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# SALT LAKE CITY COUNCIL STAFF REPORT

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**DATE:** September 17, 2009

**SUBJECT:** Petition PLNPCM2008-00918 – Zoning Map Amendment request from Paul L. Willie to rezone property locate at approximately 230 West North Temple Street from Public Lands PL to Residential/Mixed Use R-MU.

**AFFECTED COUNCIL DISTRICTS:** If the ordinance is adopted, the rezoning will affect Council District 3.

**STAFF REPORT BY:** Janice Jardine and Nick Tarbet

**ADMINISTRATIVE DEPT. AND CONTACT PERSON:** Community and Economic Development – Planning Division  
Nole Walkingshaw, Senior Planner

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## POTENTIAL MOTIONS:

1. [“I move that the Council”] Refer this item to a future Council meeting.
  2. [“I move that the Council”] Adopt an ordinance rezoning property located at approximately 230 West North Temple Street from Public Lands PL to Residential/Mixed Use R-MU.
  3. [“I move that the Council”] Not adopt an ordinance rezoning property located at approximately 230 West North Temple Street from Public Lands PL to Residential/Mixed Use R-MU.
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The following information was provided previously for the Council Work Session on September 8, 2009. It is provided again for background purposes.

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## KEY ELEMENTS:

- A. An ordinance has been prepared that would rezone a portion of vacant land located at approximately 230 West North Temple Street from Public Lands PL to Residential/Mixed Use R-MU subject to the following conditions. (Please see attached vicinity map.)
1. The Applicant records with the County Recorder the approved subdivision plat that is the subject of Petition PLNPCM2008-00917.
  2. The subject Property be landscaped and fenced consistent with applicable zoning requirements for hotel/motel use.

(Please note, the City Attorney’s office has advised that condition #3 is not relevant to include as a condition of the rezoning. They note that, as general rule, the Attorney’s Office is charged with the task of preparing an ordinance for the City Council that reflects the decision or recommendation made by the Planning Commission. That decision or recommendation often includes various enumerated conditions, which are generally listed as such in the ordinance. However, there are occasions where the motion made by the Planning Commission may contain conditions that are inappropriate to include in an ordinance, either because they are beyond the authority of the City to require as a condition of development, or because they

are really just informational items, rather than conditions to the project. In such an event, those items, even though listed as “conditions” in the Planning Commission’s decision, would not be included in the ordinance. (Please see the attached information from the Attorney’s office for additional details.)

- B. Key points from the Administration’s transmittal and Planning staff report note:
1. The segment of land is an extension of the West High School athletic field which currently is not in use and has not been improved or landscaped.
  2. The Salt Lake City School District has a pending real estate transaction to sell this portion of the property to the applicant pending approval of this (rezoning) request.
  3. This request is also being processed with a minor subdivision request which will incorporate three parcels into one lot.
  4. The current use of the primary parcel is the City Creek Inn (240 West North Temple) a motel/hotel which is a legal non-conforming use in the R-MU zoning district.
  5. The applicant does not have any immediate change of use or expansion of the current use planned for the parcels at this time.
  6. Currently, the area has a mix of uses and structures many of which do not necessarily reflect the goals and policies of the master plan for the area.
  7. This amendment creates the potential for residential mixed use development and higher density residential development which is appropriate for this site.
  8. High-density mixed-use projects are appropriate near the edge of the Central Business District.
  9. The R-MU zoning is supported by the existing master plan and future land use map.
  10. Although the Future Land Use Map for the Capital Hill Master Plan area shows this site to be PL-Public Lands specific policies listed in the Plan are consistent with the proposed zoning map amendment.
  11. Staff has determined this map amendment may be completed without requiring a Master Plan amendment.
- C. The purpose of the Public Lands PL zoning district is to specifically delineate areas of public use and to control the potential redevelopment of public uses, lands and facilities.
- D. The purpose of the Residential/Mixed Use R-MU is to reinforce the residential character of the area and encourage the development of areas as high density residential urban neighborhoods containing supportive retail, service commercial and small scale off uses. The design guidelines are intended to facilitate the creation of a walkable urban neighborhood with an emphasis on pedestrian scale activity while acknowledging the need for transit and automobile access.
- E. The public process included a presentation to the Capitol Hill Community Council on February 18 and March 18, 2009. No issues were raised. In addition, 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.
- F. The City’s Fire and Building Services, Transportation and Engineering Divisions have reviewed the request. Any new development proposal will be required to comply with applicable City standards and demonstrate that there are adequate services to meet the needs of the project. The Building Services Division did note concerns relating to the non-conforming uses and noncomplying property. (Please see the Matters at Issues section below for additional details.)
- G. The Administration’s transmittal and Planning staff report provide a detailed discussion of the proposed rezoning. The Planning staff report provides findings of fact that support the criteria established in the City’s Zoning Ordinance, Sec. 21A.50.050 - Standards for General Zoning Amendments. (Please refer to the Planning staff report for specific findings of fact and discussion of compliance with individual standards, pgs. 2-4.)

- H. On March 25, 2009, the Planning Commission held a public hearing and voted to forward a positive recommendation to the City Council with the following conditions.
1. The approved Preliminary Minor Subdivision Petition PLNPCM2008-00917 be recorded consolidating the parcels, should the request be approved.
  2. Subject properties are landscaped and fenced to be consistent with existing development, and in accordance with the landscaping requirements of zoning ordinance.
  3. Notice, the existing motel use is a legal non-conforming use; any expansion of the use would require a determination of expansion of a non-conforming use and may require mitigation, through a conditional use request.

## **MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR ADMINISTRATION:**

The Council may wish to discuss with the Administration how issues raised by the Building Services Division regarding non-conforming uses and non-complying properties as they relate to the existing use and properties would be addressed. Building Services staff comments provided through the Department/Division review process notes the following. (Please refer to the staff comments provided in the Planning staff report, Attachment B – Public Comments for details.)

- The Zoning Ordinance, Section 21A.38.080, Moving, Enlarging or Altering Non-conforming Uses of Land and Structures, prohibits any nonconforming use from occupying any portion of a site that it did not previously occupy on the effective date that it became a nonconforming use.
  - In this case, does lot consolidation alone violate Section 21A.38.080?
  - If not, can specific conditions be imposed that will adequately assist the Building Services Division to indefinitely track this action each time a permit is applied for to expand the building, the parking lot, or install a ground mounted sign onto portions of the lot that the motel did not previously occupy?

## **MASTER PLAN AND POLICY CONSIDERATIONS:**

- A. The Administration’s transmittal and the Planning staff report note the following with regard to master plan policies.
1. The property is located within the West Capitol Hill Neighborhood, as noted in the Capitol Hill Master Plan.
  2. The Master Plan policies state: “Encourage the development of the area along North Temple as an ‘Urban Neighborhood’ which combines high-density residential development with supportive retail, service commercial and small-scale office uses.”
  3. The proposed amendment in combination with the subdivision request meets this policy.
- B. 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.
- C. 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.
- D. The Transportation Master Plan contains policy statements that include support of alternative forms of transportation, considering impacts on neighborhoods on at least an equal basis with impacts on

transportation systems and giving all neighborhoods equal consideration in transportation decisions. The Plan recognizes the benefits of locating high density housing along major transit systems and reducing dependency on the automobile as a primary mode of transportation.

E. 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.

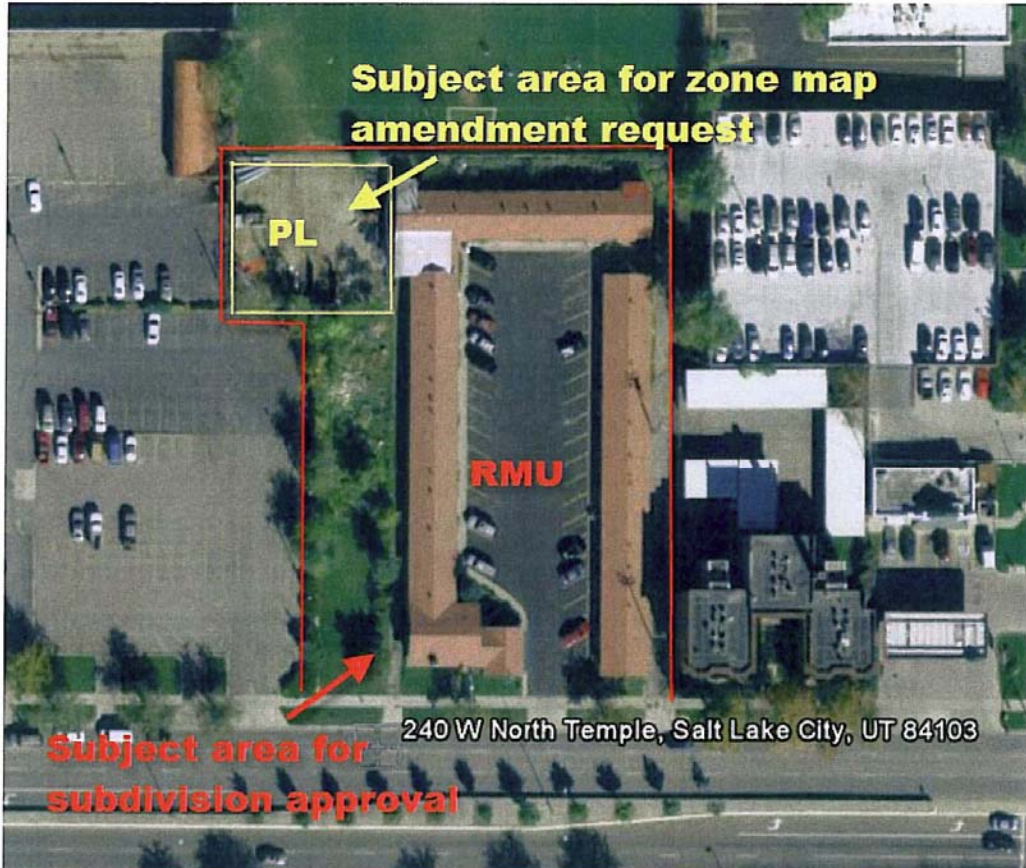
## **CHRONOLOGY:**

December 17, 2008	Application submitted
December 29, 2009	Application delivered to Planning
January 16, 2009	Petition assigned to Nole Walkingshaw, Senior Planner
February 18, 2009	Applicant and staff presented information and took questions from Capitol Hill Community Council
March 18, 2009	Capitol Hill Community Council meeting
March 25, 2009	Planning Commission held public hearing
April 1, 2009	Staff requested draft of proposed ordinance from City Attorney’s Office
April 8, 2009	Planning Commission ratified minutes for January 28, 2009 meeting
April 14, 2009	Staff received draft of proposed ordinance from City Attorney’s Office

cc: David Everitt, Karen Hale, Holly Hilton, Lyn Creswell, Ed Rutan, Lynn Pace, Paul Nielson, Rick Graham, Jeff Niermeyer, Tom Ward, Tim Harpst, Kevin Young, Frank Gray, Mary De La Mare-Schafer, LuAnn Clark, Orion Goff, Les Koch, Larry Butcher, Wilf Sommerkorn, Pat Comarell, Cheri Coffey, Joel Paterson, Nole Walkingshaw, City Council Liaisons, Mayors Liaisons

File Location: Community and Economic Development Dept., Planning Division, Rezoning, Paul Willie - City Creek Inn, 230 West North Temple

**VICINITY MAP**



**From:** Pace, Lynn

**Sent:** Thursday, September 03, 2009 12:27 PM

As a general rule, the Attorney's Office is charged with the task of preparing an ordinance for the City Council that reflects the decision or recommendation made by the Planning Commission. That decision or recommendation often includes various enumerated conditions, which are generally listed as such in the ordinance. However, there are occasions where the motion made by the Planning Commission may contain conditions that are inappropriate to include in an ordinance, either because they are beyond the authority of the City to require as a condition of development, or because they are really just informational items, rather than conditions to the project. In such an event, those items, even though listed as "conditions" in the Planning Commission's decision, would not be included in the ordinance. A few examples may help to illustrate this point.

**Example 1: Condition precedent.** These are conditions that must be satisfied before the ordinance will take effect. For example, as part of a street closure petition, the approval is conditioned upon payment of fair market value for the property. In that case, the condition identified would be listed in the ordinance, the City Recorder would be instructed not to record the ordinance until the condition has been satisfied, as certified by a specific City official, and if the condition is not met within a certain time period identified in the ordinance (usually one year), the ordinance will become null and void.

**Example 2: Condition to the overall project, but not a condition precedent.** These are conditions that must be satisfied as part of the overall project, but they do not necessarily have to be satisfied (and in many instances cannot be satisfied) before the ordinance becomes effective. For example, the vacation of an alley may be conditioned upon the consolidation of the former alley property with the adjacent private property into one combined parcel. In that case, the future consolidation is a part of the overall package, but does not have to be completed prior to the effective date of the ordinance. That kind of condition may be, but does not have to be part of the ordinance. However, if the Planning Commission included the item as a condition in its recommendation, (usually to put the applicant on notice that the City will expect it to be done) we would include it in the ordinance. In that instance, however, it would simply be listed as a condition, but it would not delay the recording or effective date of the ordinance and there would be no certification provisions or deadline to complete the task. It would be listed in the ordinance, but just as an informational item.

**Example 3: Condition that is not really a condition at all.** Sometimes the Planning staff and/or the Planning Commission includes in the motion a "condition" that is not really a condition at all; it is merely a restatement of fact or law. For example, the Planning Commission motion may state as a "condition" the fact that the existing building is non-conforming due to inadequate side yards (a statement of fact), or that any proposed expansion of the building will need to comply with all of the City requirements for the expansion of a non-conforming structure or non-complying use (statement of law). Those types of statements, even though they may be listed as "conditions" in the motion are not really conditions at all, they are merely gratuitous statements of fact or law. Those types of "conditions" would not be included in the ordinance.

**Example 4: Illegal condition.** Occasionally the Planning Commission's motion will include a condition that the City does not have the legal right to require. (Hopefully that doesn't happen very often.) Those conditions would also be left out of the ordinance. If there are any conditions included in the Planning Commission motion that have been omitted from the ordinance, we (the attorneys) will try to remember to send along a note, explaining why those conditions were omitted from the ordinance.

Sorry for the length of this message, but I wanted to provide some clarification as to how we approach this process. If you have any questions or further concerns, please let us know. Thanks. LHP

# SALT LAKE CITY CORPORATION

FRANK B. GRAY  
DIRECTOR

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT  
OFFICE OF THE DIRECTOR

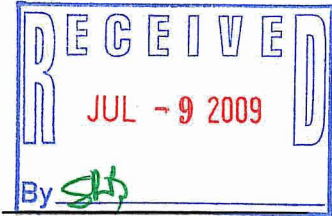
RALPH BECKER  
MAYOR

MARY DE LA MARE-SCHAEFER  
DEPUTY DIRECTOR

ROBERT FARRINGTON, JR.  
DEPUTY DIRECTOR

## CITY COUNCIL TRANSMITTAL

  
\_\_\_\_\_  
David Everitt, Chief of Staff



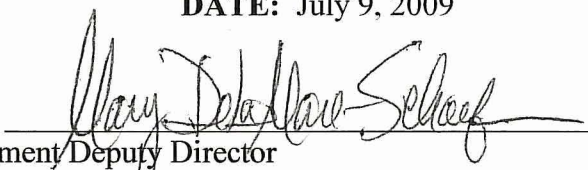
Date Received: By JH

Date Sent to City Council: 07/14/2009

**TO:** Salt Lake City Council  
Carlton Christensen, Chair

**DATE:** July 9, 2009

**FROM:** Mary DeLaMare-Schaefer,  
Community & Economic Development Deputy Director  
on behalf of Frank Gray, Community & Economic Development Department Director

  
\_\_\_\_\_

**RE:** Petition PLNPCM2008-00918 Zoning Map Amendment by Paul L. Willie, 230 West North Temple Street requesting a change from PL public lands to RMU Residential Mixed Use

**STAFF CONTACTS:** Nole Walkingshaw, Senior Planner, at 801-535-7128 or  
nole.walkingshaw@slcgov.com

**RECOMMENDATION:** That the City Council hold a briefing and schedule a Public Hearing

**DOCUMENT TYPE:** Ordinance

**BUDGET IMPACT:** None

### DISCUSSION:

**Issue Origin:** The Zoning Map Amendment request was made by Paul L. Willie (applicant) for 230 West North Temple Street. The Application for a Zoning Map Amendment was submitted on December 17, 2008. The request will change a portion of vacant land currently zoned PL-Public Lands to RMU-Residential Mixed Use. The segment of land is an extension of the West High School athletic field which currently is not in use and has not been improved or landscaped. The Salt Lake City School District has a pending real estate transaction to sell this portion of the property to the applicant pending approval of this request. This request is also being processed with a Minor Subdivision request, PLNPCM2008-000917, which will incorporate the three parcels into one lot. The current use of the primary parcel is a motel/hotel which is a non-

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 4 of the Planning Commission Staff Report (see Attachment 5b).



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## **1. CHRONOLOGY**

**PROJECT CHRONOLOGY**  
**Petition # PLNPCM2008-00918**

December 17, 2008	Application Submitted
December 29, 2009	Application Delivered to Planning
January 16, 2009	Petition Assigned to Nole Walkingshaw, Senior Planner
January 16, 2009	Staff Routing Memorandum Prepared and Routed
January 28, 2009	Memorandum requesting input and briefing sent to Chair of Capital Hill Community Council
February 18, 2009	Applicant and Staff presented information and took questions from Capital Hill Community Council
March 10, 2009	Notice of amendment mailed
March 13, 2009	Notice of amendment posted
March 19, 2009	Received email from Capital Hill Community Council stating a vote of 14 -0 in favor of a positive recommendation was taken March 18, 2009
March 19, 2009	Staff report posted to public meeting notice websites
March 25, 2009	Planning Commission held public hearing and voted All in favor to recommend approval of petition to City Council.
April 1, 2009	Staff requested draft of proposed ordinance from City Attorney's Office.
April 8, 2009	Planning Commission ratified minutes for January 28, 2009 meeting.
April 14, 2009	Staff received draft of proposed ordinance from City Attorney's Office.

**2. ORDINANCE**

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2009

(Amending the Zoning Map Concerning Property Located at 230 W. North Temple Street)

An ordinance amending the zoning map to change the zoning designation of property located at 230 West North Temple Street from PL (Public Lands) to R-MU (Residential Mixed Use), pursuant to Petition No. PLNPCM2008-00918.

WHEREAS, the Salt Lake City Planning Commission (“Planning Commission”) held a public hearing on March 25, 2009 on an application made by Paul L. Willie (“Applicant”) to amend the Salt Lake City zoning map pertaining to property located at 230 West North Temple Street (Sidwell Tax ID Nos. 08-36-452-026, 08-36-452-020, and 08-36-452-021) (the “Property”) to change the zoning district designation of the Property from PL (Public Lands) to R-MU (Residential Mixed Use); and

WHEREAS, at its March 25, 2009 meeting, the Planning Commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council (“City Council”) on said application; and

WHEREAS, after a hearing before the City Council, the City Council has determined that the following ordinance is in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the City’s Zoning Map to re-zone the Property. The Salt Lake City zoning map, as adopted by the Salt Lake City Code, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended to re-classify the zoning district designation of the Property located at 230 West North Temple Street, and which is more particularly described on Exhibit “A” attached hereto, from the PL (Public Lands) zoning district to the R-MU

(Residential Mixed Use) zoning district consistent with the Applicant's request set forth in Petition No. PLNPCM2008-00918.

SECTION 2. Conditions. Following the adoption of this ordinance, the Applicant/Property Owner is required to satisfy the following conditions:

- a. That Applicant records with the County Recorder the approved subdivision plat that is the subject of Petition No. PLNPCM2008-00917; and
- b. That the subject Property be landscaped and fenced consistent with applicable zoning requirements for hotel/motel use.

SECTION 3. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_.

APPROVED AS TO FORM  
Salt Lake City Attorney's Office

Date AUGUST 12, 2009

By Paul Spilker

HB\_ATTY-#8095-v2-Ordinance - Rezoning\_230\_W\_North\_Temple - City\_Creek\_Inn

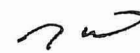
EXHIBIT A:

Legal Description:

A PARCEL OF LAND LOCATED IN LOT 2, BLOCK 96, PLAT 'A', SALT LAKE CITY SURVEY, COMPRISING OF THREE PARCELS OF LAND; 1) (THOMAS H. & DOROTHY CARN) THAT CERTAIN WARRANTY DEED DATED SEPTEMBER 19, 1990 AS ENTRY 4967478 IN BOOK 7253 AT PAGE 2926. 2) (THOMAS H. & DOROTHY CARN) THAT TITLE REPORT BY METRO NATIONAL TITLE ORDER NO. 07053161B WITH PARCEL NO. 08-36-452-020, 3) A PORTION OF THE (SALT LAKE CITY BOARD OF EDUCATION) THAT CERTAIN WARRANTY DEED DATED NOVEMBER 5, 1997 AS ENTRY 5783256 IN BOOK 7800 AT PAGE 2586, BASIS OF BEARINGS NORTH 00°01'07" WEST ALONG MONUMENT LINE IN 200 WEST STREET BETWEEN THE MONUMENTS AT THE INTERSECTIONS OF NORTH TEMPLE STREET AND 200 NORTH STREET AS SHOWN IN THAT CERTAIN LOT ADJUSTMENT SURVEY PERFORMED BY BENCHMARK ENGINEERING AND LAND SURVEYING, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF THE NORTH TEMPLE STREET. SAID POINT ALSO BEING NORTH 00°01'07" WEST 53.79 FEET ALONG SAID MONUMENT LINE AND NORTH 89°58'38" EAST 358.97 FEET FROM THE MONUMENT LOCATED AT NORTH TEMPLE STREET AND 300 WEST STREET INTERSECTION AND RUNNING THENCE NORTH 00°01'22" WEST 198.00 FEET; THENCE SOUTH 89°58'38" EAST 231.00 FEET TO THE WESTERLY LINE OF WESTERN ROCKY COMPANY PROPERTY; THENCE SOUTH 00°01'22" EAST 275.00 FEET ALONG SAID WEST LINE TO THE NORTHERLY LINE OF SAID STREET; THENCE SOUTH 89°58'38" WEST 187.50 FEET ALONG SAID STREET TO THE POINT OF BEGINNING.

CONTAINS APPROXIMATELY 1.261 ACRE





### **3. NOTICE OF CITY COUNCIL HEARING**

## NOTICE OF PUBLIC HEARING

The Salt Lake City Council will hold a public hearing regarding Petition PLNPCM2008-00918 **an action initiated by applicant Paul L. Willie**—requesting the preparation of an ordinance that would amend the City Zoning Map at the 230 West North Temple from PL Public Lands to RMU Residential Mixed Use.

As part of its 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 Council Chambers)\*  
Salt Lake City and County Building  
451 S. State Street  
Salt Lake City, UT

\*Please enter building from east side.

If you have any questions relating to this proposal or would like to review the petition on file, please call Nole Walkingshaw, Senior Planner, at 535-7128 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at [nole.walkingshaw@slcgov.com](mailto:nole.walkingshaw@slcgov.com).

People with disabilities may make requests for reasonable accommodations no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. The City & County Building is an accessible facility. For questions, requests, or additional information, please contact the ADA Coordinator at (801) 535-7971; TDD 535-6021.

## **4. MAILING LABELS**

SASSER, EUGENE F  
1765 PEACHTREE ST NE #B3  
ATLANTA GA 30309

BROWNSTONE CONDMN  
5530 RACQUET LANE  
BOULDER CO 80303

BOSS, LESLEE S  
5530 RACQUET LN  
BOULDER CO 80303

BOSS, LESLEE S  
5530 RACQUET LN  
BOULDER CO 80303

HOLLOWAY, TODD  
795 S 400 E  
CENTERVILLE UT 84014

HASLETON, J D  
322 E 1200 N  
CENTERVILLE UT 84014

JEPPSEN, JONAS  
242 CARA VELLA LN  
CENTERVILLE UT 84014

ROSS, R FRED  
242 E DAY MEADOW DR  
DRAPER UT 84020

BRANHAM, NEWLAND &  
MARILYN  
1843 N KENSINGTON ST  
FARMINGTON. UT 84025

MAVERIK COUNTRY STORES  
INC  
880 W CENTER ST  
NORTH SALT LAKE UT 84054

MAVERIK COUNTRY STORES  
INC  
880 W CENTER ST  
NORTH SALT LAKE UT 84054

RUDIE, DOROTHY P S  
417 W 200 S  
TOOELE UT 84074

GUNN, DENNIS  
784 E 8080 S  
SANDY UT 84094

A J & M CO LLC  
7875 S 965 E  
SANDY UT 84094

SLHNET INVESTMENTS LC  
48 W MARKET ST # 200  
SALT LAKE CITY UT 84101

SLHNET INVESTMENTS LC  
48 W MARKET ST # 200  
SALT LAKE CITY UT 84101

SLHNET INVESTMENTS LC  
48 W MARKET ST # 200  
SALT LAKE CITY UT 84101

WENDELL LLC  
925 S 200 W # A  
SALT LAKE CITY UT 84101

FELTON, TONI  
229 W 300 N  
SALT LAKE CITY UT 84103

KEYES, JOHN S  
225 W 300 N  
SALT LAKE CITY UT 84103

MATSUI, DANIEL  
217 W 300 N  
SALT LAKE CITY UT 84103

THOMPSON, MARLINDA  
273 N 200 W  
SALT LAKE CITY UT 84103

MEANS, SEAN P  
257 N 200 W  
SALT LAKE CITY UT 84103

THOMPSON, NEIL D  
255 N 200 W  
SALT LAKE CITY UT 84103

LARSEN, DEBORAH M  
186 E DORCHESTER DR  
SALT LAKE CITY UT 84103

LARSEN, DEBORAH M  
186 E DORCHESTER DR  
SALT LAKE CITY UT 84103

LARSEN, DEBORAH  
186 E DORCHESTER DR  
SALT LAKE CITY UT 84103

STEPHENS, LELAND T  
225 N 200 W  
SALT LAKE CITY UT 84103

CONGER, WARREN E  
267 N 200 W  
SALT LAKE CITY UT 84103

ALEXANDER, COREY M  
211 N 200 W  
SALT LAKE CITY UT 84103

HEDEGAARD, DEBORAH K  
211-13 W 200 N  
SALT LAKE CITY UT 84103

JEPPSEN, MICAH B  
161-63 N 200 W  
SALT LAKE CITY UT 84103

L.D.S. CHURCH OFFICE  
CREDIT  
147 N 200 W  
SALT LAKE CITY UT 84103

LDS CHURCH OFFICE CREDIT  
147 N 200 W  
SALT LAKE CITY UT 84103

L.D.S. CHURCH OFFICE  
CREDIT  
147 N 200 W  
SALT LAKE CITY UT 84103

LDS CHURCH EMPLOYEES  
CREDIT  
147 N 200 W  
SALT LAKE CITY UT 84103

HYER, SCOTT J  
166 W 200 N # 6  
SALT LAKE CITY UT 84103

H & R INVS LLC  
216 W NORTHTEMPLE ST # C5  
SALT LAKE CITY UT 84103

NORMAN, DAVID L  
214 W NORTHTEMPLE ST # E2  
SALT LAKE CITY UT 84103

BRADY, CHRISTIAN BOYD  
214 W NORTHTEMPLE ST # E4  
SALT LAKE CITY UT 84103

STEVENSON, LARRY D  
214 W NORTHTEMPLE ST # E6  
SALT LAKE CITY UT 84103

BRADY, JUDY  
214 W NORTHTEMPLE ST #E-7  
SALT LAKE CITY UT 84103

H & R INVS LLC  
218 W NORTHTEMPLE ST # W2  
SALT LAKE CITY UT 84103

ROWSER, DUSTIN  
218 W NORTHTEMPLE ST # W7  
SALT LAKE CITY UT 84103

BERGERA, PAUL T  
218 W NORTHTEMPLE ST # W8  
SALT LAKE CITY UT 84103

214 NORTH TEMPLE  
CONDOMINIUMS  
216 W NORTHTEMPLE ST # C8  
SALT LAKE CITY UT 84103

CHAUS, GUS G  
166 W 200 N # 3  
SALT LAKE CITY UT 84103

SIMONIAN, MARO  
2808 E 3220 S  
SALT LAKE CITY UT 84109

LENT, MARGARET L  
3388 S MONTEVERDE DR  
SALT LAKE CITY UT 84109

BOARD OF EDUCATION OF  
SLC  
440 E 100 S  
SALT LAKE CITY UT 84111

SALT LAKE CITY BOARD OF  
ED  
440 E 100 S  
SALT LAKE CITY UT 84111

SALT LAKE CITY BOARD OF  
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440 E 100 S  
SALT LAKE CITY UT 84111

SOTIRIOU INVESTMENT  
GROUP  
242 E 300 S  
SALT LAKE CITY UT 84111

BOARD OF EDUCATION OF  
SALT  
440 E 100 S  
SALT LAKE CITY UT 84111

BOARD OF EDUCATION OF  
SALT  
440 E 100 S  
SALT LAKE CITY UT 84111

BOARD OF EDUCATION OF S  
L C  
440 E 100 S  
SALT LAKE CITY UT 84111

GURGEL, KALUS D  
1464 36TH ST  
OGDEN UT 84403

257 NORTH QUINCY LLC  
754 S UTAH AVE  
PROVO UT 84606

ALLEN, NEL JOY  
1460 E HERMOSA VISTA CIR  
MESA AZ 85203

LYSTRUP, LAWRENCE P  
9293 LEXINGTON  
CYPRESS CA 90630

PETEREIT, FRANK  
545 SPEER CT  
POMONA CA 91766

SMITH, JACK B  
1501 N BREA BLVD #301  
FULLERTON CA 92835

WESTERN ROCKY COMPANY  
290 SANTA CLARA DR  
SAN FRANCISCO CA 94127

LYSTRUP, LARRY C  
3641 EIDSON AVE # 15  
SACRAMENTO CA 95821

FONG, LEONARD K M  
3868 POKAPAHU PLACE  
HONOLULU HI 96816

FONG, LEONARD K M  
3868 POKAPAHU PLACE  
HONOLULU HI 96816

*Polly Hart  
355 North Quince Street  
84103*

*Note walkings news  
451 So State St - Rm 406  
P.O. Box 145480  
Salt Lake City, UT  
84114-5480*

## **5. PLANNING COMMISION**

**5 A. PLANNING COMMISION**

**Original Agenda/Notice  
Hearing March 10, 2009**



PO Box 145480  
SIC 127 84114-548

**AGENDA FOR THE SALT LAKE CITY PLANNING COMMISSION MEETING**  
In Room 326 of the City & County Building at 451 South State Street  
Wednesday, March 25, 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 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, March 11, 2009**

**Report of the Chair and Vice Chair**

**Report of the Director**

**Public Hearing**

1. **PLNPCM2008-00918; Zoning Map Amendment**—a request by Paul L. Willie to amend the Zoning Map for property located at approximately 230 West North Temple from PL Public Lands to RMU Residential Mixed Use. This property is located in City Council District 3, represented by Council Member Luke Garrott (Staff Contact: Nole Walkingshaw at 801- 535-7128 or [nole.walkingshaw@slcgov.com](mailto:nole.walkingshaw@slcgov.com)).
2. **PLNPCM2008-00917; Preliminary Minor Subdivision**—a request by Paul L. Willie for property located at approximately 230 West North Temple to combine three parcels. This property is located in City Council District 3, represented by Council Member Luke Garrott (Staff contact: Nole Walkingshaw at 801-535-7128 or [nole.walkingshaw@slcgov.com](mailto:nole.walkingshaw@slcgov.com)).
3. **PLNPCM2009-00003; Red Moose Roasting and Coffee Conditional Use**—a request by Red Moose Roasting and Coffee, represented by Rob Karas and Teresa Nelson, for a drive thru window for a coffee shop located at approximately 1693 South 900 East. A coffee shop is a permitted use in the CN Neighborhood Commercial Zoning District; however, a drive thru window requires a conditional use. The property is located in City Council District 5 represented by Council Member Jill Remington-Love (Staff contact: Nick Norris at 801-535-6173 or [nick.norris@slcgov.com](mailto:nick.norris@slcgov.com)).
4. **PLNPCM2009-00106; Zoning Ordinance Text Amendment**—a petition initiated by the Planning Commission to amend Sections 21A.10.010 and 21A.10.020, and other related Sections of the Salt Lake City Zoning Ordinance, pertaining to Public Hearing and Notice Requirements. The proposed amendments are not site specific (Staff contact: Bill Peperone at 535-7214 or [bill.peperone@slcgov.com](mailto:bill.peperone@slcgov.com))
5. **PLNPCM2009-00105; Zoning Ordinance Text Amendment**—a petition initiated by the City Council to amend Section 21A.50.050 of the Salt Lake City Zoning Ordinance, *Standards for General Amendments*. The proposed amendment is not site specific (Staff contact: Bill Peperone at 801-535-7214 or [bill.peperone@slcgov.com](mailto:bill.peperone@slcgov.com))

*Visit the Planning Division's website at [www.slcgov.com/CED/planning](http://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. The Record of Decision will be posted on the Division's website the day following the meeting where a final decision on a petition is made.*

**5 B. PLANNING COMMISSION**

**Staff Report March 19, 2009**

# PLANNING COMMISSION STAFF REPORT

## City Creek Inn, PLNPCM2008-00918 Zoning Map Amendment 230 West North Temple Street March 25, 2009



Planning and Zoning Division  
Department of Community and  
Economic Development

**Applicant:** Paul L. Willie

**Staff:** Nole Walkingshaw,  
Senior Planner, Phone: 801-535-  
7128, email:  
nole.walkingshaw@slcgov.com

**Tax ID:**  
08-36-452-026  
08-36-452-020  
08-36-452-021

**Current Zone:** RMU,  
Residential Mixed Use and PL  
Public Lands

**Master Plan Designation:**  
Capital Hill Master Plan: Public  
Lands

**Council District:** City  
Council District Three, Council  
Member Eric Jergensen

**Lot Size:** 6,314 square feet

**Current Use:** Motel and  
vacant land

**Applicable Land Use  
Regulations:**

- List all applicable regulations

**Notification**

- Notice mailed on March 10, 2009
- Sign posted on March 13, 2009
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites March 19, 2009

### **Request**

The Zoning Map Amendment request will change a portion of vacant land currently zoned PL Public Lands to RMU Residential Mixed Use. The segment of land is a tabbed out portion of the West High School athletic field, which currently is not in use and has not been improved or landscaped. The Salt Lake City School District has a pending real estate transaction to sell this portion of the property to the applicant pending approval of this request. This request is also being processed with a Minor Subdivision request; petition number PLNPCM2008-000917 which will incorporate the three parcels into one lot. The current use of the primary parcel is a motel/hotel which currently is a non-conforming use in the R-MU zoning district. The applicant does not have any immediate change of use or expansion of the current use plan for the parcels at this time. The City Council is the final authority in this matter and they may approve, approve with conditions, deny or table this petition. The Planning Commission is asked to forward a recommendation to the City Council. At this time the Planning Commission may prepare a recommendation or table the petition for more information.

### **Staff Recommendation**

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the project generally meets the applicable standards and therefore, recommends the Planning Commission forward a positive recommendation to the City Council with the following conditions:

1. The approved Preliminary Minor Subdivision Petition PLNPCM2008-00917 be recorded consolidating the parcels, should the request be approved.
2. Subject properties are landscaped and fenced to be consistent with existing development, and in accordance with the landscaping requirements of zoning ordinance.
3. Notice, the existing motel use is a legal non-conforming use; any expansion of the use would require a determination of expansion of a non-conforming use and may require mitigation, through a conditional use request.

**Attachments:**

- A. Preliminary Plat
- B. Public Comments
- C. Staff Comments
- D. Application

**VICINITY MAP**



## ***Background***

### **Project Description**

The Zoning Map Amendment request will change a portion of vacant land currently zoned PL Public Lands to RMU Residential Mixed Use. The segment of land is a tabbed out portion of the West High School athletic field, which currently is not in use and has not been improved or landscaped. The Salt Lake City School District has a pending real estate transaction where by they will sell this portion of the property to the applicant pending approval of this request. This request is also being processed with a Minor Subdivision request , petition number PLNPCM2008-000917 which will incorporate the three parcels into one The current use of the primary parcel is as a motel/hotel which currently is a non-conforming use in the R-MU zoning district. The applicant does not have any immediate change of use or expansion of the current use plan for the parcels at this time.

### ***Comments***

#### **Public Comments**

On February 18, 2009 the applicant presented the petition to the Capital Hill Community Council; no formal recommendation was made at that time, the Community Council will vote on the issue at their next meeting. No issues were raised at this meeting.

#### **City Department Comments**

The comments received from pertinent City Departments/Divisions are attached to this staff report in Attachment C. The Planning Division has not received comments from the applicable City Departments / Divisions that cannot reasonably be fulfilled or that warrant denial of the petition.

### ***Project Review***

This project was reviewed at a pre-submittal meeting; the reviewers discussed the required approval processes. Staff recommended the vacant parcels be fenced and landscaped in accordance with the primary use at the site.

### ***Analysis and Findings***

#### **Options**

There are three options, first forward a positive recommendation to the City Council or forward a negative recommendation to the City Council. A positive recommendation may include conditions which mediate any noted issues. The positive recommendation allows for the consolidation of the parcels. Second, a negative recommendation and subsequent denial of the request would prohibit the consolidation of the vacant parcel. The vacant parcels on their own are currently non-complying with respect to lot area and dimensions rendering them undevelopable beyond single family residential; this type of development is not consistent with the goals and policies of the master plan. Essentially denial would negate the pending transaction and subdivision leaving the unused portion of the athletic field under the ownership and control of the Salt Lake City School District. The third option would be to table the petition for additional information.

#### **Findings**

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;**

**Finding:** The subject property is located within the West Capitol Hill Neighborhood, as noted in the Capitol Hill Master Plan. The master plan policies state “Encourage the development of the area along North Temple as an “Urban Neighborhood” which combines high-density residential development with supportive retail, service commercial and small-scale office uses.” The proposed amendment in combination with the subdivision request accomplishes this policy. Although the Future Land Use Map for the Capital Hill Master Plan area shows this site to be PL, Public Lands; Specific policies listed in the plan are consistent with the proposed Zoning Map Amendment and staff has determined this map amendment may be done without the requirement of a master plan amendment.

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

**Finding:** The proposed amendment is consistent with the existing development, due to the fact that no re-use is proposed at this time. Currently the area has a mix of uses and structures, many of which do not necessarily reflect the goals and policies of the master plan for the area. This amendment creates the potential for residential mixed use development, and higher density residential development, which is appropriate for this site. This site is located near the edge of the Central Business District.

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

**Finding:** Planning staff has not identified any adverse affects on adjacent properties. High density mixed use projects are appropriate near the edge of the Central Business District.

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

**Finding:** This project is not located within an 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 waste water and refuse collection.**

**Finding:** Public facilities and services will see no additional impact due to this amendment. In the event that the property was redeveloped, those impacts may be address as a part of that development. The new project would have to mitigate any impacts created by development.

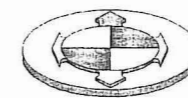
**Attachment A  
Preliminary Plat**

# CITY CREEK INN SUBDIVISION

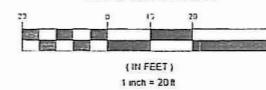
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN.

LOTS 2 & 3, BLOCK 96,  
PLAT A, SALT LAKE CITY SURVEY  
230 WEST NORTH TEMPLE STREET,  
SALT LAKE CITY

NORTH



GRAPHIC SCALE



## LEGEND

- SECTION CORNER (FOUND)
- S.L.C. BRASS CAP MONUMENT (RING & LID)
- DISTANCE PER DEED
- BOUNDARY LINE
- ADJACENT PROPERTY
- STREET CENTERLINE EXISTING
- EASEMENT
- RIGHT-OF-WAY, PUBLIC
- P.U.E. AND D.E.
- PUBLIC UTILITY EASEMENT AND DRAINAGE EASEMENT
- FIRE HYDRANT
- LIGHT POLE

NO NEW UTILITIES ARE PLANNED FOR THIS SITE.

## LIST OF REFERENCED DOCUMENTS

- PARCEL ID NO. 08-36-452-021, ENTRY NO. 4967477, BOOK 6253, PAGE 2925, DATED SEPTEMBER 19, 1990 (THOMAS H. AND DOROTHY CARIN) ON FILE WITH SALT LAKE COUNTY RECORDERS OFFICE.
- PARCEL ID NO. 08-36-452-020, ENTRY NO. 4967478, BOOK 6253, PAGE 2926, DATED SEPTEMBER 19, 1990 (THOMAS H. AND DOROTHY CARIN) ON FILE WITH SALT LAKE COUNTY RECORDERS OFFICE.
- ENTRY NO. 6783256, BOOK 7800, PAGE 2586, DATED NOVEMBER 6, 1997 (SALT LAKE CITY BOARD OF EDUCATION) ON FILE WITH SALT LAKE COUNTY RECORDERS OFFICE.

## ACCURACY STATEMENT

THIS SURVEY WAS DONE BY BENCHMARK FIELD CREWS UNDER MY DIRECT SUPERVISION WITH A SURVEY TOLERANCE OF 1 IN 10 THOUSANDTHS OF A FOOT.

## BOARD OF HEALTH

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_

DIRECTOR S.L.C.O. BOARD OF HEALTH

## SURVEYOR'S CERTIFICATE

I, KEVIN J. PETERSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 501183 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREFTER TO BE KNOWN AS:

## CITY CREEK INN SUBDIVISION

### BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN LOT 2, BLOCK 96, PLAT 'A', SALT LAKE CITY SURVEY, COMPRISING OF THREE (3) PARCELS OF LAND, 1) (THOMAS H. & DOROTHY CARIN) THAT CERTAIN WARRANTY DEED DATED SEPTEMBER 19, 1990 AS ENTRY 4967478 IN BOOK 6253 AT PAGE 2925; 2) (THOMAS H. & DOROTHY CARIN) THAT TITLE REPORT BY METRO NATIONAL TITLE ORDER NO. 070531618 WITH PARCEL NO. 08-36-452-020; 3) A PORTION OF (SALT LAKE CITY BOARD OF EDUCATION) THAT CERTAIN WARRANTY DEED DATED NOVEMBER 6, 1997 AS ENTRY 6783256 IN BOOK 7800 AT PAGE 2586, BASIS OF BEARINGS NORTH 00°01'07" WEST ALONG THE MONUMENT LINE IN 200 WEST STREET BETWEEN THE MONUMENTS AT THE INTERSECTIONS OF NORTH TEMPLE STREET AND 200 NORTH STREET AS SHOWN IN THAT CERTAIN LOT ADJUSTMENT SURVEY PERFORMED BY BENCHMARK ENGINEERING AND LAND SURVEYING, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF THE NORTH TEMPLE STREET SAID POINT ALSO BEING NORTH 00°01'07" WEST 53.79 FEET ALONG SAID MONUMENT LINE AND NORTH 89°58'38" EAST 358.97 FEET FROM THE MONUMENT LOCATED AT NORTH TEMPLE STREET AND 300 WEST STREET INTERSECTION AND RUNNING THENCE NORTH 00°01'22" WEST 198.00 FEET; THENCE SOUTH 89°58'38" WEST 43.50 FEET; THENCE NORTH 00°01'22" WEST 77.00 FEET; THENCE NORTH 89°58'38" EAST 231.00 FEET TO THE WESTERLY LINE OF WESTERN ROCKY COMPANY PROPERTY; THENCE SOUTH 00°01'22" EAST 275.00 FEET ALONG SAID WEST LINE TO THE NORTHERLY LINE OF SAID STREET; THENCE SOUTH 89°58'38" WEST 187.50 FEET ALONG SAID STREET TO THE POINT OF BEGINNING.

CONTAINS APPROXIMATELY 1.261 ACRE

Submitted For  
Review Only



### SURVEY NARRATIVE

BENCHMARK ENGINEERING & LAND SURVEYING WAS RETAINED BY PAUL WILLIE TO PERFORM A BOUNDARY SURVEY OF SUBJECT PROPERTY SHOWN HEREON AND PROPOSE TO SET PROPERTY CORNERS EXCEPT AS SHOWN HEREON. PROPERTY PREVIOUSLY SURVEYED BY BENCHMARK ENGINEERING AND LAND SURVEYING AS SHOWN IN THAT CERTAIN LOT ADJUSTMENT SURVEY RECORD AS #XXXX ADDITIONAL INFORMATION IS AVAILABLE CONCERNING THE CONDITIONS OF THE SUBJECT PROPERTY AT THE TIME THE SURVEY WAS CONDUCTED. PROPERTY MARKERS WERE SET AS SHOWN IN THAT SURVEY.

### OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT \_\_\_\_\_, THE \_\_\_\_\_ UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS THE:

## CITY CREEK INN SUBDIVISION

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREBY \_\_\_\_\_ HAVE HEREUNTO SET THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_

### CORPORATE ACKNOWLEDGMENT

STATE OF UTAH } S.S.  
County of Salt Lake }  
ON THE \_\_\_\_\_ PERSONALLY APPEARED BEFORE ME, HOLMAND SILVER CREEK, LLC, A UTAH LIMITED LIABILITY COMPANY AND THE MANAGER OF \_\_\_\_\_ AND THAT THE FOREGOING INSTRUMENT WAS SIGNED ON BEHALF OF SAID COMPANY, AND HE ACKNOWLEDGED TO ME THAT SAID COMPANY EXECUTED THE SAME.

MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC  
RESIDING IN SALT LAKE COUNTY

### ACKNOWLEDGMENT

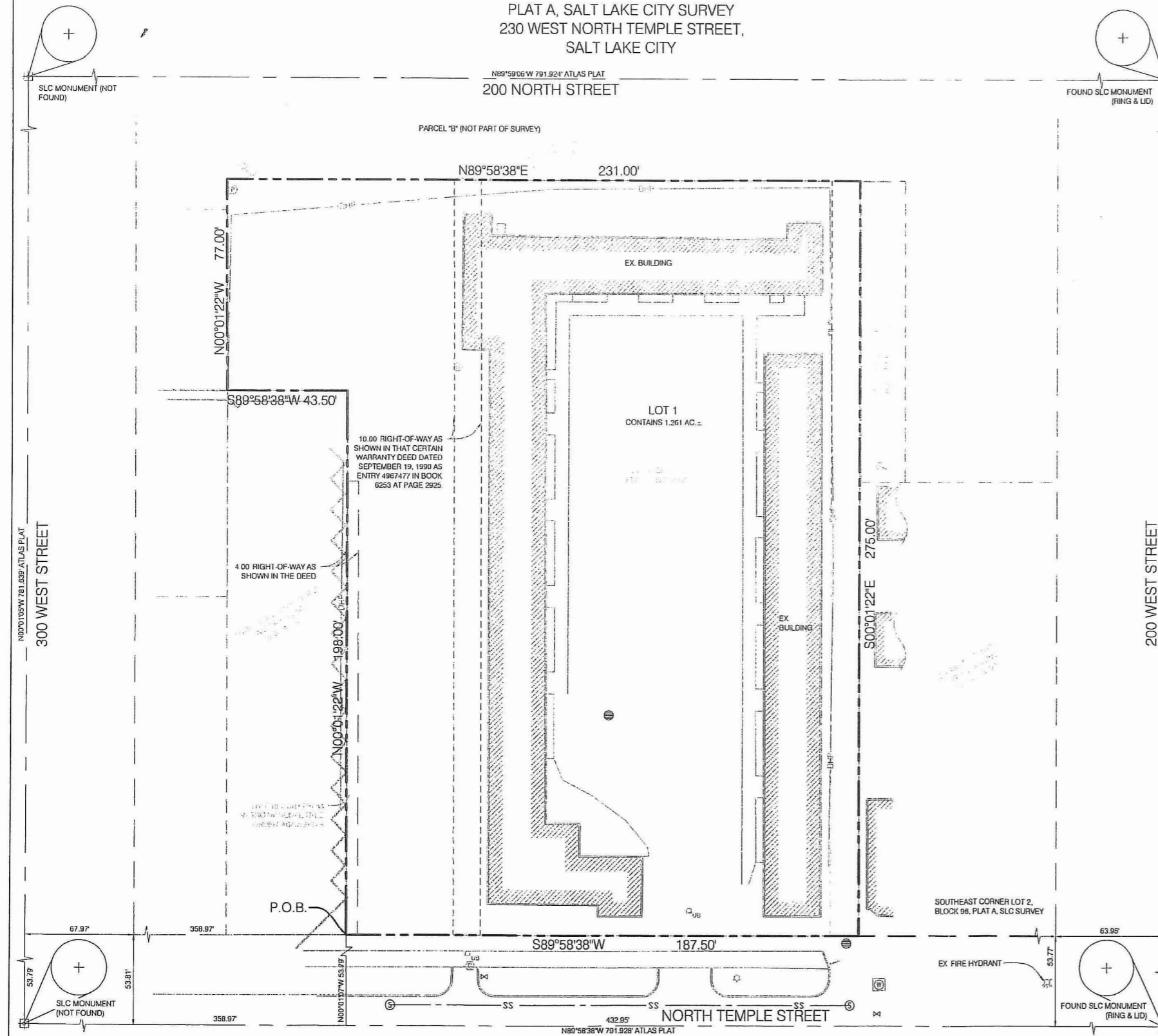
STATE OF UTAH } S.S.  
County of Salt Lake }  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SALT LAKE IN SAID STATE OF UTAH, THE SIGNER(S) OF THE ABOVE OWNERS DEDICATION, \_\_\_\_\_ IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT \_\_\_\_\_ SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC  
RESIDING IN SALT LAKE COUNTY

## CITY CREEK INN SUBDIVISION

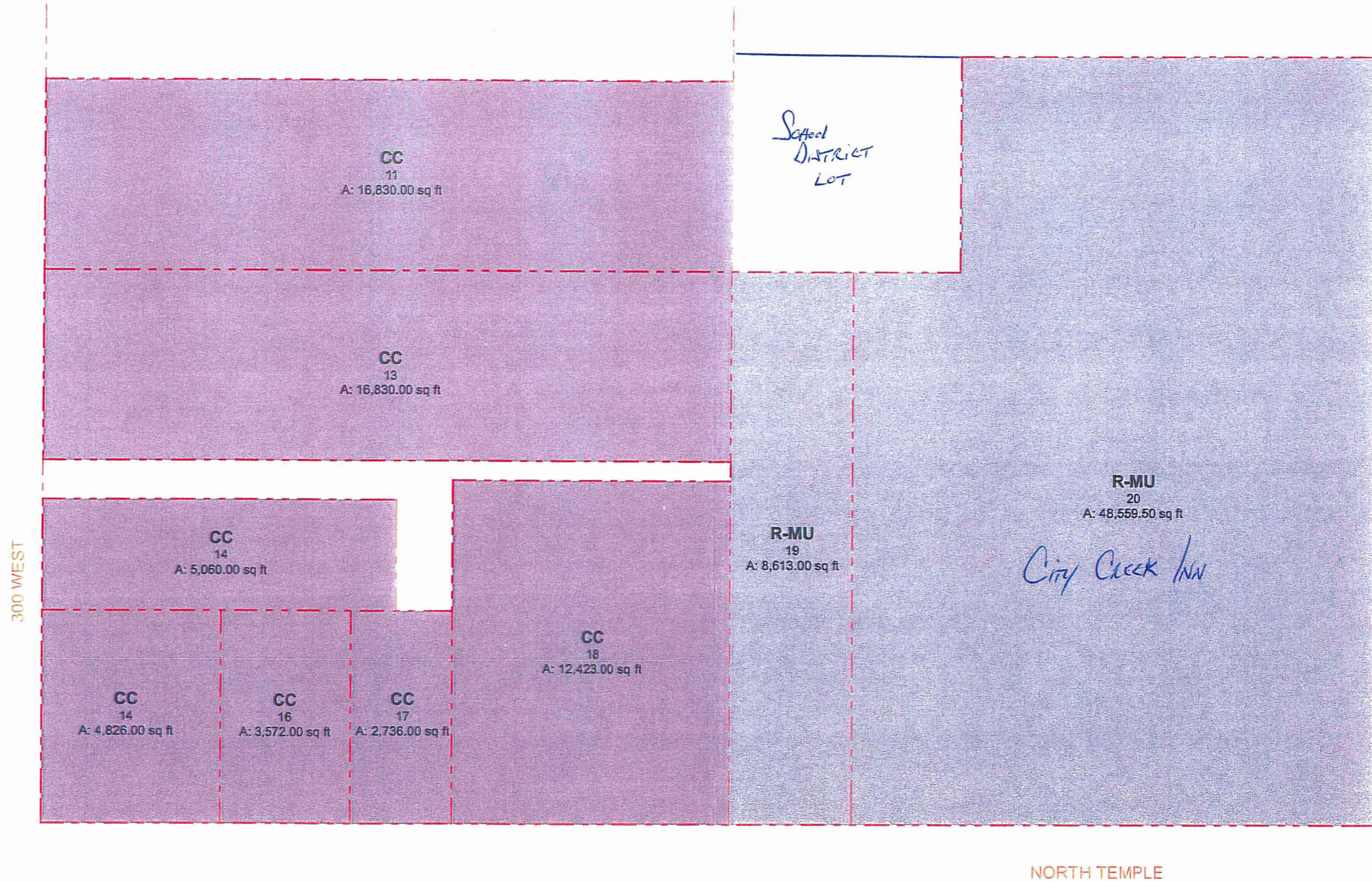
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 36,  
TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN.  
LOTS 2 & 3, BLOCK 96,  
PLAT A, SALT LAKE CITY SURVEY  
230 WEST NORTH TEMPLE STREET, SALT LAKE CITY

SHEET 1 OF 1



NUMBER _____ ACCOUNT _____ SHEET _____ OF _____ SHEETS	BENCHMARK ENGINEERING & LAND SURVEYING 9130 SOUTH STATE STREET SUITE # 100 SANDY, UTAH 84070 (801) 542-7192 www.benchmarksl.com	SLC BUILDING OFFICIAL APPROVED THIS _____ DAY OF _____ A.D., 20__ BY THE SALT LAKE CITY BUILDING OFFICIAL.	CITY PLANNING DIRECTOR APPROVED THIS _____ DAY OF _____ A.D., 20__ BY THE SALT LAKE CITY PLANNING COMMISSION.	CITY DEPT. PUBLIC UTILITIES APPROVED AS TO FORM THIS _____ DAY OF _____ A.D., 20__	CITY ENGINEERING DIVISION I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE. CITY ENGINEER _____ DATE _____ CITY SURVEYOR _____ DATE _____	CITY ATTORNEY APPROVED AS TO FORM THIS _____ DAY OF _____ A.D., 20__	CITY APPROVAL PRESENTED TO THE MAYOR OF SALT LAKE CITY THIS _____ DAY OF _____ A.D., 20__ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED SALT LAKE CITY RECORDER _____ SALT LAKE CITY, MAYOR _____	SALT LAKE COUNTY RECORDER RECORDED # _____ STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE \$ _____ CHIEF DEPUTY _____ SALT LAKE COUNTY RECORDER _____	NUMBER _____ ACCOUNT _____ SHEET _____ OF _____ SHEETS
		SLC BUILDING OFFICIAL _____ DATE _____	PLANNING DIRECTOR _____ DATE _____	SALT LAKE CITY PUBLIC UTILITIES DIRECTOR _____	SALT LAKE CITY ATTORNEY _____	SALT LAKE CITY RECORDER _____ SALT LAKE CITY, MAYOR _____	CHIEF DEPUTY _____ SALT LAKE COUNTY RECORDER _____		





SITE  
CAPACITY  
STUDY

ALTERNATIVE B:  
HOTEL

DECEMBER 17, 2007

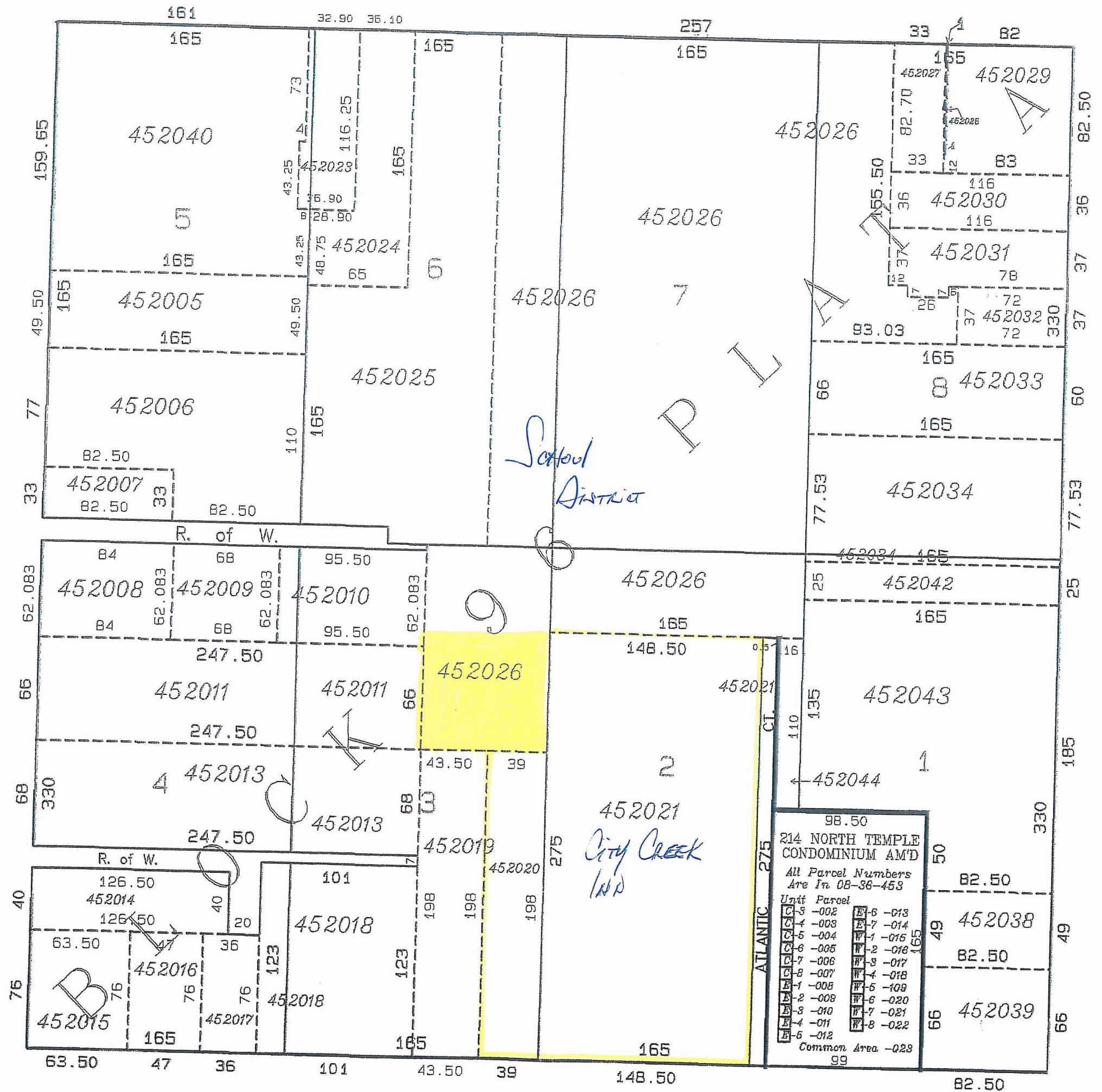
DRAWING

ZONING

ZONING MAP  
SCALE: 1" = 40'

1

SHEET No.  
SS-  
B-01



School District

City Creek Imp

PLA

9

2

1

R. of W.

R. of W.

ATLANTIC CT. 275

8

B

A

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7

8

33

62.083

66

68

40

76

63.50

47

36

101

43.50

39

148.50

275

275

110

135

77.53

66

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33

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49.50

159.65

161

165

32.90 36.10

165

257

165

33

82

82.50

36

37

37

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77.53

25

185

330

49

66

82.50

98.50

82.50

82.50

452039

66

50

49

452038

66

214 NORTH TEMPLE CONDOMINIUM AM'D  
 All Parcel Numbers Are In 08-36-453  
 Unit Parcel  
 E-3 -002 E-6 -013  
 E-4 -003 E-7 -014  
 E-5 -004 E-1 -015  
 E-6 -005 E-2 -016  
 E-7 -006 E-3 -017  
 E-8 -007 E-4 -018  
 E-1 -008 E-5 -019  
 E-2 -009 E-6 -020  
 E-3 -010 E-7 -021  
 E-4 -011 E-8 -022  
 Common Area -023  
 99

**Attachment B  
Public Comments**

**From:** [Polly Hart](#)  
**To:** [Walkingshaw, Nole](#)  
**Subject:** City Creek Inn  
**Date:** Thursday, March 19, 2009 11:17:00 AM

---

Nole-

Last night the Capitol Hill Community Council voted unanimously 14-0 in favor of recommending that we support the requested zoning change (from Public Lands to RMU) for the parcel that City Creek Inn (240 W North Temple) is purchasing from the Salt Lake City School District.

Yours sincerely,

Polly Hart

Chair, Capitol Hill Community Council

## **Conditional Use Community Council / Citizen Group Input**

TO: Polly Hart, Chair Capital Hill Community Council

FROM: Nole Walkingshaw, Planning Division Staff

DATE: January 28, 2008

RE: City Creek Inn, Zone Map Amendment and Minor Subdivision

Applicant Paul Willie, is requesting the Salt Lake City Planning Commission approve a zone map amendment and minor subdivision at 240 West North Temple Street. The Planning commission has final authority on the Minor Subdivision and will forward a recommendation to the City Council for the zone map amendment; the City Council has final authority on this matter. As part of this process, the applicant is required to solicit comments from the Capital Hill Community Council. The purpose of the Community Council review is to inform the community of the project and solicit comments / concerns they have with the project. The Community Council may also take a vote to determine whether there is support for the project, but this is not required. (Please note that the vote in favor or against is not as important to the Planning Commission as relevant issues that are raised by the community council.) I have enclosed information submitted by the applicant relating to the project to facilitate your review. The applicant will present information at the meeting. Planning Staff may attend to clarify regulations, policies, and processes.

If the Community Council chooses to have a project presented to them, the applicant will only be required to meet with the Community Council once before the Planning Staff will begin processing the application. Where a project is located within the boundaries of more than one Community Council or where the project is within six hundred feet of the boundaries of other Community Councils, the Planning Division will hold an Open House. Community Council Chairs will be notified of the meeting and asked to notify the members about the meeting. The Community Council should submit its comments to me, as soon as possible, after the Community Council meeting to ensure there is time to incorporate the comments into the staff report to the Planning Commission. Comments submitted too late to be incorporated into the staff report, can be submitted directly to the Planning Commission, via the Planning Division, for their review prior to the Planning Commission Public Hearing. I will also attend the meeting to answer any questions and listen to the comments made by the Community Council members.

Following are City adopted criteria that the Planning Commission will use to make their decision. The City's technical staff will review the project to ensure it complies with adopted policies and regulations. Input from the Community Council / citizen groups can be more general in nature and focus on issues of impacts to abutting properties and compatibility with the neighborhood. Staff is not looking for you to make comments on each of the below listed criteria, but general comments should pertain to the criteria listed below.

1. Consistency with the adopted Master Plan policies of the West Salt Lake Master Plan.
2. Adequacy of circulation including access to property, traffic congestion, parking, circulation (both vehicular and non-vehicular including pedestrian) and design issues such as safe and accessible sidewalks, pedestrian friendly emphasis and enhancements that encourage walking, street design and interconnections for pedestrians and cyclists, crosswalks, park strip landscaping, and traffic calming solutions;

3. Adequacy of existing or proposed utility services to accommodate the proposed use
4. Appropriateness of buffering to protect adjacent land uses from light, noise and visual impacts;
5. Consistency of architecture and building materials with the development and compatibility with the adjacent neighborhood;
6. Appropriateness of landscaping for the scale of the development;
7. Assurance of preservation of historical, architectural and environmental features of the property;
8. Compatibility of operating and delivery hours with adjacent land uses;
9. Compatibility with the neighborhood surrounding the proposed development and avoidance of a concentration of uses that results in a negative impact on the neighborhood or the City as a whole;
10. Appropriateness of design to prevent or minimize crime and/or undesirable activities and promote natural surveillance;
11. Recommend public way improvements adjacent to the subject property.

Please submit your written comments to the Planning Division by mail at Salt Lake City Planning Division, 451 South State Street, Room 406, SLC, UT 84111; by Fax at (801) 535-6174 or via e-mail to me at [nole.walkingshaw@slcgov.com](mailto:nole.walkingshaw@slcgov.com).

If you have any questions, please call me at 535-7128 or via e-mail.

**COMMUNITY COUNCIL COMMENTS:**

The above referenced applicant, met with the \_\_\_\_\_  
Community / Neighborhood Council on \_\_\_\_\_

Approximately \_\_\_\_\_ people attended the meeting. Those in attendance made the following  
comments relating to the project.

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In general, was the group supportive of the project? \_\_\_\_\_

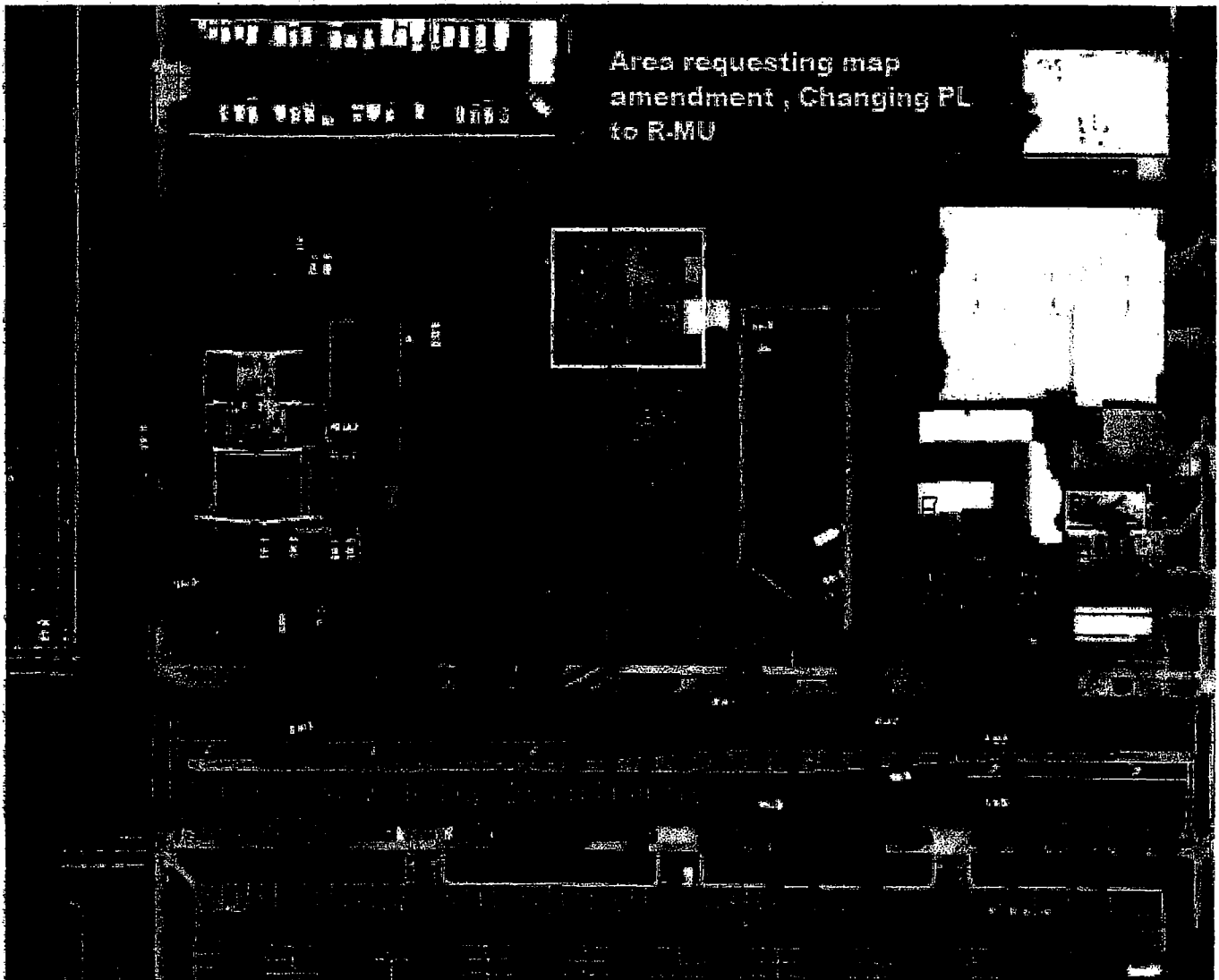
Signature of the Chair or Group Representative

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## Summary of the request

Attached is information regarding a requested approval of a Zoning Map Amendment request changing a vacant parcel of land located south of the West High School Athletic Field from (PL) Public Lands to (R-MU) Residential Mixed Use located at 230 West North Temple Street, and a preliminary review for a Minor Subdivision. The applicant does not have an immediate use plan for the parcel at this time; the subdivision request will incorporate three parcels into one parcel. The current use of the primary parcel is as a motel/hotel which currently is a non-conforming use in the R-MU zoning district. The R-MU zoning is supported by the existing master plan and future land use map.

If you have questions or need additional information, please contact me at 535-7128 or [nole.walkingshaw@slcgov.com](mailto:nole.walkingshaw@slcgov.com)





## **Staff Comments**

### **Building Services**

I have reviewed the City Creek Inn proposal for a map amendment to change a vacant parcel of land from PL to R-MU and to consolidate three parcels into one parcel. The Building Services Division has no issues related to the map amendment to change a vacant parcel of land from PL to R-MU. However, we have two questions related to the consolidation of parcels. The current use of the occupied land is a motel, which is a nonconforming use in the R-MU zone. The other two parcels appear to be vacant land and no change to a conforming use is being proposed at this time. Section 21A.38.080 prohibits any nonconforming use from occupying any portion of a site that it did not previously occupy on the effective date that it became a nonconforming use. 1. In this case, does lot consolidation alone violate section 21A.38.080? 2. If not, can specific conditions be imposed that will adequately assist the Building Services Division to indefinitely track this action each time a permit is applied for to expand the building, the parking lot, or install a ground mounted sign onto portions of the lot that the motel did not previously occupy? Alan R. Michelsen Development Review Planner Building Services & Licensing (801) 535-7142 [Alan.michelsen@slcgov.com](mailto:Alan.michelsen@slcgov.com)

### **Engineering**

SLC Engineering's review comments are as follows: 1. this proposal is to combine 3 parcels into 1. There is no immediate use plan for the site. The Engineering Division has no concerns regarding the proposed Zoning Map Amendment. There is an existing motel on the site presently. All improvements and street right-of-way exist as required. There is severe cracking in one panel of sidewalk and the drive approach on the east boundary, which meet the criteria of APWA Std. Plan 291 for defective concrete, thereby requiring replacement of said sidewalk and drive approach. The sidewalk shall be replaced as per APWA Std. Plan 231, and the approach shall be replaced as per APWA Std. Plan 225. All of this work shall be accomplished by a licensed, bonded and insured contractor who shall first obtain a Public Way Permit from our office. This Permit shall be obtained prior to final approval of the plat. 2. If there are any corrections needed on the plat, I will contact the consultant to have the red-lined copy picked up from our office.

### **Transportation**

The division of transportation review comment and recommendations are as follows: There is no change to the existing conditions proposed at this time, (vacant lot and existing Motel). Future development will require full compliance to city design standards for vehicular and pedestrian access staging and services

### **Fire**

If a structure is placed on this property and is built on property line it must be provided with Automatic Fire Sprinkler System. The Fire Department Connections shall be placed on the street side within 100 feet of a fire hydrant. The fire hydrant serving this appliance shall be on the same side of the street.

**Attachment D  
Application**



# Zoning Amendment

OFFICE USE ONLY  
 Petition No. PLN/PCM/DOB-00918  
 Date Received: 12/17/08  
 Reviewed By:

- Amend the text of the Zoning Ordinance by amending Section:
- Amend the Zoning Map by reclassifying the above property from a zone to a zone. (attach map or legal description)

Address of Subject Property: BEHIND 240 WEST NORTH TEMPLE

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Name of Applicant: PAUL WILLIE Phone: 435-755-2035

---

Address of Applicant: 595 S. RIVERWALK PKWY, #400  
LOGAN, UT 84301

---

E-mail Address of Applicant: Pwillie@NETWORKON.COM Cell/Fax: 435-757-3000

---

Applicant's Interest in Subject Property: HAS AN ACCEPTED OFFER TO PURCHASE. WANTS TO ADD IT TO  
ADJOINING VACANT LOT + HOTEL PROPERTY.

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Name of Property Owner: SALT LAKE SCHOOL DISTRICT Phone: 801-574-8334  
C/O JANET ROBERTS

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E-mail Address of Property Owner: JANET.ROBERTS@SLC.K12.UT.US Cell/Fax:

---

County Tax ("Sidwell #"): 08-34-452-024 Zoning: PL

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Legal Description (if different than tax parcel number):

	Existing Property Use <u>VACANT FIELD</u>	Proposed Property Use <u>HOTEL/CONDO</u>
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**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. Printed address labels for all property owners within 450 feet of the subject property. The address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing label. Please include yourself and the appropriate Community Council Chair(s). Address labels are available at the address listed below. The cost of first class postage for each address 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.

Applications must be reviewed prior to submission. Please call 535-7700 for an appointment to review your 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.

**RECEIVED**

DEC 23 2008

BY: [Signature]

SALT LAKE CITY PLANNING

**County tax parcel ("Sidwell") maps and names  
of property owners are available at:**

Salt Lake County Recorder  
2001 South State Street, Room N1600  
Salt Lake City, UT 84190-1051  
Telephone: (801) 468-3391

**File the complete application at:**

Salt Lake City Buzz Center  
451 South State Street, Room 215,  
Salt Lake City, UT 84111

Signature of Property Owner  
Or authorized agent

*Paul Walker by Erik Swanson, Agent*



Commercial Real Estate Services, Worldwide.

tel 801 578 5555  
fax 801 578 5500  
www.naiutah.com

343 East 500 South  
Salt Lake City, Utah 84111

December 17, 2008

Salt Lake City Planning  
451 South State Street, Room 215  
Salt Lake City, Ut 84111

RE: Zoning Amendment Application  
Addition to City Creek Inn parcel at 230 West North Temple

To Whom It May Concern;

1. A small excess parcel belonging the Board of Education, zoned PL is being joined to the adjacent City Creek Inn zoned R-MU
2. The small parcel is a vacant field. It will be combined with the Inn and potentially be developed at a later date.
3. The zoning is appropriate for this area as it abuts CC and R-MU parcels.
4. Survey and preliminary plat has been prepared combining the School property with the 2 City Creek Inn parcels. Legal description is included.
5. No site plans are attached. No development plans are contemplated at this time.
6. Notarized statement of consent from the Board of Education is attached.

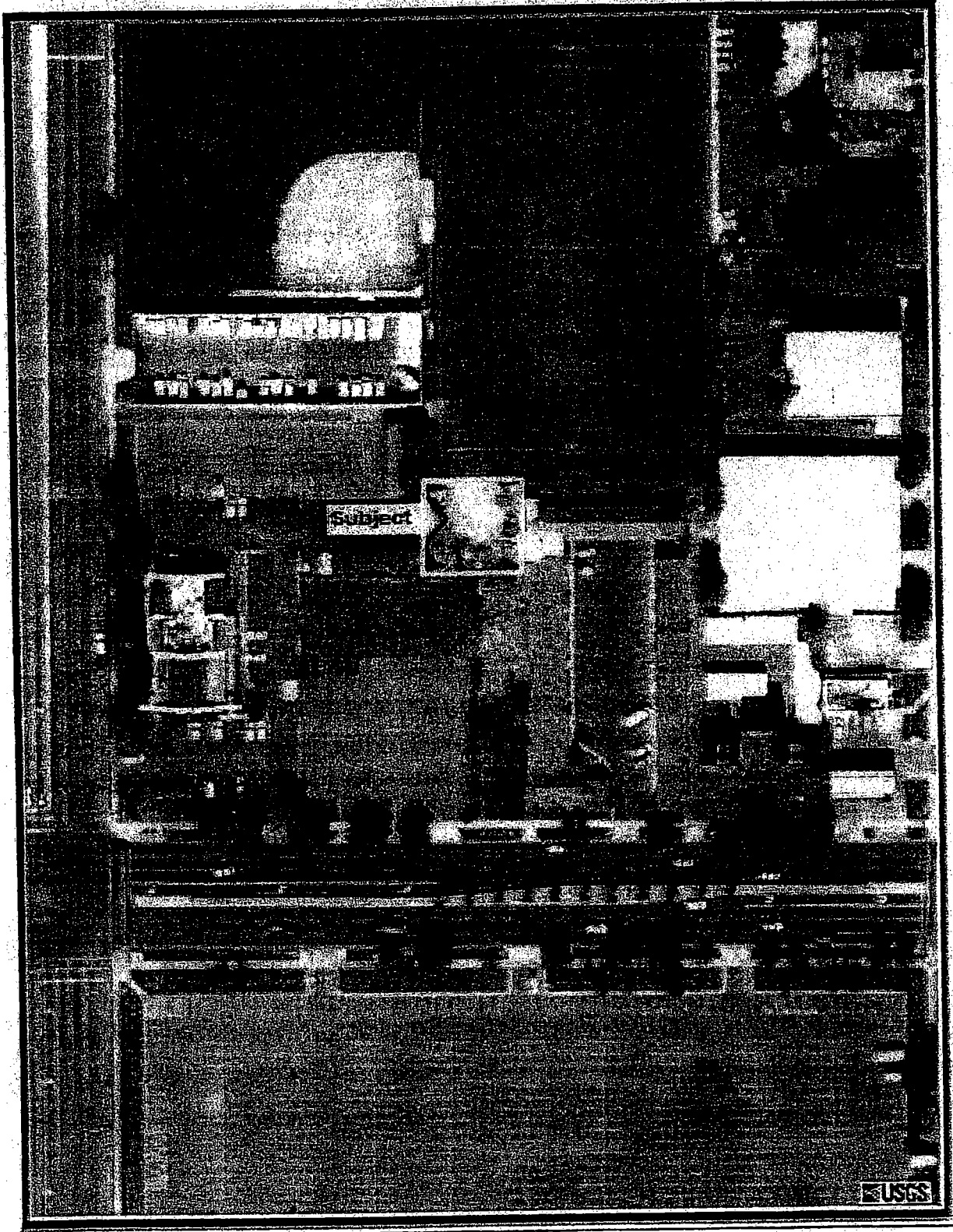
request to re-zone to R-MU

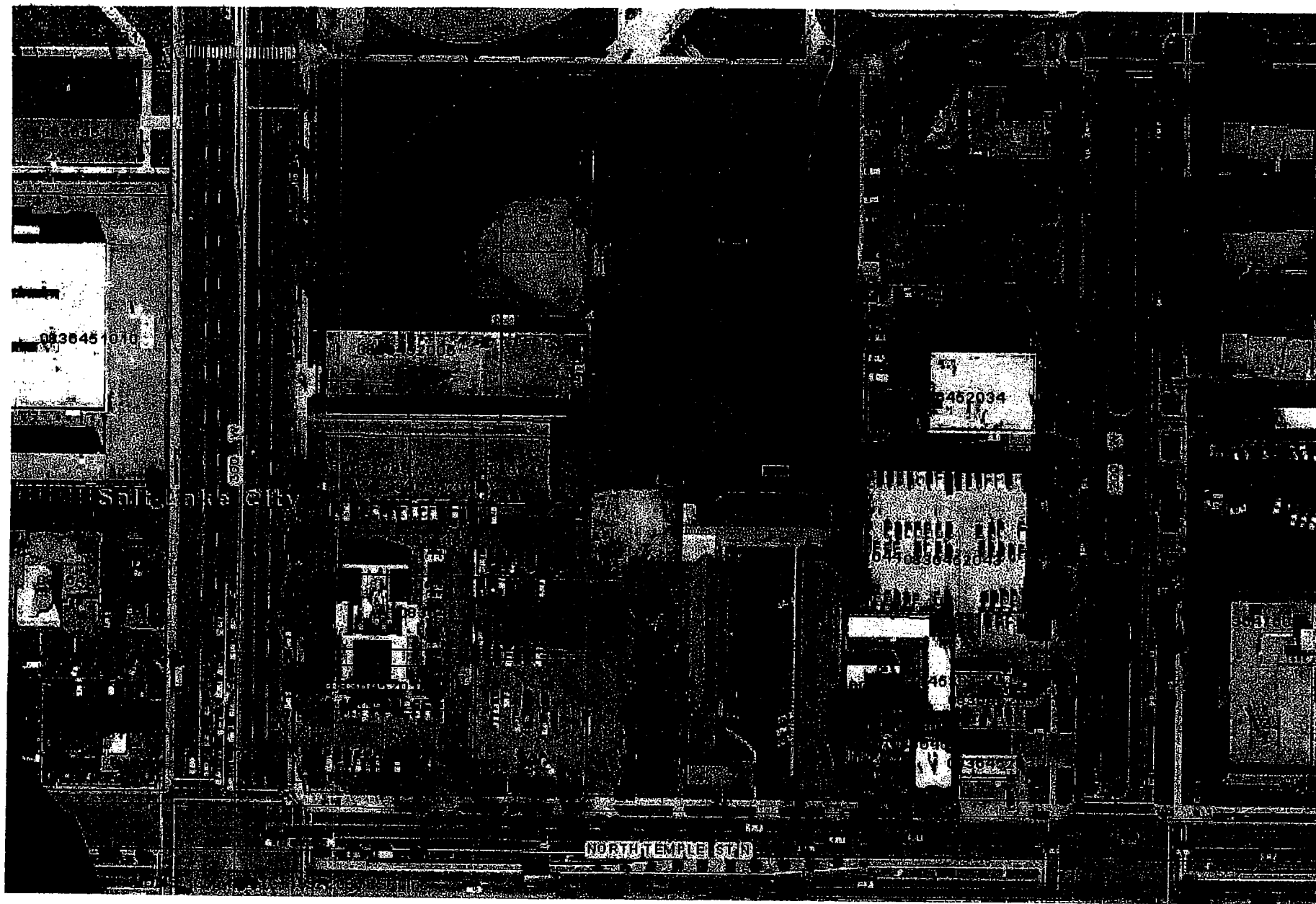
I believe the above answers the questions on the attached zoning application. Please notify me if you need any clarification or additional information.

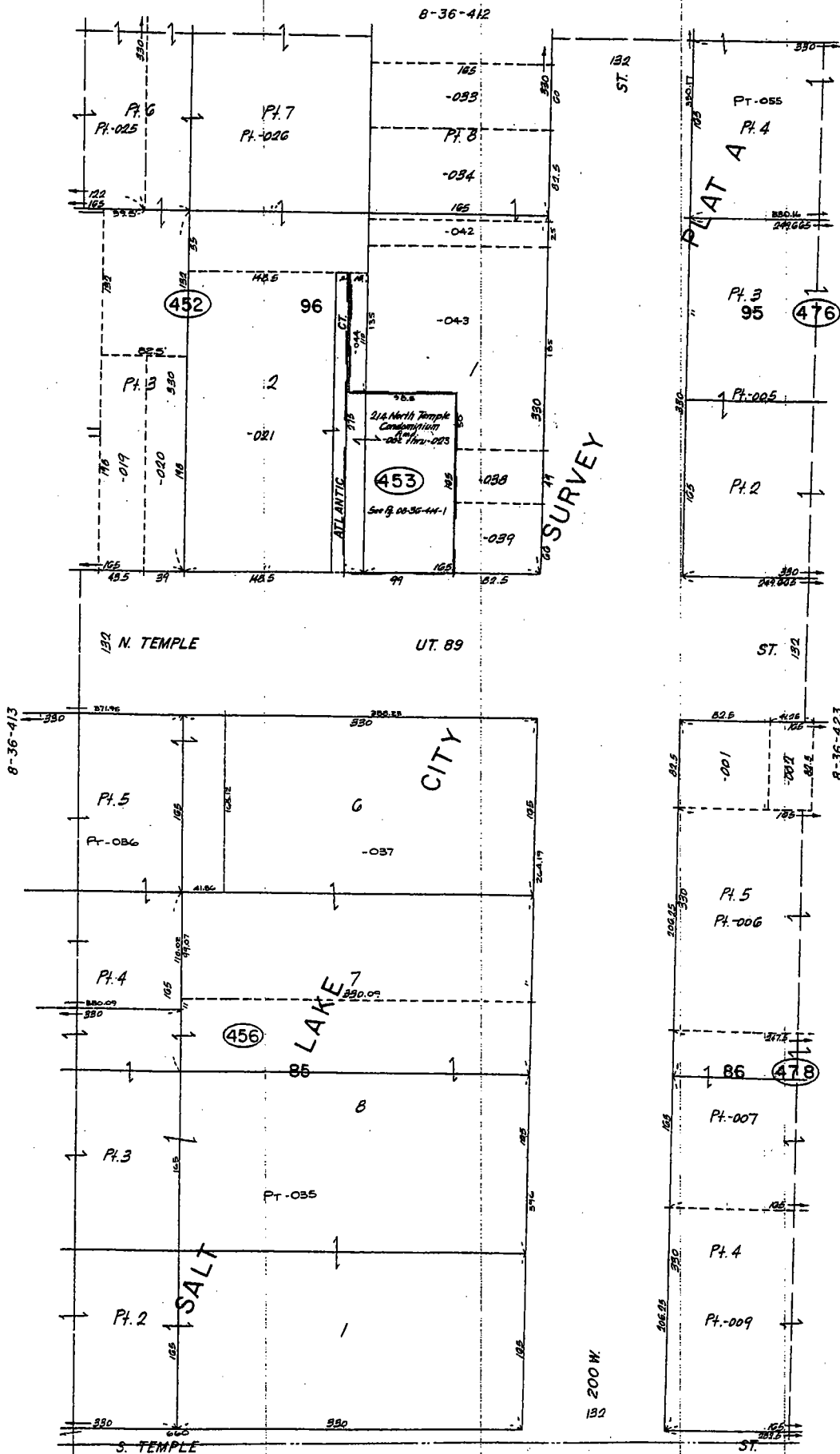
Best Regards

Rick Davidson  
Senior Land & Investment Specialist  
NAI Utah Commercial Real Estate  
343 East 500 South  
Salt lake City, Utah 8411  
P 578-5563  
C 450-9082  
[rdavidson@naiutah.com](mailto:rdavidson@naiutah.com)

AERIAL PHOTO

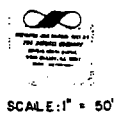






SALT LAKE COUNTY Geomatics Division  
 PREPARED BY SALT LAKE COUNTY RECORDER  
 SALT LAKE COUNTY, UTAH  
 COPYRIGHT ©1996

This map is not intended to represent actual physical property lines. In order to establish exact physical boundaries a survey of the property may be necessary.





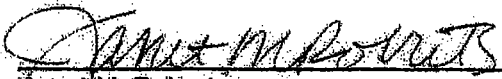
Salt Lake City, Utah  
December 18, 2008

The Board of Education (the "Board") of the Salt Lake City School District (the "District"), authorizes that Rick Davidson, NAI Utah Commercial Real Estate or Paul Willey can act as our agent in the process of obtaining a minor subdivision for the below referenced property:

6314 square foot portion of a larger parcel of land owned by the Salt Lake City Board of Education located at approximately 180 North 300 West, Salt Lake City, Utah.

SIGNED THIS 18th DAY OF DECEMBER, 2008.

By its Business Administrator

  
Janey M. Roberts

State of Utah  
County of Salt Lake

Subscribed and sworn to me this 19<sup>th</sup> day of December, 2008

  
\_\_\_\_\_  
Notary Public

Residing in Salt Lake City, Utah  
My Commission Expires January 5, 2011



WILFORD H. SOMMERKORN  
PLANNING DIRECTOR

PATRICIA COMARELL  
ASSISTANT PLANNING DIRECTOR

April 1, 2009

**SALT LAKE CITY CORPORATION**  
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
PLANNING DIVISION

RALPH BECKER  
MAYOR

FRANK B. GRAY  
COMMUNITY AND ECONOMIC  
DEVELOPMENT DIRECTOR

Paul L. Willie  
595 South Riverwoods Parkway, #400  
Logan, Utah  
84321

**RE: Petition PLNPCM2008-00918: City Creek Inn Zoning Map Amendment and  
Petition PLNPCM2008-00917 located at approximately 230 and 240 West North  
Temple Street**

Dear Mr. Willie:

Enclosed please find your copy of the conditions relative to Petitions PLNPCM2008-00918 and PLNPCM2008-00917. The Findings and Order will be prepared they incorporate the minutes and motion from the March 25, 2009 Planning Commission meeting, following approval of the minutes. The Planning Commission approved your project with the following conditions:

**Petition PLNPCM2008-00917 (Preliminary Minor Subdivision)**

1. Approve Preliminary Minor Subdivision with the condition that the Zone Map amendment request Petition PLNPCM2008-00918 amending the portion of parcel currently zoned PL Public lands from PL to RMU Residential Mixed Use be approved, by the City Council prior to recordation of this subdivision approval.
2. Subject properties are landscaped and fenced to be consistent with existing development, and in accordance with the landscaping requirements of zoning ordinance.
3. Notice, the existing motel use is a legal non-conforming use; any expansion of the use would require a determination of expansion of a non-conforming use and may required mitigation, through a conditional use request.

The Planning Commission is forwarding a positive recommendation of approval to the City Council for your project with the following conditions:

**Petition PLNPCM2008-00918 (Zoning Map Amendment)**

1. The approved Preliminary Minor Subdivision Petition PLNPCM2008-00917 be recorded consolidating the parcels, should the request be approved.
2. Subject properties are landscaped and fenced to be consistent with existing development, and in accordance with the landscaping requirements of zoning ordinance.

451 SOUTH STATE STREET, ROOM 406, SALT LAKE CITY, UTAH 84111  
P.O. BOX 145480, SALT LAKE CITY, UTAH 84114-8480  
TELEPHONE: 801-535-7757 FAX: 801-535-6174 TDD: 801-535-6021

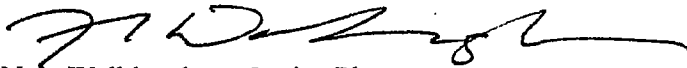
WWW.SLCCED.COM



3. Notice, the existing motel use is a legal non-conforming use; any expansion of the use would require a determination of expansion of a non-conforming use and may required mitigation, through a conditional use request.

Any appeals of this decision should be filed within 30 days of ratification of the minutes. If you would like information relating to the Appeals process, please contact Andrea Curtis at 535-7105. If you have any questions for me please contact me at 535-7128 or [nole.walkingshaw@slcgov.com](mailto:nole.walkingshaw@slcgov.com) .

Sincerely,



Nole Walkingshaw, Senior Planner

Cc: Joel Paterson, Planning Programs Supervisor  
Tami Hansen, Planning Commission Secretary  
Applicant via email  
Project file

**5 C. PLANNING COMMISSION**

**Minutes  
Hearing March 25, 2009**

# **SALT LAKE CITY PLANNING COMMISSION MEETING**

**In Room 326 of the City & County Building**

**451 South State Street, Salt Lake City, Utah**

**Wednesday, March 25, 2009**

Present for the Planning Commission meeting were Chair Mary Woodhead and Vice Chair Susie McHugh; Commissioners Babs De Lay, Tim Chambless, Angela Dean, Prescott Muir and Michael Fife. Commissioners Algarin, Scott, and Wirthlin were absent.

A field trip was held prior to the meeting. Planning Commissioners present were: Tim Chambless, Angela Dean, Michael Fife, Susie McHugh, and Mary Woodhead. Staff members present were: Joel Paterson, Nick Norris, Nole Walkingshaw, and Kevin LoPiccolo.

A roll is being kept of all who attended the Planning Commission Meeting. Chair Woodhead called the meeting to order at 5:47 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: Wilf Sommerkorn, Planning Director; Joel Paterson, Programs Manager; Paul Neilson, City Attorney; Bill Peperone, Senior Planner; Nick Norris, Senior Planner; Nole Walkingshaw, Senior Planner; Kevin LoPiccolo, Programs Supervisor; and Tami Hansen, Planning Commission Secretary.

## **5:48:34 PM Approval of Minutes from Wednesday, March 11, 2009.**

**Commissioner De Lay made a motion to approve the minutes as written. Vice Chair McHugh seconded the motion. All in favor voted, "Aye". The minutes were approved unanimously.**

## **5:48:58 PM Report of the Chair and Vice Chair**

Chair Woodhead noted that neither she nor Vice Chair McHugh had anything to report.

## **5:49:07 PM Report of the Director**

Mr. Sommerkorn stated that he had attended the City Council's March 10, meeting and the Check Cashing/Pay Day Loan Ordinance would be heard on April 7. The partial alley vacation at approximately 2553 South Dearborn Street, which the Planning Commission had passed a negative recommendation to the Council, would be heard on April 28. He noted that the City Council denied the St. Joseph's Villa petition and they also held the public hearing on Andy's Place, but a specific date was not set for a decision.

Mr. Sommerkorn noted that the City Council would also be considering whether or not to add private clubs to the table for the RMU zone with a footnote listing a number of conditions that would have to be complied with in order to grant a conditional use for private clubs within that zone; and there was also a similar petition pending for the same type of thing in the MU zone. He noted that both of those would change a lot due to 2009 legislature action.

Mr. Sommerkorn noted that the City Council also held a public hearing on the resolution on the airport light rail line, the grand boulevard for North Temple. The City Council would be making a decision on that in the near future. He noted that there would be a substantial planning effort regarding the North Temple corridor, which would be brought before the Commission later in the year.

## ***Public Hearing***

**5:54:02 PM PLNPCM2008-00918; Zoning Map Amendment**—a request by Paul L. Willie to amend the Zoning Map for property located at approximately 230 West North Temple from PL Public Lands to RMU Residential Mixed Use. This property is located in City Council District 3, represented by Council Member Eric Jergensen. View: [Staff Report](#)

Chair Woodhead recognized Nole Walkingshaw as staff representative.

### **5:58:39 PM Public Hearing**

Chair Woodhead opened the public hearing portion of the petition; there were no members of the public present to speak to the petition. Chair Woodhead closed the public hearing.

### **5:59:13 PM Motion:**

**Commissioner De Lay made a motion regarding Petition PLNPCM2008-00918, based on the staff report and testimony heard at the meeting, the Planning Commission forwards a positive recommendation to the City Council with the following conditions:**

- 1. The approved Preliminary Minor Subdivision Petition PLNPCM2008-00917 be recorded consolidating the parcels, should the request be approved.**
- 2. Subject properties are landscaped and fenced to be consistent with existing development, and in accordance with the landscaping requirements of the zoning ordinance.**
- 3. Notice, the existing motel use is a legal non-conforming use; any expansion of the use would require a determination of expansion of a non-conforming use and may require mitigation, through a conditional use request.**

**Commissioner Fife seconded the motion.**

**Commissioners De Lay, Dean, Fife, Chambless, Muir and McHugh voted, “Aye”. The motion passed unanimously.**

**6:00:21 PM PLNPCM2008-00917; Preliminary Minor Subdivision**—a request by Paul L. Willie for property located at approximately 230 West North Temple to combine three parcels. This property is located in City Council District 3, represented by Council Member Eric Jergensen. View: [Staff Report](#)

### **6:00:31 PM Motion:**

**Commissioner Dean made a motion regarding Petition PLNPCM2008-00917, to approve the Preliminary Minor Subdivision with the following conditions:**

- 1. The zoning map amendment request Petition PLNPCM2008-00918, amending the portion of parcel currently zoned Public Lands (PL), from PL to Residential Mixed Use (RMU) be approved by the City Council prior to recordation of this subdivision approval.**
- 2. Subject properties are landscaped and fenced to be consistent with existing development, and in accordance with the landscaping requirements of the zoning ordinance.**
- 3. Notice, the existing motel use is a legal non-conforming use; any expansion of the use would require a determination of expansion of a non-conforming use and may require mitigation, through a conditional use request.**

**Commissioner Muir seconded the motion.**

**Commissioners De Lay, Dean, Fife, Chambless, Muir, and McHugh voted, "Aye". The motion passed unanimously.**

**6:01:29 PM PLNPCM2009-00003; Red Moose Roasting and Coffee Conditional Use**—a request by Red Moose Roasting and Coffee, represented by Rob Karas and Teresa Nelson, for a drive thru window for a coffee shop located at approximately 1693 South 900 East. A coffee shop is a permitted use in the CN Neighborhood Commercial Zoning District; however, a drive thru window requires a conditional use. The property is located in City Council District 5 represented by Council Member Jill Remington-Love. View: [Staff Report](#)

Chair Woodhead recognized Nick Norris as staff representative.

#### **6:04:24 PM Public Hearing**

Chair Woodhead opened the public hearing portion of the petition.

The following people spoke or submitted a hearing card in *opposition* to the proposed petition: **Judi Short** (862 East Harrison) stated that the proposed layout of the drive thru window was dangerous, because this building was at a very busy intersection. **David Davis** (1635 South 900 East) stated that if this was approved he would like to know how traffic and noise levels would change and effect surrounding neighbors, and he would especially like no loud speakers associated with the drive thru, and radios turned off along with the engines. **Dave Richards** (1126 East Browning Avenue) stated that he had mixed feelings about this use, he stated that drive thrus were problematic in areas with heavy traffic flows. He stated that the project was red tagged in January and all of this work was done without a permit.

Commissioner Chambless inquired if Mr. Richards had seen the work being done after it had been red tagged.

Mr. Richards stated he had only driven by and seen the tag in January and additional progress was made after that point.

Chair Woodhead closed the public hearing.

Mr. Karas stated that as far as the red tag, there were some issues with the plumbing and electrical, and since January he had hired an electrician to pull an electrical permit and a general contractor was finalizing the rest this week.

**6:27:36 PM Motion:**

**Commissioner Muir made a motion regarding Petition PLNPCM2008-0003, Drive up window Conditional Use for Red Moose Roasting and Coffee, based on the findings listed in the staff report, the Planning Commission approves the petition with the following conditions:**

- 1. The applicant reduce the width of the drive approaches as recommended by the Transportation Division;**
- 2. A direct pedestrian path between the public sidewalk and the primary entrance to the building be included;**
- 3. A landscaping buffer that complies with the Zoning Ordinance, section 21A.48.070, be installed adjacent to the fence along the east property line.**
- 4. The applicants install a sign on their property line directing motorists to turn off their engines while waiting in line at the drive thru.**
- 5. A loudspeaker is not installed as part of the drive thru window.**
- 6. Close the westernmost curb cut on 1700 South, and reduce the existing curb cuts to match the modified site plan given to the Commission from the City Traffic Engineer.**
- 7. Provisions shall be made for bicycles.**
- 8. The east most driveway on 1700 South shall be an egress only.**

**Commissioner Chambless seconded the motion.**

**Commissioner De Lay, Dean, Fife, Chambless, Muir, and McHugh voted, "Aye". The motion passed unanimously.**

**6:29:44 PM PLNPCM2009-00106; Zoning Ordinance Text Amendment—a petition initiated by the Planning Commission to amend Sections 21A.10.010 and 21A.10.020, and other related Sections of the Salt Lake City Zoning Ordinance, pertaining to Public Hearing and Notice Requirements. The proposed amendments are not site specific. View: [Staff Report](#)**

Chair Woodhead recognized Bill Peperone as staff representative.

Mr. Peperone stated that the purpose of these amendments was to simplify the city's process, and to increase the consistency between the city's ordinances and State Law, it was not a process to diminish the process for public input. He stated that for the last six (6) months 20,500 notices were mailed to members of the public regarding Planning Commission meetings alone, and only 214 individuals had attended the Planning Commission



meetings. He stated that staff was trying to strike a balance between notifying the public to receive public input, while still being sensitive to the cost and effectiveness of noticing.

Mr. Peperone stated that on page 3, the timeframes the city was currently following and the State Law requirements were listed. He stated that the city would continue to send a first notice out to the Community Council's and they would have forty-five (45) days, as well as the Business Advisory Board, which would be forming a subcommittee to evaluate the notices as they come before them.

Chair Woodhead noted that on page 21 under *Appeals*, item number 2, it stated, [...] *filing a notice of an appeal within ~~fourteen (14)~~ twelve (12) calendar days after the Planning Director's administrative hearing*. She stated that she thought that was ten (10) days, not twelve (12).

Mr. Peperone stated that was correct it would be ten (10) days. He stated that there would be a ten day window for someone to file a notice of intent to appeal, which would not include the complete application, or evidence and other details, they would still have an additional twenty (20) days to do that, but because the city was going to withhold building permits during the appeal period staff felt that the appeal period should be minimized.

Commissioner Fife inquired why in the noticing condominium owners were becoming second class homeowner's in the city. He stated that if a single-family homeowner was within the specified radius of a noticed project, they would receive a notice, but a condominium owners notice would go to their HOA board.

Mr. Peperone stated that if an HOA board existed for a condominium then the city would have the option to notice either the board or the entire association.

Commissioner Fife stated that it did not make sense to reduce the noticing period and add an additional step for condominium owners to find out about changes in their neighborhood.

Commissioner De Lay stated that some HOA boards only meet once a quarter or in some cases once a year and she felt that Commissioner Fife's argument was valid, and condominium owners should be treated the same as single-family home owners.

Mr. Peperone stated that staff would make changes to reflect that concern.

Vice Chair McHugh stated that on Page 16, under *Public Hearing Procedures*, item A, Scheduling the Public Hearing it stated, *An application requiring a public hearing shall be scheduled to be heard within a reasonable time in light of the complexity of the application and available staff resources[.]* She inquired what a reasonable time would be.

Mr. Peperone stated that was the current language in the ordinance, it was not anything new, there was nothing statutorily that would identify a reasonable time; it would probably depend on case law, and in the state of Utah that could be considered six (6) months to a year.

Mr. Nielson stated that this language mirrors the statute and is State Law.

Mr. Sommerkorn noted that there was a provision in the code, where it talked about a reasonable timeframe for an application to go to a public hearing, and there was an provisional amendment to that within the last couple of years, called the ripcord provision, which allowed an applicant, if they feel like the application was not moving

forward at a reasonable time, to demand a decision from the city regarding the completeness of their application and then move it on to public hearing, within 45 days.

**6:42:40 PM Public Hearing**

Chair Woodhead opened the public hearing portion of this petition.

The following people spoke or submitted a hearing card in *opposition* to the proposed petition: **Esther Hunter** (1049 Norris Place) stated she was representing the East Central Community Council (ECCC). She stated that there was some work to be done within the Community Councils (CC) and felt it was not appropriate for them to hold up an applicant because they did not agree with the project. She stated that the ECCC had spent a year rewriting their by-laws and in that process, it was established that after the planner and applicant presented to the CC, they needed an additional meeting to review the information and give the public the opportunity to comment, rather than have on the spot decisions. She noted that a second meeting was needed to accomplish this and that the 45 day timeframe was not enough. She stated that CC would need time to catch up to the changes being made, and she would like to see the new timeframes be discussed with the ZAP team working on these changes.

Chair Woodhead stated that the Planning Commission was only making a recommendation to the City Council, so this would not be put into effect for a while which should give all parties involved time to adjust.

Ms. Hunter stated that 23 out of the 27 community councils met on the nights of the Planning Commission and Historic Landmarks Commission, which was why not a lot of the representatives came.

Commissioner Fife stated he was not clear on which particular item Ms. Hunter was concerned about.

Ms. Hunter stated the change in notification and appeal time and exactly what the new process would be.

**Dave Richards** (1126 Browning Avenue) stated he was on the ZAP taskforce and complimented staff on how much work was done. He stated that he had one issue under the *Appeals* section, changing the timeframe from thirty (30) days to ten (10) days; he felt it was too short, and with one noticing the public might miss that. He stated that an alternative might be that notification could be sent when an application was received, and then another one sent after the decision was made. **Judy Short** (862 Harrison Avenue) stated she was also on the ZAP taskforce, and staff was requesting a 45 day timeframe for the community councils to comment on projects; however, the city needs to finalize their agendas ten (10) days before their meeting, so depending on when everything happened it was almost impossible to get everything on the agenda and a decision made within that timeframe. She stated that often the community council would put a project on their agenda and then by the time it got to the Planning Commission it was a completely different project from what was presented to the community council.

Chair Woodhead closed the public hearing.

Mr. Peperone stated that there was no proposed change to the 45 days that was given to the community councils, it was usually not on the 46th day that petitions were before the various city boards and commission, therefore staff understood there could be extenuating circumstances, and there were no proposals to diminish that at all.

Mr. Sommerkorn stated that the ZAP taskforce included several of the community council chairs and members, as well as business representatives, etc. and as far as Ms. Hunter's concern about the community councils having

enough time to review these ordinance changes, the recommendations tonight have been vetted by the ZAP taskforce. He stated there was also a monthly open house held by staff, which gave community councils the opportunity to come and discuss their concerns with staff through this forum as well.

He stated that in regards to Mr. Richards comment, a number of the taskforce members were eventually comfortable with the idea that someone would have ten (10) days to state they would appeal a petition and then twenty (20) additional days to turn in their supporting data.

Mr. Sommerkorn stated that in regards to Ms. Short's comment, there was no specified timeframe, either in the zoning ordinance, or the ordinance relating to the community councils as to when they respond, all that was required was that notice was provided and they then had 45 days to respond. He stated this was an effort to try to balance the needs of each community council with the needs of the applicants.

Chair Woodhead stated that Ms. Hunter indicated that there were some other inner-related timeframes that would come up in the future and it might create a problem to make decisions on these timeframes now.

Mr. Sommerkorn stated that he was not quite sure what Ms. Hunter meant by that, there were periods of time mentioned throughout this ordinance, and staffs intentions was to uniform and standardized all of them, so there should really not be any problems with this.

Ms. Hunter stated that there was a lot of discussion at the last Zap taskforce meeting on notice of application versus notice of decision. She stated that she believed that this had only been discussion and that it had not been finalized regarding when the public would be notified of petitions.

Mr. Sommerkorn stated that the Taskforce did have that discussion, Mr. Peperone drafted the result of that discussion and then it was presented at an Open House to the community councils and the public.

Ms. Hunter stated that the community council wanted to be good participants, but they needed time to integrate with this. She stated that the ZAP taskforce had doubled since January and the community councils were not represented officially.

Mr. Sommerkorn stated that additional people had joined, but it was certainly not a doubling of the taskforce.

Commissioner Fife stated that there should be plenty of time from tonight to when the City Council made a decision on this, for the community councils to get involved and comment on this.

Commissioner Fife stated that the only concern he had was regarding noticing to condominium owners. He inquired if it would be possible to make a motion to approve this petition, except for not approving the language under Public Hearing Notice Requirements (21A.10.020) which stated, *or may emailed to the Homeowner's Association, or Condominium Associate, where one is available.*

Chair Woodhead inquired if other Commissioners disagreed with this proposal.

Commissioners did not have any concerns with removing that language.

**7:05:08 PM Motion:**

Commissioner Fife made a motion regarding Petition PLNPCM2009-00106, Noticing and Appeals Text Amendment that the Commission forwards a positive recommendation the City Council subject to the following conditions:

1. That the proposed amendments will improve internal consistency within the Zoning Ordinance as it relates to the public noticing requirements;
2. That the proposed amendments are consistent with changes in Utah State law that have taken place since the Zoning Ordinance was adopted in 1995;
3. That the proposed amendments will allow for improved customer service pertaining to fulfilling application requirements; and
4. That the proposed text amendments will continue to allow multiple opportunities for public input and participation through the public hearing process.
5. Advise staff to attempt informal communication with the Community Councils, to grant the Community Councils the opportunity to supply feedback regarding time frames, prior to the City Council review of this petition.
6. Those changes relating to change in the noticing requirement, regarding language added for the owners of condominiums stating, *or may be given/mailed to the Homeowners' Association, or Condominium Association, where one is available*, found in Section 21A.10.020, Item number A, 1; B, 1; and D, 2. Be deleted from this ordinance.

Vice Chair McHugh seconded the motion.

#### Discussion of the motion

Commissioner Muir stated that that he would like to advise staff that they make an effort to meet with the community councils between now and when the City Council reviews this to make sure there was a level of comfort in the process, timing, and communications between entities.

Commissioners De Lay, Dean, Fife, Chambless, Muir, and McHugh voted, "Aye" the motion passed unanimously.

7:07:18 PM PLNPCM2009-00105; Zoning Ordinance Text Amendment—a petition initiated by the City Council to amend Section 21A.50.050 of the Salt Lake City Zoning Ordinance, *Standards for General Amendments*. The proposed amendment is not site specific. View: Staff Report

Chair Woodhead recognized Bill Peperone as staff representative.

Mr. Peperone stated that this petition was initiated by the City Council to differentiate between amendments to the Zoning Map versus amendments to text of the Zoning Ordinance.

He stated that this simply would make it easier for the City Council and Planning Commission to use when evaluating a text amendment versus a map amendment.

**7:08:39 PM Public Hearing:**

Chair Woodhead open the public hearing portion of this petition, there were no members of the public present to speak to the petition. Chair Woodhead closed the public hearing.

**7:09:04 PM Motion:**

**Commissioner De Lay made a motion regarding Petition PLNPCM2009-00105, based on the staff report, that the Planning Commission forwards a positive recommendation to the City Council, to adopt the proposed text amendments for Standards for General Amendments.**

**Commissioner Dean seconded the motion.**

**Commissioners De Lay, Dean, Fife, Chambless, Muir, and McHugh voted, "Aye". The motion passed unanimously.**

*Chair Woodhead announced a break at 7:09 p.m.*

*Chair Woodhead reconvened the meeting 7:18 p.m.*

**7:22:10 PM Foothill Stake Planned Development/Conditional Use and Zoning Map Amendment**—a request by the Church of Latter Day Saints, represented by Bradley Gygi, architect, for an approval to allow for the redevelopment of the existing site by removing the existing meeting house building and constructing an addition to the existing stake office at property located at approximately 1933 South 2000 East. The property is located in City Council District Six represented by J.T. Martin. View: [Staff Report](#) View: [Public Comments](#)

- a. **Petition PLNPCM2008-00795 Planned Development/Conditional Use**—a request approval to allow the LDS Foothill Stake to replace an existing chapel with an addition to the building along 2000 East. The new chapel/stake center would be approximately 27,000 square feet. As part of the Planned Development, the applicant is requesting a reduction of required landscaping for the parking lot.
- b. **Petition PLNPCM2009-00074 Zoning Map Amendment**—the applicant is requesting approval to rezone the property from R-1-7000 (Single Family Residential) to Institutional.

Chair Woodhead recognized Kevin LoPiccolo as staff representative.

Mr. LoPiccolo stated that the Commission was scheduled to review a planned development and a zone change regarding this petition; however, the applicant was able to comply with all of the zoning standards and therefore had withdrawn the request for a planned development and was now only requesting a zone change.

Mr. LoPiccolo stated that there were two existing buildings that sat on the property, the building to the north would be demolished to build around the existing stake center, and the new church would be approximately 21,000 square feet. He stated that the underlying zone was R-1/7,000 Single Family Residential, and when the city adopted this infill ordinance several years ago they capped properties maximum lot sizes at 10,500 square

feet in this particular zoning district, although it does not apply to Institutional uses, which is what the applicant is requesting, and then forwarded to the City Council to comply with the Sugar House Master Plan.

He stated that some of the benefits of going from the Single-Family zoning to an Institutional Zone would be increased landscaping, and forty (40) percent open space.

7:25:48 PM Applicant Presentation

7:55:51 PM Public Hearing

Chair Woodhead opened up the public hearing portion of the petition.

The following people spoke or submitted a hearing card in *support* of the proposed petition: **Judy Short** (Sugar House Community Council) stated that this was an example where the petitioner had worked very closely with the community council as the project had progressed and changed. She stated that the community council did not want to see the big trees on the property taken out, so they were glad that the applicant had asked for an Institutional zone, which had a higher landscaping requirement; however, a few years from now this property could change into an Institutional use that would not be as compatible with the neighborhood. **Steve Warner** (2017 East Browning Avenue) Stake President stated that they were looking to consolidate the wards in the area, and the building would allow larger wards and would also aid the aging community in helping them to get around the building easier. **Dave Buhler** (1436 South Yuma Street) stated that this was a win/win project for the community and there would be over seventy (70) new trees planted in the area. **Elaine Brown** (1781 Blaine Avenue) stated she was supportive of this project, it was a positive presence in the neighborhood and the informal parking arrangement between the church and the Dilworth School was a great asset. She stated that this project was also aesthetically pleasing, energy efficient, and ADA compliant which were all plusses for the neighborhood. **Lance Olson** (1986 Hollywood Avenue) stated he liked the new plan because it would eliminate the old parking lot in the back.

Chair Woodhead closed the public hearing.

8:07:04 PM Motion:

**Commissioner De Lay made a motion regarding Petition PLNPCM2009-00074, Zoning Map amendment, based on the findings in the staff report and testimony heard, the Planning Commission forwards a positive recommendation to the City Council.**

**Commissioner Chambless seconded the motion.**

**Commissioners De Lay, Dean, Fife, Chambless, Muir, and McHugh voted, "Aye". The motion passed unanimously.**

Commissioner De Lay suggested that the applicant try to make the shingles of the roof light colored, the use of native trees, xeriscaping, and low water grasses.

Commissioner Fife stated that the applicant had done a great job working with the community and should be looked to as an example.

*The meeting adjourned at 8:10 p.m.*

**This document, along with the digital recording, constitute the official minutes of the Salt Lake City Planning Commission held on March 25, 2009.**

***Go to FTR Gold at <ftp://ftrftp.slcgov.com/FTRPlayerPlusV21.exe> to download the digital recording.***

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Tami Hansen

**6. INTERNAL MEMORANDUMS**  
**January 19,2009 Staff Routing Memo**



# MEMORANDUM

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



Planning and Zoning Division  
Department of Community Development

**Date:** January 16, 2009

**To:** Peggy Garcia – Public Utilities PO Box 5528  
Ted Itchon – Fire PO Box 5471  
Craig Smith – Engineering PO Box 5506  
Barry Walsh – Transportation PO Box 5502  
Larry Butcher – Permits Counter Supervisor PO Box 5471  
Lt. Rich Brede – Police PO Box 5497  
Paul Nielson – Attorneys Office PO Box 5478

**CC:** Mayors Cabinet: Tim Harpst- Transportation Division Director; Jeff Niermeyer- Public Utilities Director; Rick Graham- Public Services Director ; Dennis McKone- Fire Chief; Chris Burbank- Police Chief; Nancy Boskoff- Arts Council Director; Maureen Riley- Airport Director; LuAnn Clark- HAND Director; Lyn Creswell- Management Services Department Director; Frank Gray- Community and Economic Development Director; DJ Baxter- RDA Director; Ed Rutan- City Attorney

**From:** Nole Walkingshaw, Planning

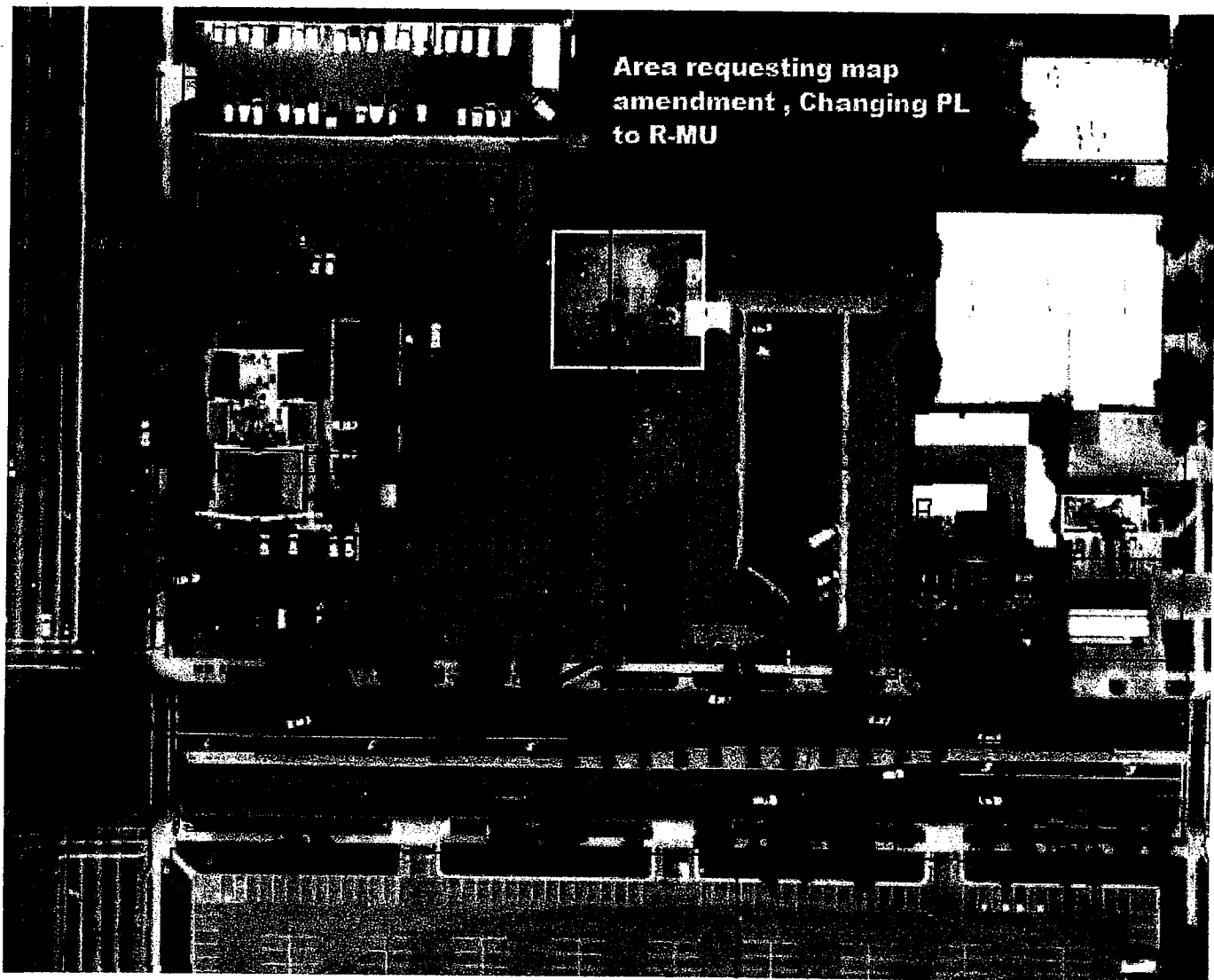
**Re:** **Petition PLNPCM2008-00918 Zoning Map Amendment and Petition PLNSUB2008-00917 Preliminary review of Minor Subdivision, Project name City Creek Inn, submitted by Paul L. Willie**

Attached is information regarding a requested approval of a Zoning Map Amendment request changing a vacant parcel of land located south of the West High School Athletic Field from (PL) Public Lands to (R-MU) Residential Mixed Use located at 230 West North Temple Street, and a preliminary review for a Minor Subdivision. The applicant does not have an immediate use plan for the parcel at this time; the subdivision request will incorporate three parcels into one parcel. The current use of the primary parcel is as a motel/hotel which currently is a non-conforming use in the R-MU zoning district. The R-MU zoning is supported by the existing master plan and future land use map.

Please review the attached information and respond with comments by February 3, 2009. This petition is in the Accela system and your comments can be posted there. If you do not have access to the Accela system, please email me a response. If you have no concerns or issues with the proposed condominium development, please respond via email indicating your position. If I do not receive a response by this date, I will assume that you have no comments or concerns regarding the proposal. If you have questions or need additional information, please contact me at 535-7128 or [nole.walkingshaw@slcgov.com](mailto:nole.walkingshaw@slcgov.com)

Thank you.

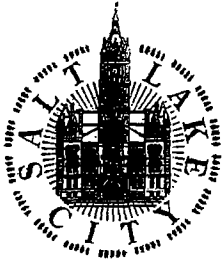
Area requesting map amendment , Changing PL to R-MU



## **7. ORIGINAL PETITION**

**Remarks:**

<p>Petition No: <b>PLNPCM2008-00918</b></p>
<p>By: <b>Paul Willie</b></p>
<p>Zoning Amendment – Change PL to R-MU</p> <p>Date Filed: <b>12/17/2008</b></p> <p>Address: <b>Approx. 240 W North Temple</b></p>



# Zoning Amendment

OFFICE USE ONLY  
 Petition No. PLN/PCM2008-00918  
 Date Received: 12/17/08  
 Reviewed By:

- Amend the text of the Zoning Ordinance by amending Section:
- 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: BEHIND 240 WEST NORTH TEMPLE

Name of Applicant: PAUL WILLIE Phone: 435-755-2035

Address of Applicant: 595 S. RIVERWALK PKWY, #400  
LOGAN, UTAH

E-mail Address of Applicant: Willie@NETWORKATCH.COM Cell/Fax: 435-757-3400

Applicant's Interest in Subject Property: HAS AN ACCEPTED OFFER TO PURCHASE. WANTS TO ADD IT TO  
ADJOINING VACANT LOT + HOTEL PROPERTY.

Name of Property Owner: SALT LAKE SCHOOL DISTRICT Phone: 801-574-8334  
CLAUDETTE ROBERTS

E-mail Address of Property Owner: JANET.ROBERTS@SLC.K12.UT.US Cell/Fax:

County Tax ("Sidwell #"): 08-32-452-021 Zoning: PL

Legal Description (if different than tax parcel number):

	Existing Property Use <u>VACANT FIELD</u>	Proposed Property Use <u>Hotel / Condo</u>
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**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. Printed address labels for all property owners within 450 feet of the subject property. The address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing label. Please include yourself and the appropriate Community Council Chair(s). Address labels are available at the address listed below. **The cost of first class postage for each address 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.**

Applications must be reviewed prior to submission. Please call 535-7700 for an appointment to review your 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.

**RECEIVED**

DEC 23 2008

BY: [Signature]



Commercial Real Estate Services, Worldwide.

tel 801 578 5555  
fax 801 578 5500  
www.naiutah.com

343 East 500 South  
Salt Lake City, Utah 84111

December 17, 2008

Salt Lake City Planning  
451 South State Street, Room 215  
Salt Lake City, Ut 84111

RE: Zoning Amendment Application  
Addition to City Creek Inn parcel at 230 West North Temple

To Whom It May Concern;

1. A small excess parcel belonging the Board of Education, zoned PL is being joined to the adjacent City Creek Inn zoned R-MU
2. The small parcel is a vacant field. It will be combined with the Inn and potentially be developed at a later date.
3. The zoning is appropriate for this area as it abuts CC and R-MU parcels.
4. Survey and preliminary plat has been prepared combining the School property with the 2 City Creek Inn parcels. Legal description is included.
5. No site plans are attached. No development plans are contemplated at this time.
6. Notarized statement of consent from the Board of Education is attached.

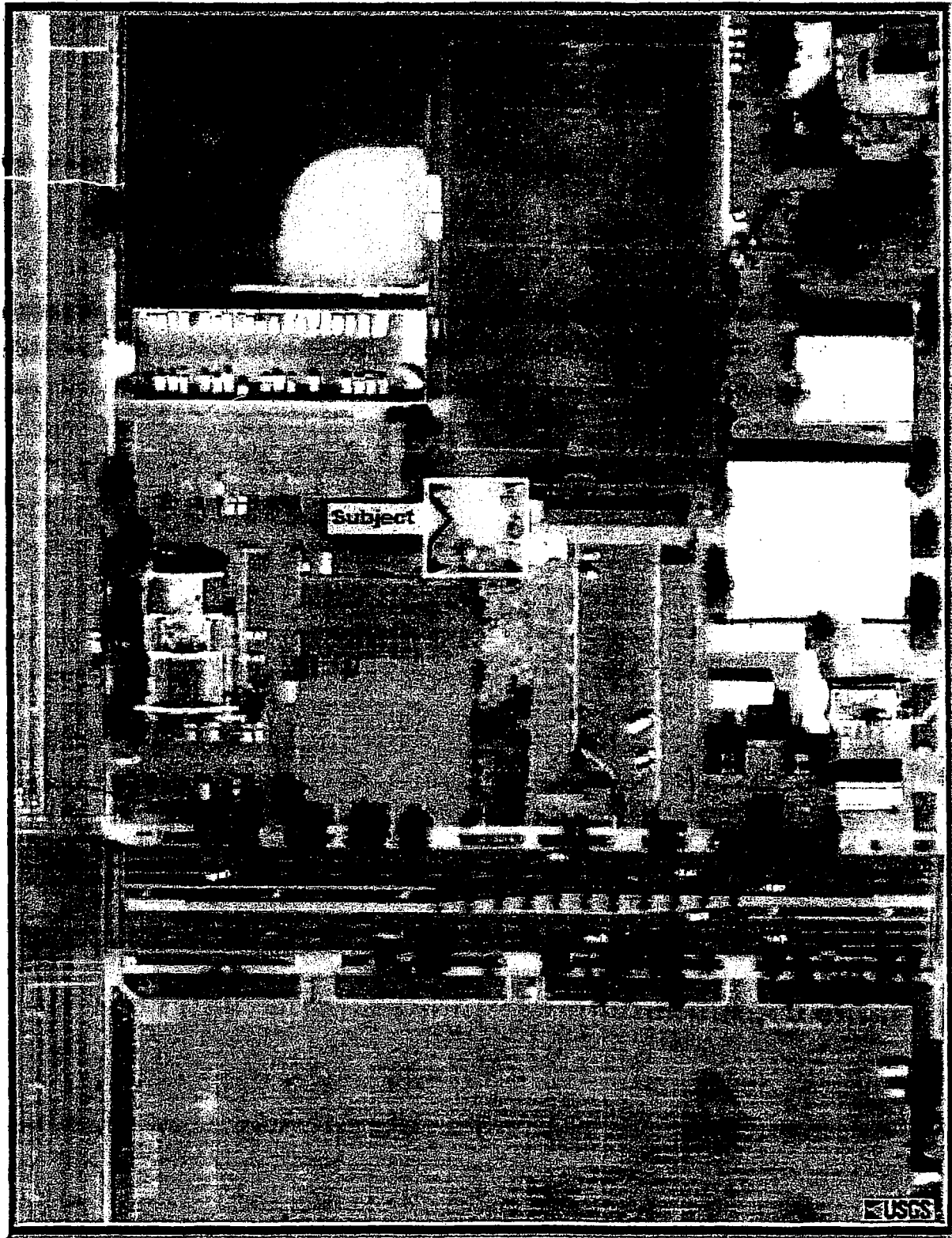
request to re-zone to R-MU

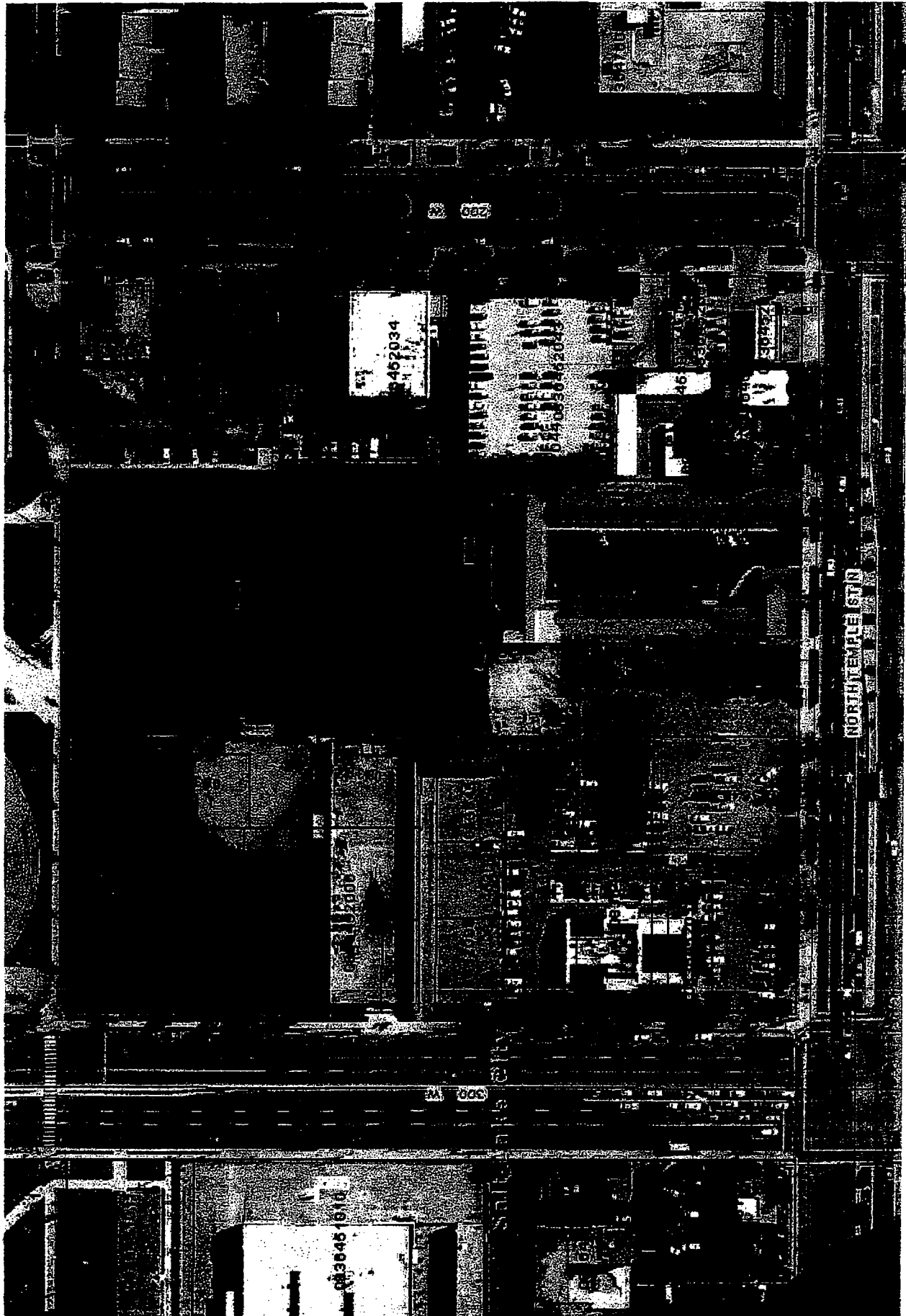
I believe the above answers the questions on the attached zoning application. Please notify me if you need any clarification or additional information.

Best Regards

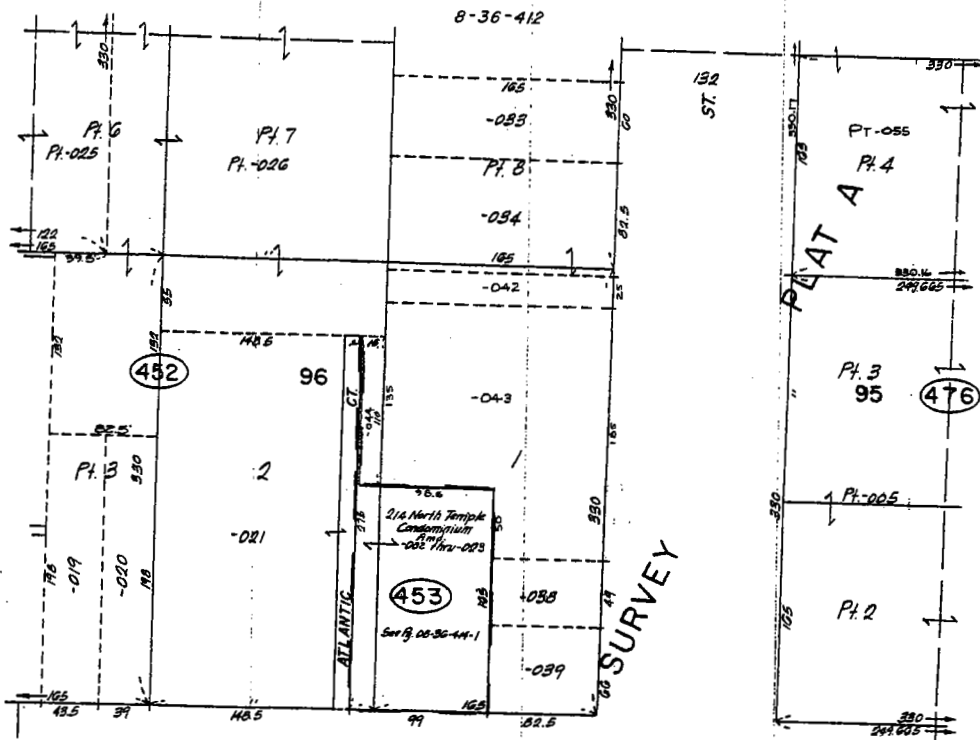
Rick Davidson  
Senior Land & Investment Specialist  
NAI Utah Commercial Real Estate  
343 East 500 South  
Salt lake City, Utah 84111  
P 578-5563  
C 450-9082  
[rdavidson@naiutah.com](mailto:rdavidson@naiutah.com)

AERIAL PHOTO





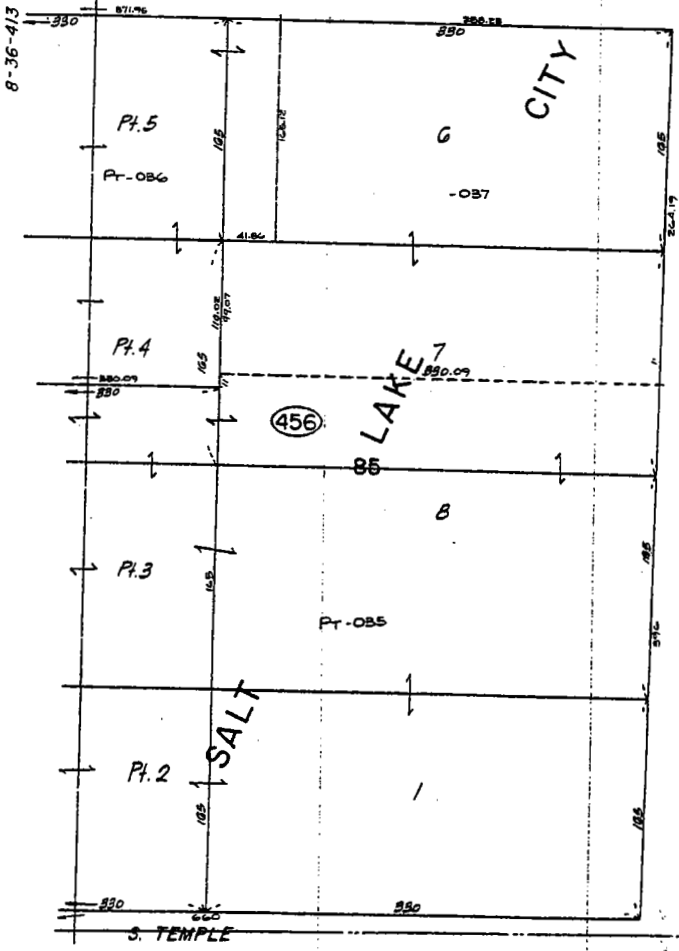




132 N. TEMPLE

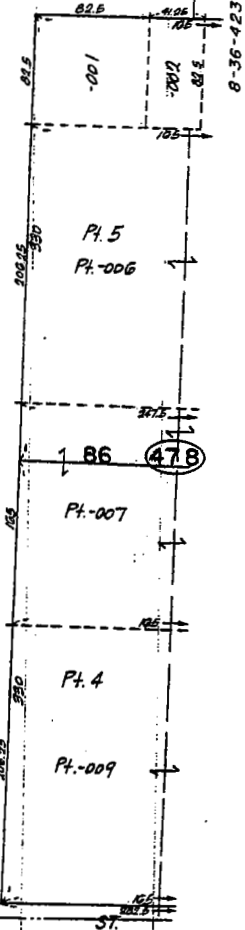
UT. 89

ST. 132



8-36-413

15-1-212

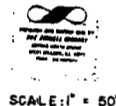


8-36-423

SALT LAKE CO.

E. 1/2 SW. 1/4 SE. 1/4 SEC. 36 T11N. R11W.

SALT LAKE COUNTY Geomatics Office  
 PREPARED BY SALT LAKE COUNTY RECORDER  
 This map is not intended to represent actual physical property lines. It is intended to show approximate boundaries and is not a substitute for a survey of the property. Any boundary shown on this map is not intended to represent actual physical property lines.



SCALE: 1" = 50'

8-36-414

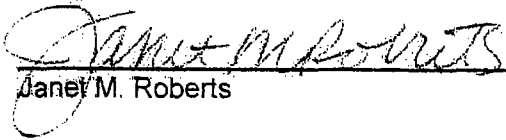
Salt Lake City, Utah  
December 18, 2008

The Board of Education (the "Board") of the Salt Lake City School District (the "District"), authorizes that Rick Davidson, NAI Utah Commercial Real Estate or Paul Willey can act as our agent in the process of obtaining a minor subdivision for the below referenced property:

6314 square foot portion of a larger parcel of land owned by the Salt Lake City Board of Education located at approximately 180 North 300 West, Salt Lake City, Utah.

SIGNED THIS 18th DAY OF DECEMBER, 2008.

By its Business Administrator

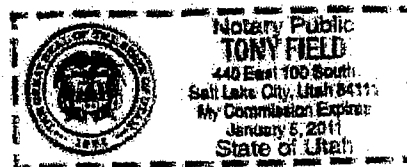
  
Janet M. Roberts



State of Utah  
County of Salt Lake

Subscribed and sworn to me this 19<sup>th</sup> day of December, 2008

  
\_\_\_\_\_  
Notary Public

Residing in Salt Lake City, Utah  
My Commission Expires January 5, 2011



▲  Bend along line to  
Feed Paper  expose Pop-Up Edge™



SASSER, EUGENE F  
1765 PEACHTREE ST NE #B3  
ATLANTA GA 30309

BROWNSTONE CONDMN  
5530 RACQUET LANE  
BOULDER CO 80303

BOSS, LESLEE S  
5530 RACQUET LN  
BOULDER CO 80303

BOSS, LESLEE S  
5530 RACQUET LN  
BOULDER CO 80303

HOLLOWAY, TODD  
795 S 400 E  
CENTERVILLE UT 84014

HASLETON, J D  
322 E 1200 N  
CENTERVILLE UT 84014

JEPPSEN, JONAS  
242 CARA VELLA LN  
CENTERVILLE UT 84014

ROSS, R FRED  
242 E DAY MEADOW DR  
DRAPER UT 84020

BRANHAM, NEWLAND &  
MARILYN  
1843 N KENSINGTON ST  
FARMINGTON. UT 84025

MAVERIK COUNTRY STORES  
INC  
880 W CENTER ST  
NORTH SALT LAKE UT 84054

MAVERIK COUNTRY STORES  
INC  
880 W CENTER ST  
NORTH SALT LAKE UT 84054

RUDIE, DOROTHY P S  
417 W 200 S  
TOOELE UT 84074

GUNN, DENNIS  
784 E 8080 S  
SANDY UT 84094

A J & M CO LLC  
7875 S 965 E  
SANDY UT 84094

SLHNET INVESTMENTS LC  
48 W MARKET ST # 200  
SALT LAKE CITY UT 84101

SLHNET INVESTMENTS LC  
48 W MARKET ST # 200  
SALT LAKE CITY UT 84101

SLHNET INVESTMENTS LC  
48 W MARKET ST # 200  
SALT LAKE CITY UT 84101

WENDELL LLC  
925 S 200 W # A  
SALT LAKE CITY UT 84101

FELTON, TONI  
229 W 300 N  
SALT LAKE CITY UT 84103

KEYES, JOHN S  
225 W 300 N  
SALT LAKE CITY UT 84103

MATSUI, DANIEL  
217 W 300 N  
SALT LAKE CITY UT 84103

THOMPSON, MARLINDA  
273 N 200 W  
SALT LAKE CITY UT 84103

MEANS, SEAN P  
257 N 200 W  
SALT LAKE CITY UT 84103

THOMPSON, NEIL D  
255 N 200 W  
SALT LAKE CITY UT 84103

LARSEN, DEBORAH M  
186 E DORCHESTER DR  
SALT LAKE CITY UT 84103

LARSEN, DEBORAH M  
186 E DORCHESTER DR  
SALT LAKE CITY UT 84103

LARSEN, DEBORAH  
186 E DORCHESTER DR  
SALT LAKE CITY UT 84103

STEPHENS, LELAND T  
225 N 200 W  
SALT LAKE CITY UT 84103

CONGER, WARREN E  
267 N 200 W  
SALT LAKE CITY UT 84103

ALEXANDER, COREY M  
211 N 200 W  
SALT LAKE CITY UT 84103

BERRY, JANE  
163 W 300 N  
SALT LAKE CITY UT 84103

NEW VLGE SALT LAKE  
250 N 200 W  
SALT LAKE CITY UT 84103

MAXIM, JOHN  
242 N 200 W  
SALT LAKE CITY UT 84103

SZUBTARSKI, ANTONI  
232 N 200 W  
SALT LAKE CITY UT 84103

MAXIM, LARA M  
226 N 200 W  
SALT LAKE CITY UT 84103

STUCKI, JASON R  
222 N 200 W  
SALT LAKE CITY UT 84103

ARGYLE, MARILYN B  
216 N 200 W  
SALT LAKE CITY UT 84103

BELL AND HEAP PROPERTIES  
LLC  
206 N 200 W  
SALT LAKE CITY UT 84103

CUNNINGHAM, STEVEN L  
273-1/2 N QUINCE ST  
SALT LAKE CITY UT 84103

BETTRIDGE, EVA M  
256 N QUINCE ST  
SALT LAKE CITY UT 84103

SIMMONS, D GENE  
251 N QUINCE ST  
SALT LAKE CITY UT 84103

HANCOCK, LAWRENCE T  
245 N QUINCE ST  
SALT LAKE CITY UT 84103

HOUTZ, DARLENE  
166 W 200 N # 2  
SALT LAKE CITY UT 84103

KIRKLAND, LYMAN  
166 W 200 N # 4  
SALT LAKE CITY UT 84103

HYER, SCOTT J  
166 W 200 N # 6  
SALT LAKE CITY UT 84103

NORTHWESTERN  
HOSPITALITY  
121 N 300 W  
SALT LAKE CITY UT 84103

KATSANEVAS ENTERPRISES  
INC  
118 N 300 W  
SALT LAKE CITY UT 84103

KATSANEVAS ENTERPRISES  
INC  
118 N 300 W  
SALT LAKE CITY UT 84103

KATSANEVAS ENTERPRISES  
INC  
118 N 300 W  
SALT LAKE CITY UT 84103

MRK FAMILY LIMITED  
PARTNERSHIP  
118 N 300 W  
SALT LAKE CITY UT 84103

MRK FAMILY LIMITED  
PARTNERSHIP  
118 N 300 W  
SALT LAKE CITY UT 84103

MRK FAMILY LIMITED  
PARTNERSHIP  
118 N 300 W  
SALT LAKE CITY UT 84103

MRK FAMILY LIMITED  
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MRK FAMILY LIMITED  
PARTNERSHIP  
118 N 300 W  
SALT LAKE CITY UT 84103

MRK FAMILY LIMITED  
PARTNERSHIP  
118 N 300 W  
SALT LAKE CITY UT 84103

KATSANEVAS ENTERPRISES  
INC  
118 N 300 W  
SALT LAKE CITY UT 84103

KATSANEVAS ENTERPRISES  
INC  
118 N 300 W  
SALT LAKE CITY UT 84103

LOGAN CHARTER SCHOOLS  
LLC  
242-44 W NORTHTEMPLE ST  
SALT LAKE CITY UT 84103

LOGAN CHARTER SCHOOLS  
LLC  
230 W NORTHTEMPLE ST  
SALT LAKE CITY UT 84103

HEDEGAARD, VERN &  
DEBORAH  
464 N PUGSLEY ST  
SALT LAKE CITY UT 84103

HEDEGAARD, DEBORAH K  
211-13 W 200 N  
SALT LAKE CITY UT 84103

JEPPSEN, MICAH B  
161-63 N 200 W  
SALT LAKE CITY UT 84103

L.D.S. CHURCH OFFICE  
CREDIT  
147 N 200 W  
SALT LAKE CITY UT 84103

LDS CHURCH OFFICE CREDIT  
147 N 200 W  
SALT LAKE CITY UT 84103

L.D.S. CHURCH OFFICE  
CREDIT  
147 N 200 W  
SALT LAKE CITY UT 84103

LDS CHURCH EMPLOYEES  
CREDIT  
147 N 200 W  
SALT LAKE CITY UT 84103

HYER, SCOTT J  
166 W 200 N # 6  
SALT LAKE CITY UT 84103

H & R INVS LLC  
216 W NORTHTEMPLE ST # C5  
SALT LAKE CITY UT 84103

NORMAN, DAVID L  
214 W NORTHTEMPLE ST # E2  
SALT LAKE CITY UT 84103

BRADY, CHRISTIAN BOYD  
214 W NORTHTEMPLE ST # E4  
SALT LAKE CITY UT 84103

STEVENSON, LARRY D  
214 W NORTHTEMPLE ST # E6  
SALT LAKE CITY UT 84103

BRADY, JUDY  
214 W NORTHTEMPLE ST #E-7  
SALT LAKE CITY UT 84103

H & R INVS LLC  
218 W NORTHTEMPLE ST # W2  
SALT LAKE CITY UT 84103

ROWSER, DUSTIN  
218 W NORTHTEMPLE ST # W7  
SALT LAKE CITY UT 84103

BERGERA, PAUL T  
218 W NORTHTEMPLE ST # W8  
SALT LAKE CITY UT 84103

214 NORTH TEMPLE  
CONDOMINIUMS  
216 W NORTHTEMPLE ST # C8  
SALT LAKE CITY UT 84103

CHAUS, GUS G  
166 W 200 N # 3  
SALT LAKE CITY UT 84103

SIMONIAN, MARO  
2808 E 3220 S  
SALT LAKE CITY UT 84109

LENT, MARGARET L  
3388 S MONTEVERDE DR  
SALT LAKE CITY UT 84109

BOARD OF EDUCATION OF  
SLC  
440 E 100 S  
SALT LAKE CITY UT 84111

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ED  
440 E 100 S  
SALT LAKE CITY UT 84111

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440 E 100 S  
SALT LAKE CITY UT 84111

SOTIRIOU INVESTMENT  
GROUP  
242 E 300 S  
SALT LAKE CITY UT 84111

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SALT  
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SALT LAKE CITY UT 84111

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BOARD OF EDUCATION OF  
SALT  
440 E 100 S  
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WENDELL LLC  
475 E 200 S # 120  
SALT LAKE CITY UT 84111

CONFERENCE CENTER  
APARTMENTS LLC  
239 E SOUTHTEMPLE ST  
SALT LAKE CITY UT 84111

CONFERENCE CENTER  
APARTMENTS LLC  
239 E SOUTHTEMPLE ST  
SALT LAKE CITY UT 84111

CONFERENCE CTR APTS LLC  
239 E SOUTHTEMPLE ST  
SALT LAKE CITY UT 84111

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SALT LAKE CITY UT 84111

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SALT LAKE CITY UT 84111

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440 E 100 S  
SALT LAKE CITY UT 84111

UTAH STATE BUILDING  
OWNERSHIP  
450 N STATE ST # 4110  
SALT LAKE CITY UT 84114

UTAH STATE BUILDING  
OWNERSHIP  
450 N STATE ST # 4110  
SALT LAKE CITY UT 84114

UTAH STATE BUILDING  
OWNERSHIP  
450 N STATE OFFICE # 4100  
SALT LAKE CITY UT 84114

GRONDAHL, HALVARD G  
1467 S MAIN ST  
SOUTH SALT LAKE UT 84115

FARNSWORTH, FRED L  
PO BOX 171042  
SALT LAKE CITY UT 84117

FARNSWORTH, FRED L  
PO BOX 171042  
SALT LAKE CITY UT 84117



CAMNEY, JONATHAN  
3796 S GRASMERE LN  
SALT LAKE CITY UT 84119

CORP OF PB OF CH JC OF  
LDS  
50 E NORTHTEMPLE ST #1200  
SALT LAKE CITY UT 84150

PROPERTY RESERVE INC  
PO BOX 511196  
SALT LAKE CITY UT 84151

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1460 E HERMOSA VISTA CIR  
MESA AZ 85203

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CYPRESS CA 90630

PETEREIT, FRANK  
545 SPEER CT  
POMONA CA 91766

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FULLERTON CA 92835

WESTERN ROCKY COMPANY  
290 SANTA CLARA DR  
SAN FRANCISCO CA 94127

LYSTRUP, LARRY C  
3641 EIDSON AVE # 15  
SACRAMENTO CA 95821

FONG, LEONARD K M  
3868 POKAPAHU PLACE  
HONOLULU HI 96816

FONG, LEONARD K M  
3868 POKAPAHU PLACE  
HONOLULU HI 96816

*Polly Hart  
355 North Quince Street  
84103*