



MEMORANDUM

PLANNING DIVISION
COMMUNITY & NEIGHBORHOODS DEPARTMENT

To: Planning Commission
From: Grant Amann, Associate Planner, (801-535-6171)
Date: March 29, 2023
Re: Continuation of PLNPCM2022-00750 Big-D Headquarters Conditional Use

The Conditional Use request PLNPCM2022-00750 was presented to the Planning Commission on March 8th, 2023. The request is as follows:

Big-D Construction, represented by Rob Moore and property owner VENTURE 404 WEST LC, is requesting Conditional Use approval to construct a 31,350 square foot 3-story addition to their existing 64,573 square foot office building at the above-stated address. The subject property is located in the D-3 (Downtown Warehouse / Residential) Zoning District. Commercial/office uses in buildings of three (3) stories or more without multi-family dwellings shall be allowed only as a conditional use and then only when the applicant has demonstrated that the proposed location is not suitable for multi-family residential use.

At the meeting, staff made a presentation of the item and covered various aspects of the proposed Big-D Headquarters project located at 404 W 400 S. The commission discussed whether or not the project as designed met the required standards for approval. At the conclusion of the public hearing and commission discussion, two motions were presented regarding both to approve and to deny the conditional use approval. Both motions failed to achieve a majority in favor. As a result, the Planning Commission made a motion to table the item asking the applicant to return to a future meeting and provide more information detailing how the project met the standard that the site was unsuitable for housing.

The City Attorney's Office has found legal issues with the standard which requires Conditional Use approval for the project. Staff from the attorney's office will be present at the meeting to discuss this in further detail.

After further analysis, the Planning Staff continues to recommend approval of the project.