



MEMORANDUM

PLANNING DIVISION
DEPARTMENT *of* COMMUNITY *and* NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Wayne Mills, (801) 535-7282, wayne.mills@slcgov.com

Date: October 9, 2020 (Planning Commission Meeting Date: October 14, 2020)

Re: Edison House Condition Use Time Extension Request

RECOMMENDATION:

Grant a one-year time extension for the approved conditional uses.

BACKGROUND/DISCUSSION:

On October 9, 2019 the Planning Commission approved conditional uses that would allow a membership based social club called the Edison House at 335 South 200 West. The project is located in the D-3 Downtown Warehouse/Residential District. The following conditional uses were approved:

- A bar, and
- A commercial building three or more stories in height that does not contain a residential use. In the D-3 district, buildings over two stories must contain a residential use unless approved as a conditional use.

In order to validate a conditional use approval, the applicant must submit complete plans for a building permit within one year of the approval. If the applicant is unable to do so, the Planning Commission can grant a one-year extension of the approval. In this case, the applicant has submitted building permit plans; however, the plan review is on hold while the applicant develops solutions to issues that arose during the plan review. The applicant is requesting a time extension to ensure that conditional use remains in place while solutions are being developed.

ATTACHMENTS:

[A. Time Extension Request](#)

[B. Original Record of Decision Letter](#)

ATTACHMENT A: TIME EXTENSION REQUEST

Mills, Wayne

From: Charlie Cardon [REDACTED]
Sent: Friday, September 18, 2020 3:10 PM
To: Mills, Wayne
Cc: George Cardon-Bystry
Subject: (EXTERNAL) Conditional Use Extension
Attachments: Conditional Use Record of Approval_Edison House.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Wayne,

I'm emailing you to request an extension to our conditional use approval (attached here).

Since our conditional use approval last October, we have fully designed the building, contracted with Okland Construction as our GC, and applied for a building permit. We have received our first round of comments from building permitting and foresee no problems obtaining our permit except for a single issue that may require additional time to complete.

Building services has mandated that the ventilation of a neighboring property parking garage be resolved prior to them being willing to issue us a building permit. The garage uses natural ventilation via openings in the structure that will no longer have adequate airflow once our building is erected. We are diligently working toward resolving the issue, however, since we do not have ultimate control over the situation (we cannot force our neighbor to upgrade their garage) we are requesting an extension to provide us with enough time to finalize the negotiations and resolve the ventilation.

We are fully committed to the project and seeing it through to fruition.

Thank you and please feel free to reach out if you have any questions.

Charlie Cardon
President, Lola Holdings
[REDACTED]

ATTACHMENT B: RECORD OF DECISION



October 14, 2019

Charlie Cardon
Bubba Holdings LLC

RE: Record of Decision for Petition PLNPCM2019-00671: Edison House Conditional Use at 335 South 200 West, Salt Lake City

Dear Mr. Cardon:

On October 9, 2019 the Planning Commission approved your Conditional Use request for property at approximately 335 South 200 West. The following conditions were applied to the request:

1. *All outdoor rooftop amenities, including the bar, swimming pool, and hot tub, shall close by 10 p.m. Sunday – Thursday, and shall close by 12 a.m. on Friday and Saturday.*
2. *At the time of building permit review, the applicant shall submit for the Planning Director's review and approval detailed information on the metal paneling proposed to be used on the exterior facades, in order for the project to comply with 21A.37.050.B.1 Building Materials.*
3. *Per 21A.36.300.D.1.a, the draft security and operations plan shall be approved by the Salt Lake City Police Department and the building official, and filed with the City Recorder's Office.*
4. *Per 21A.36.300.D.1.b, the Salt Lake City Police Department shall review and approve the site and floor plans of the premises. Such review may require design features for the purpose of reducing alcohol related problems such as consumption by minors, driving under the influence, and public drunkenness.*
5. *Per 21A.36.300.D.1.e, the exterior of the premises shall be maintained free of graffiti. Graffiti shall be removed within 48 hours, weather permitting.*
6. *The east wall shall be solid with no openings.*
7. *Noise mitigating materials shall be utilized within the rooftop bar area.*

The decision of the Planning Commission was based on the information contained in the staff report, the project details provided by you, testimony from the public, and the discussion of the Planning Commission. Copies of this information may be found at <https://www.slc.gov/planning/public-meetings/planning-commission-agendas-minutes/>.

The decision considers the general purpose of the zoning ordinance as well as the purpose of the zoning district where the proposal is located. The purpose of the applicable zoning district is as follows:

The purpose of the D-3 Downtown Warehouse/Residential District is to provide for the reuse of existing warehouse buildings for multi-family and mixed use while also

allowing for continued retail, office and warehouse use within the district. The reuse of existing buildings and the construction of new buildings are to be done as multi-family residential or mixed use developments containing retail or office uses on the lower floors and residential on the upper floors. This district is appropriate in areas where supported by applicable master plans. The standards are intended to create a unique and sustainable downtown neighborhood with a strong emphasis on urban design, adaptive reuse of existing buildings, alternative forms of transportation and pedestrian orientation.

The Planning Commission made several findings related to the proposal and standards of approval. These findings can be found in the staff report referenced above.

The Record of Decision is provided to you indicating the date action was taken to approve the request, the 10 day appeal period, and to what body an appeal can be made.

Approvals for Conditional Uses **expire in 12 months** of the date of this Record of Decision unless a building permit has been issued or complete building plans have been submitted to the division of building services and licensing within that period or unless a longer time is requested and granted by the planning commission. Extension requests must be submitted prior to expiration of the approval.

There is a 10-day appeal period in which any affected party can appeal the Planning Commission's decision. This appeal period is required in the City's Zoning Ordinance and allows time for any affected party to protest the decision, if they so choose. The appeal would be heard by the Administrative Hearing Officer. Any appeal, including the filing fee, must be submitted by the close of business on **October 21, 2019**.

If you have any questions, please contact me at (801) 535-7282 or wayne.mills@slcgov.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Wayne Mills', with a stylized flourish at the end.

Wayne Mills
Planning Manager

cc: File