



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: Doug Dansie, 801-535-6182, doug.dansie@slcgov.com
Date: September 9, 2015
Re: PLNPCM2015-00357 Airport/Wingpointe Zoning Amendment

Master Plan and Zoning Amendment

PROPERTY ADDRESS: Salt Lake City International Airport

PARCEL ID: Approximately 35 individual parcels See attachment C.

MASTER PLAN: Northwest

ZONING DISTRICT: OS Open Space, CC Commercial Corridor, BP Business Park

REQUEST: The petitioner, Salt Lake City Department of Airports, represented by Allen McCandless, is requesting approval to amend the zoning map for approximately 489.181 acres of land located south of the Salt Lake International Airport terminals and runways, adjacent to Interstate 80. The land is proposed to be rezoned from Open Space (OS), Commercial Corridor (CC) and Business Park (BP) to Airport (A)

The intent of the proposed rezone is to integrate the property in to overall airport services. If the zoning is amended for the property, the entire property could be used for any use allowed in the Airport zone. The Airport has not specified their intended long term use for the property at this time, beyond the closure of the Wingpointe golf course and interim use during Airport construction. The City Council has final decision making authority for master plan and zoning amendments.

RECOMMENDATION: Based on the information in this staff report, Planning Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed zoning map amendment.

The following motion is provided in support of the recommendation:

Based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission transmit a positive recommendation to the City Council for the proposed zoning map amendment.

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Property Photographs](#)
- C. [Additional Applicant Information](#)
- D. [Existing Conditions](#)
- E. [Analysis of Standards](#)
- F. [Public Process & Comments](#)
- G. [Department Review Comments](#)
- H. [Motions](#)

PROJECT DESCRIPTION:

The subject property is located within the Northwest Community. The Northwest Community Master Plan contains a future land use map that designates the desired type of land use that should occur on the property. The future land use map has a split designation for the property, with the majority of the property designated as "Airport." However, the southeastern most portion of the site (south of the North Temple on ramp to I-80) is designated for "Business/Commercial"

The intent of the proposed rezone is to integrate the property into the airport and to acknowledge its limitations for future development.

KEY ISSUES:

The key issues listed below have been identified through the analysis of the project, neighbor and community input and department review comments.

1. Wingpointe closure
2. Flight pattern limitations
3. Open space inventory

Issue 1 – Wingpointe closure

The Salt Lake City Council has made a decision to close the Wingpointe Golf Course. An overriding factor in closing the course is the decision by the FAA to require the land be leased at market rate. The closure of the golf course was part of a larger FAA compliance review; in response to that review, the City administration committed that it would rezone the property to airport designation prior to 2017. See Attachment C.

Wingpointe has provided an aesthetically pleasing entry/exit to Salt Lake City International Airport. The proposed A Airport zoning does not have inherent design standards to replicate that type of landscaping, even at a small scale, however the Department of Airports has a history of innovative and sustainable native/naturalized landscaping along streets within and adjacent to airport property.

The canal ponds in this area are designated as wetland areas. These would remain as they are in their current locations and configurations.

There is a single paved bicycle trail that is also used as a perimeter road that also would remain as it is in the current location and configuration.

The Airport indicates that the main purpose for requesting a zoning amendment at this time relates to the Terminal Redevelopment Program. At the peak of construction there will soon be a need for 1500 minimum parking stalls for the trade workers constructing the terminal building, concourses, roadways, parking structure, gateway building, central utility plant, utilities, and apron work. There will be times where all these projects will be under construction at the same time. The Airport will need to accommodate the workers as the facilities are built as early as spring of 2016.

The short-term plan for the Wingpointe area is to provide close-in temporary parking for the trade workers, where they can then be bused to the individual construction sites. The TRP program managers have recently re-affirmed the need for this parking. There is also a need for a receiving area where trucks and cargo can be inspected prior to being off-loaded and delivered to the construction sites. There may be a need also for additional ground transportation staging and parking areas. It is planned these areas would be located where a portion of Wingpointe now is located.

The airport will be updating their airport master plan where the Wingpointe area will receive a closer look at the long-term possibilities for future uses. A concept plan was developed by Airport staff showing potential office space and aviation related uses and/or additional paved parking for passengers and employees.

Issue 2 – Flight Pattern limitations

Many of the properties not part of the Wingpointe Golf Course are also airport owned properties that were purchased because they are part of the security area and/or flight pattern approach to the airport.

After being identified at a community open house, the airport authority amended their original request to also include the property southeast of the North Temple on-ramp to I-80 (former Continental Airlines reservation center) to be included in the rezone. This property, which is identified as commercial in the master plan, has been purchased by the airport and the building demolished because it was under the flight path of the eastern runway and partially in the Runway Protection Zone.

Issue 3 – Open Space Inventory De-listing:

Chapter 2.90 of City Code designates an open space lands inventory and provides a process for removing open space from that inventory. The Salt Lake City open space lands program is established to facilitate the city's acquisition, management, promotion, preservation, protection and enhancement of open space lands and to encourage public and private gifts of land, money, securities or other property to be used to preserve the natural, scenic, historic and important neighborhood open space lands.

The process of de-listing the open space from the inventory is a process that is at the discretion of the Mayor and City Council.

DISCUSSION:

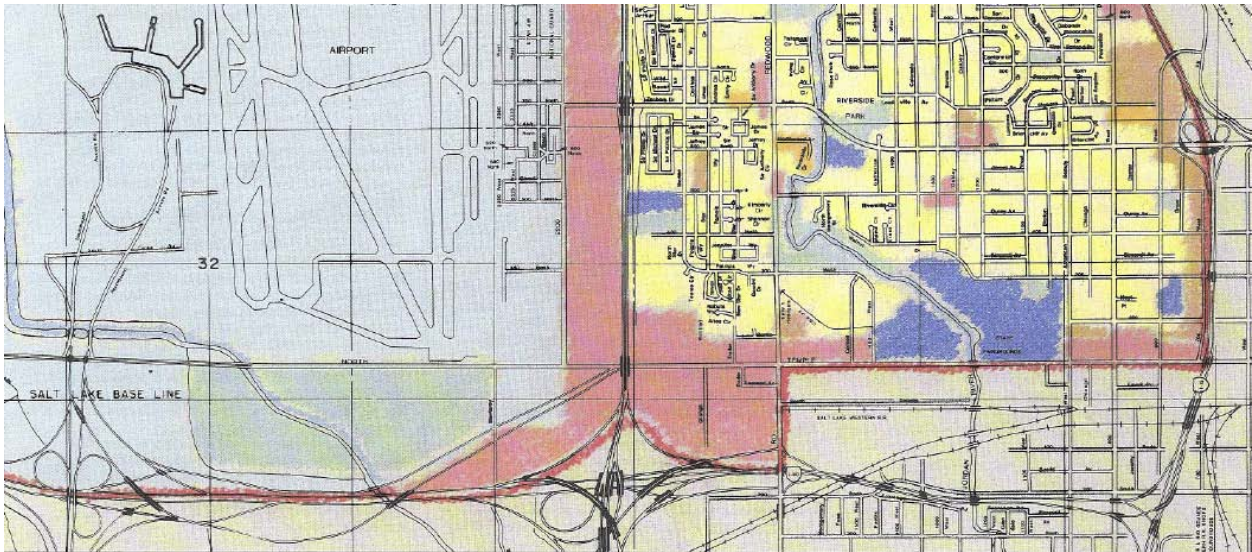
Applicable Master Plan Policies











The *Northwest Master Plan* includes some general policies about commercial and residential areas, however they generally apply to development north and east of the airport, such as the Morton Meadows and Westpointe neighborhoods, where airport noise could impact to housing and office development.

The airport already controlled most of the land contained in this petition at the time the Master Plan was adopted. Therefore, the master plan identifies all of the properties associated with this proposal as being part of the Airport designation, with the exception of the land southeast of the North Temple on-ramp to I-80, which is identified as business/commercial and is presently zoned BP Business Park. This parcel is impacted by airport flight patterns and has since been acquired by the Department of Airports for security reasons.

The site at North Temple and 2400 West, which is identified as Airport in the master plan but currently zoned CC Commercial Corridor, is presently owned by the Airport and occupied with offices, which is consistent with both the present CC Commercial Corridor and proposed A Airport zoning districts. The Airport does not foresee a change in use with the rezone.

The Master Plan actually indicates a shortage of golf courses in the City and suggests additional courses; however, market conditions have not coincided with projections, which has led to the decision to close Wingpointe.



Northwest Community Future Land Use Plan			
	Low Density Residential		Business/Commercial
	Medium Density Residential		Industrial
	High Density Residential		Airport Master Plan
	Public/Semi-Public		Agricultural
	Parks/Open Space		Boundary

NEXT STEPS:

With a recommendation of approval or denial for the zoning amendment, the amendment proposal will be sent to the City Council for a final decision by that body.

If the zoning amendment is approved, the Department of Airports will be able to build any use allowed in the A Airport zone on the property. While most of the property would remain vacant because of flight pattern restrictions, the Wingpointe Golf Course land is not under the flight pattern; and is expected that the site will be developed as airport supporting uses, which may include parking, hotels or any other use allowed in the zoning district. A complete list of uses allowed within the zone is located in at http://www.sterlingcodifiers.com/codebook/index.php?book_id=672. The proposed uses are designed to be part of the ongoing growth and viability of the International Airport

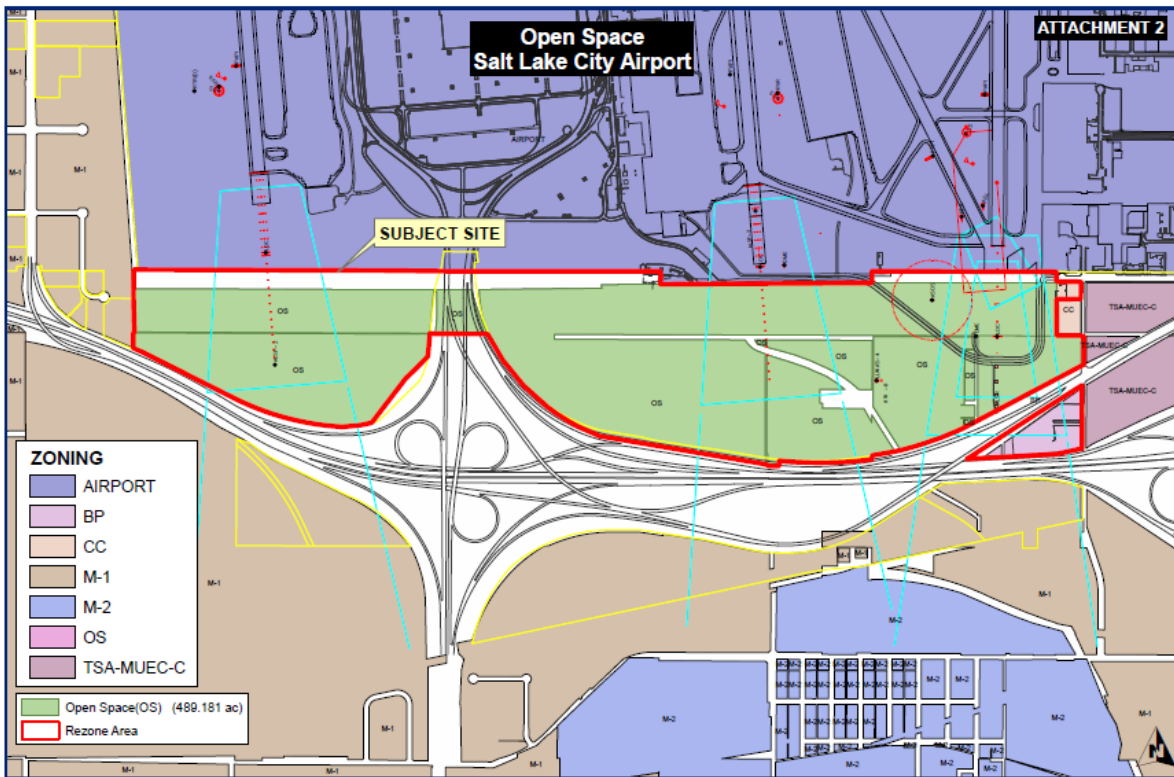
The Department of Airports will need to obtain building permits for any development at the time they do choose to develop and will need to comply with the necessary zoning standards.

If the zoning amendment is denied, the property will remain zoned OS Open Space, CC Commercial Corridor and BP Business Park. With this zoning, the airport would still limit development on most parcels because of flight restrictions; however, the use of the former Wingpointe property would not be able to develop consistent with FAA regulations, creating discordance with City and Federal regulations.

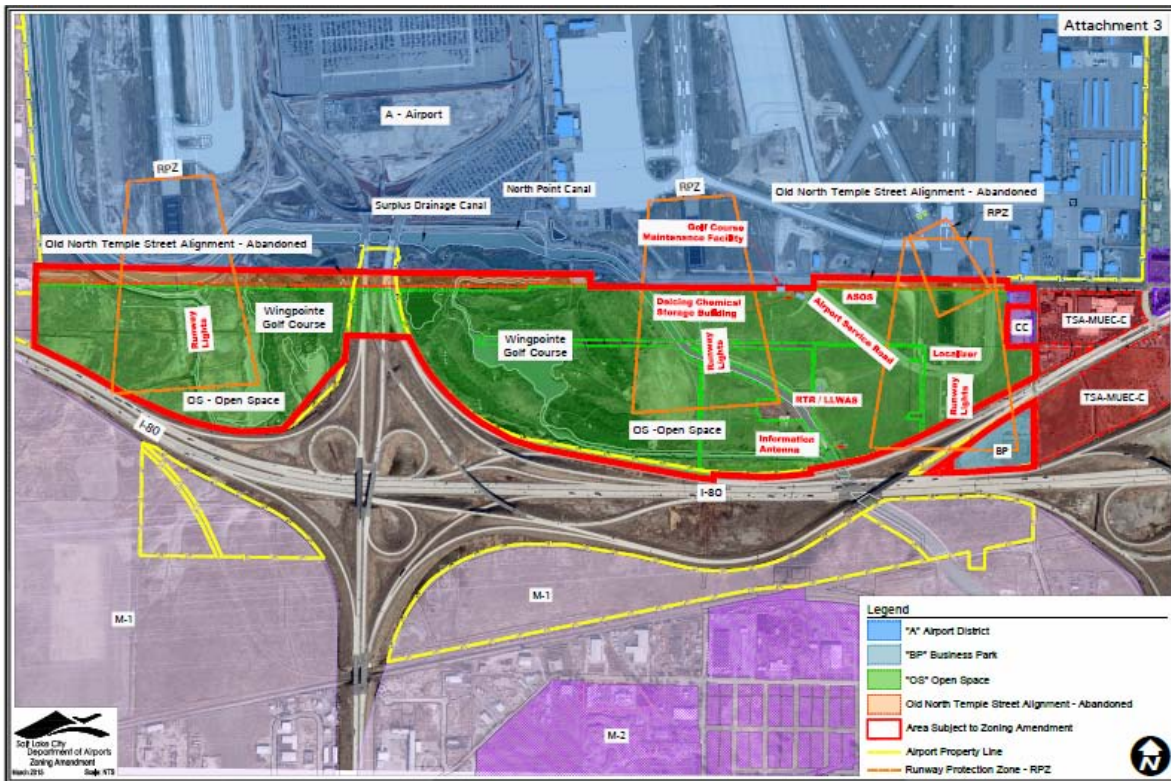
ATTACHMENT A: VICINITY MAP



Area outlined in red is the area requested for rezoning



Area proposed for rezoning (outlined in red) in relationship to existing zoning (Yellow lines represent outline of airport owned property. Blue lines represent airplane approach patterns)



Existing zoning, property lines and runway protection zone superimposed on aerial photograph

ATTACHMENT B: PROPERTY PHOTOGRAPHS



Wingpointe Golf Course (looking southeast)



Wingpointe Golf Course (looking east)



Wingpointe Golf Course (looking west)



Former Continental Airlines Reservation Center site between North Temple on-ramp and I-80 at 2400 West



CC Commercial Corridor zoned land at 2400 West North Temple

ATTACHMENT C: ADDITIONAL APPLICANT INFORMATION



U.S. Department
of Transportation
Federal Aviation
Administration

Airport Compliance and Management Analysis

800 Independence Ave., SW
Washington, DC 20591

July 3, 2013

Mr. David Everitt
Chief of Staff
Salt Lake City Corporation
451 South State Street, Room 306
PO Box 145474
Salt Lake City, UT 84114-5474

Dear Mr. Everitt:

Thank for your February 4 letter, concerning the corrective actions proposed to the Federal Aviation Administration's (FAA) compliance review of Salt Lake City Department of Airports (DOA). The items sent were in response to our request for additional information and modifications of the original corrective action plan submitted by the City on August 2, 2012. We appreciate the fact that your letter recognizes the City's full commitment to implement corrective actions for violations of FAA's Policy and Procedures Concerning the Use of Airport Revenue (Revenue Use Policy).

Your responses to the five findings indicated, in part:

West Jordan Soccer Field: The City will allow the initial term of the soccer field to run its course through October, 2025, but the City will not allow West Jordan to exercise an option for a second, 20-year term.

Land Swap/Easement: The City's General Fund, subject to annual appropriation, will reimburse the DOA \$983,943.19 (\$912,656 plus statutory interest of \$71,287.19) over a 10-year pay period on the following schedule (which accounts for accumulating interest on the unpaid balance):

	Principal	Accumulated Interest	Total
7/01/13	\$94,047.33	\$9,839.43	\$103,886.76
7/01/14	\$94,987.81	\$8,898.96	\$103,886.76
7/01/15	\$95,934.68	\$7,949.08	\$103,886.76
7/01/16	\$96,897.06	\$6,989.70	\$103,886.76
7/01/17	\$97,866.03	\$6,020.73	\$103,886.76

7/01/18	\$98,844.69	\$5,042.07	\$103,886.76
7/01/19	\$99,833.14	\$4,053.63	\$103,886.76
7/01/20	\$100,831.47	\$3,055.29	\$103,886.76
7/01/21	\$101,839.79	\$2,046.98	\$103,886.76
7/01/22	\$102,858.18	\$1,028.58	\$103,886.76
Total	\$983,943.19	\$54,924.46	\$1,038,868.65

The DOA will annually certify to the FAA that these amounts have been properly withheld from the DOA's payments to the General Fund for city services rendered to the airport system.

Boeing Lease: Based on the appraised fair market value of the subject property, Boeing will pay a rental rate of \$0.27/sf for the "Premises" lease, effective January 1, 2013. If Boeing exercises its options on the "Land Bank" or "additional property" over the next five years, Boeing will be required to pay the appraised fair market value of \$0.23/sf. These lease rates will be updated every five years to reflect then-current appraised value in conjunction with Boeing's options to renew the lease.

Wingpointe Golf Course: The City would make reasonable efforts to rezone the property to allow aeronautical uses over the next five years. The DOA would amend the existing MOU so that the MOU expires on December 31, 2017 (instead of June 30, 2087) and, effective July 2, 2013 (the start of the next fiscal year), require the City, subject to appropriation, to reimburse the DOA for its costs (currently about \$55,000/year) for maintaining security, managing wildlife and otherwise ensuring that the use of the property as a golf course does not impair the use of Salt Lake City International Airport (SLC) as an airport.

The MOU would also be amended to provide if, as of December 31, 2017, the property is not needed for aeronautical use, the MOU may be extended for an additional 5-year term, but only if the City pays the DOA the current appraised fair market value rent for the golf course. The City has agreed to the following annual payment schedule, subject to appropriation:

	Annual Payment
FY 2014	\$55,000
FY 2015	\$60,000
FY 2016	\$65,000
FY 2017	\$70,000
7/17-12/17	\$37,500

Cost Allocation Plan: As recommended by the FAA, the DOA's internal auditor will review the City's cost allocation plan on an annual basis.

Based on your responses, FAA has agreed to your corrective action plan. However, you noted that both payments for the Golf Course and Easement are subject to annual appropriations. We understand the DOA's annual budget is subject to City Council approval and that the City is committed to resolving the findings. However, failure to not appropriate

these annual payments could place the DOA in noncompliance with Federal law. Sanctions for noncompliance can include:

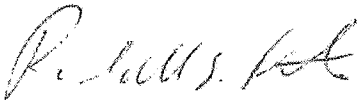
- Withholding of future and existing grants;
- Withholding approval of an application to impose a passenger facility charge;
- Federal court action; and
- Civil penalties as stated in FAA's Revenue Use Policy.

In an effort to alleviate FAA's concerns over the "subject to annual appropriations" language, the Executive Director of SLC provided a plan to formalize the repayment for the Golf Course and Easement. It states that if the City's golf course enterprise fund does not make the proposed rental payments, the City will close the golf course and return it to the Airport. For the Easement, the City will include the payments in the City's nondepartmental budget schedule, where it will be described as "10 Year Plan – Airport Trail Reimbursement Required by FAA Corrective Action Plan." The DOA believes that this expressly shows the City's full commitment to making the scheduled payments and inclusion in the non-departmental budget will formalize the obligation.

FAA will continue to monitor the lease arrangements and/or repayments for the Golf Course, Boeing, and the Soccer Field. In the future, please submit copies of supporting documentation to the FAA on an annual basis for the payments made to the DOA for the Golf Course and Easement. In addition, we fully expect the DOA and the City to fulfill its promises with regard to the proposed current and future lease modifications.

Should you have any further questions, please contact David Duchow at (202) 493-4604.

Sincerely,



Randall S. Fiertz
Director of Airport Compliance
and Management Analysis

cc: Maureen Riley, Executive Director, SLC
Scott Lewis, Anderson & Kreiger, LLP.
John Bauer, Denver Airports District Office
Joelle Briggs, Northwest Mountain Airports Division

OBJECTID	parcel_id	own_name	careof_att	own_addr	own_cityst	own_zip	own_zip_fo	prop_locat	parcel_acr	PARCEL
184717	08313760010000	SALT LAKE CITY	PROPERTY MANAGEMENT	PO BOX 145460	SALT LAKE CITY UT	84114	5460	51 N BANGERTER HWY	16.31	0831376001
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184766	08323000150000	SALT LAKE CITY	PROPERTY MANAGEMENT	PO BOX 145460	SALT LAKE CITY UT	84114	5460	3649 W NORTHTEMPLE ST	20.16	0832300015
184772	08323000170000	UTAH TRANSIT AUTHORITY	RIGHT-OF-WAY, 4TH FLR	PO BOX 30810	SALT LAKE CITY UT	84130	0810	51 N BANGERTER HWY	2.92	0832300017
184775	08323000200000	UTAH TRANSIT AUTHORITY	RIGHT-OF-WAY 4TH FLR	PO BOX 30810	SALT LAKE CITY UT	84130	0810	3700 W TERMINAL DR	0.13	0832300020
184776	08323000210000	UTAH TRANSIT AUTHORITY	RIGHT-OF-WAY 4TH FLR	PO BOX 30810	SALT LAKE CITY UT	84130	0810	3700 W TERMINAL DR	0.03	0832300021
184777	08323000220000	UTAH TRANSIT AUTHORITY	RIGHT-OF-WAY 4TH FLR	PO BOX 30810	SALT LAKE CITY UT	84130	0810	3700 W TERMINAL DR	0.04	0832300022
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204429	15052280110000	STATE ROAD COMMISSION	UDOT	PO BOX 148420	SALT LAKE CITY UT	84114	8420	3325 W NORTHTEMPLE ST	0.11	1505228011
204430	15052280120000	UTAH TRANSIT AUTHORITY	RIGHT-OF-WAY, 4TH FLR	PO BOX 30810	SALT LAKE CITY UT	84130	0810	3325 W NORTHTEMPLE ST	1.13	1505228012

204593	15062000020000	SALT LAKE CITY	PROPERTY MANAGEMENT	PO BOX 145460	SALT LAKE CITY UT	84114	5460	4100 W EIGHTYWEST	22.58	1506200002
204597	15062000070000	SALT LAKE CITY CORP	PROPERTY MANAGEMENT	PO BOX 145460	SALT LAKE CITY UT	84114	5460	4400 W EIGHTYWEST	47.10	1506200007

ATTACHMENT D: EXISTING CONDITIONS

Uses in the Immediate Vicinity of the Property

The majority of the land to the east of the proposed area for rezone is zoned TSA-MUEC-C Transit Station Area- Mixed Use Employment Center Core. This area is generally occupied by hotel, parking, offices, airport related services, government agencies and retail uses. To the west is M-1 Manufacturing zoned property (International Center); generally hotel, office and manufacturing uses. The airport has also acquired some of this land for Airport expansion. To the south is M-1 Manufacturing Property (mostly owned by the Airport) that is either vacant or industrial in nature. Please see the vicinity map in Attachment A for reference.

Current OS, CC and BP Zoning Standards

The property proposed for rezoning is currently OS Open Space, CC Commercial Corridor and BP Business Park. The yard and bulk requirements for these districts are somewhat irrelevant for much of the property since they are superseded by the AFPP Airport Flight Path Protection overlay zoning district that imposes additional standards rendering much of the land not buildable for inhabitable structures. The area of the Wingpointe golf course is not in direct line of the flight path and the OS development standards would be replaced by A Airport standards.

The OS yard requirements are as follows:

Minimum Lot Size:

1. Minimum lot area: Ten thousand (10,000) square feet.
2. Minimum lot width: Fifty feet (50').

Maximum Building Height: Building height shall be limited to thirty five feet (35'); provided, that for each foot of height in excess of twenty feet (20'), each required yard and landscaped yard shall be increased one foot (1').

Minimum Yard Requirements:

1. Front Yard: Thirty feet (30').
2. Corner Side Yard: Thirty feet (30').
3. Interior Side Yard: Twenty feet (20').
4. Rear Yard: Thirty feet (30').
5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in required yard areas subject to section [21A.36.020](#), table [21A.36.020B](#), "Obstructions In Required Yards", of this title.

Proposed A Airport Zoning Standards:

Minimum Lot Area and Width: No minimum lot area or lot width is required.

Maximum Building Height: Maximum building height shall be determined by the Salt Lake City International Airport in accordance with subsections [21A.34.040F](#) through R of this title.

Minimum Yard Requirements: No minimum yards shall be required.

ATTACHMENT E: ANALYSIS OF STANDARDS

ZONING MAP AMENDMENTS

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. In making a decision to amend the zoning map, the City Council should consider the following:

Factor	Finding	Rationale
1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;	Complies	<p>All land affected has been acquired by the Department of Airports to insure airport operation and safety. The rezone is a requirement of the Compliance Review from the United States Federal Aviation Administration FAA.</p> <p>Technically, the Wingpointe golf course could remain if it paid market rates for the land, according to FAA regulations, however it has been deemed unsustainable.</p>
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	Complies	<p>The A Airport purpose statement is as follows:</p> <p><i>The purpose of the A airport district is to provide a suitable environment for the Salt Lake City International Airport and private uses that function in support of the airport facility. This district is appropriate in areas of the city where the applicable master plans support this type of land use.</i></p> <p>The location of the proposal is compliant with the purpose statement of the zone.</p>
3. The extent to which a proposed map amendment will affect adjacent properties;	Complies	<p>Adjacent properties are either owned by the Department of Airports or are commercial/office uses compatible with the airport.</p>
4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards	Complies	<p>The property is located within the AFPP Airport Flight Path Protection overlay zoning district that imposes additional standards. The AFPP overlay extends beyond the area zoned A Airport, to insure the protection and safety of the Salt Lake City International Airport.</p> <p>The Purpose statement of the Overlay district is: <i>It is determined that a hazard to the operation of the airport endangers the lives and property of</i></p>

		<p><i>users of the Salt Lake City International Airport, and the health, safety and welfare of property or occupants of land in its vicinity. If the hazard is an obstruction or incompatible use, such hazard effectively reduces the size of the area available for landing, takeoff and maneuvering of aircraft, thus tending to destroy or impair the utility of the Salt Lake City International Airport and the public investment. Accordingly, it is declared:</i></p> <ol style="list-style-type: none"> <i>1. That the creation or establishment of an airport hazard is a public nuisance and an injury to the region served by the Salt Lake City International Airport;</i> <i>2. That it is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of airport hazards be prevented; and</i> <i>3. That the prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation</i>
<p>5. 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, stormwater drainage systems, water supplies, and wastewater and refuse collection.</p>	<p>Complies</p>	<p>The subject property is located within a built environment where public facilities and services already exist.</p> <p>City departments and division have not indicated that public facilities or services are inadequate to serve the subject property.</p>
<p>NOTES:</p>		

ATTACHMENT F: PUBLIC PROCESS & COMMENTS

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

Notice of Application:

An open house was held on July 16, 2015.

1. Katie McKellar, reporter with the Deseret News, asked general questions about the rezoning area and reviewed the presentation maps.
2. Shelia O'Driscoll, resident, asked general questions about the rezoning, and that the city needs better outreach.
3. George Chapman, resident, is against closing Wingpointe

Notice of the public hearing for the proposal included:

Public hearing notice mailed on August 27, 2015

Public hearing notice posted on August 27, 2015

Public notice posted on City and State websites and Planning Division list serve on August 27, 2015

Public Input:

No public comments received as of staff report publication.

ATTACHMENT G: DEPARTMENT REVIEW COMMENTS

Engineering – Scott Weiler (scott.weiler@slcgov.com or 801-535-6159)

Engineering has no objection to the zoning amendment. Too bad the golf course has to go.

Zoning - Greg Mikolash (greg.mikolash@slcgov.com or 801-535-6181)

No zoning issues or comments per this review.

Transportation

No comments.

Public Utilities – Jason Draper (jason.draper@slcgov.com or 801-486-6751)

SLCPU has no issues with the proposed zone change. (other than I will miss golfing there....)

Fire

No comments.

Police

No comments.

ATTACHMENT H: MOTIONS

Potential Motions

Staff Recommendation:

Based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission transmit a positive recommendation to the City Council for the proposed zoning map amendment.

Not Consistent with Staff Recommendation:

Based on the testimony, plans presented and the following findings, I move that the Planning Commission transmit a negative recommendation to the City Council for the proposed zoning map amendment.

(The Planning Commission shall make findings on the Zoning Amendment standards and specifically state which standard or standards are not being complied with. Please see Attachment E for applicable standards.)