

MOTION TO AMEND:

MADE BY: _____

SECONDED BY: _____

MOTION: I move that Council Bill B 289-19 be amended as set forth on this amendment sheet.

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Material deleted from the original bill is shown in ~~strikeout~~;
material added to original bill shown underlined.

The title of the ordinance is amended as follows:

authorizing a development agreement with Broadway Lodging Two, LLC to establish public infrastructure obligations relating to the construction of a new hotel tower on property located at ~~4406-1104~~ 1104 E. Walnut Street; directing the City Clerk to have the development agreement recorded; authorizing right of use license permits for emergency exit doors, balconies, an entrance canopy, footings and foundations, conduits, skywalks connecting the new hotel tower to the existing hotel tower, roof overhang and an awning; and fixing the time when this ordinance shall become effective.

Section 1 is amended as follows:

SECTION 1. The City Manager is hereby authorized to execute a development agreement with Broadway Lodging Two, LLC to establish public infrastructure obligations relating to the construction of a new hotel tower on property located at ~~4406-1104~~ 1104 E. Walnut Street. The form and content of the agreement shall be substantially as set forth in "Attachment A" attached hereto and made a part hereof.

Section 3 is amended as follows:

SECTION 3. The City Manager is hereby authorized to execute right of use license permits with Broadway Lodging Two, LLC as follows:

1. Right of use license permit for the installation, maintenance and operation of emergency door egress for four (4) emergency exit doors (also known as "East Emergency Doors") located on the east side of the new hotel tower located at ~~4406-1104~~ 1104 E. Walnut. The form and content of the right of use license permit shall be substantially as set forth in "Attachment B" attached hereto and made a part hereof.

2. Right of use license permit for the construction, installation, maintenance and operation of balconies on the north façade, a canopy on the north façade and an architectural roof overhang near the top of the structure on both the north and east façades (also known as “North Airspace and Roof Overhang”) of the new hotel tower located at ~~4406-1104~~ E. Walnut. The form and content of the right of use license permit shall be substantially as set forth in "Attachment C" attached hereto and made a part hereof.
3. Right of use license permit for the excavation, installation, maintenance and operation of footings and foundations under the ground of the new hotel tower located at ~~4406-1104~~ E. Walnut. The form and content of the right of use license permit shall be substantially as set forth in "Attachment D" attached hereto and made a part hereof.
4. Right of use license permit for the installation, maintenance and operation of conduits, which may contain wires, lines, cables or similar facilities, under the ground of the new hotel tower located at ~~4406-1104~~ E. Walnut. The form and content of the right of use license permit shall be substantially as set forth in "Attachment E" attached hereto and made a part hereof.
5. Right of use license permit for the construction, maintenance and operation of a skywalk airspace to and from the new hotel tower located at ~~4406-1104~~ E. Walnut and the existing hotel tower located at 1111 Broadway. The form and content of the right of use license permit shall be substantially as set forth in "Attachment F" attached hereto and made a part hereof.
6. Right of use license permit for the installation, maintenance and operation of an awning and emergency operation of a guest entry door located on the south end of the east side of the new hotel tower located at ~~4406-1104~~ E. Walnut (also known as “East Airspace and Guest Entry Door on Southeast Corner”). The form and content of the right of use license permit shall be substantially as set forth in "Attachment G" attached hereto and made a part hereof.