Boulevard, is requesting a text amendment to allow as a conditional use a hotel or motel in the Community Business (CB) District when abutting a State Route. Currently the CB zoning district does not allow hotel or motel.

Although the subject property has an existing motel (Scenic Motel) on the site, the CB zone does not allow this use, therefore making the use legal non-conforming. As proposed, the applicant would like to redevelop the Scenic Motel site and adjacent dental office building to the south and construct a new 82 room Hampton Inn and associated retail space on 1.28 acres.

451 SOUTH STATE STREET, ROOM 404
P.O. BOX 145486, SALT LAKE CITY, UTAH 84114-5486
TELEPHONE: 801-535-6230 FAX: 801-535-6005
WWW.SLCGOV.COM/CED

***Analysis*:** The subject property abuts commercial on the north and south and would gain access from Foothill Boulevard. The properties to the east is open space (cemetery) and single-family residential. The purpose of the CB zone is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.

The proposal was reviewed by all applicable City departments and divisions. There were no issues raised by the City that would prevent the proposal from proceeding. The applicant must comply with all City requirements.

Master Plan Considerations: The proposed zoning text amendment, if approved, would allow hotel/motel as a conditional use in the CB Zoning District. The following are communities that could have a hotel/motel use, subject to the property abutting a state route/highway as found in the Salt Lake City Transportation Master Plan:

Communities	**Possible Hotel/Motel Locations that abut a State Route/Highway**
Sugar House & Central Community	700 East &1300 East
East Bench Community	Foothill Boulevard
Capitol Hill Community	300 West at 300 & 400 North
Northwest Community	Redwood Road at 700 & 900 North

PUBLIC PROCESS:

An Open House was held on March 19, 2009, to gather public input. One person attended the meeting and opposed any type of zone amendment that would allow for a hotel/motel in the CB zoning district. Staff has received one written comment opposing the text amendment and one phone call from a property owner to the south opposing the text amendment.

The Planning Commission held a Public Hearing on June 10, 2009. The findings that were identified during the Public Hearing included:

1. The proposed text amendment was in violation of the intent of the CB district in that the purpose of that district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.

2. The proposed text amendment would create a use that is considered auto-oriented and would intensify an already challenging boulevard in terms of traffic and pedestrian circulation. The Commission stated the proposed use would be more appropriate either in existing zones along transit-oriented development or in CB zones should they occur in that corridor.

3. The Commission stated that this type of business does not relate to the residential areas that it was supposed to be supporting.

4. The Commission stated that the proposed amendment is not harmonious with the overall character of existing development in the immediate vicinity of the subject property because it is out of scale.

The Planning Commission passed a motion to transmit a negative recommendation to the City Council regarding amending the table of permitted ad conditional uses for the CB Zoning District by allowing a hotel/motel as a conditional use. The vote was six in favor, one opposed.

RELEVANT ORDINANCES:

Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: "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." It does, however, list five standards, which should be analyzed prior to rezoning property (Section 21A.50.050 A-E). The five standards are discussed in detail starting on page 6 of the Planning Commission Staff Report (Attachment 6).

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1. Chronology

PROJECT CHRONOLGY

• February 10, 2009	Petition delivered to Planning
• February 10, 2009	Petition assigned
• February 13, 2009	Request Department Comments
• March 19, 2009	Open House
• May 26, 2009	Notice for June 10, 2009 Planning Commission
• June 10, 2009	Planning Commission Hearing
• June 10, 2009	Ordinance requested from City Attorney
• June 10, 2009	Attorney will prepare Ordinance if needed
• June 24, 2009	Planning Commission Minutes ratified

2. Notice of City Council Hearing

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition PLNPCM2009-00135, a request by Wade Olsen, applicant, for a text amendment to amend the table of permitted and conditional uses for the CB Zoning District by allowing a hotel/motel as a conditional use. The proposal is for an 82 room hotel located at 1345 & 1355 South Foothill Boulevard.

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

DATE:

TIME: 7:00 p.m.

PLACE: Room 315
City & County Building
451 South State Street
Salt Lake City, Utah

If you have any questions relating to this proposal or would like to review the file, please call Kevin LoPiccolo at (801) 535-6003 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at kevin.lopiccolo@slcgov.com

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Division at (801) 535-7757; TDD (801) 535-6021.

3. Mailing Labels

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MICHAEL AKERLOW
FOOTHILL/SUNNYSIDE CHAIR
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SALT LAKE CITY UT 84108

MARIELLA SIRAA/MARGARET BRADY
EAST LIBERTY PARK CO-CHAIRS
EMAIL ONLY, SEE City Council site

ARCADIA HEIGHTS/BENCHMARK CHAIR
Vacant

MAGGIE SHAW
SUGAR HOUSE CHAIR
1150 WILSON AVE
SALT LAKE CITY UT 84105

OAK HILLS CHAIR
Vacant

KEVIN JONES
EAST BENCH CHAIR
2500 SKYLINE DR
SALT LAKE CITY, UT 84108

SALT LAKE CITY CORPORATION
ATTN: KEVIN LoPiccolo
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PO BOX 145480
SALT LAKE CITY, UT 84114

SUNSET OAKS CHAIR
Vacant

INDIAN HILLS CHAIR
Vacant

ST. MARY'S CHAIR
Vacant

LAST UPDATED 2/13/09 CZ

Downtown Alliance
Bob Farrington, Director
175 East 400 South #100
Salt Lake City, UT 84111

S.L. Chamber of Commerce
175 East 400 South, Suite #100
Salt Lake City, UT 84111

Attn: Carol Dibblee
Downtown Merchants Assn.
10 W. Broadway, Ste #420
P.O. Box
Salt Lake City, UT 84101

Sugar House Merchant's Assn.
C/o Barbara Green
Smith-Crown
2000 South 1100 East
Salt Lake City, UT 84106

Hispanic Chamber of Commerce
P.O. Box 1805
Salt Lake City, UT 84110

Vest Pocket Business Coalition
P.O. Box 521357
Salt Lake City, UT 85125-1357

Westside Alliance
C/o Neighborhood Housing Svs.
Maria Garcia
622 West 500 North
Salt Lake City, UT 84116

4. Planning Commission Agenda for June 10, 2009

SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA

In Room 326 of the City & County Building at 451 South State Street

Wednesday, June 10, 2009 at 5:45 p.m.

The field trip is scheduled to leave at 4:00 p.m. Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m., in Room 126. **Work Session**—The Planning Commission will discuss Zoning District Purpose Statements and may discuss project updates and other minor administrative matters. This portion of the meeting is open to the public for observation.

Approval of Minutes from Wednesday, May 27, 2009

Report of the Chair and Vice Chair

Report of the Director

1. **Petitions 410-761 and 490-06-04 Time Extension for Bouck Village Planned Development** (now known as Macland Subdivision Planned Development)—a request by Monte Yedlin for a two year time extension for the approval of the Bouck Village Planed Development and preliminary subdivision. The property is located at approximately 1566 West 500 North in a Single Family Residential (R-1/5,000) zoning district. The project was originally approved by the Planning Commission on May 10, 2006. The expiration date of the approval for the planned development was on May 10, 2009. The applicant purchased the property from the original developer and is requesting that the approval date be extended until May 10, 2011 to allow time to finance the project and record the final plat. This project is located in Council District 1, represented by Carlton Christensen.

2. **Planning Commission Policies and Procedures**—The Planning Commission is scheduled to adopt revisions to its Policies and Procedures document

Public Hearings

3. **Petition No. PLNPCM2009-00509 Salt Lake City Code Maintenance; Fine Tuning text amendments**—a request by Salt Lake City Mayor Ralph Becker to analyze the appropriateness of amending the City Code as listed below. These text changes are citywide (Staff contact: Ray Milliner at 535-7645 or ray.milliner@slcgov.com).

   a. Chapter 21A.Section 28.040 Table of Permitted and Conditional Uses for Manufacturing Districts. Eliminate the maximum lot size of two acres for institutional uses in the manufacturing zoning districts.

   b. Chapter 2.20.080A of City Code (Planning and Zoning Commission Meetings). Clarify that the Planning Commission must meet at least once a month.

   c. Chapter 21A.04.030 Clarify that a Certificate of Appropriateness may be required for properties within a local historic district or for Landmark Sites even when a building permit is not required.

   d. Various chapters of the Zoning Ordinance. Clarify that the approval timeframe expires if complete building plans are not submitted to the Permits Office or a permit issued rather than based on the issuance of a building permit and construction actually begun.

4. **PLNPCM2009-000191; City of the Seven Gates Conditional Use**—a request by Brylan Schultz located at approximately 2904 West 500 South for conditional use approval to have living quarters for an on-site caretaker. The property is in the M-2 (Heavy Manufacturing) zoning district and in Council District Two, represented by Van Turner (Staff contact: Nick Britton at 801.535.6107 or nick.britton@slcgov.com)

5. **PLNPCM2009-00266; Qwest Conditional Use**—a request by Rob Vigil, Qwest Corporation, to permit installation of two ground-mounted utility boxes within an existing public utility easement located at approximately 2857 South Melbourne Street. The zoning designation for the property is R-1/7,000 Single-Family Residential District. The purpose for the conditional use is to facilitate development of high speed internet services in the neighborhood. The property is located in City Council District 7, represented by Søren Simonsen (Staff contact: Michael Maloy at 801-535-7118 or michael.maloy@slcgov.com).

6. **Petition PLNPCM2009-00135**—a request by Salt Lake Exchange Accommodations for a text amendment to the Salt Lake City Zoning Ordinance to permit hotel/motel as a conditional use in the Community Business (CB) zoning when abutting State Arterial Streets. The proposed change would allow for the redevelopment of an existing motel located at approximately 1345 and 1355 South Foothill Drive to an 82 room hotel. This project is located in Council District 6, represented by JT Martin (Staff contact: Kevin LoPiccolo at 801.535.6003 or kevin.lopiccolo@slcgov.com).

7. **Merrimac Flats Townhouse Development**—a request from City and Resort Properties, LLC, represented by Nathan Anderson, for Planning Commission approvals to allow for the development of seven single-family attached dwelling units at approximately 38 West Merrimac Avenue. The project is located in Council District Five, represented by Jill Remington-Love (Staff contact: Doug Dansie at 801.535.6182 or doug.dansie@slcgov.com)

   a. **Petition PLNPCM2008-00679**-a request to rezone the property from RMF-35 residential multi-family medium density development to RMF-75 residential multi-family high density zoning classification. The applicant wishes to increase the potential density from five to seven units.

   b. **PLNSUB2009-00417**—a request for planned development approval to modify the lot size and street frontage requirements to ensure the proposed project is consistent with neighborhood setbacks.

Visit the Planning Division's website at www.slcgov.com/CED/planning for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission.

PUBLIC HEARING NOTICE

STATE MAIL SVCS 05/27/2009 04:02 AM

Salt Lake City Planning Division
451 South State Street, Room 406
PO Box 145480
Salt Lake City UT 84114

FIRST CLASS

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0004271032 MAY 26 2009
MAILED FROM ZIP CODE 84116

1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing
3. In order to be considerate of everyone attending the meeting, public comments are limited to two (2) minutes per person, per item. A spokesperson who has already been asked by a group to summarize their concerns will be allowed five (5) minutes to speak. Written comments are welcome and will be provided to the Planning Commission in advance of the meeting if they are submitted to the Planning Division prior to noon the day before the meeting.
   Written comments should be sent to:

   Salt Lake City Planning Commission
   451 South State Street, Room 406
   Salt Lake City UT 84111

4. Speakers will be called by the Chair.
5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
6. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. The Salt Lake City Corporation complies will all ADA guidelines. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this meeting. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Office at 535-7757; TDD 535-6220.

5. Staff Report for June 10, 2009 Commission Meeting

PLANNING COMMISSION STAFF REPORT

Petition PLNPCM2009-00135
Zoning Text Amendment Request For A Hotel or Motel In The Community Business Zoning District
1345 & 1355 South Foothill Blvd
June 10, 2009

Planning and Zoning Division
Department of Community and Economic Development

Applicant: Wade Olsen

Staff: Kevin LoPiccolo, 535-6003 or kevin.lopiccolo @slcgov.com

Tax ID: 16-10-379-009 and 16-15-129-001

Current Zone: CB Community Business

Master Plan Designation: City Wide

Council District: City Wide

Lot Size: 1.28 acres

Current Use: Scenic Motel and dental office

Applicable Land Use Regulations:
- 21A.26.080

Notification
- Notice mailed on May 26, 2009
- Signs posted on May 29 , 2009
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites and in the newspaper May 26, 2009

Attachments:
A. Applicant Information
B. Conceptual Plan
C. Photographs
D. Department Comments
E. Public Comment
F. StateRoute/Transportation

Request

The proposed text amendment would allow as a planned development/ conditional use, hotel or motel in the Community Business (CB) District when abutting a State Route. Currently the CB zoning district does not allow hotel or motel, and in order to accomplish this, the applicant is requesting that the Planning Commission evaluate the existing zoning along Foothill Boulevard and consider forwarding a recommendation to the City Council on the proposed text amendment.

Although the subject property has an existing motel (Scenic Motel) on the site, the CB zone does not allow this use, therefore making the use legal nonconforming. As proposed, the applicant would like to redevelop the Scenic Motel site and adjacent dental office building to the south and construct a new 82 room Hampton Inn and associated retail space on 1.28 acres.

As part of this request, the Salt Lake City Zoning Ordinance, Section 21A.26.080 would be amended to allow as a conditional use "hotel/motel". If the text amendment is approved by the City Council, the applicant would need to go through the conditional use public hearing process.

Staff Recommendation

Based on the analysis and findings listed in the staff report, Staff is requesting that the Commission evaluate the proposed text amendment and transmit either a positive or negative recommendation to the City Council.

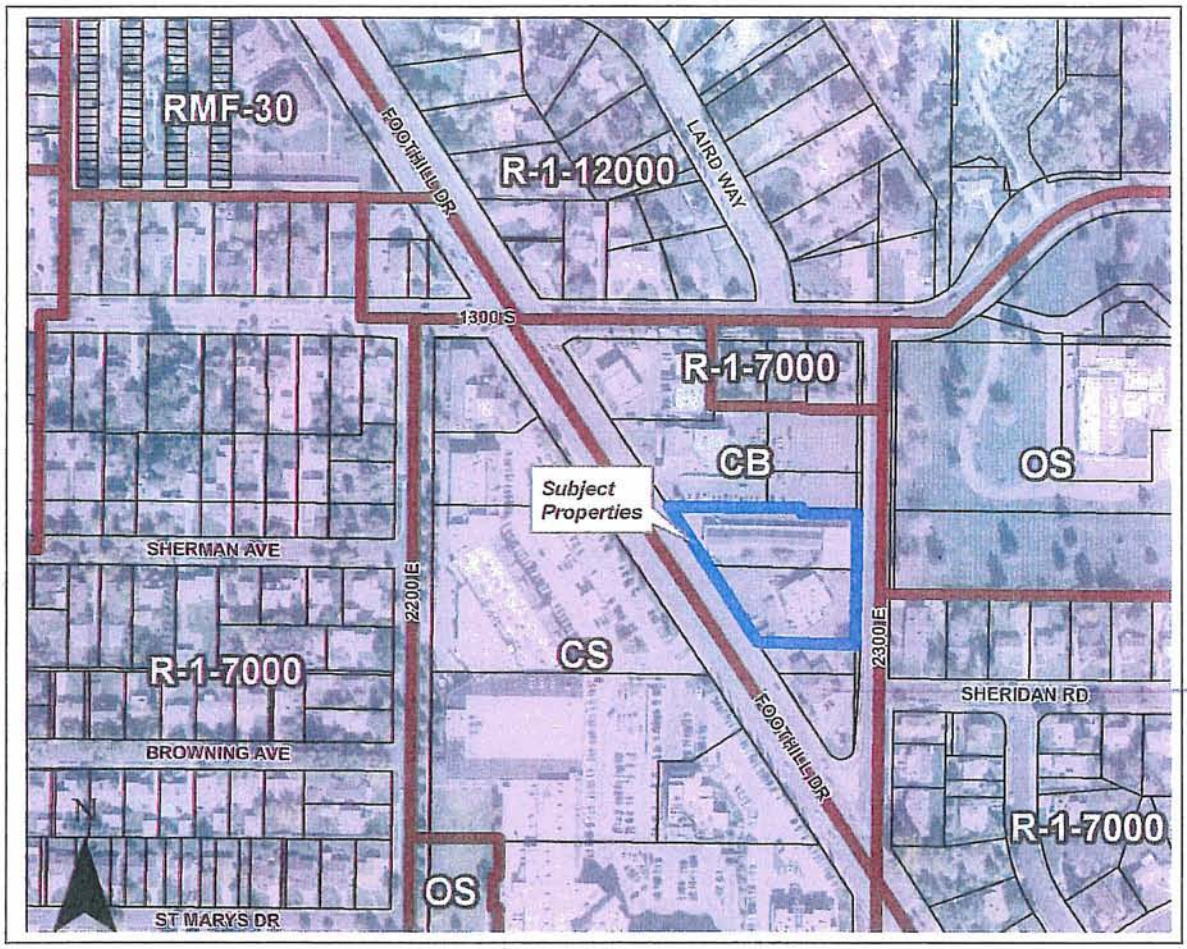
Options:

1. The Planning Commission may find that the proposal complies with the factors to be considered and send a recommendation to the City Council that they approve the zoning text amendment. The Planning Commission may also recommend specific standards to the City Council as part of this option; or

2. The Planning Commission may send a recommendation to the City Council to deny the zoning text amendment.

Plan G. Draft Land Use Table	3. The Planning Commission may continue the item if they determine not enough information is available to make a recommendation to the City Council.

VICINITY MAP



Background

Project Description

The proposed development is for an 82-room Hampton Inn and retail plaza to be constructed on the site of two existing businesses, the Scenic Motel and the adjacent Foothill Dental Office. The hotel will be limited to three floors, but because the site slopes 18 feet up hill to the east, the structure will rise only two stories above grade along the eastern 2300 East frontage. Retail tenant space, including a separate building would be located along Foothill Boulevard. Parking is accommodated within the center of the plaza and in a single-deck parking structure located at the southeast corner of the site. The proposed development will consolidate two parcels into a single 1.28 acre lot.

Preliminary designs for the proposed hotel include about 52,600 square feet for 82 rooms and suites, lobby/service areas, breakfast area, and an indoor pool. Approximately 5,700 square feet of retail is

incorporated into the street level frontage of the building with a portion of that (2,300 s.f.) in a separate retail building located at the south portion of the site.

The proposed development is surrounded by the following:

Direction	Zoning	Land Use
North	Community Business	Restaurant
East	Open Space/Single-Family	Cemetery & Single Family
West	Community Shopping District	Foothill Plaza (Retail)
South	Community Business	Bank

Master Plan Information

The proposed zoning text amendment, if approved, would allow hotel/motel as a conditional use in the CB Zoning District. Therefore, any community that has CB zoning may be applicable, but only if the zone abuts a State Route. The following are communities that could have a hotel/motel use, subject to the property abutting a state route/highway as found in the Salt Lake City Transportation Master Plan are as follows:

Communities	Possible Hotel/Motel Locations that abut a State Route/Highway
Sugar House & Central Community	700 East &1300 East
East Bench Community	Foothill Boulevard
Capitol Hill Community	300 West at 300 & 400 North
Northwest Community	Redwood Road at 700 & 900 North

MASTER PLAN SPECIFICATIONS:

Sugar House Master Plan

The Sugar House Master plan has much discussion about commercial land use, but it is primarily directed at the business district, strip commercial and neighborhood commercial zoning districts. There is discussion about nonconforming uses, but only within the residential districts. The areas Sugar House are zoned CB zoning that abuts a State Route/Highway is along 1300 East and the Brickyard Plaza area.

Central Community Master Plan

On page 11 of the Central City Master Plan discusses the effects of nonconforming land uses and states that "the owners of nonconforming properties need to be responsible and understand the complexities of owning such a property. They should be aware of and understand the zoning and the primary land uses in the area. The mitigation of impacts and/or the quality of the use depends on ownership and management of these uses. The areas that Central Community has CB zoning that abut a State Route is along 1300 East and 300 South and 700 East at Markea (250 South) and Hawthorne (540 South).

East Bench Master Plan

Redevelopment or at least renovation of some business properties in the East Bench area is quite likely and is considered the most desirable approach to meeting future business needs in the community. Two-level buildings, structured parking, and other provisions of the zone provide considerably more development potential than present use levels at many sites (page 6).

Capitol Hill Master Plan

On page 7 of the Capitol Hill Master Plan, states that "many of the existing commercial uses in the community are heavy commercial land uses or are oriented to servicing commuters or tourists and are not neighborhood retail/service oriented. The lack of neighborhood oriented retail services is a major concern voiced by citizens of the community during the public input process of the development of this master plan". The area that Capitol Hill has CB zoning that abut a State Route is along 300 West around 400 North and 300 North.

Northwest Community Master Plan

On page 6 of the Northwest Community Master Plan discusses the Neighborhood Commercial area concentrated business at the center located at 700 North and Redwood Road. The areas that the Northwest Community has CB zoning that abut a State Route/Highway is along Redwood Road at 700 North and 900 North

Salt Lake City Vision and Strategic Plan Final Report

The Salt Lake City Vision and Strategic Plan applies to this proposed text amendment. Section 20.0, of the City Vision and Strategic Plan Final report encourages the development of a "business friendly" licensing and regulatory practices.

Comments

Public Comments

An Open House was held on March 19, 2009 to gather public input. One person attended the meeting and opposed any type of zone amendment that would allow for a hotel/motel with the CB zoning district. Staff has received one written comment (Attachment E) opposing the text amendment and one phone call from a property owner to the south opposing the text amendment.

City Department Comments

The comments received from pertinent City Departments / Divisions are as follows:

Transportation (Barry Walsh): The division of transportation review comment and recommendations are as follows:

- The inclusion of hotel/motel into the CB zone as a conditional use covers transportation issues in that traffic impact study is a standard requirement. The applicant is aware that a traffic impact study will by required by UDOT for this site since it abuts a state road.
- The proposed site is adjacent to a major arterial, Foothill Drive, a UDOT roadway, and a local class, 2300 East is a Salt Lake City roadway.
- The DRT has reviewed this proposal and commented on design issues for public way improvements, parking layout, ADA compliance, bike provisions, circulation – pedestrian and vehicular, grades, etc.

Engineering (Craig Smith): Engineering has not provided any comments on the proposed zoning amendment. However, when the site is developed a full review of the plans will be required.

Building Services (Alan Hardman):

- Approve zoning text amendment PLNPCM2009-00135.
- Consolidate two existing lots into one new lot as approved by the Planning Division.
- UDOT approval required for Foothill Drive improvements.
- Provide parking calculations.

- Provide a Landscape Plan
- Show trash dumpster location.
- Planned Development as a Conditional Use approval will be required for design elements that do not conform to the CB zoning requirements:
- Additional building height greater than 30 feet;
- Surface parking lots in front yards (not allowed);
- Parking structures encroaching into the 35 foot front yard setback—lot has double frontage (Foothill Drive and 2300 East Street);
- Buildings greater than 20,000 square feet;
- Entrance and visual access requirements.

Police Department (Lt. Richard Brede): Staff did not receive any comments regarding the proposed text amendment.

Economic Development (Bob Farrington): Have not received any written comments.

Public Utilities (Brad Stewart): Public Utilities has not provided any comments on the proposed zoning amendment. However, when the site is developed a full review of the plans will be required.

Zoning Review

If approved as proposed, a hotel/motel would be a conditional use in the CB zoning district. The purpose of the CB zoning district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.

The standards found in the CB zoning district are designed to provide adequate lot area, building spacing, buffer requirements, etc. for the permitted uses. Conditional uses, processed through a planned development process, are required to meet at least the minimum standards. However, through the conditional use process additional requirements may be attached to a development in order to mitigate adverse impacts and fulfill the purpose statement of the CB zoning district.

Analysis and Findings

Options

With regard to zoning text amendments, the Planning Commission makes a recommendation to the City Council and the City Council has the decision making authority. If the City Council approves the request, then a hotel/motel would be allowed as a conditional use/planned development in the CB zoning district, provided that the property abuts a State Route/Highway. Prior to construction of their facility, the applicant would have to go through the conditional use/planned development review process. If the City Council denies the request, then the zoning ordinance would not be amended.

Analysis

Section 21A.50.050. 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;**

Discussion: Adding hotel or motel as a conditional use in the CB zoning district is a change in adopted City policy relating to this type of land use. The Planning Division is charged with the task of implementing the adopted policies of the applicable master plans of the City. Staff is seeking input from the Commission on this proposed text amendment in terms of evaluating whether or not this particular area along Foothill Boulevard is a suitable site for a hotel or motel use and discuss whether the CB zone is appropriate along Foothill Boulevard. The purpose of the CB zone is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.

Finding: The proposed text amendment is a change in current zoning allowances for the Community Business District relating to hotels/motels.

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

Discussion: This factor is site specific, but the proposed text amendment would affect all CB zones that abut a State Route. However, the petition is being requested by an applicant with a specific location. The location at 1345 and 1355 South Foothill Boulevard is zoned CB. The surrounding uses are primarily commercial, but to the east the land uses are open space (Cemetery) and single-family residential. The applicants have submitted a conceptual development plan for their proposal. A more substantial development plan would be reviewed as part of the conditional use process if the text of the zoning ordinance is amended. Requiring conditional use review for this type of use allows the City to identify potential adverse impacts and determine if the adverse impacts can be reasonably mitigated. If the adverse impacts can be reasonably mitigated, a conditional use shall be approved. If potential impacts cannot be mitigated, then the Planning Commission may deny the conditional use. One of the standards of review for a conditional use is to determine the compatibility of the use and design with the surrounding area.

The conditional use standards of review and public process would not apply to a hotel/motel if it were a permitted use.

Finding: The proposed text amendment may be harmonious with the overall character of existing development provided the proposed use is added as a conditional use when abutting a State Route to the CB zoning district.

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

Discussion: The proposed text amendment includes amending the table of permitted and conditional uses in the CB zoning district.

The purpose of the CB zoning district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.

The subject property abuts commercial on the north and south and would gain access from Foothill Boulevard. The properties to the east is open space (cemetery) and single-family residential. The purpose of the CB district is to provide an environment for pedestrian and transit scale uses, and given the proposed hotel use, the Commission will need to evaluate whether or not the text amendment is appropriate for the CB zone and whether or not the change will adversely affect the abutting properties.

Finding: Adding a hotel/motel as a conditional use may have impacts on the residential use that are located across 2300 East, but this could be addressed by conditioning the proposed use and restrict or minimize lighting, deliveries, and enhanced landscaping for this type of land use.

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

Discussion: The proposed text amendment is not associated with any overlay zoning districts.

Finding: If a hotel/motel use is added as a conditional use in the CB zoning district, it would be required to comply with the standards of 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.**

Discussion: Further review of the adequacy of public facilities and services would be performed during the conditional use process. All development applications that require conditional use approval are routed to applicable City Department and Divisions for review comments. These comments are typically required to be complied with if a conditional use is approved.

Finding: Adding a hotel/motel as a conditional use would provide for additional City review to determine if public services and facilities are adequate for the type of use.

Attachment A
Applicant Information

Zoning Amendment Application for

Proposed Hampton Inn- 1345 and 1355 S. Foothill Blvd.

(Modify CB Zone to Allow Hotel/Motel as a Conditional Use)

1. **Statement of Text Amendment:**

   This Zoning Amendment request is to modify the Community Business (CB) Zone to permit a Hotel as a Conditional Use. Allowable uses for Commercial Districts are defined in the "Table: "Permitted and Conditional Uses, By District" - Section 21A.26.080 (Page 960-79). Hotel and Motel is already allowed in the CC, CSHBD, and CG zones as a Permitted Use, and as a Conditional Use in the TC-75 zone. The Text Amendment would add the CB zone to commercial districts that allow Hotel or Motel use. To address this proposed Zone Amendment, a "C" (Conditional Use) would be added to this Table under the CB Zone for a Hotel or Motel use. Exhibit A, attached, shows this change. Designating Hotel/Motel as a Conditional Use rather than a Permitted Use provides opportunity for oversight by the Planning Commission and local Community.

2. **Complete Description of the Proposed Use:**

   The proposed development will replace the existing Scenic Motel and adjacent Foothill Dental Office buildings with a new Hampton Inn complex. Preliminary Site Concept Drawings are presented in Exhibit "B". Preliminary designs for the proposed Hotel include about 68,000-sq ft. for 80+ rooms and suites, and lobby/service areas. Approximately 6,000 sq. ft of retail is incorporated into the street-level frontage of the building.

   The proposed development will consolidate two parcels into a single 1.28 acre-parcel. Access will be off Foothill Blvd. with a rear exit to 2300 East, reducing the present number of drive approaches onto Foothill Blvd. A Traffic Study is currently underway per UDOT requirement.

   A "Planned Development as a Conditional Use" application will be submitted separately for review of the proposed Hotel site plan. As part of the Conditional Use, the owner will request a height variance to accommodate a 3-story structure. The site slopes from 18 feet from the front to rear (west to east), so the proposed hotel will be three stories above-grade along Foothill Drive, but less than two levels above-grade in the rear, along 2300 East. For comparison, some of the retail buildings across the street at Foothill Village are 3 stories.

   The site is bordered by retail, commercial, and businesses to the north, south and west along Foothill Blvd., and by the lawn-covered burial grounds of the cemetery to the east (rear), across 2300 East. A single adjacent residence is located to the southeast, across 2300 East, kitty-corner to the site.

3. **Reasons why the present zoning may not be appropriate:**

The Scenic Motel was constructed in 1946, expanded in 1954, and received a "modern" façade in 1964. The motel is fully booked year around, but the structure is aging, badly in need of modernizing, does not meet new building and safety codes for short-term lodging, and has very limited room capacity.

Although a motel currently occupies the site, the Community Business CB Zone as defined in Table 21A.26.080 does not currently permit a hotel or motel- not as a Permitted or Conditional Use. There is no "grandfathering" or allowance for an existing non-conforming use in this zone designation. That means that under the present zoning, an aging but successful motel cannot be removed and replaced with a larger, more modern structure. It could only be renovated on its existing footprint, which is not economically attractive or feasible due to the limited number of rooms (there are only 14 rooms at the Scenic Motel).

An expanded, upgraded and modern Hotel in this location will meet the challenge of providing affordable short-term lodging to serve patients and their families who must travel to receive medical care at Primary Children's Medical Center, Huntsman Cancer Institute, the University of Utah Hospitals and Clinics, Moran Eye Center, etc. There currently is no modestly-priced short-term lodging in the vicinity of these hospitals and clinics. The site is already within an existing Commercial District, and the proximity of shopping, groceries, dining, and other retail uses, both adjacent and immediately across the street, is advantageous for the proposed hotel use as well as providing an additional economic base for these other businesses. Public transportation is immediately accessible.

The East Bench Master Plan states "Redevelopment or at least renovation of some business properties in the East Bench area is quite likely and is considered the most desirable approach to meeting future business needs in the community.... More efficient use of existing business properties is the preferred approach to meet future business needs". This proposal meets these criteria by removing an aging, undersized, but successful business, and consolidating parcels to allow room for expansion. This is a business use that meets a great need for affordable short-term lodging in the community. Components of the East Bench Master Plan can be more fully addressed as part of the Conditional Use application.

Finally, as stated above, Hotel and Motel use is already allowed in other Commercial District Zones: As a Permitted Use in the CC, CSHBD, and CG zones, and as a Conditional Use in the TC-75 zone. It may simply be an oversight that this use was not included in the CB zone. This Text Amendment would add the CB zone to these commercial districts that allow Hotel or Motel use and allow this use to expand at this site to meet a clear need for short-term lodging

PLANNED DEVELOPMENT AS A CONDITIONAL USE

Proposed Hampton Inn

1345 and 1355 S. Foothill Blvd.

1. **Project Description.**

The proposed development is for an 82-room Hampton Inn hotel and retail plaza to be constructed on the site of two existing businesses, the Scenic Motel and adjacent Foothill Dental Office building. The hotel will be limited to three floors, but because the site slopes 18 feet uphill to the east, the structure will rise only 2 stories above-grade along the eastern 2300 East frontage. Retail tenant space, including a separate retail building, is located along Foothill Drive. Parking is accommodated within the center of the plaza and in a single-deck parking structure located at the southeast corner of the site. The proposed development will consolidate two parcels into a single 1.28 acre-parcel and provide a significant upgrade for a successful, locally-owned business.

Site development plans, architectural renderings, building elevations, site grading and drainage plans, landscaping, and floor plans are included in the plan package submitted with this Conditional Use application.

The proposed development will meet the long-standing need for modestly-priced lodging in the heart of the East Bench's medical, research park, University, and commercial center. There are few sites in this commercial area that are well-suited and available for this use.

The Scenic Motel was constructed in 1946, expanded in 1954, and received a "modern" façade in 1964. The motel is fully booked year around, but the structure is aging, badly in need of modernizing, does not meet new building and safety codes for short-term lodging, and has very limited room capacity. An expanded, upgraded and modern Hotel in this location will provide affordable short-term lodging for patients and their families who must travel to receive medical care at Primary Children's Medical Center, Huntsman Cancer Institute, the University of Utah Hospitals and Clinics, Moran Eye Center, etc. There currently is no modestly-priced, short-term lodging in the vicinity of these hospitals and clinics. Business clients and visitors to Research Park businesses will also benefit from this hotel. The site is within an existing Commercial District, and the proximity of shopping, groceries, dining, and other retail uses, both adjacent and immediately across the street, is advantageous for the proposed hotel use as well as providing an additional economic base for these other businesses.

Zoning- Text Amendment (Pending). Although a motel currently occupies the site, the Community Business CB Zone does not currently permit a hotel or motel use. Effectively, under the present zoning, this successful but out-dated motel cannot be replaced with a larger, more modern structure. It could only be renovated on its existing footprint, which is not economically attractive or feasible due to the limited number of rooms (there are only 14 rooms at the Scenic Motel). This use *is* permitted in other Commercial District Zones (Permitted Use in CC, CSHBD, and CG zones; Conditional Use in TC-75). To that end, the owner/developer has applied for a Text Amendment to add a Hotel/Motel as a Conditional Use in the CB zone. That application has been submitted and is running concurrently with this Planned Development as Conditional Use application. This facilitates community oversight and input into the Hotel site plan development along with the Zone Amendment.

Height Variance. As part of the Planned Development as a Conditional Use, the owner requests a height variance. The site slopes from 18 feet from the front to rear (west to east), so the proposed hotel will be three stories above-grade along Foothill Drive, but less than two levels above-grade in the rear, along 2300 East. For comparison, some of the retail buildings across the street at Foothill Village are 3 stories.

Compatibility with the East Bench Master Plan. The East Bench Master Plan states "Redevelopment or at least renovation of some business properties in the East Bench area is quite likely and is considered the most desirable approach to meeting future business needs in the community.... More efficient use of existing business properties is the preferred approach to meet future business needs". This proposal meets these criteria by removing an aging, undersized, but successful business, and consolidating parcels to allow room for expansion. This is a business use that meets a great need for affordable short-term lodging in the community.

The East Bench Master Plan also states that the rear façades, where they face residential areas, should maintain the architectural design. This site has frontage onto 2300 East, and the architectural design elements are incorporated into the portions of the structure that face 2300 East, as well as the other facades towards adjacent businesses. The architectural design wraps completely around the building complex.

Green Building Design. The project team is investigating the feasibility of incorporating green building design concepts into the planned development. Green design considerations at this point include: the overall site re-use (tear-down and re-build in an existing infill site, rather than creating a new site), incorporating some on-site energy production (solar panels behind the roof parapets), drought tolerant landscaping, potential alternative construction materials for interiors and exteriors, investigating alternative mechanical systems, and following other LEEDs standards as is economical and practical.

Note on Signage. The owner would like to retrofit the existing "Scenic Motel" sign and re-use it at the new plaza. The sign is a landmark in the area, and we feel it should be preserved and retrofitted (although perhaps not with neon) and displayed at the new site.

Public Transportation and Traffic. Public transportation is immediately accessible. A report commissioned by the Wasatch Front Regional Council has indicated the potential to add express bus service along Foothill Drive. UDOT is evaluating reversible traffic lanes to accommodate commuter traffic during peak hours.

2. **Primary Street Accesses.** Access will be off Foothill Blvd. with a rear exit to 2300 East. Because this plan consolidates two business parcels with 3 driveway accesses, the proposed development plan secures an overall reduction in the number of drive approaches onto Foothill Blvd. A Traffic Study is currently underway per UDOT requirement and will be submitted to the City as part of this application.

3. **Adjacent Land Uses.** The site is bordered by retail, commercial, and businesses to the north, south and west along Foothill Blvd. The eastern portion of the site faces the lawn-covered grounds of the Larkin Sunset Lawn Cemetery, located across 2300 East. The single adjacent residence is located to the southeast, on the corner of Sheridan Road and 2300 East, kitty-corner to the site, There are additional, attractive and well-maintained residential neighborhoods to the east, northeast, and southeast.

4. **Discussions with Nearby Property Owners.** There have not been discussions with adjacent property owners yet; we felt it would be appropriate to develop a working site plan and then solicit community comment. We have spoken with the City Council representative for Council District 6, J.T. Martin; and with several individual members of the local community. There has been informal discussion with staff at one of the Foothill village restaurants, which was very positive regarding the opportunity for additional business and they offered to explore a cooperative arrangement. No formal discussions have taken place. We welcome input and hope this proposal is regarded as a positive asset to the local business, medical, research park, and residential community.

5. **Hours of Operation.** As with most hotels, we anticipate round-the-clock operation although most activity will be in the morning hours (7-9) and early evening as customers leave and return for meetings, appointments, and check in/out.

6. **Parking.** The site is designed with 80 stalls (1 stall per room). This exceeds SL City requirements of 1 stall per 2 rooms. Parking is accommodated within the center of the plaza, and in a single-deck parking structure located at the southeast corner of the site. This parking structure is essentially not visible from Foothill Drive.

7. **Employees.** The Hampton Inn will operate with a crew of approximately 20 employees.

8. **Gross Square Footage.** Preliminary designs for the proposed Hotel include about 52,600-sq ft. for 82 rooms and suites, lobby/service areas, breakfast area, and an indoor pool. Approximately 5,700 sq. ft of retail is incorporated into the street-level frontage of the building with a portion of that (2,300-sq ft.) in a separate retail building located at the South portion of the site. Additional basement area for storage and mechanical (approximately 5,300 sq. ft) is provided beneath the tenant spaces.

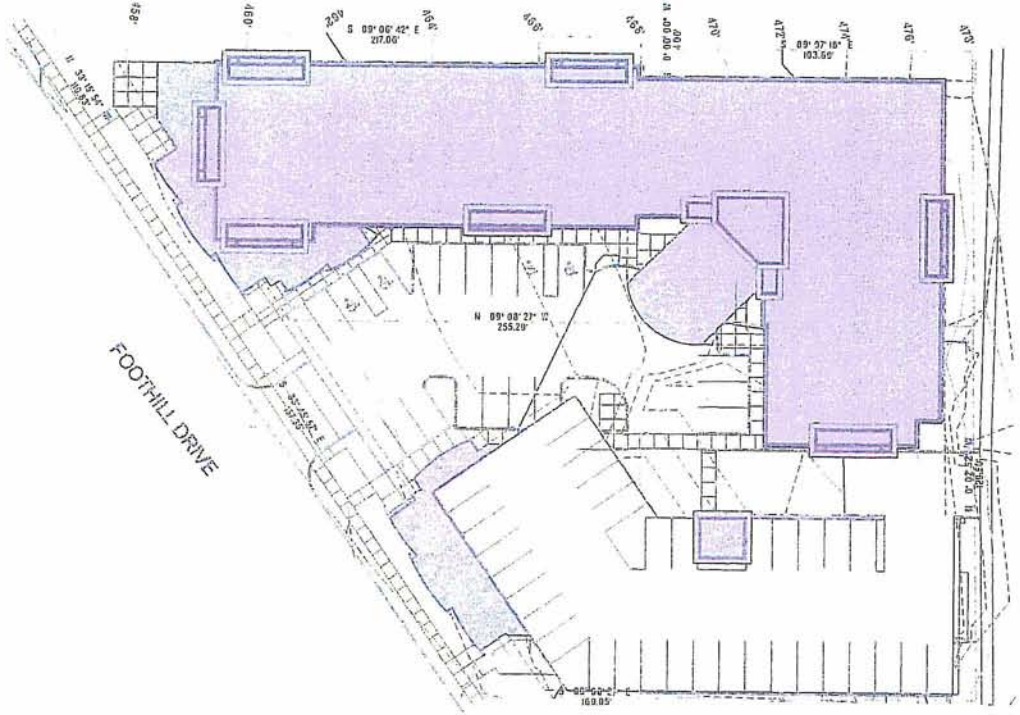
   A summary of the current square footages for each type of space is provided below:

Hotel 1st Level:	16,179 sq. ft.	Retail Lease Space #1: 1,689 sq. ft.
Hotel 2nd Level:	18,207	Retail #1 (Basement): 2,955
Hotel 3rd Level:	18,207	Retail Lease Space #2: 1,707
Total Hotel Area:	**52,593 sq. ft.**	Retail #2 (Basement): 2,332
Parking:	48 Stalls 1st Level	Retail Lease Space #3: 2,329
	32 Stalls 2nd Level	**Total Retail Area: 11,012 sq. ft.**

9. **Construction Phases and Scheduling.** Assuming prompt City zoning and building plan review and approvals, we anticipate construction to begin in summer/fall 2009, and require from 9 to 11 months to complete.

10. **Common Spaces.** Most of the common spaces are interior: pool, breakfast area. There is an exterior porte-cochere, and there is an option for seating in front of the retail spaces.

Attachment B
Conceptual Development Plan



SITE PLAN
1" = 20'-0"

LINETYPE LEGEND

- PROPERTY LINE
- SITE SETBACK/EASEMENT LINES
- SITE FEATURES
- ROOF FEATURES
- MAJOR EXISTING TOPOGRAPHY
- MINOR EXISTING TOPOGRAPHY
- MAJOR PROPOSED TOPOGRAPHY
- MINOR PROPOSED TOPOGRAPHY

EXHIBIT "B"

PROJECT NUMBER
08085

ISSUE DATE:
DECEMBER 17, 2009

REVISIONS:
No. Date

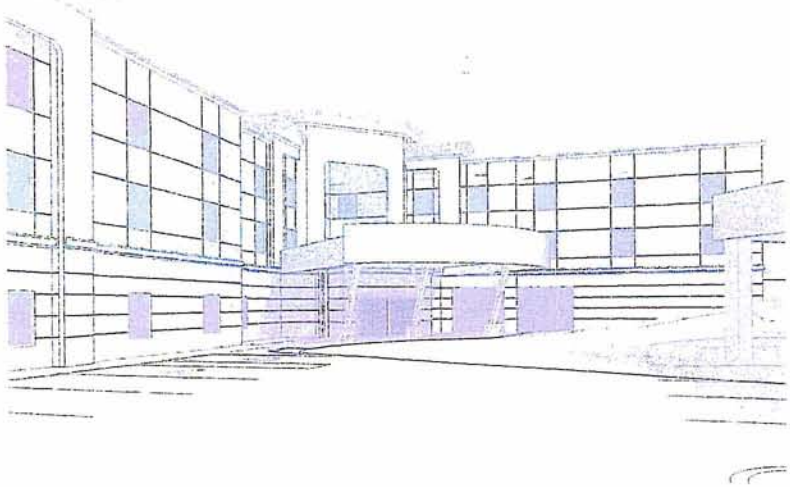
HAMPTON INN
SALT LAKE CITY, UTAH

SITE PLAN

C1.1

PRA ARCHITECTURE, INC.

FAX (801) 943-0180 3444 SOUTH HIGHWAY 89 COLORTRUL UTAH PHONE (801) 943-1345



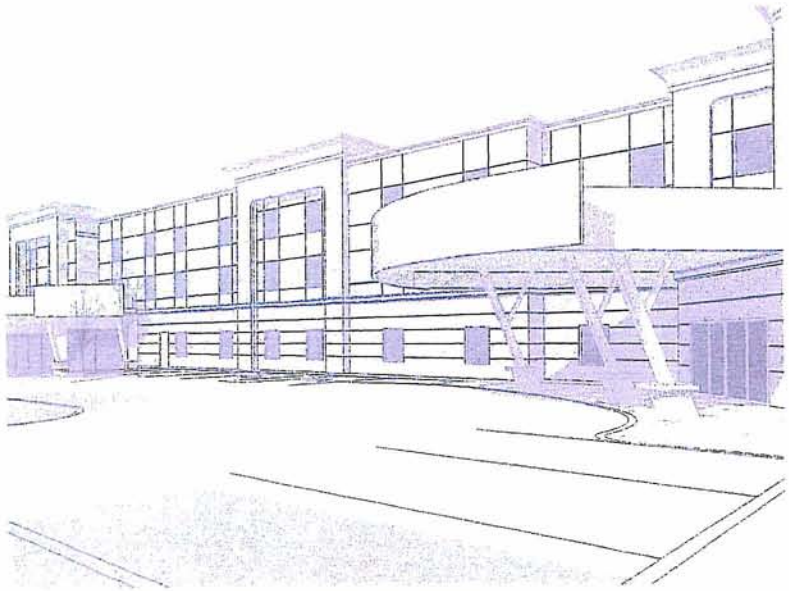


EXHIBIT "B"

PROJECT NUMBER
08085

ISSUE DATE:
DECEMBER 17, 2000

REVISIONS:
No. Date

HAMPTON INN
SALT LAKE CITY, UTAH

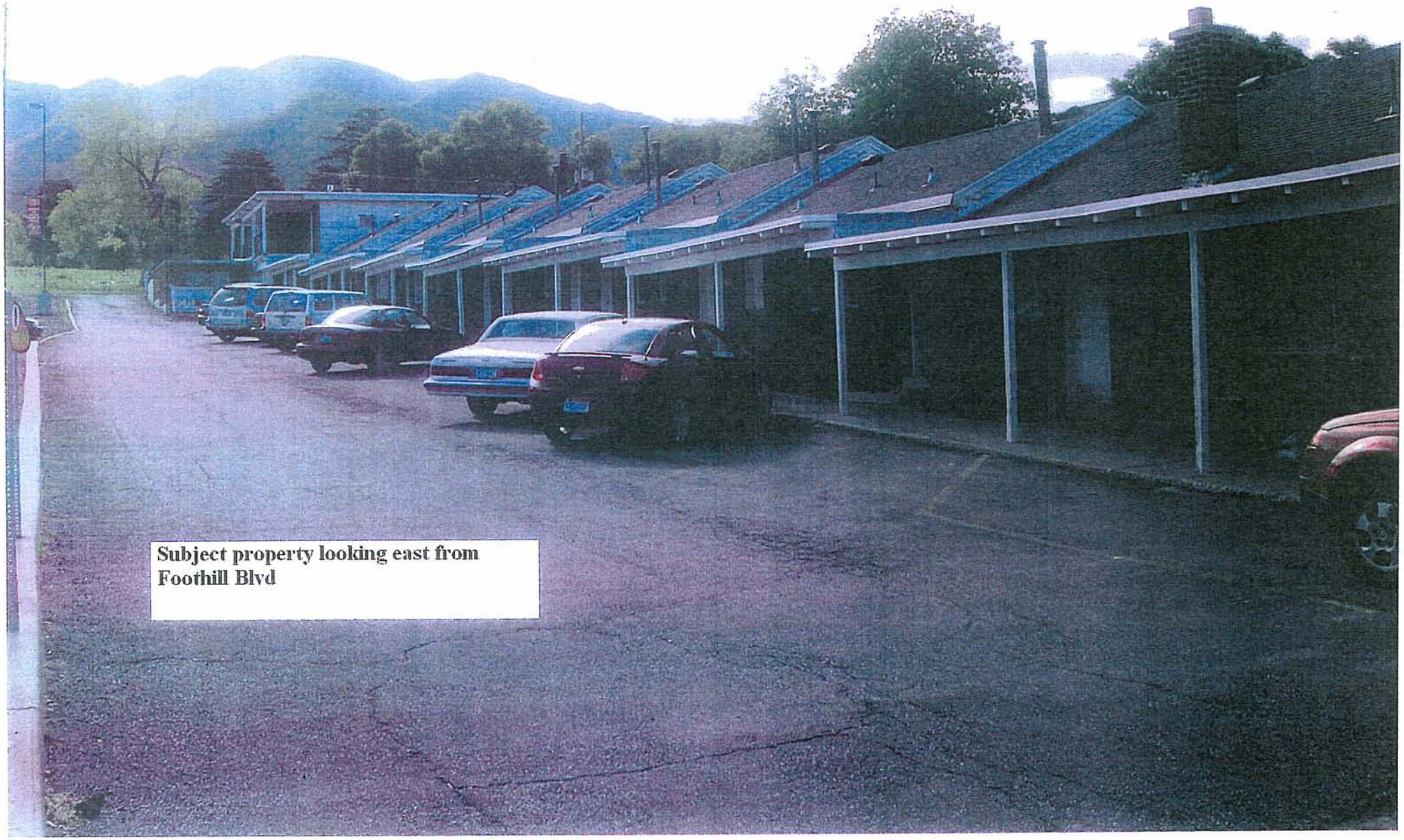
PROJECT PERSPECTIVES

A2.2

PRW ARCHITECTURE, INC.

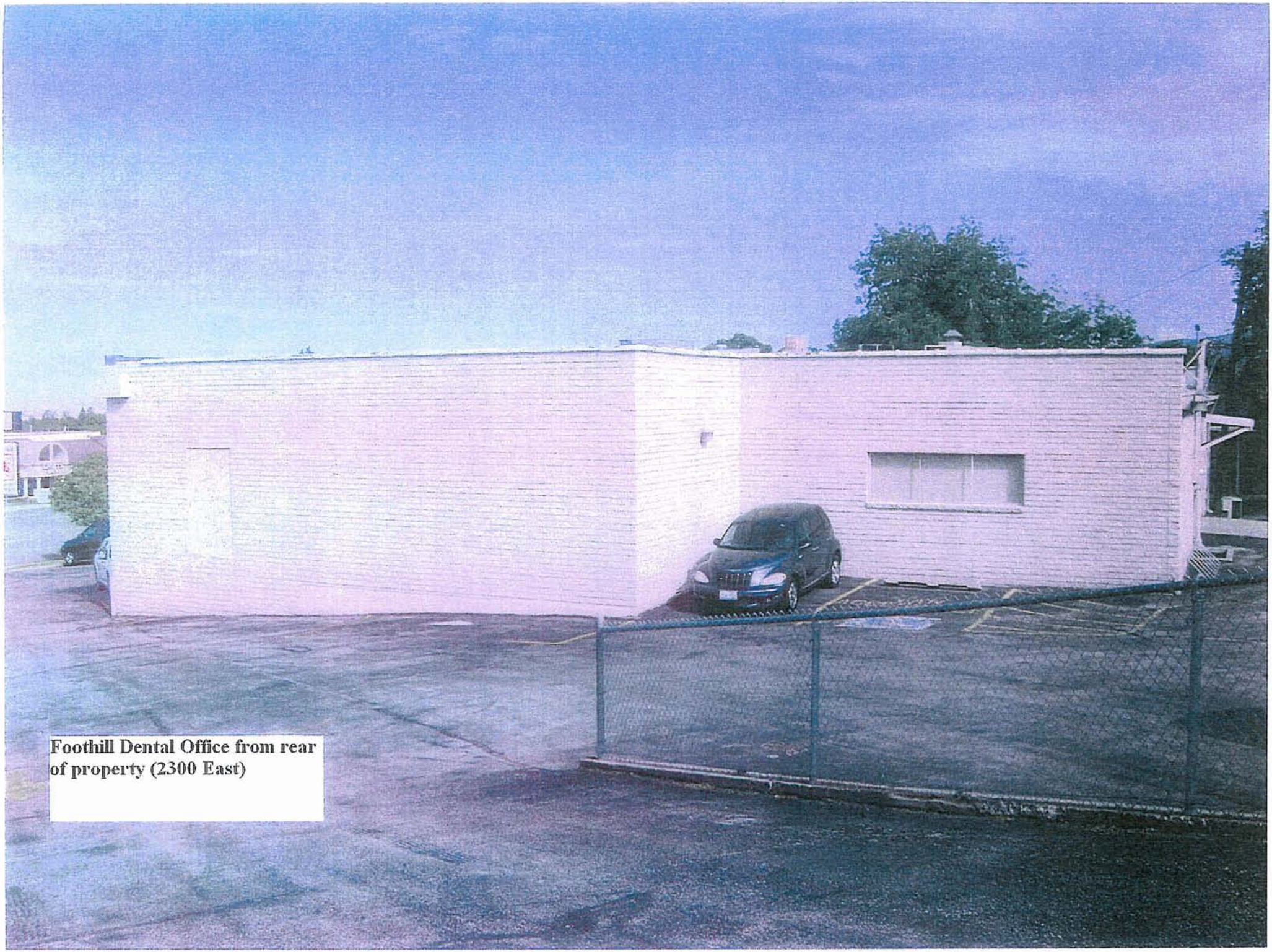
FAX: (801) 943-7180 3464 SOUTH HIGHWAY 89 BOUNTIFUL, UTAH PHONE: (801) 943-1313

Attachment C
Photographs



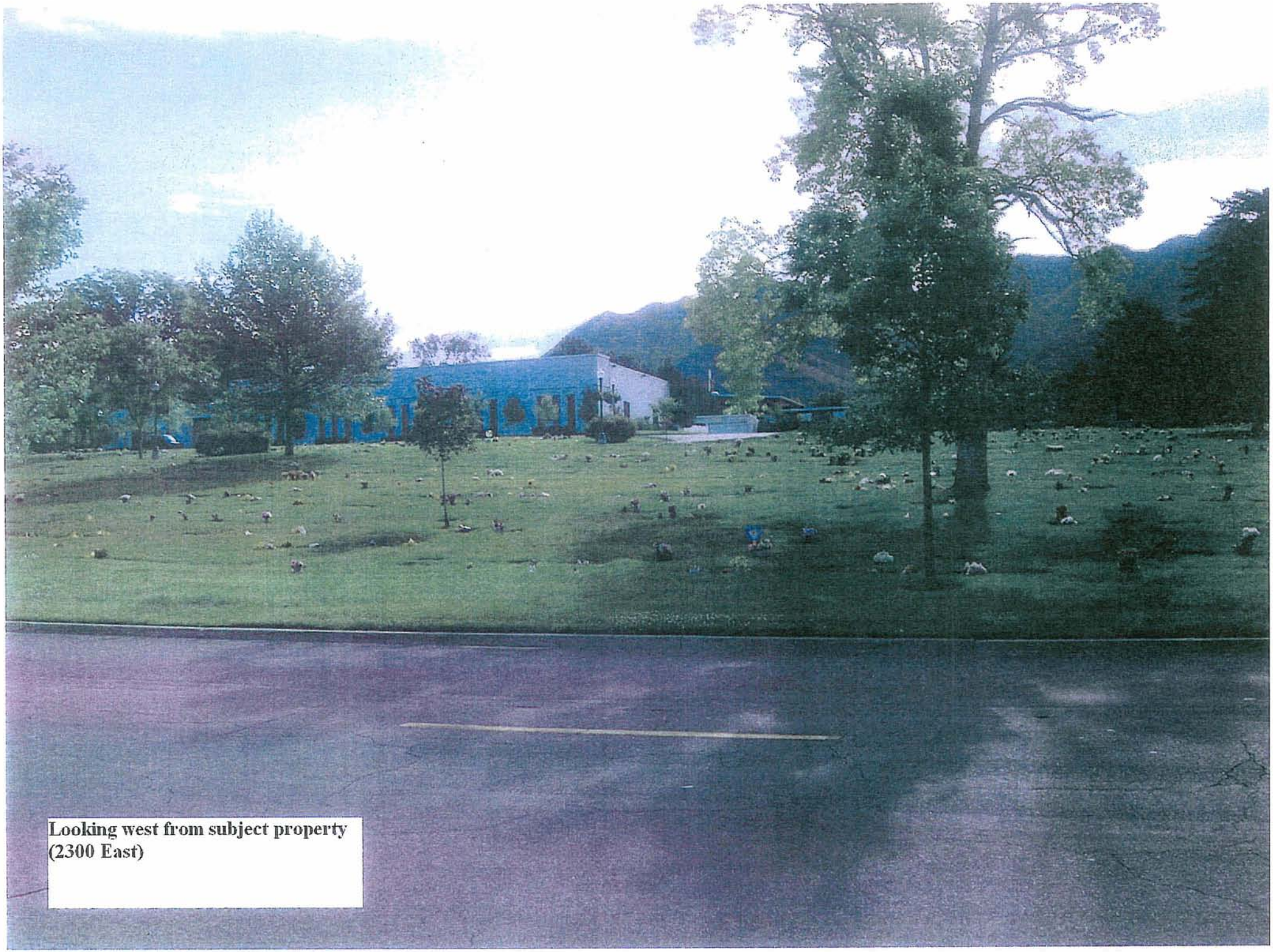
Subject property looking east from Foothill Blvd

Property to the south of subject property looking from 2300 East



Foothill Dental Office from rear of property (2300 East)

Looking north from subject property parking lot.



Looking west from subject property
(2300 East)

Looking north from subject property
(2300 East)

Attachment D
Department Comments

SALT LAKE CITY BUILDING SERVICES

Preliminary Zoning Review

Log Number: PLNPCM2009-00135 Date: February 20, 2009

Project Name: Salt Lake Exchange Accommodations

Project Address: 1345 & 1355 East Foothill Drive

Contact Person: Kevin LoPiccolo
Phone Number: (801) 535-6003

Fax Number: (801) 535-6174
E-mail Address:

Zoning District: CB (Proposed)

Reviewer: Alan Hardman Phone: 535-7742

Comments

This preliminary zoning review is based on a DRT meeting held on November 19, 2008.

1. Approve zoning text amendment PLNPCM2009-00135.
2. Consolidate two existing lots into one new lot as approved by the Planning Division.
3. UDOT approval required for Foothill Drive improvements.
4. Provide parking calculations.
5. Provide a Landscape Plan
6. Show trash dumpster location.
7. Planned Development as a Conditional Use approval will be required for design elements that do not conform to the CB zoning requirements:
    - Additional building height greater than 30 feet;
    - Surface parking lots in front yards (not allowed);
    - Parking structures encroaching into the 35 foot front yard setback—lot has double frontage (Foothill Drive and 2300 East Street);
    - Buildings greater than 20,000 square feet;
    - Entrance and visual access requirements.

LoPiccolo, Kevin

From: Walsh, Barry
Sent: Thursday, February 26, 2009 10:16 AM
To: LoPiccolo, Kevin
Cc: Young, Kevin; Smith, Craig; Itchon, Edward; Stewart, Brad; Butcher, Larry
Subject: Hampton Inn zone amendment
Categories: Program/Policy

February 26, 2009

Kevin LoPiccolo, Planning

RE: Zoning text amendment to allow hotel/motel as a conditional use in the Community Business (CB) zone.
For the Hampton Inn at 1345 and 1355 South Foothill Drive.

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

The inclusion of hotel/motel into the CB zone status as a conditional use covers transportation issues in that traffic impact studies (TIS) are a standard requirement. As noted in the application, a TIS is required by UDOT for this site. Other site development conditions cover issues with parking, vehicular and pedestrian access, circulation, and services.

The proposed site is adjacent to a major arterial, Foothill Drive a UDOT roadway, and a local class, 2300 East SLC roadway.
The DRT has reviewed this proposal and commented on design issues for public way improvements, parking layout, ADA compliance, bike provisions, circulation – pedestrian and vehicular, grades, etc.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Craig Smith, Engineering
Ted Itchon, Fire
Brad Stewart, Public Utilities
Larry Butcher, Permits
File

LoPiccolo, Kevin

From: Isbell, Randy
Sent: Friday, February 27, 2009 1:42 PM
To: LoPiccolo, Kevin
Cc: Spangenberg, Craig
Subject: Zoning text amendment
Categories: Program/Policy

Kevin,

Our office has reviewed the proposal and plans for a text amendment to modify the Community Business, CB, Zone to permit a hotel/motel as a Conditional Use.
Housing and Zoning has no concerns or comments at this time.

Thanks,

Randy Isbell, Housing/Zoning Specialist
Building & Zoning Division
Salt Lake City Corporation
Ph. (801) 535-6042
Fx. (801) 535-6131

Attachment E
Public Comment

Print Close

June minutes EBCC

From: **Presmoffitt@aol.com**

Sent: Thu 6/18/09 1:20 PM

To: grabetoy@yahoo.com; rebecca.utz@utah.edu; wagontrainwalker@netzero.net; info@henryslaw.com; jypala@comcast.net; dixonwr@yahoo.com; sandman@jurassicsand.com; chickadee.kj@gmail.com; Musuris@aol.com; dave@daveperry.com; bennion@vii.com; thekean@msn.com; JanUofU@aol.com; camronc@comcast.net; drvogel@comcast.net; HARPAPP@aol.com; douglasg@xmission.com; rilyprice@msn.com; gkevinjones@hotmail.com; lilathom@earthlink.com; pmccune@xmission.com; peterames@earthlink.net; RogerF@aol.com; rebeccabatt@earthlink.net; balder@alderconstruction.com; paultayler6830@msn.com; ljsamuels@comcast.net; klkennard@hotmail.com; tfendler@secor.com; Andolsek@aol.com; lyntaylor4@comcast.net; bruce@crslaw.com; ziggydonn@msn.com; nmoldover@comcast.net; phoenixsilverky@yahoo.com; henry.welch@slcgov.com

Attachments:

EBCC june attachment.pdf (152.4 KB), EBCC June minutes.docx (10.5 KB)

EAST BENCH COMMUNITY COUNCIL

MINUTES JUNE 17 MEETING

Welcome by G. Kevin Jones

1. Lisa Harrison from the mayors office introduced Shawna McDonald as her replacement as the community liaison for districts 5, 6 and 7. Shawna has worked for the mayor's office for several years working with special events, demonstrations and protests. Her E-mail address is shawnamcdonaldslcgov.com.

2. No decision has been made yet for the placement of the new public safety building. Shawna encouraged us to get everyone interested to attend the open houses. The next one will be June 22 at 455 F st. and the one after that will be at the Sprague library June 23th. You can find further information on her web site.

3. Crime report was given my Mark from the Salt Lake Police Department. Car prowls are still the biggest problem in area. Please remember to lock cars and keep valuables out of sight. The home burglary that took place on Beacon Drive happened in 5 minutes when the garage door was left open, he said to lock your homes and garage doors burglars are just looking for easy access. Most people are not aware that dogs must be on leash in the city. There are very few places they can be off leash. Be aware of Donner Park as they will be giving tickets if dogs are off leash. Mark also told us he gives several tickets at the 4 way stop at Crestview and Kennedy. So please be aware and come to a full stop.

4. Fire department from the 21st south office. They introduced the EMT's that were with them. The question was asked, "If we had a mass emergency in this area would they be able to handle it?" There

answer was " no" everyone needs to have an emergency plan in their home as part of a "be prepared system". They also were asked if they were called to an address on Foothill Drive do they get it mixed up with the other Foothill St. west of Foothill Drive, and they thought it could be a problem if not clarified. All in attendance agree it would be nice to have the street name changed. Some thought David Park Rd. would help because of the park there.

5. Kevin has had several people ask him about putting in speed bumps or a stop sign at Wasatch and Skyline. All present agree that is a dangerous intersection and would prefer a stop sign over a speed bump.

6. Clarification was made on the Hampton Inn/Scenic Motel planned development.
   A quorum being present the resolution passed this 17th day of June 2009 with only one dissenting vote. The resolution was as follows. "The position represented by the chair, G. Kevin Jones, before the Salt Lake City Planning Commission on the Hampton Inn/Scenic Motel Planned Development on Wednesday evening, June 10th 2009 is a true and accurate statement of the position of the East Bench Community Council and accurately represents the position of the East Bench Community Council. The statement is attached to the minutes as exhibit A."

7. Sonia Woodbury, director of City Academy was on the agenda but did not show up for the meeting. We will try to see if she would like to reschedule for September.

8. We still have one at large slot for a person from the north end of the council.

TESTIMONY OF G. KEVIN JONES
CHAIR, EAST BENCH COMMUNITY COUNCIL
BEFORE THE SALT LAKE PLANNING COMMISSION
ON THE HAMPTON-INN-SCENIC MOTEL PLANNED DEVELOPMENT
WEDNESDAY EVENING, JUNE 10, 2009

Good evening. My name is G. Kevin Jones and I am the Chairman of the East Bench Community Council. Thanks for extending the opportunity to speak before the Planning Commission on the proposed Hampton Inn-Scenic Motel Site planned development.

The proposed development is within the boundaries of the East Bench Community Council, and we therefore have a particular interest in the project.

For the reasons stated below, I can accurately represent that the majority of East Bench residents support or strongly support the planned development.

The East Bench Community Council held a through discussion of the proposed development at our April 2009 monthly meeting. The meeting was well attended. It included a presentation by the developer followed by questions and answers from the audience. I have also received numerous comments by telephone, e-mail, and conversation from community members about the planned development.

Concerns about the planned development.

The only expressed opposition to the planned development at our council meeting was from individuals who adjoin the project site, or live near-by. Some of these individuals own business properties bordering the Scenic Motel.

Their primary concern was increased traffic. They were also concerned with the architectural design, noting that the proposed Hampton Inn would be significantly larger than the current Scenic Motel.

Other than remarks at our council meeting, I have not received any additional comments from individuals opposed to the project.

Support for the planned development.

Although a resolution was not asked for by the developer or taken at our April meeting, those residents of the East Bench Community Council who were in attendance at our meeting were generally favorable to the project. Moreover, the neighbors who contacted me on their own initiative were overwhelming supportive of the planned development. This included some residents who live near the site. In fact, I have not received one single communication from residents opposed to the project other than what was expressed at the April meeting.

The East Bench residents who support the planned development identified the following reasons:

1. The East Bench has limited motel/hotel capacity.

2. The Scenic Motel is an aging structure and in need of significant repairs or modernization.

3. The Scenic Motel has a high occupancy rate but limited capacity.

4. The Scenic Motel provides convenient lodging for patients and family receiving or assisting those who are receiving medical attention at the University of Utah Medical Center or Primary Children's Medical Center.

5. An updated and expanded motel would provide modern hotel accommodations to business clients and visitors to Research Park.

6. The site is already within an existing commercial district.

7. Finally, the development would provide additional income to existing businesses, particularly those who are located at the adjacent Foothill Village Shopping Center.

Conclusion

Some East Bench residents who adjoin the proposed project oppose it because of concerns about traffic and architectural design. However, the majority of residents in the East Bench Community Council, including some who live near the site, support or strongly support the planned development of the Scenic Motel Site into a modern motel facility, in this case the Hampton Inn.

I will be pleased to address any questions.

G. Kevin Jones
Chair, East Bench Community Council

Print Close

June minutes EBCC

From: **Presmoffitt@aol.com**

Sent: Thu 6/18/09 1:20 PM

To: grabetoy@yahoo.com; rebecca.utz@utah.edu; wagontrainwalker@netzero.net; info@henryslaw.com; jypala@comcast.net; dixonwr@yahoo.com; sandman@jurassicsand.com; chickadee.kj@gmail.com; Musuris@aol.com; dave@daveperry.com; bennion@vii.com; thekean@msn.com; JanUofU@aol.com; camronc@comcast.net; drvogel@comcast.net; HARPAPP@aol.com; douglasg@xmission.com; rilyprice@msn.com; gkevinjones@hotmail.com; lilathom@earthlink.com; pmccune@xmission.com; peterames@earthlink.net; RogerF@aol.com; rebeccabatt@earthlink.net; balder@alderconstruction.com; paultayler6830@msn.com; ljsamuels@comcast.net; klkennard@hotmail.com; tfendler@secor.com; Andolsek@aol.com; lyntaylor4@comcast.net; bruce@crslaw.com; ziggydonn@msn.com; nmoldover@comcast.net; phoenixsilverky@yahoo.com; henry.welch@slcgov.com

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MINUTES JUNE 17 MEETING

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Kevin Lopiccolo
Salt Lake Planning (Scenic Motel)

Enclosed is a copy of the minutes for the June meeting of the East Bench Community Council that contains a resolution clarifying that the position I presented before the Planning Commission on June 10th regarding the Scenic Motel/Hampaton Inn development was accurate. See ¶ 6.

G. Kevin Jones
Chair, East Bench Community Council
June 22, 2009

LoPiccolo, Kevin

From: Layne Anthony [layne@msisutah.com]
Sent: Thursday, May 28, 2009 10:13 AM
To: LoPiccolo, Kevin
Subject: RE: Public Hearing Notice - Proposed 82 room hotel
Follow Up Flag: Follow up
Flag Status: Red

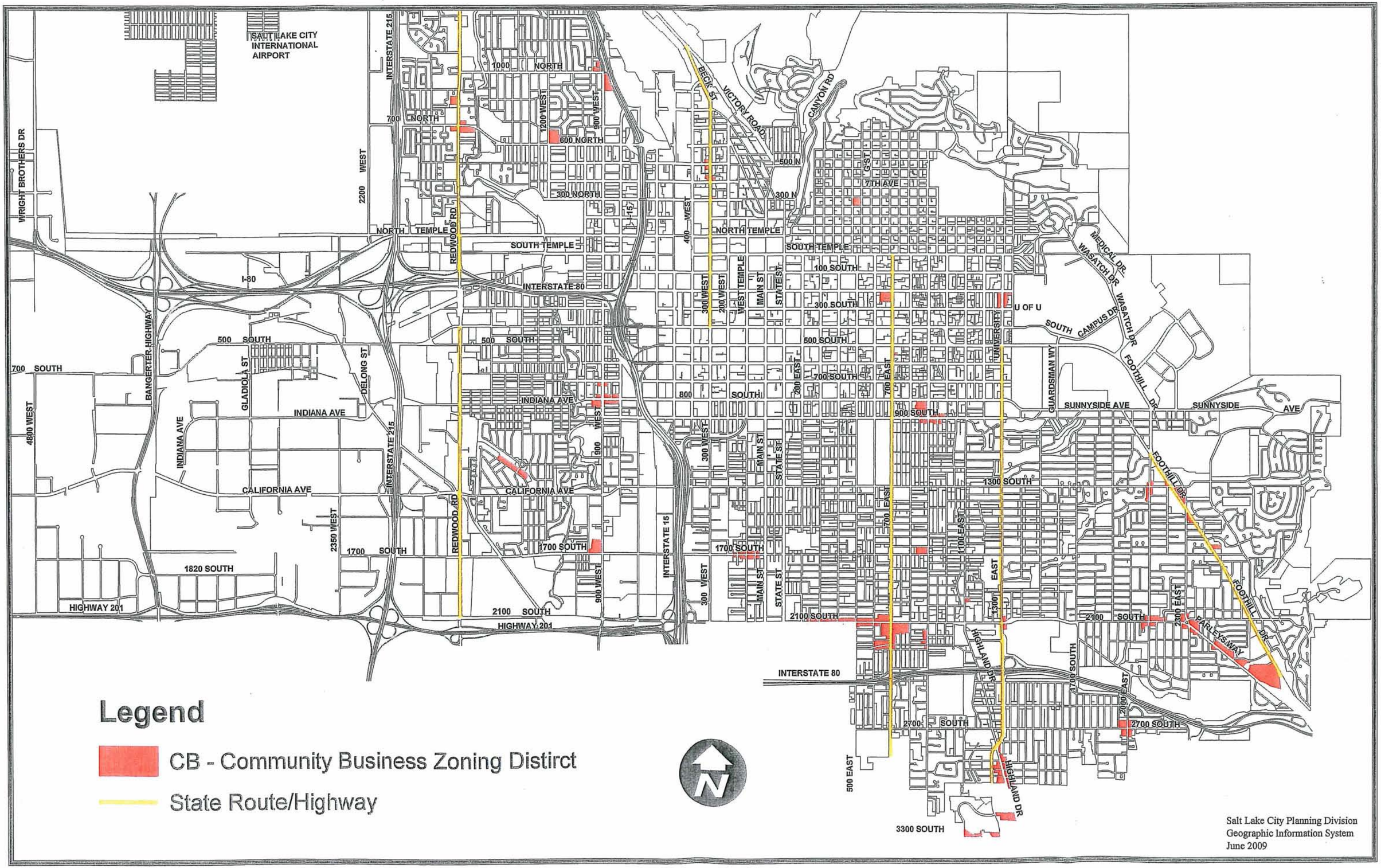
I have some huge concerns over this proposal, among them being my direct view of the west setting sun and the obstructions this hotel would cause. Also, I am very concerned about any increase in traffic in the Foothill and surrounding area. Already there is enormous congestion at the immediate intersections, not to mention the increased traffic "literally speeding" through my neighborhood to skirt this very congestion! I have small children and have been unable to convince city personnel to increase speed trap patrols, let alone an officer patrol at all. In addition, speed humps have been denied multiple times. God help us all when the next child is injured or killed. Now, are we going to allow additional sprawl (this proposed hotel) in such a congested area when we can't even solve some of the simple issues? I'm only just getting started.....

Please respond with any details, drawings, etc. of this proposed hotel project promptly so that those of us who will be affected might evaluate its' nature in a time frame that allows us to respond constructively.

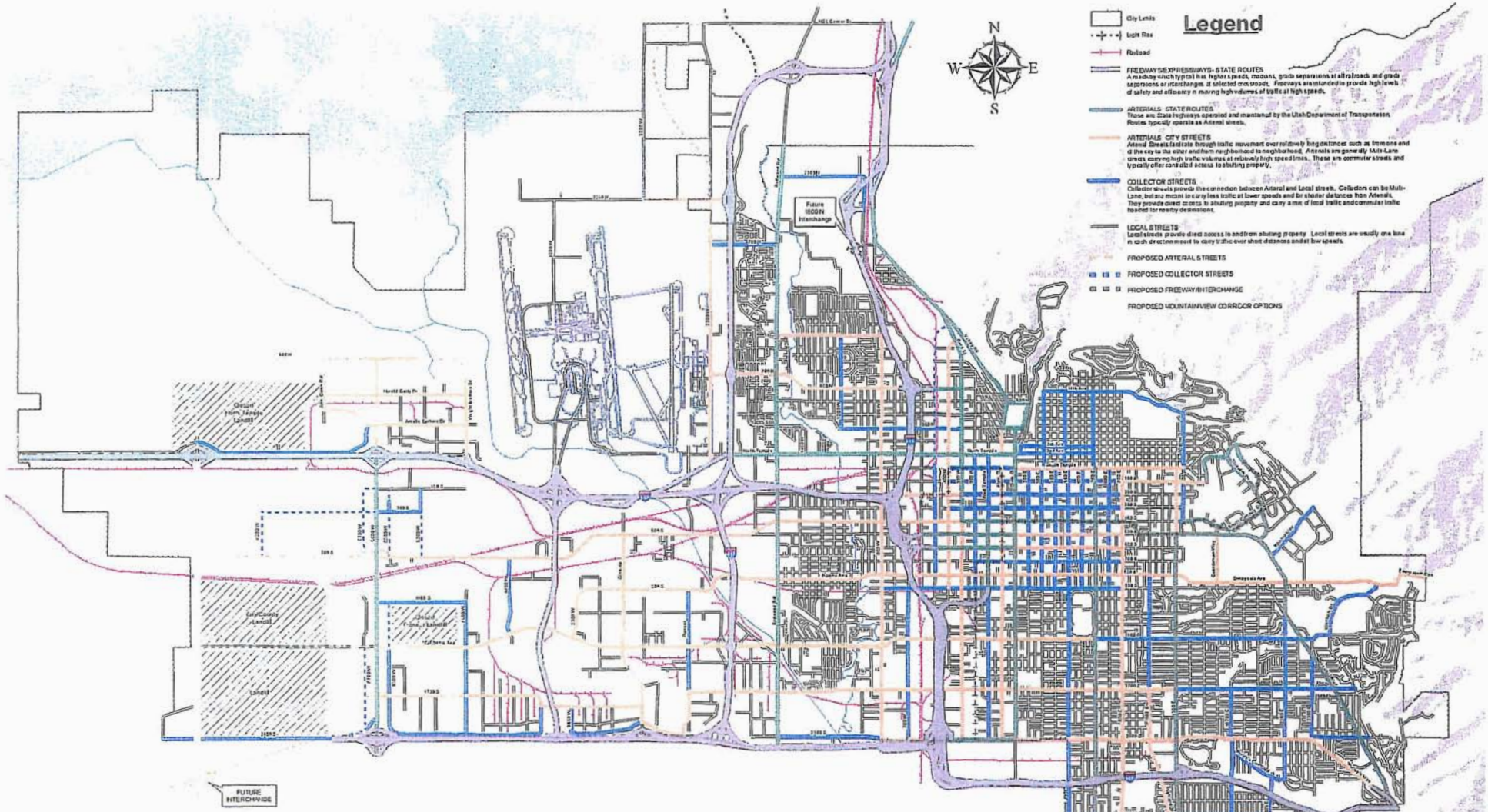
As you can see, I am very passionate about certain things. I thank you in advance for your prompt reply

layne@msisutah.com

Attachment F
SLC Transportation Plan



Salt Lake City Planning Division
Geographic Information System
June 2009



SALT LAKE CITY TRANSPORTATION MASTER PLAN

MAJOR STREET PLAN: ROADWAY FUNCTIONAL CLASSIFICATION

Approved: July 17, 2006

SALT LAKE CITY CORPORATION
DIVISION OF TRANSPORTATION
349 SOUTH 200 EAST, SUITE 450
DRAWN BY: K. BELL

Attachment G
Draft Land Use Table

Flea market (indoor)			P	P	P	P	C
Flea market (outdoor)						P	
Funeral home			P	P	P	P	C
Homeless shelter						C	
Hotel or motel		C[9]		P	P	P	C
House museum in landmark sites (see subsection 21A.24.010T of this title)	C	C	C	C	C	C	C[8]
Impound lot						C	
Intermodal transit passenger hub						C	
Kennels						P	
Limousine service utilizing 4 or more limousines						P	
Limousine service utilizing not more than 3 limousines		C		C		P	
Microbrewery						P	
Off site parking, as per chapter 21A.44 of this title	C	P	P	P	P	P	C
Offices and reception centers in landmark sites (see subsection 21A.24.010T of this title)	P	P	P	P	P	P	P
Outdoor sales and display		C	C	P	P	P	C
Outdoor storage				C		P	
Outdoor storage, public				C		P	
Park and ride lots		C	C	C	P	P	C
Park and ride, parking shared with existing use		P	P	P	P	P	P
Pet cemeteries[4]						P	
Precision equipment repair shops				P		P	
Public/private utility buildings and structures[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]
Public/private utility transmission wires, lines, pipes and poles[2]	P	P	P	P	P	P	P
Radio, television station			C		P	P	P
Recreational vehicle park (minimum 1 acre)				C			
Recycling collection station	P	P	P	P	P	P	
Reverse vending machines	P	P	P	P	P	P	P

Taxicab facilities, dispatching, staging and maintenance						P	
Temporary labor hiring office						P	
Vehicle auction use						P	
Vending carts on private property as per title 5, chapter 5.65 of this code					P		
Wireless telecommunications facility (see table 21A.40.090E of this title)							

Qualifying Provisions:

1.Development in the CS district shall be subject to planned development approval pursuant to the provisions of section 21A.54.150 of this title. Certain developments in the CSHBD zone shall be subject to the conditional building and site design review process pursuant to the provisions of subsection 21A.26.060D of this chapter and chapter 21A.59 of this title.

2.Subject to conformance to the provisions in subsection 21A.02.050B of this title for utility regulations.

3.When located in a building listed on the Salt Lake City register of cultural resources (see subsection 21A.24.010T of this title and subsection 21A.26.010K of this chapter).

4.Subject to Salt Lake Valley health department approval.

5.Pursuant to the requirements set forth in section 21A.36.140 of this title.

6.Subject to location restrictions as per section 21A.36.190 of this title.

7.Greater than 3 ambulances at location require a conditional use.

8.Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to the conditional uses process.

9. Hotel/Motel are only permitted when abutting a State Route and shall be subject to a conditional use/planned development.

6. Planning Commission Minutes from June 10, 2009

SALT LAKE CITY PLANNING COMMISSION MEETING

In Room 326 of the City & County Building

451 South State Street, Salt Lake City, Utah

Wednesday, June 10, 2009

Present for the Planning Commission meeting were Chair Mary Woodhead and Vice Chair Susie McHugh; Commissioners Michael Gallegos, Angela Dean, Prescott Muir, Michael Fife, Tim Chambless, and Kathleen Hill. Commissioners Matthew Wirthlin, Frank Algarin, and Babs De Lay were excused.

A field trip was held prior to the meeting. Planning Commissioners present were: Tim Chambless, Michael Fife, Kathleen Hill, and Mary Woodhead. Staff members present were: Joel Paterson, Michael Maloy, and Ray Milliner.

A roll is being kept of all who attended the Planning Commission Meeting. Chair Woodhead called the meeting to order at 5:46 p.m. Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time. Planning staff members present at the meeting were: Wilford Sommerkorn, Planning Director; Joel Paterson, Programs Manager; Paul Neilson, City Attorney; Doug Dansie, Senior Planner; Nole Walkingshaw, Senior Planner; Michael Maloy, Principal Planner; Ray Milliner, Principal Planner, and Tami Hansen, Planning Commission Secretary.

7:35:21 PM **Petition PLNPCM2009-00135**—a request by Salt Lake Exchange Accommodations for a text amendment to the Salt Lake City Zoning Ordinance to permit hotel/motel as a conditional use in the Community Business (CB) zoning when abutting State Arterial Streets. The proposed change would allow for the redevelopment of an existing motel located at approximately 1345 and 1355 South Foothill Drive to an 82 room hotel. This project is located in Council District 6, represented by JT Martin. View: Staff Report

Chair Woodhead recognized Kevin LoPicollo as staff representative.

Mr. LoPiccolo stated that the applicant was asking that the Commission evaluate the potential of allowing this use, and to then forward a positive recommendation to the City Council. He noted that as stated the proposed text amendment would allow the conditional use as a planned development and the hotel/motel would only be considered along state routes that were in the CB zone. He stated that the subject property is known as the Scenic Motel, to the north was a Red Robin Restaurant and to the south was a dental office and a bank. The proposal would include the demolition of the Scenic Motel as well as the dental office directly to the south. He stated that staff thought that issues with traffic would be less of an impact to the area then other retail uses.

Mr. Sommerkorn stated that this text amendment would affect any area that was currently zoned CB and that was along a State arterial road.

Commissioner Gallegos inquired if a motel was located on the safe passageway leading to or next to a school under this zoning, would comments be requested from the school district.

Mr. LoPiccolo stated that typically that would not be required.

Commissioner Gallegos stated that what he was getting at was would this be a type of business that should be located next to a school.

Mr. LoPiccolo stated that the district would be notified, but staff would not ask the district to provide comments.

Chair Woodhead invited the applicant to the table.

Ms. Darlene Batabe (3316 South Monte Verde Drive) gave a PowerPoint presentation. She stated that she was a development consultant and was representing Salt Lake Exchange Accommodations. The Scenic Motel was a successful locally owned business, which was in need of an upgrade and expansion, and the owner wished to expand by connecting the current parcel with the adjacent Foothill Office Dental parcel into a 1.2 acre site.

She stated that currently the CB zone did not allow a hotel or motel use, so the existing structure was nonconforming, which eliminated the potential of any type of upgrade that was off the existing footprint or an expansion. She stated that the success of the Scenic Motel proved that this was a good use of the site; it was well situated to local businesses, the medical research park, and a major arterial road.

Ms. Batabe stated that the nonconforming status of this site could be approached either through a rezone, which was not the preferred approach for the applicant because it opened the door for a bunch of other allowable uses, some of which were permitted and some conditional that may be more objectionable uses at this site. She stated that the applicant proposed that the zone be modified in a way that allowed this use to become conforming, but also constricted it to appropriate locations.

She stated that this project would meet the parking, landscape, and lighting ordinances and they were exploring "green" and other sustainable design features that could be incorporated into the building. She stated that the hotel could offer shuttles to the airport and hospitals. There were traffic problems on 1300 East due to some improper use of that intersection, but the lighting, height, and traffic would be addressed through the planned development conditional use process.

Ms. Batabe stated that there were possible objections to the hotel proposal: traffic was always going to be an issue because Foothill Drive was a highly used road, the hotel would have reduced driveways off of Foothill Drive, but UDOT still wanted the applicant to get a variance. She stated that they would be back before the Commission for a height modification request; there were some concerns that the site plan would be over built, but this was a business district and a pretty compact hotel layout, located on a high traffic boulevard which was appropriate for this. She stated that they had also complied with the East Bench Master Plan as well as being consistent with adjacent land uses.

Commissioner Chambless stated that this looked like a good proposal, but it was also very compacted and appeared to be in the wrong place given the geographic configuration of the land and where it was located on Foothill Drive.

8:08:14 PM **Public Hearing**

Chair Woodhead opened the public hearing portion of the petition.

The following people submitted cards or spoke in ***support*** of the petition: **Kevin Jones** (East Bench Community Chair) stated that the majority of the neighbors support this planned development. He stated that a discussion was held at the April 2009 monthly meeting, which was well attended. He stated that concerns that have been expressed to him from neighbors were individuals that adjoined the property or lived nearby and the primary concern was increased traffic and the architectural design and the fact that the new hotel would be significantly larger than the current Scenic Motel. He stated that the neighbors who supported the project identified the following reasons: the East Bench currently has limited hotel/motel capacity, the Scenic Motel is an aging structure and in need of significant repairs and modifications, the Scenic Motel has a surprising high occupation rate, but has limited capacity; and the motel provides convenient lodging for patients and their families who receive medical attention from nearby hospitals.

Chair Woodhead stated that one of the significant purposes of the CB zone is the integration of businesses with the neighborhood and residential component of that district. She stated that there was a lot of testimony on how this hotel would support the businesses in the area, but she inquired of Mr. Jones how he thought this hotel integrated with the neighborhoods and the residential component.

Mr. Jones stated that a lot of people had expressed to him that if there was not already a motel use in place they might have stronger feelings against this petition, so the question became does one allow an existing motel, which is over 50 years old to stay, or upgrade it to something that is more modern. He stated that since there was a significant business community plus many neighbors in the neighborhood that had guest come to visit, but did not have rooms for them to stay in. He stated that this hotel would be adjacent to their homes so this use would help with that by providing more modestly priced rooms in the area.

Ellen Reddick (Bonneville Hills Community Council) stated that there were traffic issues in the area, but she cannot see how this would really impact that further where as the restaurant Red Robin just opened and had people in and out all day long, where a hotel would be more stationary. She stated she was also representing the Foothill Merchant's Association, and she had met with the Foothill Merchants along with Mark Gardner and all of them were very in favor of this project, it was a unique opportunity to be behind a positive project. Speaking on behalf of the Vest Pocket Business Coalition Ms. Reddick stated that they support the project because it was a locally owned, independent business.

The following people submitted cards or spoke in ***opposition*** to the petition: **Keith Johnson** (480 Wakara Way) stated he was the general manager at the University Park Marriott. He stated that he welcomed the competition that the Hampton Inn would bring, but he was concerned about the proposed uses because there was a need for affordable short term lodging for patients and their families at the Primary and University Hospitals. He stated that between the Marriott and two other hotels that sit within a mile and a half of those two hospitals, there were already 476 rooms available and another 82 rooms probably would not make that much of an impact. He stated that Chase Suites had a hospital rate specially designed for patients at either one of those hospitals and the hotel was strictly designed for long term stays. The Guest House, which sits on University property and is actually in walking distance to the hospitals also have affordable rates from $64 to $74 a night. He stated that the Marriott offered four different packages for patients. He stated that the Hampton Inn would be sitting in the middle of the block and hotel guest on busy Foothill Drive might dart across that busy street, so the safety factor surrounding this development and pedestrians should be more heavily considered.

James Duffin (10692 South 300 East) stated his family owned the block other then this parcel. He stated he and his family were not against commercial development. He stated that the hotel would be too compact for the land and it did not fit this area. Foothill Drive was a major corridor to the City and largely a residential area, except for this small business area and there was just not a need for such a large hotel in this area. He stated that good commercial development builds the community and this was like a boil on the landscape that never heals. **Thomas Duffin** stated that this was a massive monstrosity that the applicant was trying to sandwich in. He stated that he was in favor of business in the area, but just not this hotel this big. He stated that Kevin Jones had already made up his mind on this and would not allow negative public comment and the community council meeting, which was why he was reporting there was none.

Chair Woodhead closed the public hearing.

Ms. Batabe stated that the issues of the site plan development were best left for the conditional use planned development; however, from the street view concept plan that showed the layout of the hotel, it was up to the Commission to decide whether they were squeezing this onto the land. She stated that the real question was in regards to the appropriateness of the use on this site and finding a way to manage it that would restrict the site to some appropriate uses.

Chair Woodhead stated that what she was not hearing was how a hotel/motel addition benefitted the CB district because the zoning definition talked about the integration of the businesses to the residents. She inquired if a hotel/motel use in this zoning district in general integrates with residential districts.

Ms. Batabe stated that it may be very much site specific, which was why the conditional use process was appropriate because this could be labeled as a tabled or permitted use and there may be sites where it was not appropriate to place a hotel/motel in the CB zone. She stated that there was already an existing commercial and transportation infrastructure to support this hotel so it would be appropriate here. She stated that she agreed with Mr. Jones that there did need to be additional space in the area to accommodate guests and relatives.

Commissioner Chambless stated that the proposal was to increase the number of units by 500 percent on this site, and he inquired if the petitioner would simply be willing to accept a doubling of units from 14 to 28.

Ms. Batabe stated that the petition tonight was not regarding the number of rooms and she was only prepared to address the text amendment concept.

Commissioner Hill stated that this use may be site specific, but a proposed text amendment would affect all CB zones.

Mr. Sommerkorn stated that it would, but this petition was proposing that it be limited to State arterial roads.

Commissioner Hill stated she was concerned because there were a lot of State arterial roads that this petition would set a precedent for.

Commissioner Fife stated that the distinction of being next to a State road was not a meaningful differentiator because State roads have a variety of different traffic patterns. He stated that the CB zone was appropriate in this neighborhood as a buffer between the neighborhood and this very busy road, and not having hotels was appropriate in the CB zone because they did not integrate with the neighborhood like a bank, store, or restaurant would. He stated that once this became a conditional use it may have unintended consequences.

Commissioner Muir inquired of Commissioner Chambless if from sitting in on the discussion with the University of Utah and the City involving discussion of mitigating the traffic long term on Foothill Drive if he would share some of that insight.

Commissioner Chambless stated that the traffic issues on Foothill Drive were inherited almost 50 years ago when a decision was made regarding the Northeast Quadrant of the City, and the problem had only gotten worse because of the increased traffic volume. He stated that the University of Utah is the second largest employer in the state and obviously created a lot of traffic and a solution has not been reached except for shuttle buses and lane closures.

Commissioner Muir stated that a possible solution would be greater dependence on public transportation.

Mr. Sommerkorn stated that the Foothill Corridor study was completed a few months ago and reviewed by the Commission and City Council which addressed this issue and offered some solutions.

Commissioner Dean stated that this was obviously a viable business in its current location and it would be fabulous to allow it to continue, improve, and expand; however, she had concerns about amending the zoning ordinance without further information about more specific impacts that it might have whether on a State road or not.

Commissioner Fife stated that the appropriate place to put hotels seemed to be on transit corridors so people could take public transportation up to the hospitals.

8:45:33 PM **Motion**

Commissioner Hill made a motion regarding Petition PLNPCM2009-00135 that the Planning Commission forwards a negative recommendation to the City Council that the hotel/motel use not be allowed in a Community Business (CB) district when abutting a State route, based on the fact that this might create unintended consequences and limit the ability of the City to deny conditional uses.

Commissioner Gallegos seconded the motion.

Discussion of the motion:

Chair Woodhead stated that she felt it was important that the motion should include the factual basis for the motion.

Commissioner Hill stated that this proposal was in violation of the intent of the CB district is that, *the purpose of that district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.*

Commissioner Muir stated that an intensive auto-oriented use in an existing challenged corridor exacerbates Factor A, listed in the staff report which read, *whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.* He stated that these uses would be more appropriate either in existing zones along transit-oriented development or in CB zones should they occur in that corridor. Commissioner Muir stated that in regards to Factor E which reads, *the adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways.* He stated that given the Foothill Corridor Plan that area was obviously under considerable stress and this would contribute to that challenge.

Commissioner Fife stated that this type of business does not relate to the residential areas that it was supposed to be supporting.

Commissioner Hill stated that Factor B read, *whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property,* which it is not because it is out of scale.

Commissioners Dean, Hill, Fife, Gallegos, Chambless, and Muir voted, "Aye". Vice Chair McHugh voted, "No". The motion passed.

Chair Woodhead announced a small break at 8:50 p.m.

Chair Woodhead reconvened the meeting at 8:58 p.m.

Commissioner Muir recused himself from the meeting.

7. Original Petition

Zoning Amendment

OFFICE USE ONLY
Petition No. PLNPCM2009-00135
Date Received: 1/9/09
Reviewed By:

☒ Amend the text of the Zoning Ordinance by amending Section: 21A.26.080 - TABLE OF PERMITTED & CONDITIONAL USES

☐ Amend the Zoning Map by reclassifying the above property from a zone to a zone. (attach map or legal description)

SALT LAKE CITY PLANNING

Address of Subject Property: 1345 & 1355 S. FOOTHILL BLVD.

Name of Applicant: WADE OLSEN Phone: (801) 487-4201

Address of Applicant: C/O DEE'S INC. 777 E. 2100 SOUTH, SLC UT 84106

E-mail Address of Applicant: wolsen@dees-inc.com Cell/Fax: (801) 232-1199

Applicant's Interest in Subject Property: owner/developer

Name of Property Owner: SALT LAKE EXCHANGE ACCOMODATIONS 324 LLC Phone: (801) 487-4201

E-mail Address of Property Owner: wolsen@dee-inc.com Cell/Fax: (801) 232-1199

County Tax ("Sidwell #"): 16151290001 & 16103790009 Zoning: CB

Legal Description (if different than tax parcel number):

Existing Property Use:			Proposed Property Use:
MOTEL & OFFICE			HOTEL w/ RETAIL

Please include with the application:

1. A statement of the text amendment or map amendment describing the purpose for the amendment and the exact language, boundaries and zoning district.
2. A complete description of the proposed use of the property where appropriate.
3. Reasons why the present zoning may not be appropriate for the area.
4. **The cost of first class postage for each address within 450 feet is due at time of application. Please do not provide postage stamps.**
5. Legal description of the property.
6. Six (6) copies of site plans drawn to scale and one (1) 11 x 17 inch reduced copy of each plan and elevation drawing.
7. .If applicable, a signed , notarized statement of consent from property owner authorizing applicant to act as agent
8. **Filing fee of $885.92, plus $110.74 for each acre over one acre and the cost of first class postage is due at time of application.**

Notice: Additional information may be required by the project planner to ensure adequate information is provided for staff analysis.
All information submitted as part of the application may be copied and made public including professional architectural or engineering drawings which will be made available to decision makers, public and any interested party.

File the complete application at:
Salt Lake City Buzz Center
PO Box 145471
451 South State Street, Room 215,
Salt Lake City, UT 84114
(801) 535-7700

RECEIVED
FEB 09 2009
BY:

Signature of Owner or Agent _____ Date 2/9/09

8/ 2008

Zoning Amendment Application for

Proposed Hampton Inn- 1345 and 1355 S. Foothill Blvd.

(Modify CB Zone to Allow Hotel/Motel as a Conditional Use)

1. **Statement of Text Amendment:**

   This Zoning Amendment request is to modify the Community Business (CB) Zone to permit a Hotel as a Conditional Use. Allowable uses for Commercial Districts are defined in the "Table: "Permitted and Conditional Uses, By District" - Section 21A.26.080 (Page 960-79). Hotel and Motel is already allowed in the CC, CSHBD, and CG zones as a Permitted Use, and as a Conditional Use in the TC-75 zone. The Text Amendment would add the CB zone to commercial districts that allow Hotel or Motel use. To address this proposed Zone Amendment, a "C" (Conditional Use) would be added to this Table under the CB Zone for a Hotel or Motel use. Exhibit A, attached, shows this change. Designating Hotel/Motel as a Conditional Use rather than a Permitted Use provides opportunity for oversight by the Planning Commission and local Community.

2. **Complete Description of the Proposed Use:**

   The proposed development will replace the existing Scenic Motel and adjacent Foothill Dental Office buildings with a new Hampton Inn complex. Preliminary Site Concept Drawings are presented in Exhibit "B". Preliminary designs for the proposed Hotel include about 68,000-sq ft. for 80+ rooms and suites, and lobby/service areas. Approximately 6,000 sq. ft of retail is incorporated into the street-level frontage of the building.

   The proposed development will consolidate two parcels into a single 1.28 acre-parcel. Access will be off Foothill Blvd. with a rear exit to 2300 East, reducing the present number of drive approaches onto Foothill Blvd. A Traffic Study is currently underway per UDOT requirement.

   A "Planned Development as a Conditional Use" application will be submitted separately for review of the proposed Hotel site plan. As part of the Conditional Use, the owner will request a height variance to accommodate a 3-story structure. The site slopes from 18 feet from the front to rear (west to east), so the proposed hotel will be three stories above-grade along Foothill Drive, but less than two levels above-grade in the rear, along 2300 East. For comparison, some of the retail buildings across the street at Foothill Village are 3 stories.

   The site is bordered by retail, commercial, and businesses to the north, south and west along Foothill Blvd., and by the lawn-covered burial grounds of the cemetery to the east (rear), across 2300 East. A single adjacent residence is located to the southeast, across 2300 East, kitty-corner to the site.

3. **Reasons why the present zoning may not be appropriate:**

The Scenic Motel was constructed in 1946, expanded in 1954, and received a "modern" façade in 1964. The motel is fully booked year around, but the structure is aging, badly in need of modernizing, does not meet new building and safety codes for short-term lodging, and has very limited room capacity.

Although a motel currently occupies the site, the Community Business CB Zone as defined in Table 21A.26.080 does not currently permit a hotel or motel- not as a Permitted or Conditional Use. There is no "grandfathering" or allowance for an existing non-conforming use in this zone designation. That means that under the present zoning, an aging but successful motel cannot be removed and replaced with a larger, more modern structure. It could only be renovated on its existing footprint, which is not economically attractive or feasible due to the limited number of rooms (there are only 14 rooms at the Scenic Motel).

An expanded, upgraded and modern Hotel in this location will meet the challenge of providing affordable short-term lodging to serve patients and their families who must travel to receive medical care at Primary Children's Medical Center, Huntsman Cancer Institute, the University of Utah Hospitals and Clinics, Moran Eye Center, etc. There currently is no modestly-priced short-term lodging in the vicinity of these hospitals and clinics. The site is already within an existing Commercial District, and the proximity of shopping, groceries, dining, and other retail uses, both adjacent and immediately across the street, is advantageous for the proposed hotel use as well as providing an additional economic base for these other businesses. Public transportation is immediately accessible.

The East Bench Master Plan states "Redevelopment or at least renovation of some business properties in the East Bench area is quite likely and is considered the most desirable approach to meeting future business needs in the community.... More efficient use of existing business properties is the preferred approach to meet future business needs". This proposal meets these criteria by removing an aging, undersized, but successful business, and consolidating parcels to allow room for expansion. This is a business use that meets a great need for affordable short-term lodging in the community. Components of the East Bench Master Plan can be more fully addressed as part of the Conditional Use application.

Finally, as stated above, Hotel and Motel use is already allowed in other Commercial District Zones: As a Permitted Use in the CC, CSHBD, and CG zones, and as a Conditional Use in the TC-75 zone. It may simply be an oversight that this use was not included in the CB zone. This Text Amendment would add the CB zone to these commercial districts that allow Hotel or Motel use and allow this use to expand at this site to meet a clear need for short-term lodging

Remarks:

Petition No: **PLNPCM2009-00135**

By: **Wade Olsen**

Zoning Amendment

Date Filed: 02/09/2009

Address: **1345 & 1355 S Foothill Boulevard**