



MOTION SHEET

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Russell Weeks
Senior Policy Analyst

DATE: October 14, 2020

**RE: MOTION SHEET – ZONING TEXT AMENDMENT TO INCREASE G-MU HEIGHT LIMITS
WITHIN A LIMITED AREA (Petition No. PLNPCM2019-00639)**

I. MOTION – To Adopt an Ordinance to Increase G-MU Height Limits within a Limited Area

I move that the Council adopt the ordinance amending Subsection 21A.31.020.E of the Salt Lake City Code pertaining to building height in the G-MU Gateway-Mixed Use District.

I further move that it is the City Council's intent that the Administration conduct a height study of the greater downtown area starting with the Station Center and North Temple Street areas, followed by areas identified for transit-oriented development, and then by areas that make up the greater downtown generally defined by the existing D-1, D-2, D-3, D-4 and G-MU zoning districts.

The study should include:

- A review of existing incentives for allowing building heights to exceed height limits and the potential to enact new incentives including a density bonus program and other best practices to apply as increased height is considered for future properties.
- A review of view corridors in existing master plans, and the effect taller buildings may have on them.



- The compatibility of higher buildings with any affordable housing overlay zone the Council may consider in the future.
- The effects of sunlight glare, and snow and ice hazards created by taller buildings and the potential inclusion of minimizing those effects as part of the design review process.

It is the City Council's intent that the Administration prepare a timeline and a budget for the study so the Council can consider appropriating funds for the study during the budget process for Fiscal Year 2021-2022.

II. MOTION – To Adopt an Ordinance to increase G-MU Height Limits with Conditions to Be Met before Publishing the Ordinance

I move that the council conditionally approve the request and not publish the ordinance until the condition listed below has been confirmed in writing by the developer with the understanding that this should not be seen as a precedent for future requests for increased building height. It is the intent of the council that all future requests for additional height or density (whether via rezoning or text amendment) be reviewed on a case by case basis until a height study is completed, and that in each case, the City asks the petitioner to articulate the benefits that will be provided to the City related to the increased height/density given the value that the City would be providing to the petitioner by granting the increased height/density. In this case, the conditional approval is subject to developer confirming in writing the specific additional benefits to the City that are related to the additional requested height and density. This ordinance will be published when developer has provided written confirmation to the City's Planning Department and City Council that these elements have been included in the project.

I further move that it is the City Council's intent that the Administration conduct a height study of the greater downtown area starting with the Station Center and North Temple Street areas, followed by areas identified for transit-oriented development, and then by areas that make up the greater downtown generally defined by the existing D-1, D-2, D-3, D-4 and G-MU zoning districts.

The study should include:

- A review of existing incentives for allowing building heights to exceed height limits and the potential to enact new incentives including a density bonus program and other best practices to apply as increased height is considered for future properties.
- A review of view corridors in existing master plans, and the effect taller buildings may have on them.
- The compatibility of higher buildings with any affordable housing overlay zone the Council may consider in the future.
- The effects of sunlight glare, and snow and ice hazards created by taller buildings and the potential inclusion of minimizing those effects as part of the design review process.

It is the City Council's intent that the Administration prepare a timeline and a budget for the study so the Council can consider appropriating funds for the study during the budget process for Fiscal Year 2021-2022.

III. To Adopt an Amended Ordinance to Increase G-MU Height Limits within a Limited Area

I move that the Council adopt the ordinance amending Subsection 21A.31.020.E of the Salt Lake City Code pertaining to building height in the G-MU Gateway-Mixed Use District with the following amendments: (Council Members may propose amendments with this motion.)

I further move that it is the City Council's intent that the Administration conduct a height study of the greater downtown area starting with the Station Center and North Temple Street areas, followed by areas identified for transit-oriented development, and then by areas that make up the greater downtown generally defined by the existing D-1, D-2, D-3, D-4 and G-MU zoning districts.

The study should include:

- A review of existing incentives for allowing building heights to exceed height limits and the potential to enact new incentives including a density bonus program and other best practices to apply as increased height is considered for future properties.
- A review of view corridors in existing master plans, and the effect taller buildings may have on them.
- The compatibility of higher buildings with any affordable housing overlay zone the Council may consider in the future.
- The effects of sunlight glare, and snow and ice hazards created by taller buildings and the potential inclusion of minimizing those effects as part of the design review process.

It is the City Council's intent that the Administration prepare a timeline and a budget for the study so the Council can consider appropriating funds for the study during the budget process for Fiscal Year 2021-2022.

IV. MOTION – Not adopt the proposed ordinance, and deny the land use petition, but declare the City Council's intent to conduct a height study throughout the greater downtown.

I move that the Council not adopt the proposed ordinance, and deny Petition No. PLNPCM2019-00639 pertaining to building height in the G-MU Gateway-Mixed Use District.

I further move that it is the City Council's intent that the Administration conduct a height study of the greater downtown area starting with the Station Center and North Temple Street areas, followed by areas identified for transit-oriented development, and then by areas that make up the greater downtown generally defined by the existing D-1, D-2, D-3, D-4 and G-MU zoning districts.

The study should include:

- A review of existing incentives for allowing building heights to exceed height limits and the potential to enact new incentives including a density bonus program and other best practices to apply as increased height is considered for future properties.

- A review of view corridors in existing master plans, and the effect taller buildings may have on them.
- The compatibility of higher buildings with any affordable housing overlay zone the Council may consider in the future.
- The effects of sunlight glare, and snow and ice hazards created by taller buildings and the potential inclusion of minimizing those effects as part of the design review process.

It is the City Council's intent that the Administration prepare a timeline and a budget for the study so the Council can consider appropriating funds for the study during the budget process for Fiscal Year 2021-2022.



COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Russell Weeks
Senior Policy Analyst

DATE: October 16, 2020 at 8:21 PM

**RE: UNFINISHED BUSINESS: ZONING TEXT AMENDMENT TO
INCREASE G-MU HEIGHT LIMITS WITHIN A LIMITED AREA**

Item Schedule:

1st Briefing: January 14, 2020
2nd Briefing: April 21, 2020
3rd Briefing: August 3, 2020
4th Briefing: October 20, 2020
Set Date: August 3, 2020
Public Hearing: September 1,
September 15, 2020
Potential Action: October 20,
2020

UPDATED INFORMATION

This section is a follow-up to the City Council's formal meeting October 6 in which the Council considered a proposed zoning text amendment to increase height limits in a limited area zoned as Gateway Mixed Use. The Council that night adopted the following motion: "I move that the Council defer action to a later date, 20 October, to allow Council Members the opportunity to consider incentive options to include density bonus programs, affordable housing, and open space."¹

This report includes an attachment with four motions pertaining to the proposed text amendment. The motions include a motion to adopt the proposed amendments; a motion to adopt the proposed amendment but not publish the ordinance until the petitioner articulates in writing the public benefits that either the project itself will provide or public benefits agreed to with Salt Lake City; a motion to amend the proposed amendments; and a motion not to adopt the proposed amendments and deny the original land use petition in which the amendments were proposed. Each of the four motions also contains a second motion declaring the City Council's legislative intent:

- a. to conduct a study of building heights throughout downtown Salt Lake City
- b. to have the Administration establish a timeline and budget for the study so the Council can consider appropriating funds for the study during Fiscal Year 2021-2022.

The motions largely are based on an April 21, 2020, work session discussion in which there appeared to be consensus among the Council, the Planning Division, and the petitioner that any new construction in that



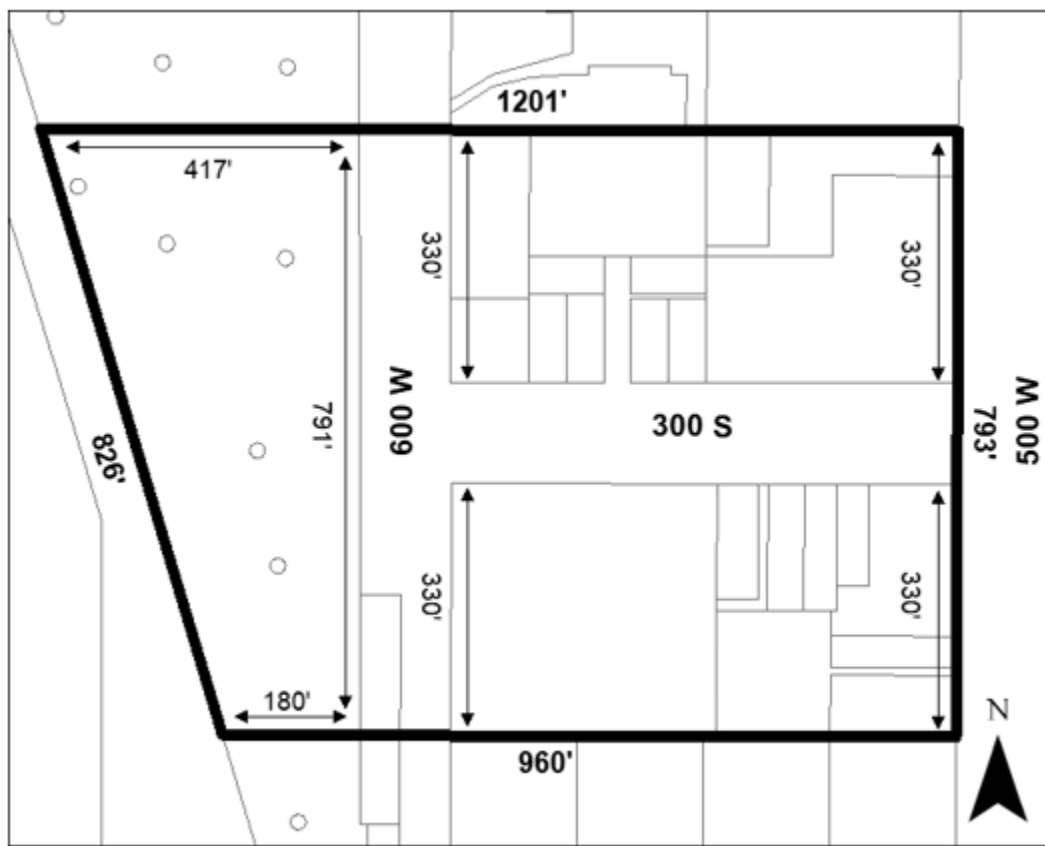
area the petitioner proposed would be subject to the City's design review and design review standards set out in *Salt Lake City Municipal Code 21A.59.050*.

It might be noted that after the meeting the petitioner followed up with the letter attached to this update.²

It also should be noted that at the April 21 work session two Council Members voiced concerns about whether the proposed text amendment was the right tool to address new development in the area.

To recap, STACK Realty of Lehi has proposed to increase building heights within a geographic area roughly bordered by 250 South, 500 West Street, 350 South, and 600 West Street. The company has leased for 99 years three and one-fourth acres of property on the northwest corner of the block bordered by 300 South, 500 West, 400 South, and 600 West streets.

The following detail from the proposed text amendment shows the parameters of where the proposed amendment would be in effect, if adopted.



A couple things might be noted here. First, the Planning Commission forwarded a negative recommendation to the proposed text amendment, in part based on the Planning Division staff recommendation.

At the Planning Commission public hearing, Planning Division staff listed four critiques of the proposed amendment:

- The proposed amendment does not meet the intention of the GM-U zoning that was adopted in 2017 or the *Downtown Master Plan*.
- The proposed text amendment contains no design review for buildings in the “Station Center Core” area proposed by the petitioners.
- The proposal appears to be for an office building with no residential use or uses that might activate the streets around the building.

- The proposed amendment is based only on a conceptual plan and not a more defined plan that would help the Planning staff visualize how the company intends to develop the property.

The petitioner responded to each of the critiques in a January 8, 2020, letter attached to this report.

In addition, Planning Division staff indicated that – in this instance, for the Division, that having design review authority on new development within the proposed area was the key issue.

In a previous email exchange with Council staff, the Planning Division noted the following:

“The newer Design Review process focusses heavily on ground floor design, even when the request is for additional building height. The rationale for this is that large building masses can have a negative impact on the public realm, especially from building shadows, downdrafts, and human scale (that is there is a feeling of overwhelm from the large building mass). We also rely on the design standards of the base zoning district, in this case the G-MU, to establish requirements for ground floor design and visual interest. The G-MU requires more than most zoning districts: ground floor transparency (40% clear glass), *active ground floor uses* (italics Council staff), architectural character and materials, and public art among other uses.”³

It should be noted that all new construction in the Gateway Mixed-Use zone also is required to go through the planned development process.⁴

OTHER HEIGHT EXCEPTIONS

According to the Planning Division, *City Code* does not currently allow for additional height in exchange for public amenities. The design review process has standards of approval and must be approved by the Planning Commission “meaning it is anticipated that structures that go through the process to gain additional height will likely be of a better design.” The Division also is exploring allowing additional height and/or density bonuses for providing affordable housing as a part of a potential Affordable Housing Overlay, but the item is under review and hasn’t been finalized.⁵

According to the Planning Division, “Many if not most commercial and mixed use zones allow for an applicant to seek additional height generally through the Design Review process. ... What is generally not common is not applying the height allowance throughout the zone but only for a portion of it,” and the petition was one of the Division’s concerns with the proposed text amendment.⁶

Here are examples from City Code either found by Council staff or suggested by Planning Division staff.

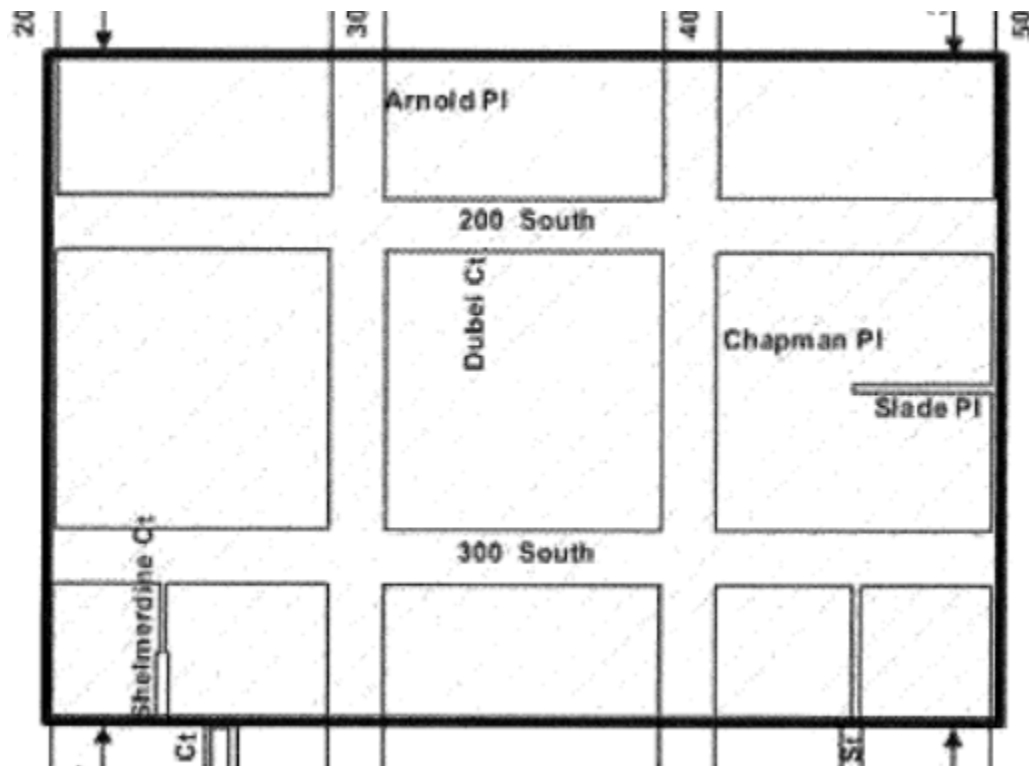
The most salient example is increased height limits in the Downtown Secondary Central Business District (D-4) (21A.30.045). The amendment allows up to 375 feet in height in the area where the Salt Palace Convention Center is located. The main goal was to allow for a convention center hotel on the northwest corner of the intersection of West Temple and 200 South.

But the amendment also included a portion of Block 67 west of the Convention Center. According to *The Salt Lake Tribune*, “The Block 67 development, which The Ritchie Group is calling The West Quarter, would include more than 650 residential units, two hotels, an office tower, retail outlets, a tree-lined street cutting through the block and an underground parking garage with more than 1,000 stalls. The city has already approved zoning changes on the 6.45-acre site that could allow some of those buildings to rise as high as any in Utah’s capital for what would be a massive presence on the skyline. The development also would have the effect, according to city planners, of pushing some of downtown’s new building height farther west, with the potential to sway more pedestrian traffic toward The Gateway and Vivint Smart Home Arena.”⁷



Other examples of allowing increased building heights are included in the zoning ordinance.

Residential Mixed Use District in east downtown – Building heights up to 125 feet are allowed in an area of the east downtown with design review. Standard building heights in most areas zoned RMU are a maximum of 75 feet. (Please see figure 21A.24.170.F.3 below.)



D-2 DOWNTOWN SUPPORT DISTRICT 21A.30.030:

D. Maximum Building Height: The maximum permitted building height shall not exceed one hundred twenty feet (120') subject to the following review process: Buildings over sixty five feet (65') in height are subject to design review according to the requirements of chapter 21A.59 of this title.

According to a September 30, 2020, article in Building Salt Lake:

“In a decision to significantly impact south Downtown and the State Street corridor, the Salt Lake City Planning Commission will decide on the first phase of the “Sears Block” development, a mixed-use market-rate residential project named “The Jetty.”

“The developers, the Colmena Group and Kimball Investments, have proposed a building that measures a height of 131 feet 10 inches to the top of the elevator core, the pinnacle of the structure (p.99, Planning Staff Memo). The D-2 height maximum is 120 ft. ...

“In materials submitted to the city, the developers argue that the building’s design successfully neutralizes the negative effects on the pedestrian environment of their building’s proposed length and height.”

SUGAR HOUSE BUSINESS DISTRICT ZONES 21A.26.060

Maximum Height: Maximum height limits vary, depending upon location and land use. The following regulations shall apply for each area within the CSHBD Zone:

1. CSHBD1:

- a. The maximum building height in the CSHBD1 Zone shall not exceed thirty feet (30') for those buildings used exclusively for nonresidential purposes.
- b. Additional building square footage may be obtained up to a maximum building height of one hundred five feet (105'); however, for each additional floor of nonresidential use above thirty feet (30'), one floor of residential use is required.
- c. The residential component may be transferred off site to another property within the CSHBD Zoning District in accordance with the provisions of subsection I of this section. If the required residential component is transferred off site, the maximum nonresidential building height allowed shall be seventy five feet (75'). Any building with a height in excess of seventy five feet (75') shall be subject to the requirements of subsection G1d of this section.
- d. Maximum building height may be obtained to one hundred five feet (105') for any building subject to at least ninety percent (90%) of all parking for said building being provided as structured parking, and in the case of a nonresidential building, the developer shall provide off site residential development that is equal to or greater than the square footage of the nonresidential building that exceeds thirty feet (30') in height.

CSHBD2:

- a. The maximum building height in the CSHBD2 Zone shall not exceed thirty feet (30') for those buildings used exclusively for nonresidential purposes.
- b. Additional square footage may be obtained up to a maximum building height of sixty feet (60'); however, for each additional floor of nonresidential use above thirty feet (30'), one floor of residential use is required.
- c. The residential component may be transferred off site to another property within the CSHBD Zoning District in accordance with the provisions of subsection I of this section. If the residential component is transferred "off site", the maximum nonresidential building height allowed shall be forty five feet (45').
 - c. Buildings used exclusively for residential purposes may be built to a maximum height of sixty feet (60').

FB-SC Special Purpose Corridor Core Sub-district (21A.27.040)

The FB-SC Special Purpose Corridor Core Sub-district is a corridor near the S-Line street car. It contains the most intensive level of development in the vicinity of special purpose corridors. Buildings are generally six (6) to seven (7) stories in height and are supported by multiple street types so that pedestrians, bicyclists and drivers have access to the properties within the area. Development standards are based on building type.

The maximum building height in the FB-SC is 60 feet. An additional 15 feet in height (for a total height of 75 feet) may be permitted for residential uses if a minimum of 10 percent of the units are affordable housing.

DEVELOPMENT INCENTIVES

During discussions among Council Members, the idea of awarding increased building height in exchange for one or more public benefits has been part of the conversations. Development incentives include practices such as density bonuses, expedited permitting, and fee waivers or reductions:⁸

Perhaps most pertinent are density bonuses, “a zoning tool that that permits developers to build more housing units, taller buildings, or more floor space than normally allowed, in exchange for provision of a defined public benefit, such as a specified number or percentage of affordable units included in the development.”⁹

Many cities throughout the United States have development incentives. Some of the Salt Lake City Zoning Ordinance listed above contain density bonuses

Information below this sentence has appeared in previous City Council staff reports.

This section is a follow-up to the City Council’s September 15 and September 1 public hearings on the proposed text amendment to increase building height limits within a limited area zoned as Gateway Mixed-Use.

The proposed ordinance is based on a petition by STACK Realty of Lehi to increase building height limits in a part of the zoned area. It should be noted that the Salt Lake City Planning Commission unanimously adopted a motion to forward a negative recommendation to the City Council at its October 23, 2019, meeting. It might be noted that the Planning Commission adopted the motion after a public hearing on the proposal. No one from the public spoke either for or against the proposal at the Planning Commission hearing.¹⁰

The City Council’s public hearing September 15, 2020, drew two speakers to the proposed amendments. One speaker spoke in favor of the amendments. The other speaker said the proposed amendments should include using affordable housing as an incentive for allowing more building height. Both speakers also submitted email comments voicing their positions.

The September 1 public hearing drew one speaker to the issue and one email. The speaker and the email supported the proposed ordinance.

Council staff has prepared a motion sheet for the Council’s formal consideration October 6 of the proposed amendments. The motions are based on the City Council’s options to approve, deny or amend the proposed ordinances based on land-use petitions:

- 2.) Adopt the proposed ordinance and adopt essentially two legislative intents:
 - a. to conduct a study of building heights throughout downtown Salt Lake City
 - b. to have the Administration establish a timeline and budget for the study so the Council can consider appropriating funds for the study during Fiscal Year 2021-2022.
- 3.) Adopt the proposed ordinance with amendments proposed by Council Members (Staff has not received any proposed amendments as of this writing) and adopt the legislative intents described in the first option.
- 4.) Do not adopt the proposed ordinance; deny the original land-use petition by STACK Realty; and adopt the legislative intents described in the first option.

RECAP

STACK Realty has proposed to increase building heights within a geographic area roughly bordered by 250 South, 500 West Street, 350 South, and 600 West Street. The company has leased for 99 years three and one-fourth acres of property on the northwest corner of the block bordered by 300 South, 500 West, 400 South, and 600 West streets.

After an April 21, 2020, work session discussion there was consensus among the Council, the Planning Division, and the petitioner that any new construction in that area would be subject to the City’s design review and design review standards set out in *Salt Lake City Municipal Code 21A.59.050*.

The proposed ordinance in the City Council meeting packets for September 15 is based on those two points.

Part of an August 11 City Council work session discussion involved questions of making sure that new structures in the proposed area contribute to the activity of the streets and sidewalks within the proposed area. One reason for that is 300 South Street between the Utah Transit Authority Central Station area on the west and the Rio Grande railway station on the east long has been viewed as a “festival street” for public events.

In email exchanges with Council staff, the Planning Division noted the following:

“The newer Design Review process focusses heavily on ground floor design, even when the request is for additional building height. The rationale for this is that large building masses can have a negative impact on the public realm, especially from building shadows, downdrafts, and human scale (that is there is a feeling of overwhelm from the large building mass). We also rely on the design standards of the base zoning district, in this case the G-MU, to establish requirements for ground floor design and visual interest. The G-MU requires more than most zoning districts: ground floor transparency (40% clear glass), *active ground floor uses* (italics Council staff), architectural character and materials, and public art among other uses.”¹¹

It also should be noted that if the City Council adopts the proposed text amendment, new construction within the proposed area would require the Planning Commission to review the design of projects for compliance with design standards, and all new construction in the Gateway Mixed-Use zone also is required to go through the planned development process.¹²

Report for August 11, 2020, Work Session

This is a follow-up to an April 21, 2020, City Council briefing and discussion about a proposed private-sector petition to increase height limits within a limited area zoned as Gateway Mixed-Use. The briefing was the Council’s second pertaining to this issue. The first briefing occurred on January 14, 2020.

Staff has prepared two draft motions for Council consideration. Staff also has included a “set date” for a public hearing on the Council’s consent agenda. If the Council determines at the briefing to move ahead with the motions, it would set dates of September 1 and September 15 when it adopts the consent agenda. It has been the Council’s practice since moving to digital meetings to hold a public hearing over two meetings to make sure people have enough time to comment.

The second of the two motions omits the following language originally discussed at the April 21 meeting: “*A determination of whether a separate land use for technology or digital campuses should be included in the City Code regulating land use.*” After reviewing the draft motion, Planning Division Director Nick Norris indicated that the Division already is working on the issue with the Economic Development Department, and it doesn’t need to be part of the height study.¹³

The proposed motion also includes the following language: *It is the City Council’s intent that a timeline and a budget for the study be established within six months of the adoption of this motion so the Council can consider appropriating funds for the study during Fiscal Year 2021-2022.*

It should be noted that the City Council office on July 15 received an informational transmittal titled *Strategy for Reallocating Planning Staff Resources* from the Administration. The proposed strategy includes the following language:

Address Downtown Building Heights Issues: Relatively low building heights are hampering growth; Building heights do not relate to building code requirements or construction types; Building heights do not support TOD around central station; design review process lacks standards to address key environmental impacts.

Solutions: Update building heights to match city goals for downtown development; align heights with construction types in the building code; increase allowed building heights where appropriate; add standards to address environmental impacts.

Staff resource: Team of 2-3 people working approximately 8 hours per week on the project. Tasks: Match building heights to construction types in building code, draft design review standards for environmental impact, authorize staff review of building height in the design review; identify appropriate building heights in the downtown zones; add buffering requirements when necessary.

Time: 1-2 months for research and study, two-three months to draft proposal (with the technical advisory committee), 1-2 months for engagement, 1-2 months for Planning Commission process.

Two questions for City Council consideration:

- Does the language in the *Strategy for Reallocating Planning Staff Resources* meet the timeline and budget intent language above it in the staff report?
- When would the Division start the process to address downtown building heights?

RECAP

Stack Real Estate of Lehi, Utah, has leased for 99 years three and one-fourth acres of property on the northwest corner of the block bordered by 300 South, 500 West, 400 South, and 600 West streets.

The company's petition essentially proposes three things that would apply in an area roughly bordered by 250 South, 500 West Street, 350 South, and 600 West Street.

- A minimum 100-foot height on corner buildings within the area.
- A maximum 190-foot height on corner buildings within the area.
- A maximum 100-foot height limit in mid-block areas, although taller buildings could be authorized through a design review process.¹⁴

The G-MU zone already has a minimum building height of 45 feet. One exception is the 200 South Street corridor where the minimum building height is 25 feet. The zone sets the maximum building height at 75 feet except for buildings with "non-flat" roofs. The allowed height limit for those buildings is 90 feet. In addition, a building may be allowed to reach 120 feet "through the (City's) design review process."¹⁵

At the end of the April 21 discussion, the Council determined to hold open Stack Realty's petition while City Council staff, and Planning Division staff and the Attorney's Office prepared an ordinance for the Council's formal consideration.

Motions prepared by Council staff and reviewed by the Planning Division and the Attorney's Office are attached to this follow-up report.

The first motion consists of two things:

- Adoption of language originally written by the petitioner in a proposed ordinance to increase building heights (described above) within the geographic area proposed by the petitioner.
- A requirement that new construction of buildings within the geographic area be subject to design review and design review standards set out in *Salt Lake City Municipal Code* 21A.59.050.

The second motion declares the City Council's intent to:

- 1.) Request Mayor Erin Mendenhall's Administration to initiate a study of building heights in the greater downtown, starting with the Station Center and North Temple Street areas, followed by areas identified for transit-oriented development, and then by areas that make up the greater downtown generally defined by the existing D-1, D-2, D-3, D-4 and G-MU zoning districts.

2.) Include in the study or in a separate study if necessary:

- A review of existing incentives for allowing building heights to exceed height limits and the potential to enact new incentives.
- A review of view corridors in existing master plans, and the effect taller buildings may have on them.
- The compatibility of higher buildings with any affordable housing overlay zone the Council may consider in the future.
- The effects of sunlight glare, and snow and ice hazards created by taller buildings and the potential inclusion of minimizing those effects as part of the design review process.

3.) Set a six-month deadline for the Council to receive a timeline and budget from the date the City Council adopts the motion, so the Council can consider appropriating funds for the downtown height study during Fiscal Year 2021-2022.

The motions are based on Council staff notes of the City Council's discussion April 21, a Council staff review of a video recording of the April 21 meeting, and Planning Division responses to a Council staff summary of a May 4, 2020, meeting that involved Council staff, the Planning Division, and the Attorney's Office. (Please see Attachment)

To review:

- The Planning Commission at its October 23, 2019, meeting adopted a motion to forward a negative recommendation to the City Council about the proposed text amendment.
- The City Council can approve, reject, or amend proposed text amendments.
- Amending the proposed text amendment submitted by the petitioner would not require the Planning Commission to review the City Council's amendment because any amendment by the Council would affect only land uses within the original petition to change the text.
- There was some uncertainty expressed at the April 21, 2020, briefing session about adopting a proposed text amendment for a specific area where existing zoning regulations affecting a larger area already are in place. However,
 - The City Council on April 21 appeared to concur that the area east of the Utah Transit Authority's Central Station has remained undeveloped since the City Council first adopted the *Gateway District Land Use and Development Master Plan* on August 11, 1998.¹
 - Concerns voiced by two City Council Members on whether the proposed text amendment was the right tool to address new development in the area were, perhaps, balanced by Planning Division administrators saying that – with design review included in the proposed amendment – the amendment would be a first step toward a larger study of building heights in the greater downtown.
 - The petitioners concurred with the Planning Division's observation in an April 27 letter to the City Council Chair and Council Members. The letter said in part, "To actively market the site and bring another large tenant into the heart of the project, STACK would prefer to proceed with our current petition, subject to the design review process. We agree with your staff and council that a broader study of height and density within

¹ Language from Page 12 of the 1998 plan might be worth noting: "The potential development of an intermodal station along 600 West and 200 South would provide an opportunity for transit oriented development (TOD) in which community needs and services are combined with those of commuters to benefit the neighborhood as well as the transit system. 300 South Street between the intermodal station and the Rio Grande Depot should develop as a pedestrian oriented plaza and street and make a visual and physical connection with the Depot."

the quarter mile ring around the Intermodal Hub specifically will only confirm a SMART community strategy.”¹⁶ (Please see attachment.)

Council Members also voiced interest in addressing denser, higher development in the Station Center area, the North Temple area, and Mayor Mendenhall’s proposal for a linear technological or digital campus south of the Station Center area. They also discussed the appropriate place for incentives to encourage more green space in the downtown, the potential for an affordable housing overlay zone, and the preservation of view corridors in the City.

- Council Members and Planning Division staff also discussed the need for taller buildings throughout the greater downtown as the City’s population growth presses against the City’s boundaries.
- Planning Division administrators also voiced concerns about receiving enough clarity from the Council to help the Division understand how much staff and time should be devoted to the height study and whether an outside consultant should perform the study. They estimated that a study would take nine to twelve months after funds for the study were made available.

Other Pertinent Points

City Code 21A.59.020.B.1 says, in part: “Planning Commission Review: The following types of applications shall be reviewed by the Planning Commission ...: 1. When required in the specific zoning district.” If The City Council adopts the proposed text amendment, new construction within the proposed area would require the Planning Commission to review the projects’ design for compliance with design standards.

All new construction in the Gateway Mixed-Use zone also is required to go through the planned development process. According to the Planning Division, “While it is not a great practice to require two different processes, we do run design review and planned development processes concurrently. The Division hopes to eliminate the requirement for planned development review in the future and include triggers for design review, similar to what exists in the sugar house business district.”¹⁷

Report for April 21, 2020, Work Session

This is a follow-up to a January 14, 2020, City Council briefing and discussion pertaining to a proposed zoning text amendment to increase height limits within a limited area zoned as Gateway Mixed-Use. At the City Council’s direction staffs from the Council office, Planning Division and Redevelopment Agency met February 6, 2020, to discuss where to proceed with the proposal. The item was scheduled for a second briefing at the Council’s March 17 work session. However, because of issues related to the Covid-19 emergency the discussion was one of the issues pulled from the agenda that day.

Policy Analyst Ben Luedtke contributed to this report.

Staff has attached three slides from a PowerPoint presentation to the Utah Transit Authority Board of Trustees meeting on March 25, 2020, and two PowerPoint presentations from the January 14 Council briefing. One presentation is from the Planning Division. The other is from the petitioner.

To recap, Stack Real Estate of Lehi, Utah, has leased for 99 years three and one-fourth acres of property in an area roughly bordered by 250 South, 500 West Street, 350 South, and 600 West Street. The company proposed a text amendment that would increase height restrictions from 120 feet to 190 feet for buildings on the corners of blocks in the area. It also would set minimum heights of 100 feet for buildings in the middle of the block within the area. The area is contained within a larger area bordered by 200 South, 500 West, 400 South, and 600 West streets. The larger area contains a significant amount of property managed by the Salt Lake City Redevelopment Agency.

The Planning Division staff recommended that the Planning Commission forward a negative recommendation to the City Council pertaining to the proposed amendment, and the Planning Commission unanimously adopted a motion to forward a negative recommendation at its October 23, 2019, meeting.

Because the City Council by law must act on land-use petitions, the Council held a briefing on January 14. After the briefing, the Council said it would like to have a follow-up briefing by the Planning Division on how the proposed project would intersect with transit nodes such as the Station Center intermodal hub. The briefing would include:

- The effect of taller buildings in the proposed area on the rest of the downtown.
- How can taller buildings around transit areas relate to the downtown core (D-1) heights?
- Is there room for buildings on corners in the G-MU zones to be allowed to be higher?
- What is the typical process for addressing requests for building heights taller than an ordinance allows?
- What should applicants requesting taller building heights be willing to do to get the higher limits?

Reduced to its most basic form, the City Council appears to have two policy options:

1. Keep things as they are or change them.
2. Focus only on the original proposed text amendment or refocus on an area larger than the one in the proposed text amendment.

NEW INFORMATION

Since the February 6, 2020, meeting involving the various staffs, several items germane to the discussion have occurred:

- Redevelopment Agency staff notified Council staff that the agency “has ended all former partnerships with entities for development of certain Station Center sites. We have no existing commitments to anyone in the development area. We are moving forward with the intent to market all of the properties to a master developer or team of developers through a RFQ/RFP process.”¹⁸
- Council staff learned at a February 21, 2020, meeting on a different topic that the Utah Department of Heritage and Arts would remain in the Rio Grande Railroad depot for another two to three years depending on state funds appropriated to build a new building on another site. The Department also probably would retain a presence in the older building even after a new structure is built.
- The Rio Grande depot was damaged in the March 18, 2020, earthquake, but repairs already are under way to stabilize the building. Once the building is stabilized, engineers can determine the full extent of damage, according to Jill Love, director of the Utah Department of Heritage and Arts. No timetable for when the building will reopen is available.
- The Utah Transit Authority Board of Trustees heard a preliminary proposal at its March 25, 2020, meeting to move the agency’s headquarters to the Central Station on 600 West Street. The plan was presented as part of the Board’s review of the March 18 earthquake’s effect on its headquarters building at 669 200 South. The preliminary proposal is based on “a currently proposed zoning change,” Paul Drake, UTA senior manager for Real Estate and Transit Oriented Development, told the Board. Mr. Drake said the proposal also is based on the *Salt Lake Central Station Area Plan* that the City Redevelopment Agency Board of Directors adopted in November

2018, and the UTA Board adopted in March 2019. (Please see attached graphics from a UTA PowerPoint presentation.)

It also should be noted that several high-level visions and potential developments touch on the area in question including:

- 400 South TRAX extension
- 400 West streetcar/TRAX extension
- UTA transit oriented development site (attached map)
- RDA Station Center development
- Future uses of the Rio Grande Depot starting with a potential State-funded study of the Depot's mechanical and electrical systems and structure.
- Continued interest by The Downtown Alliance for a permanent public market in or near the Rio Grande Depot.
- Green loops encircling downtown from 900 South to 200 East to South/North Temple to 500 West
- Increasing the number of mid-block walkways in the Depot District (over two dozen identified in City plans)
- Urban Research Park-like area concentrated in the Depot District and south of 500 South Street.

PLANNING DIVISION OBSERVATIONS

The Planning Division informational transmittal reviews issues raised in the February 6 meeting, raises concerns about the potential effects of increasing building heights in the Station Center area, and provides potential steps forward to address the text amendment petition.

The transmittal contains three potential ways to address the proposed text amendment:

- Include design review in the amendment. The item appears to be a key concern about the petition. The current ordinance allows building heights to rise to 120 feet, but requires buildings rising above 75 feet to undergo City design review. The proposed text amendment does not include language requiring design review. According to the Planning Division transmittal, "The design review process contains specific standards related to height that could address some of the issues in this report," and requiring buildings over a certain height to undergo design review "would enable the Planning Commission to evaluate the impacts of height."
- Allow non-residential buildings to be taller. The transmittal notes that state law appears to tolerate designating different heights for different kinds of buildings. However, one potential downside to that is allowing increased height might lead to the demolition of older buildings in areas zoned G-MU because of a building site's increased potential for development, according to the transmittal.
- Create a "height map," a kind of overlay zone that allows increased building heights within a specific zoning district. According to the City Attorney's Office, an overlay zone would have to be created, designated as an overlay district, and added to City Code Chapter 21A.34, titled *Overlay Districts*. Adopting an overlay district essentially would require returning to the Planning Commission, including the full early notification process, according to the Attorney's Office.

It also should be noted that if the City Council determined to expand the area beyond the original petition's proposed borders, doing so would require returning to the Planning Commission, including the full early notification process, according to the Attorney's Office.

According to the transmittal, parcels zoned for tall buildings in the Central Business District "is nearing capacity due to the pace of recent development" and other factors. The transmittal says the Planning

Division supports a larger downtown – D1 – area, and increased building heights in the downtown area. The policies are based on existing master plans, including *Plan Salt Lake* (the citywide master plan) and the *Downtown Master Plan*.

However, the transmittal identifies two potential downsides to enacting increased building heights. First, the Planning Division is working on an affordable housing overlay zone. The zone includes “some incentive, typically additional development potential” in exchange for increased heights. Second, the potential use of transfers of development rights – using height in exchange for preserving historical buildings – might help preserve Salt Lake City’s historical fabric. In both cases, allowing increased building heights through ordinance text amendments might diminish the effectiveness of both incentives.

POLICY QUESTIONS

- Should the City Council adopt the amendment as proposed or revise it to encompass a larger area bordered by 200 South, 500 West, 400 South, and 600 West streets? *Again, it should be noted that any expansion of area beyond the area in the original petition would require another Planning Commission review.*
- The Council may wish to consider the timing of the text amendment and potential revisions to the proposed amendment and the Redevelopment Agency’s plans to market properties it manages in the Station Center area.
- The Council may wish to discuss whether a broader or narrower scope for potential next steps is preferred such as looking at heights in all downtown zones, only G-MU zones or only the two-block Station Center area. An exact scope could guide the Administration’s work on a potential overlay zone or height study.
- The Council may wish to discuss with the Administration how much parking should be allowed in transit areas.
- The Council may wish to request information on remaining developable sites in the downtown, especially the D1 zone which allows the tallest buildings in the city.

Report for January 14, 2020 Work Session

ISSUE AT-A-GLANCE

Goal of the briefing: To discuss a proposal to increase height restrictions within a limited area of an area zoned for gateway mixed uses.

- A company sought a zoning text amendment to increase height restrictions in an area zoned as Gateway Mixed-Use east of the Central Point intermodal hub. The proposed area for the new height restrictions is roughly bordered by 250 South, 500 West Street, 350 South, and 600 West Street.
- The proposed text amendment would have increased height restrictions in that area from 120 feet – with City design review – to 190 feet for buildings on corners. It also would have set minimum heights of 100 feet for buildings in the middle of the block within the area.
- The area is contained in a larger area bordered by 200 South, 500 West, 400 South, and 600 West streets. The Salt Lake City Redevelopment Agency manages a significant amount of property within the larger area, and the RDA Board has approved about \$19.3 million in funding for projects there. (Please see attachments Nos. 2 and 3.)

- The Planning Commission at its October 23, 2019, meeting adopted a motion to forward a negative recommendation to the City Council about the proposed text amendment. It cited concerns that the proposed amendment does not meet the intention of the GM-U zoning that was adopted in 2017 or the Downtown Master Plan. (Please see Page 4 for more discussion about the Planning Division staff report.)
- In a discussion between the petitioner and City Council staff and in a letter, the petitioner indicated that the original petition could be a first step toward making the area around the Central Station intermodal hub a truly transit oriented development, but an area roughly within a quarter-mile of the Central Station should be considered for denser transit oriented development. (Please See Attachment No. 4.)
- The petitioner’s suggestion of expanding the area around the Central Station appears to comport with the *Salt Lake Central Station Area Plan* that the City Council, acting as the RDA Board of Directors, adopted in November 2018, and that the UTA Board of Trustees adopted in March 2019.
- The City Council adopted the current gateway mixed use zoning on November 21, 2017. Part of the reason for adopting the zoning was to meet goals for the area contained in *The Downtown Plan* that the City Council adopted May 24, 2016.
- Redevelopment Agency staff supports increasing maximum building height limits within the larger area bordered by 200 South, 500 West, 400 South, and 600 West streets, but does not support increasing minimum building heights.¹⁹

The City Council appears to have three options:

1. Schedule a public hearing about the proposed petition and then formally consider whether to deny or approve the petition.
2. If the Council ultimately denies the petition, work with the petitioner and other interested parties to review whether denser and taller zoning designations other than Gateway Mixed-Use zoning should be employed.
3. Consider sending the petition application back to the Planning Commission to review increasing the area to include 200 South, 500 West, 400 South, and 600 West streets as part of a Gateway Mixed-Use “transit oriented development” overlay zone. The Commission then would make a formal recommendation to the City Council.

POLICY QUESTIONS

1. Does the current petition warrant further City Council consideration?
2. The stated purpose of Gateway Mixed-Use zoning is: “To implement the objectives of the adopted gateway development master plan and encourage the mixture of residential, commercial and assembly uses within an urban neighborhood atmosphere. ... Development in this district is intended to create an urban neighborhood that provides employment and economic development opportunities that are oriented toward the pedestrian with a strong emphasis on a safe and attractive streetscape. The standards are intended to achieve established objectives for urban and historic design, pedestrian amenities and land use regulation.” Would increasing maximum height restrictions alter the purpose of Gateway Mixed-Use zoning in the area under consideration?
3. The *Downtown Master Plan* identifies the Depot District Area, of which the blocks under consideration are a part, as mid-rise transit oriented development.²⁰ Would increasing maximum height limits meet the standard of mid-rise development?

4. How would changing current height limits affect projects within the borders of 200 South, 500 West, 400 South, and 600 West streets?
5. Would allowing increased height limits in the Station Center area detract from long-held City policy to maintain the Central Business District as the visually dominant center of the city?

ADDITIONAL & BACKGROUND INFORMATION

Stack Real Estate of Lehi, Utah, has leased for 99 years three and one-fourth acres of property on the northwest corner of the block bordered by 300 South, 500 West, 400 South, and 600 West streets. The company has developed or is developing large-scale office buildings in Lehi, Thanksgiving Point, Traverse Mountain, Sandy, and South Jordan.

The property on the City block is as a Gateway Mixed-Use area. The company on July 10, 2019, submitted a proposed text amendment to increase the G-MU zoning height restrictions in an area roughly bordered by 250 South, 500 West Street, 350 South, and 600 West Street. The plan was submitted through Architectural Nexus, the company's architect.

The property also is located in a Redevelopment Agency project area, but the agency has not received any applications for assistance from Stack Real Estate and has no current plans to participate in the development of the company's project.²¹

On October 23, 2019, the Salt Lake City Planning Commission unanimously adopted a motion to forward a negative recommendation to the City Council pertaining to the petition. The Planning Division had recommended that the Planning Commission forward a negative recommendation. The Commission voted after a public hearing at which no-one spoke. The Commission also received no written public comment on the issue.

The City Council by law must act on all land-use petitions. In this case, the Council has two options:

Stack Real Estate's petition essentially proposes three things in the area roughly bordered by 250 South, 500 West Street, 350 South, and 600 West Street.

- A minimum 100-foot height on corner buildings within the area.
- A maximum 190-foot height on corner buildings within the area.
- A maximum 100-foot height limit in mid-block areas, although taller buildings could be authorized through a design review process.²²

The G-MU zone already has a minimum building height of 45 feet. One exception is 200 South Street corridor where the minimum building height is 25 feet. The zone sets the maximum building height at 75 feet except for buildings with "non-flat" roofs. The allowed height limit for those buildings is 90 feet. In addition, a building may be allowed to reach 120 feet "through the (City's) design review process."²³

At the Planning Commission public hearing, Planning Division staff listed four critiques of the proposed amendment:

- The proposed amendment does not meet the intention of the GM-U zoning that was adopted in 2017 or the *Downtown Master Plan*.
- The proposed text amendment contains no design review for buildings in the "Station Center Core" area proposed by the petitioners.
- The proposal appears to be for an office building with no residential use or uses that might activate the streets around the building.
- The proposed amendment is based only on a conceptual plan and not a more defined plan that would help the Planning staff visualize how the company intends to develop the property.

It should be noted that Stack Real Estate and Architectural Nexus have responded to each of the critiques in the letter attached to the Council staff report. (Attachment No. 4.)

The Planning Division staff and Planning Commission also have acknowledged that the proposed text amendment meets some goals in City plans. According to the Administration transmittal:

This proposed zoning text amendment could provide some positive benefits to the subject area as illustrated by certain elements of *Plan Salt Lake* that could be viewed to support the increase in height. The plan broadly supports objectives such as growth, economic development, proximity to transit options, on a city-wide basis which could be well served by taller buildings. Additionally, there is an ever increasing demand for housing across Salt Lake City which could potentially be addressed by taller residential buildings.²⁴

Speaking to the Planning Commission, City Planner Mr. Lee said the main concerns the Planning Division had involved:

- What would be the standards of review for the project if the City adopted the proposed text amendment?
- It appeared that Stack Real Estate had a concept in mind but no concrete plan.²⁵

Planning Commissioner Weston Clark said the City's decision to locate an intermodal hub along 600 West Street was a decision to increase density in the area. Other commissioners noted that the Gateway Mixed-Use ordinance increased density but also guided the character of an area that would complement but not compete with the Central Business District. In addition, the commissioners said they sympathized with the proposal to increase the height of structures immediately east of the Salt Lake Central intermodal hub, but the October 23 public hearing was not the forum where the ultimate decision should be made.²⁶

In brief discussions and emails with City Council staff, the Planning Division and Redevelopment Agency made the following points:

- There is some merit in the idea of higher buildings in the area east of the Central Station intermodal hub, but two questions remain: Is the area in the proposed text amendment the right place for higher structures, and might the entire area bordered by 200 South, 500 West, 400 South, and 600 West streets be designated for higher structures?
- A minimum height requirement beyond what already exists in the G-MU zoning would adversely affect projects on property under RDA management.

According to an email from the Redevelopment Agency:

"RDA Staff would encourage the Council to consider maintaining the existing minimum building height requirements in the G-MU zone and increasing the maximum permitted building height. A human-scaled pedestrian environment could be maintained by requiring/encouraging building setbacks once a certain height is reached. ... The RDA would encourage the Council to reconsider the proposed boundary for the increased height. It is not apparent how the boundary was chosen, and the RDA owns vacant properties to the immediate north and south that could benefit from an increased height allowance. It may make sense for the Council to explore the feasibility of permitting additional building height (therefore, density) in more parts of the G-MU zone, especially areas closer to I-15 and the Intermodal Hub."²⁷

Zoning and Plans

The City Council adopted Ordinance No. 64 of 2017 on November 21, 2017, that changed zoning in the area bordered by 300 South, 500 West, 400 South, and 600 West streets from general commercial and

downtown/warehouse residential district to gateway mixed-use. The goal of the zone change was to “facilitate the development of Station Center, a Redevelopment Agency (RDA) project area located in the same general area.”²⁸

The purpose of zoning an area for gateway mixed-use is:

To implement the objectives of the adopted gateway development master plan and encourage the mixture of residential, commercial and assembly uses within an urban neighborhood atmosphere. The 200 South corridor is intended to encourage commercial development on an urban scale and the 500 West corridor is intended to be a primary residential corridor from North Temple to 400 South. Development in this district is intended to create an urban neighborhood that provides employment and economic development opportunities that are oriented toward the pedestrian with a strong emphasis on a safe and attractive streetscape. The standards are intended to achieve established objectives for urban and historic design, pedestrian amenities and land use regulation.²⁹

It might be noted that the G-MU ordinance contains the following section: “All new construction of principal buildings, uses, or additions that increase the floor area and/or parking requirement by twenty five percent (25%) in the G-MU Gateway-Mixed Use District may be approved only as a planned development in conformance with the provisions of chapter 21A.55 of this title.”

The purpose statement of chapter 21A.55 (Planned Developments) says in part:

A planned development is intended to encourage the efficient use of land and resources, promoting greater efficiency in public and utility services and encouraging innovation in the planning and building of all types of development. Further, a planned development implements the purpose statement of the zoning district in which the project is located, utilizing an alternative approach to the design of the property and related physical facilities. A planned development incorporates special development characteristics that help to achieve City goals identified in adopted Master Plans and that provide an overall benefit to the community as determined by the planned development objectives.

A planned development will result in a more enhanced product than would be achievable through strict application of land use regulations, while enabling the development to be compatible with adjacent and nearby land developments.

In other words, the City can exercise at least some kind of design control over projects in areas zoned as gateway mixed-use.

Some concerns about increasing building heights beyond the maximum 120 feet in the Station Center area involve the stated goals in various master plans and other plans about preserving the preeminence of the Central Business District. Making the Central Business District visually, commercially, and culturally the most predominant area of downtown at least since the 1962 *Second Century Plan*.

The 1988 *Salt Lake Regional Urban Design Assistance Team* study said boundaries for the Central Business District “need to be defined and reinforced. Sixth South should define the southern boundary. Eastern migration of high-density core commercial uses, like office buildings, should not continue beyond 200 East.”³⁰

The *Salt Lake City Urban Design Element*, a document central to subsequent City master plans, identified Salt Lake City as having “a distinctive urban form created by a concentrated business core surrounded by low-rise auxiliary commercial activities.”³¹ Other concepts in the *Element* included “encourage the future expansion of the Commercial Core into the West Downtown area” and to “emphasize commercial and high density housing in the West Downtown area with a special warehouse conservation district in conjunction between the Commercial Core and Triad.”³²

The more recent *Salt Lake Central Station Area Plan* adopted by the Redevelopment Agency Board of Directors and the Utah Transit Authority Board of Trustees depicts the area around Central Station as a dense development with at least one high-rise structure on UTA property. Please see attached pages.) If fully implemented, the plan might influence how the area east of the station is developed.

¹ Video, City Council meeting, October 6, 2020.

² Letter to City Council Chair Chris Wharton; Andrew Bybee and Nathan Ricks, April 27, 2020.

³ Email, Molly Robinson, August 17, 2020,

⁴ City Code 21A.59.020.B.1 and email, Nick Norris, May 14, 2020.

⁵ Email, John Anderson, October 12, 2020.

⁶ Email, John Anderson, October 12, 2020.

⁷ The Salt Lake Tribune, December 28, 2020.

⁸ Home for All, website, San Mateo County, California.

⁹ Puget Sound Regional Council website.

¹⁰ Video, Planning Commission meeting, October 23, 2019.

¹¹ Email, Molly Robinson, August 17, 2020,

¹² City Code 21A.59.020.B.1 and email, Nick Norris, May 14, 2020.

¹³ Email, Nick Norris, August 3, 2020

¹⁴ Attachment No. 5, Planning Commission Staff Report, Christopher Lee, October 17, 2019, Pages 32-33.

¹⁵ City Code, 21A.31.020: G-MU Gateway Mixed-Use District, Section D.E and D.E.1.

¹⁶ Letter to City Council Chair Chris Wharton, Andrew Bybee, Nathan Ricks, April 27, 2020.

¹⁷ Email, Nick Norris, May 14, 2020.

¹⁸ Email, Ashley Ogden, March 6, 2020.

¹⁹ Email, Cara Lindsley, January 7, 2020.

²⁰ *Downtown Master Plan*, Page 12.

²¹ Email, Cara Lindsley, January 7, 2020.

²² Attachment No. 5, Planning Commission Staff Report, Christopher Lee, October 17, 2019, Pages 32-33.

²³ City Code, 21A.31.020: G-MU Gateway Mixed-Use District, Section D.E and D.E.1.

²⁴ Transmittal, November 21, 2019, Christopher Lee, Page 3.

²⁵ Video, Planning Commission meeting, October 23, 2019, 52:44 to 54:00.

²⁶ Video, Planning Commission meeting, October 23, 2019, 50:00 to 55:00.

²⁷ Email, Cara Lindsley, January 7, 2020.

²⁸ Salt Lake City Council meeting minutes, November 17, 2017, 7:33:59 p.m.

²⁹ 21A.31.020.A.

³⁰ Salt Lake R/UDAT *Our Future by Design*, 1988, Page 14.

³¹ *Salt Lake City Urban Design Element*, Harvey Boyd, 1990, Page 5.

³² *Urban Design Element*, Page 9.

April 27, 2020

Mr. Chris Wharton, Chair
Salt Lake City Council
451 South State Street
Salt Lake City, Utah 84114

Council Chair Wharton and other members of the Council and Staff:

Thank you for the dialogue and feedback you shared with us on Tuesday, April 21. Hearing your perspective on increasing the building heights within the quarter-mile ring around the Intermodal Hub was encouraging. At STACK, our mission is to *build people up by building S.M.A.R.T. communities*. By definition, a SMART community is **S**ustainable, **M**ixed-Use, **A**tttractive, **R**ealistic, and **T**ransit-oriented. Given your forward-thinking mindset, we are confident that we can partner with you to build a SMART community that attracts quality businesses and residents to Station Center.

To actively market the site and bring another large tenant into the heart of the project, STACK would prefer to proceed with our current petition, subject to the design review process. We agree with your staff and council that a broader study of height and density within the quarter-mile ring around the Intermodal Hub specifically will only confirm a SMART community strategy.

Please know of our commitment to the Station Center neighborhood and willingness to work collaboratively with you moving forward.

Sincerely,



Andrew Bybee, Owner
STACK Real Estate



Nathan Ricks, Owner
STACK Real Estate

CC: Cindy Gust-Jenson
Jennifer Bruno
Nick Tarbet
Lehua Weaver
Tracey Fletcher
Russell Weeks

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801.768.0500 office
801.602.5916 mobile

January 8, 2020

Mr. Russell Weeks
City Council Senior Policy Analyst
Salt Lake City

Dear Russell:

We appreciate your efforts in working with our application for additional height for the GMU District Station Center Area. The identity of this as the Gateway District is recognized by the City's Master Plan and the Gateway Specific Plan. As it has become the "Station Center" Hub for the City, even more importance should now be brought to this district. In addressing your queries, we offer the following comments (in bold text):

Is it correct to say STACK Real Estate has a 99-year lease on 3 ¼ acres of property on the northwest corner of the block bordered by 300 South, 500 West, 400 South and 600 West streets?

This is correct.

Looking at the diagrams in the Planning Division report, is it correct to say that the area of the Station Center Core would be bordered roughly by 250 South, 500 West Street, 350 South, and the UTA railroad tracks?

This correctly describes our application; however, with the more scrutiny that we give this area, we have become convinced that the Station Center Core would be better described by drawing a quarter mile radius around the intermodal hub, and actually enlarging the area described by our application.

Nathan Ricks at the Planning Commission public hearing said the existing zone allows 12-story buildings, and that Stack Real Estate wants to build a 12-story building. **(To be more explanatory of what was said at the Public Hearing, a 12-story limit would not necessarily be the limit to what the Amendment should address.)** Why then does the proposed amendment seek a 190-foot height limit versus the 120-foot limit – with design review – that already exists? Are the roughly 14-foot high floors contemplated in the proposed amendment higher than the floors contemplated in the existing ordinance?

Yes – it is basically the difference between commercial floor-to-floor dimensions and residential floor-to-floor dimensions. Normal residential floor-to-floor dimensions are 10' (sometimes in the current market even 11' or more). Normal commercial office floor-to-floor dimensions are 14' to 15', and the Ground Floor is normally 20' allowing for Lobby statements and Ground Floor Commercial Storefront development. And, it is important for this area, that architectural character be established with some form of enhanced roof statement. So, it follows that 190' would allow this to be accomplished. We would also welcome the opportunity to have an open discussion with the City Council as we ask ourselves if this height restriction serves the needs of Salt Lake City now and into the future? Around the world areas that are adjacent to Transit Stations are densifying significantly. We think Utah's linear urban geography lends itself even more strongly to serious dense urban development around TOD locations. We look forward to sharing successful examples of areas around

the Country where Transit Oriented Development is flourishing due to the ability to increase the density and intensity of use in the immediate area of the station.

What uses are contemplated on the first two stories that appear to face 300 South that also appear to mask the parking structure in the height diagram?

The uses would be planned to be ground floor commercial shops and restaurants along with office and residential Lobby spaces with outdoor active spaces including dining, plaza, public art and the like – taking advantage of the festival street liveliness. When we say “planned”, we actually need to reinforce the idea that in order to create the vibrant district that has been contemplated, these types of uses are essential. How many vehicles is the parking structure projected to hold? At least 1 stall per residential unit and 3 stalls per 1,000 sf of usable commercial office space would be provided. All of this with the caveat that a parking analysis should be provided that proves out the parking densities in advance – this is a Transit Oriented District.

Is Stack Real Estate’s intention to build an office building first and residential buildings later on the property?

The development will be market driven. In order to attract serious tenants, we need to have an office building (shovel ready) meaning we have all the necessary zoning and approvals accomplished and can literally pull a building permit. This will allow us as developers to hit the required delivery timelines.

Four critiques the Planning Division staff made of the proposed amendment were:

- The proposed amendment is based only on a conceptual plan and not a more defined plan that would help the Planning staff to visualize how the company intends to develop the property.

We need to work in partnership with the City Council & RDA to create viable TOD plans for development. We need a working partnership with the City to create real plans. We have already been talking to the RDA and SLC Planning about this and are ready to share a conceptual SUPER BLOCK concept plan with the City Council.

- The proposed text amendment contains no design review for buildings in the Station Center Core area.

We believe that the Design Review requirements of the SLC Ordinance (Chapter 21A.59) should be included as part of this text amendment.

- The building appears to be strictly for office use with no residential use or uses that might activate the streets around the building.

The intent is to establish a mix of uses as outlined by the underlying GMU Ordinance - establishing a core of higher density and intensity and identity and height. To promote the success of a 24/7 vibrancy, the Uses need to include: Employment – High Tech Office Residential – Medium to high density rental and/or for sale housing Commerce – Ground floor Retail and Restaurant and Entertainment Venues Open Space – Plaza and Park spaces creating a flexible environment for both active and passive use by the public.

- The proposed amendment does not meet the intention of the GM-U zoning that was adopted in 2017 or the Downtown Master Plan.

We respectfully disagree. We do not believe that the intent of the Land Development Codes, Master Plans, and Specific Plans is to ignore the importance to the City of this District. These documents do intentionally tell us:

“As a visual and welcoming gateway to the City from the regional highway system and the Salt Lake City International Airport; as an orientation point and initial image of downtown for visitors arriving by car or transit as they pass through a new mixed-use urban district.”

We believe that it is important to recognize the need have a different view of what the Gateway District can and should become. We look forward to sharing with the City Council examples of where this has happened as a huge benefit to other cities, such as the Denver area that has been developed to the west of Union Station. This area consists of 20 – 40 story office buildings, Urban high-rise apartments, abundant restaurants, retail, services on ground floors. Billions of dollars of Property Value have been created in this area and the City has benefitted by visionary thinking.

Once again, we appreciate your efforts in working with us and look forward to the City Council Briefing next week.

Sincerely,

Nathan Ricks, Owner
STACK Real Estate

Douglas A. Thimm, AIA, Senior Principal
Architectural Nexus

SALT LAKE CITY ORDINANCE

No. _____ of 2020

(An ordinance amending Subsection 21A.31.020.E of the *Salt Lake City Code* pertaining to building height in the G-MU Gateway-Mixed Use District)

An ordinance amending Subsection 21A.31.020.E of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2019-00639 pertaining to building height in the G-MU Gateway-Mixed Use District.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on October 23, 2019 to consider a petition submitted by Doug Thimm on behalf of STACK Real Estate (“Applicant”) (Petition No. PLNPCM2019-00639) to amend Subsection 21A.31.020.E (Zoning: Gateway Districts: G-MU Gateway-Mixed Use District: Building Height) of the *Salt Lake City Code* to modify regulations pertaining to building height in the G-MU Gateway-Mixed Use District; and

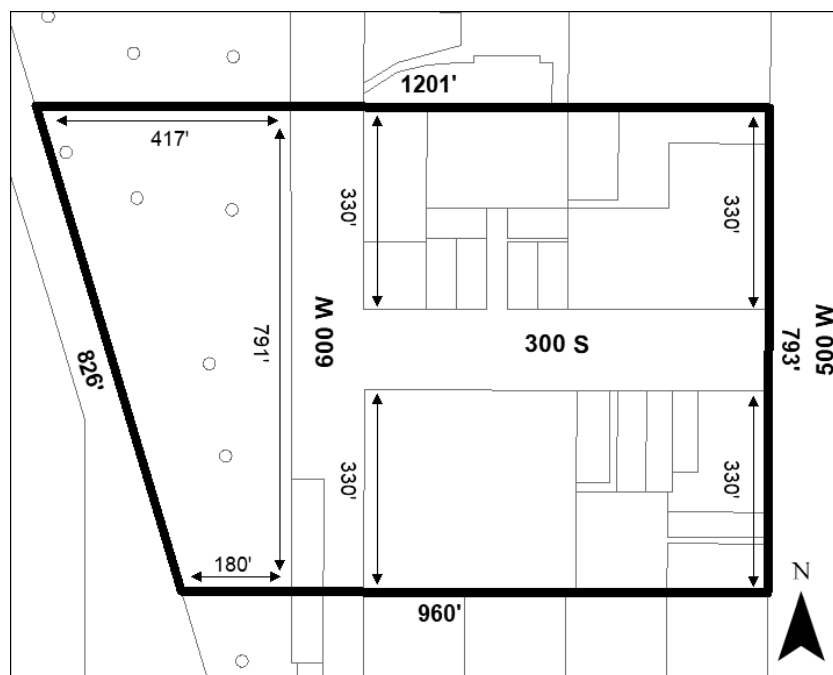
WHEREAS, at its October 23, 2019 meeting, the planning commission voted to forward a negative recommendation to the Salt Lake City Council on said petition; and

WHEREAS, notwithstanding the planning commission’s recommendation, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city’s best interests.

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

SECTION 1. Amending the text of *Salt Lake City Code* Subsection 21A.31.020.E. That Subsection 21A.31.020.E of the *Salt Lake City Code* (Zoning: Gateway Districts: G-MU Gateway-Mixed Use District: Building Height) shall be, and hereby is amended to read as follows:

- E. Building Height: The minimum building height shall be forty five feet (45') and the 200 South Street corridor shall have a minimum height of twenty five feet (25'). The maximum building height shall not exceed seventy five feet (75') except buildings with nonflat roofs (e.g., pitched, shed, mansard, gabled or hipped roofs) may be allowed, up to a maximum of ninety feet (90') (subject to subsection I of this section). The additional building height may incorporate habitable space.
1. Design Review: A modification to the minimum building height or to the maximum building height (up to 120 feet) provisions of this section may be granted through the design review process, subject to conformance with the standards and procedures of Chapter 21A.59 of this title, and subject to compliance to the applicable master plan.
 2. Height Exceptions: Spires, tower, or decorative noninhabitable elements shall have a maximum height of ninety feet (90') and with design review approval may exceed the maximum height, subject to conformance with the standards and procedures of Chapter 21A.59 of this title.
 3. Additional height may be allowed as specified below:
 - a. Additional Permitted Height Location: Additional height is permitted in the area shown on the following illustration:



- b. Height Regulations: No corner building shall be less than one hundred feet (100') nor more than one hundred ninety feet (190') in height. Any building exceeding one hundred twenty feet (120') must be approved through the design review process. The minimum one hundred foot (100') high portion of the building shall be located not farther than five feet (5') from the lot line along front and corner lot lines.
- c. The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic demand management guidelines administered by the city traffic engineer.

Additional standards for certain height modifications:

- (1) The first one hundred feet (100') of height shall not be set back from the street front more than five feet (5') except that setbacks above the first fifty feet (50') may be approved through the design review process.
 - (2) Modifying the height will achieve the preservation of a landmark site or contributing structure in the H Historic Preservation Overlay District.
 - (3) Modifying the height will allow interim service commercial uses to support the downtown community.
- d. Special Controls Over Mid-Block Areas Shown on the Illustration in Subsection E.3.a:
 - (1) Intent: Special controls shall apply to land located at the middle of blocks in the illustration shown in Subsection E.3.a herein. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.
 - (2) Height Regulations: No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized through the design review process, subject to the requirements of Chapter 21A.59 of this title.

SECTION 2. 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 _____,
2020.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

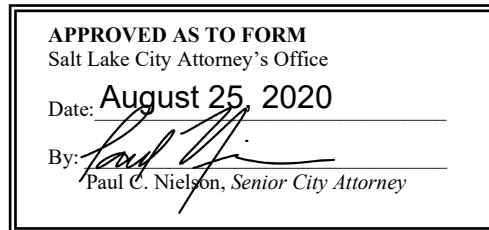
Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

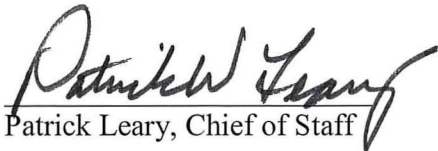
CITY RECORDER
(SEAL)

Bill No. _____ of 2020.
Published: _____.

Ordinance amending GMU height regulations



CITY COUNCIL TRANSMITTAL


Patrick Leary, Chief of Staff

Date Received: 11/25/2019
Date sent to Council: 11/26/2019

TO: Salt Lake City Council
Charlie Luke, Chair

DATE: 11-21-19

FROM: Marcia White, Director Department of Community & Neighborhoods



SUBJECT: Zoning Text Amendment to Increase G-MU Height Limits within a Limited Area

STAFF CONTACT: Christopher Lee, Principal Planner, 801-535-7706, chris.lee@slcgov.com

DOCUMENT TYPE: Ordinance

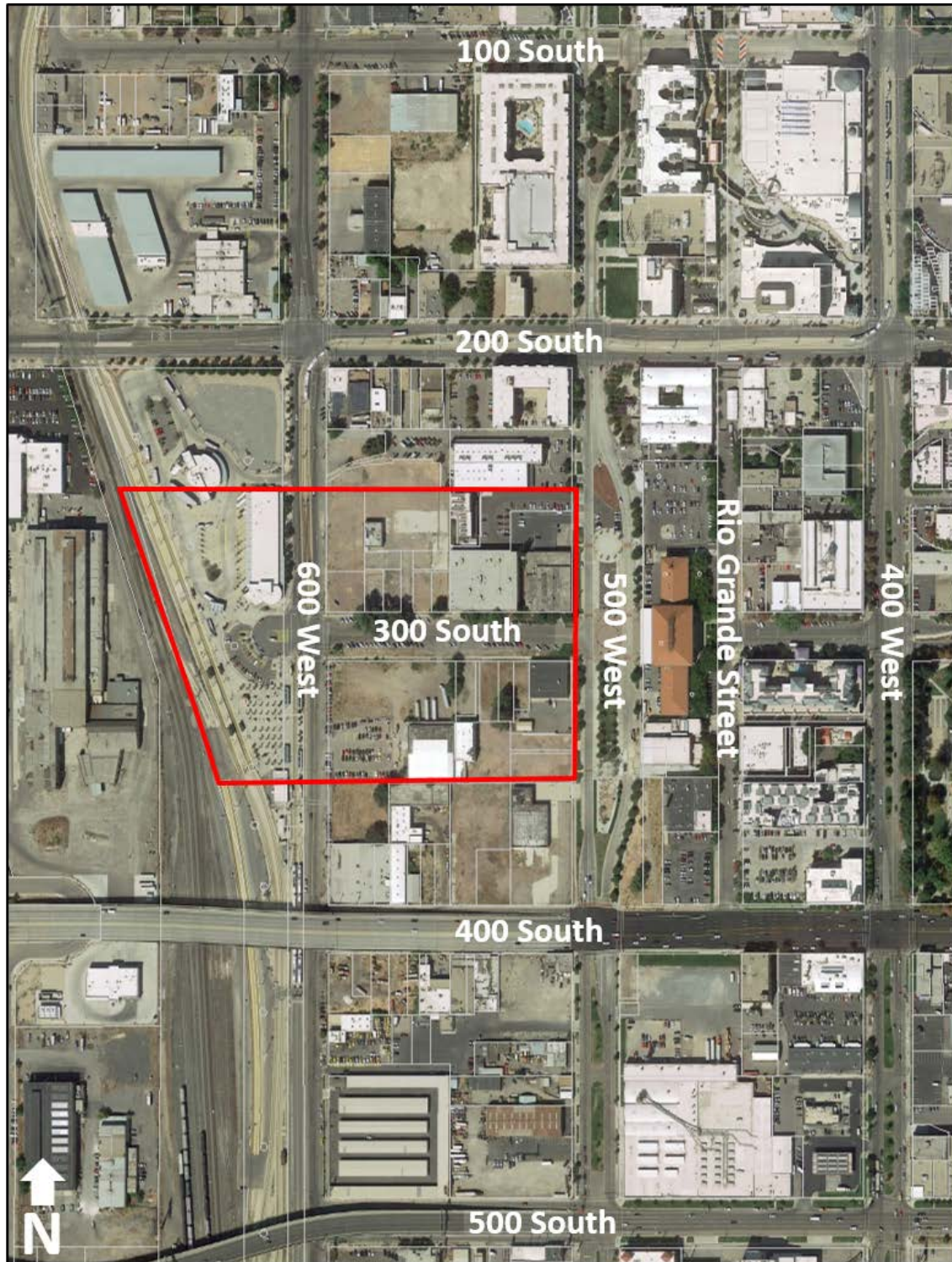
RECOMMENDATION: That the Council follow the recommendation from the Planning Commission and deny zoning text amendment petition PLNPCM2019-00639 to increase the building heights within a portion of the G-MU zoning district from a current maximum of 120' up to 190' across portions of two separate blocks located between 500 West and the railroad tracks (approximately 625 West) and 200 South and 400 South.

BUDGET IMPACT: None

BACKGROUND/DISCUSSION: The location of the subject parcels, which the applicant refers to as "Station Center Core" is illustrated on the following map. The majority of the subject parcels are owned by Salt Lake City and are within a Redevelopment Agency (RDA) project area. The applicant has discussed this project with the RDA and has desires to move forward with a development within the project area. While located within the G-MU zone, the applicant is not seeking to alter height limits across the entirety of the zone, but only within the specific area illustrated on the area map.

The G-MU zone currently allows for building heights of 75' but heights of 90' can be approved if the buildings do not have flat roofs or have more than 10 units, and at least 20% of said units are designated as affordable housing. Even taller buildings can be approved via the Design Review process with maximum heights of 120'. The applicant proposes to allow for up to 190' of height for buildings located on street corners which is defined as those properties that are within 100 feet

of a street corner. Midblock sections, which are further than 100 feet from a street corner, would be allowed a maximum height of 100' feet with the ability to petition for additional height via the Design Review process. The total area of the parcels proposed for this text amendment on the two blocks not owned by UTA is approximately 10 acres.



 **Subject Area**

This proposed zoning text amendment could provide some positive benefits to the subject area as illustrated by certain elements of Plan Salt Lake that could be viewed to support the increase in height. The plan broadly supports objectives such as growth, economic development, proximity to transit options, on a city-wide basis which could be well served by taller buildings. Additionally, there is an ever increasing demand for housing across Salt Lake City which could potentially be addressed by taller residential buildings.

However, the specific development goals in adopted master plan documents do not support the requested height increase. The *Downtown Master Plan* features this area as a catalytic project for the area featuring 300 South as a “festival street” with green space and pocket parks throughout the area between buildings that are only between 6-12 stories tall. To facilitate that vision, the street right-of-way has already been narrowed to 85’ and the G-MU zone was recently adopted to allow for buildings that would create a human scaled environment that encourages pedestrian use.

Additionally, the downtown urban form has been established in the city’s adopted Urban Design Element with the greatest building heights located in the downtown core which then decrease to the south and the west in a roughly pyramidal form. Given other zoning districts located between the subject area and the downtown core with significantly lower maximum heights than those proposed, the petition does not conform to that overarching design concept.

Given these discrepancies between the guiding documents and the proposed zoning text amendment, Planning Staff recommends that the City Council follow the recommendation of denial from the Planning Commission.

PUBLIC PROCESS:

- **Notice of Application to the Downtown Community Council and the Downtown Alliance**

A notice of application was sent to the Downtown Community Council Chairperson, Thomas Merrill, and the Executive Director of the Downtown Alliance, Dee Brewer, on August 27, 2019. The Community Council was given 45 days to respond with any concerns or request staff to meet with them and discuss the proposed text amendment. There was no response or comments from either group.

- **Notice of Application to Building Owners and Residents**

An early notice of application was sent to owners and residents within a 300’ radius of the subject parcels on September 9, 2019 to let them know about the submitted petition.

- **Notice of the Planning Commission Public Hearing**

Notices of the October 23, 2019 public hearing were mailed and posted on October 11, 2019.

- **Planning Commission Public Hearing**

The Planning Commission voted unanimously to deny the zoning text amendment petition. The discussion during the Planning Commission hearing focused primarily on the following:

- The stance of the RDA regarding this proposal;
 - The heights of the tallest buildings in the downtown area;
 - Why the applicant needed more than 120' in building height;
 - Why the applicant felt he met the standards for the text amendment;
 - Why the applicant was seeking a change in only a limited area.
- **Public Input:**
 - No public comments were received prior to the Planning Commission public hearing nor were any comments offered at the hearing itself.

EXHIBITS:

1. Project Chronology
2. Notice of City Council Hearing
3. Planning Commission Public Hearing
 - a) Mailing Notice
 - b) Newspaper Notice
 - c) Staff Report
 - d) Agenda and Minutes
4. Original Petition
5. Additional Materials
6. Mailing List

TABLE OF CONTENTS

1. PROJECT CHRONOLOGY
2. NOTICE OF CITY COUNCIL HEARING
3. PLANNING COMMISSION PUBLIC HEARING
 - A) MAILING NOTICE
 - B) NEWSPAPER NOTICE
 - C) STAFF REPORT
 - D) AGENDA AND MINUTES
4. ORIGINAL PETITION
5. ADDITIONAL MATERIALS
6. MAILING LIST

1. PROJECT CHRONOLOGY

PROJECT CHRONOLOGY

PETITION: PLNPCM2019-00639

July 10, 2019	Petition for zoning text amendment was received by the Planning Division.
July 18, 2019	Petition was assigned to Christopher Lee, Principal Planner, for staff analysis and processing.
July 26, 2019	The Zoning Administrator (Joel Paterson) and Christopher Lee met with the applicant and developer. They said that they may be submitting other applications and wanted to wait to process them together. The applicant was also informed that the initial application was incomplete.
August 26, 2019	Having previously determined that the applicant was not going to submit related petitions, updated submission documents were received and departmental review of the application was initiated.
August 27, 2019	Information about the project was sent to the Downtown Community Council Chairperson, Thomas Merrill, and the Executive Director of the Downtown Alliance, Dee Brewer, in order to solicit public comments and start the 45-day recognized organization input and comment period.
September 9, 2019	Early notification letters were sent to owners and residents within a 300' radius of the subject parcels.
October 11, 2019	Public notice was posted on City and State websites, and sent via the Planning list serve for the Planning Commission meeting. Public hearing notice mailed.
October 23, 2019	Planning Commission public hearing. The Planning Commission reviewed the petition, conducted a public hearing, and voted to forward a negative recommendation to the City Council for the proposed zoning text amendment.

2. NOTICE OF CITY COUNCIL HEARING

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition **PLNPCM2019-00639: Zoning Text Amendment to Increase Building Height Limits in a Portion of the G-MU Zone** – Doug Thimm, on behalf of STACK Real Estate, has submitted a Zoning Text Amendment petition to increase the maximum height of buildings within a portion of the G-MU zoning district. The G-Mu zone currently allows for building heights of 75 feet with heights of up to 120 feet when approved through the Design Review process. The applicant proposes to increase maximum heights up to 190 feet for buildings located on street corners and 100 feet for midblock sections in the area located between 500 West and the railroad tracks (approximately 625 West) and approximately 250 South and 350 South. The purposed of the request is to accommodate a large-scale development within the area. The subject parcels are located in Council District 4, represented by Ana Valdemoros. (Staff Contact: Chris Lee at 801.535.7706 or chris.lee@slcgov.com). Case number: **PLNPCM2019-00639**

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 & County Building
451 South State Street
Salt Lake City, Utah

If you have any questions relating to this proposal or would like to review the file, please call Chris Lee at 801-535-7706 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at chris.lee@slcgov.com

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. For questions, requests, or additional information, please contact the Planning Division at (801) 535-7757; TDD (801) 535-6021.

3A. PLANNING COMMISSION MAILING NOTICE



SALT LAKE CITY PLANNING DIVISION
451 S STATE STREET ROOM 406
PO BOX 145480
SALT LAKE CITY UT 84114-5480

FIRST CLASS

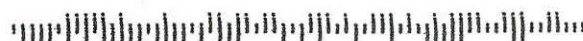


U.S. POSTAGE PITNEY BOWES
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02 1W
0001403442 OCT 11 2019

STATE MAIL 10/15/2019

Salt Lake City Planning Division Chris Lee
PO BOX 145480
Salt Lake City, UT 84114

8411435480 B900



Salt Lake City Planning Division
451 S State Street, Room 406, PO Box 145480, Salt Lake City, Utah 84114-5480

Salt Lake City Planning Commission Wednesday, October 23, 2019, 5:30 p.m.
City and County Building 451 S State Street, Room 326

A public hearing will be held on the following matter. Comments from the Applicant, City Staff and the public will be taken.

Text Amendment for Increased Height Limits in part of the G-MU Zone - A zoning text amendment petition from Doug Thimm, on behalf of STACK Real Estate, to increase the maximum height of buildings within a portion of the G-MU zoning district. The G-MU zone currently allows for building heights of 75 feet but heights of up to 120 feet can be approved through the Design Review process. The applicant proposes to increase maximum heights up to 190 feet for buildings located on street corners and 100 feet for midblock sections in the area located between 500 West and the railroad tracks (approximately 625 West) and approximately 250 South and 350 South. The purpose of the request is to accommodate a large-scale development within the subject area. (Staff Contact: Christopher Lee at (801) 535-7706 or christopher.lee@slcgov.com) **Case number PLNPCM2019-00639**

3B. PLANNING COMMISSION NEWSPAPER NOTICE

4770 S. 5600 W.
WEST VALLEY CITY, UTAH 84118
FED.TAX I.D.# 87-0217663
801-204-6910

Deseret News



Notice of Public Hearing

On Wednesday, October 23, 2019, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations to the City Council regarding the following petitions:

1. **Text Amendment for Increased Height Limits in part of the G-MU Zone** - A zoning text amendment petition from Doug Thimm, on behalf of STACK Real Estate, to increase the maximum height of buildings within a portion of the G-MU zoning district. The G-MU zone currently allows for building heights of 75 feet but heights of up to 120 feet can be approved through the Design Review process. The applicant proposes to increase maximum heights up to 120 feet for buildings located on street corners and 100 feet for midblock sections in the area located between 500 West and the railroad tracks (approximately 625 West) and approximately 250 South and 350 South. The purpose of the request is to accommodate a large-scale development within the subject area. (Staff Contact: Christopher Lee at (801) 535-7706 or christopher.lee@slcgov.com) Case number PLNPCM2019-00639

2. **Medicinal Cannabis Text Amendment** - A text amendment to amend section(s) of Title 21A (Zoning) of the Salt Lake City Code to establish regulations, in accordance with recently adopted State law, concerning the cultivation, production, and distribution of medicinal cannabis. Related provisions of Title 21A may also be amended as part of this petition as necessary. The changes would apply citywide. (Staff contact: Lex Traugher at (801) 535-6184 or lex.traugher@slcgov.com) Case number PLNHLC2019-00678

3. **Business Park-I Overlay Zoning Map and Text Amendment** - Bryon Prince, representing Ivory Development, is requesting to rezone property located at approximately 2691 N 2200 West. The property is currently zoned Business Park (BP). The applicant is proposing to add a new overlay zone to the property, which would add additional development regulations to the property. The overlay regulations are proposed to add additional allowed uses, allow required open space to be distributed across the property, require additional buffering, increase the building height limit, limit vehicle access from 2200 West, and add environmental protections related to potential bird and water quality impacts. The purpose of the requested rezoning and text amendment is to accommodate a future "Research Park" development involving businesses and industries related or similar to those in the existing "Research Park" located next to the University of Utah. The proposal includes two petitions:

a. **PLNPCM2019-00677** - Text amendment to adopt the proposed "Business Park-I" overlay zone ordinance as a new overlay zone in the City Zoning Code (Title 21A).

b. **PLNPCM2018-00856** - Map amendment to map the proposed "Business Park-I" overlay zone over the property on the official City zoning map.

Related provisions of Title 21A-Zoning may also be amended within Council District 1, represented by James Rogers. (Staff Contact: Daniel Echeverria at (801) 535-7165 or daniel.echeverria@slcgov.com)

The public hearing will begin at 5:30 p.m. in room 326 of the City County Building, 451 South State Street, Salt Lake City, UT.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711. 1270072 UPAXLP

PROOF OF PUBLICATION CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS

PLANNING DIVISION,
ACCOUNTS PAYABLE
PO BOX 145480

SALT LAKE CITY UT 84114

ACCOUNT NUMBER

9001394298

DATE

10/14/2019

ACCOUNT NAME

PLANNING DIVISION,

TELEPHONE

8015357759

ORDER # / INVOICE NUMBER

0001270072 /

PUBLICATION SCHEDULE

START 10/12/2019 END 10/12/2019

CUSTOMER REFERENCE NUMBER

Planning Commission 10/23/19

CAPTION

Notice of Public Hearing On Wednesday, October 23, 2019, the Salt Lake City Planning C

SIZE

83 LINES

2 COLUMN(S)

TIMES

2

TOTAL COST

212.50

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I C
ADVERTISEMENT OF **Notice of Public Hearing On Wednesday, October 23, 2019, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations t** FOR **PLANNING DIVISION**, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 10/12/2019 End 10/12/2019

DATE 10/14/2019

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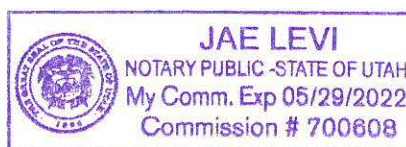
Loraine Gudmundson

STATE OF UTAH)

COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 14TH DAY OF OCTOBER IN THE YEAR 2019

BY LORAIN GUDMUNDSON.



Jae Levi
NOTARY PUBLIC SIGNATURE

3C. PLANNING COMMISSION STAFF REPORT
October 17, 2019



Staff Report

PLANNING DIVISION
COMMUNITY & NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Christopher Lee, Principal Planner, 801-535-7706, christopher.lee@slcgov.com

Date: October 17, 2019

Re: PLNPCM2019-00639: Zoning Text Amendment to Increase G-MU Zone Height Limits

Zoning Text Amendment

PROPERTY ADDRESS: Sections of the blocks located between 500 West and the railroad tracks (approximately 625 West) and 200 South and 400 South

PARCEL ID NUMBERS: 15-01-151-009, 15-01-151-010, 15-01-151-011, 15-01-151-012, 15-01-151-013, 15-01-151-014, 15-01-152-012, 15-01-152-013, 15-01-152-014, 15-01-152-021, 15-01-152-024, 15-01-152-025, 15-01-153-004, 15-01-153-005, 15-01-153-006, 15-01-153-009, 15-01-153-010, 15-01-153-011, 15-01-302-018, 15-01-302-019, 15-01-302-020, 15-01-109-006-2000 (partial), 15-01-153-012 (partial)

MASTER PLAN: Downtown

ZONING DISTRICT: G-MU (Gateway Mixed Use)

REQUEST: The Salt Lake City Planning Division has received a zoning text amendment petition from Doug Thimm, on behalf of STACK Real Estate, to increase the maximum height of buildings within a portion of the G-MU zoning district from a current maximum of 120' up to 190' across portions of two separate blocks located between 500 West and the railroad tracks (approximately 625 West) and 200 South and 400 South

RECOMMENDATION: Planning Staff recommends that the Planning Commission forward a recommendation of denial to the City Council for the proposed text amendment because the request does not meet the standards of review.

ATTACHMENTS:

- A. [Zoning Map](#)
- B. [Area Photographs](#)
- C. [Application and Additional Materials](#)
- D. [Analysis of Standards](#)
- E. [Public Process](#)
- F. [Department Review Comments](#)

PROJECT DESCRIPTION:

Overview

The location of the subject parcels, which the applicant refers to as "Station Center Core" is illustrated on the following map (see [Attachment A](#) for the zoning map). The majority of the subject parcels are owned by Salt Lake City and are within a Redevelopment Agency (RDA) project area. The applicant has discussed this project with the RDA and has desires to move forward with a development within

the project area. While located within the G-MU zone, the applicant is not seeking to alter height limits across the entirety of the zone, but only within the specific area illustrated below:



The G-MU zone currently allows for building heights of 75' but heights of 90' can be approved if the buildings do not have flat roofs or have more than 10 units, and at least 20% of said units are designated as affordable housing. Even higher buildings can be approved via the Design Review process with maximum heights of 120'. The applicant proposes to allow for up to 190' of height for buildings located on street corners which is defined as those properties that are within 100 feet of a street corner. Midblock sections, which are further than 100 feet from a street corner, would be allowed a maximum height of 100' feet with the ability to petition for additional height via the Design Review process. The total area of the parcels proposed for this text amendment on the two blocks not owned by UTA is approximately 10 acres.

Existing Uses within the Immediate Vicinity of the Subject Area

North: Historic buildings, Artspace, and some businesses on 200 South

South: Vacant parcels and older warehouse building types

East: Rio Grande Station building

West: UTA Intermodal Hub

Development Objective of the Petitioner

As has been stated previously, the applicant has had discussions and inquiries with the RDA regarding potential development in the area. No specific plans for development have been submitted. However, via discussions between the applicant and Planning Staff, as well as the minimal drawings submitted in the original application ([Attachment C](#)), it appears that the developer is seeking additional height for building(s) that would have an emphasis on office uses but could also include mixed-use elements such as residences and commercial space.

KEY CONSIDERATIONS:

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

1. Guiding Documents (*Plan Salt Lake*, and the *Downtown Master Plan*)
2. G-MU Zoning Map Amendment (2017)
3. 300 South Street Narrowing (2014)
4. Development Potential (Existing versus Proposed Standards)

Consideration 1 – Guiding Documents

Guiding documents are crucial to consider when considering text amendments that would substantially alter the G-MU standards within the subject area. Two distinct master plans are most pertinent to this petition: *Plan Salt Lake* and the *Downtown Master Plan*. *Plan Salt Lake* serves as the overarching planning document for the entire City focusing on broad priorities and goals. In contrast, the *Downtown Master Plan* has a specific focus on the neighborhood and provides finer detail regarding the future of the specific subject area. Taken together, they provide a dynamic vision for future development and provide crucial guidance for changes such as this proposed text amendment.

Plan Salt Lake

The objective of the petition is to increase the height within this section of the G-MU zone so that buildings up to a maximum of 190' in height (minimum of 100') could be placed on corner lots while those within mid-block areas could be up to a maximum of 100' with increased height allowed via the Design Review process. The applicant has not provided detailed information regarding a comprehensive plan for the area but has mentioned that it would include a mix of uses such as commercial office, retail, housing, and open space. The G-MU zone is a varied zone allowing for a multitude of various uses. Most types of housing, along with retail, office, restaurants, entertainment, recreation, etc. are permitted outright or through the conditional use process. The variety of permitted and conditional uses in the zoning district and their impacts, both positive and negative, should be considered when considering the proposed height increase. Ultimately, a height increase would have

direct impacts upon neighborhood uses including density, view corridors, and the pedestrian experience at street level.

Plan Salt Lake contains various sections and initiatives that speak to broad issues that could be impacted by an increase to the maximum building height standard in this zoning district. The following sections focusing on *Neighborhoods*, *Growth*, and *Housing*, *Transportation and Mobility*, and *Beautiful City* are particularly pertinent:

Neighborhoods:

3. *Create a safe and convenient place for people to carry out their daily lives.*
4. *Support neighborhood identity and diversity.*
8. *Encourage and support local businesses and neighborhood business districts.*
12. *Support west side business nodes.*

Growth:

1. *Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.*
3. *Promote infill and redevelopment of underutilized land.*
6. *Accommodate and promote an increase in the City's population.*
8. *Provide access to opportunities for a healthy lifestyle (including parks, trails, recreation, and healthy food).*

Housing:

2. *Increase the number of medium density housing types and options.*
4. *Direct new growth toward areas with existing infrastructure and services that have the potential to be people-oriented.*
5. *Enable moderate density increases within existing neighborhoods where appropriate.*
7. *Promote high density residential in areas served by transit.*

Transportation and Mobility:

2. *Prioritize connecting residents to neighborhood, community, regional, and recreation nodes by improved routes for walking, biking, and transit.*
4. *Reduce automobile dependency and single occupancy vehicle trips.*
7. *Encourage transit-oriented development (TOD).*

Beautiful City:

2. *Identify and establish standards for key gateways into the City.*
3. *Identify, preserve, and enhance view corridors and vistas, including views of natural lands around and within the City.*
7. *Reinforce and preserve neighborhood and district character and a strong sense of place.*

Many of these initiatives support the proposed petition, especially those associated with *Growth*, *Housing*, and *Transportation and Mobility*. Allowing for taller structures on vacant and underutilized parcels within the subject area brimming with transportation options due to the proximity to Central Station, could potentially allow for a tremendous increase in the number of residential units. If that were to happen, along with development of commercial and employment opportunities, the neighborhood could become more diverse and vibrant.

However, that is largely dependent upon the uses that a developer chooses to incorporate into any potential project. As stated previously, the G-MU zone allows for a diversity of uses but that also creates the risk that area development may focus on only one or two uses while ignoring others. For example, if the vast majority of tall buildings were designed as office towers with very few other uses, the area could become more of a work destination lacking full time residents and associated

commercial enterprises that foment viable neighborhoods. This outcome would not fully implement the plan because *Plan Salt Lake* emphasizes the development of mixed-use and walkable environments that allow people to live, work, recreate, and shop within comprehensive and dynamic neighborhoods. That directive is illustrated even more clearly in the area specific Downtown Master Plan in the following section.

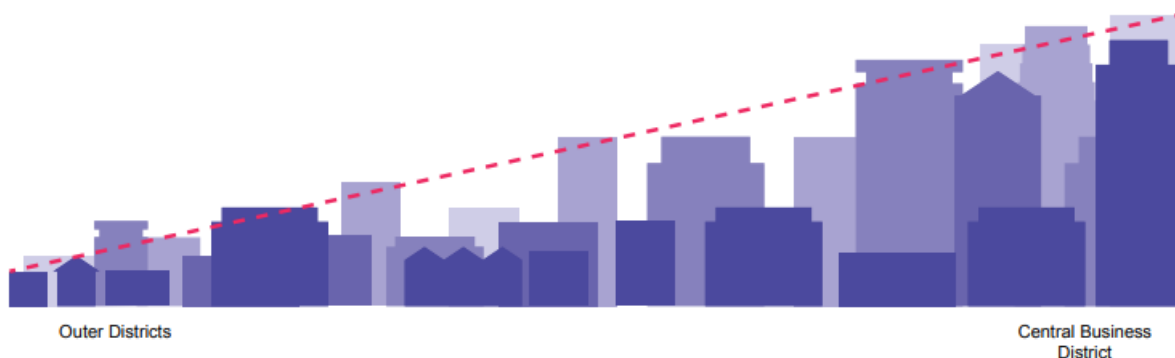
Downtown Master Plan

Urban Design Element

The *Downtown Master Plan* was adopted in (2016) and provides a comprehensive vision of the entire downtown area along with specifics within each neighborhood. It builds upon previous plans and guiding documents such as *Creating an Urban Neighborhood – Gateway District Land Use & Development Master Plan* and the *Urban Design Element* to layout the overarching design of downtown Salt Lake City in a section called *Urban Design Framework*. Elements within that section that are pertinent to this petition include the following:

URBAN FORM is the Physical Shape of the city

Urban form entails everything from the arrangement of the street network to the height of the buildings. The foundation of downtown's URBAN DESIGN FRAMEWORK urban form is the Plat of Zion with its very regular and large grid system. This large grid system also happens to be one of downtown's most unique and identifiable characteristics, especially to out of state visitors or transplants. The 3D structure of downtown is a two-sided pyramidal form with the highest points in the Central Business District. Building height gradually steps down to the south and west. Downtown transitions more abruptly along North Temple and 200 East, creating clear demarcation between the commercial center and adjacent residential neighborhoods to the north and east and easing intensity of development there.



Downtown has a two-sided pyramidal urban form with the tallest buildings in the Central Business District

The featured graphic along with the verbiage stating that, “The 3D structure of downtown is a two-sided pyramidal form with the highest points in the Central Business District. Building height gradually steps down to the south and west”, provides guidance in regards to this petition. It establishes that “building height gradually steps down to the south and west” of the Central Business District. It should be a smooth and gradual transition without abrupt changes to building heights that would dramatically alter that flow from taller buildings in the Central Business District to shorter buildings located to the west and south within the greater downtown area.

As illustrated on the zoning map ([Attachment A](#)), both the D-3 (Downtown Warehouse/Residential) and D-4 (Downtown Secondary Central Business) districts lie between the subject area and the downtown core. In regards to height, the D-3 zone allows for 75’ tall buildings. Heights up to 90’ can be granted “provided the additional height is supported by the applicable master plan, the overall

square footage of the buildings is greater than fifty percent (50%) residential use, and subject to the requirements of chapter 21A.59 of this title.”

The maximum height in the D-4 zoning district is also 75’ which can be increased up to 120’ through the Design Review process. However, there is one area within the zone that is bounded by *South Temple, West Temple, 200 South, and 200 West Streets*, as well as the corner of the block northwest of the intersection of 200 West and 200 South, which allows for buildings with maximum heights of up to 375’. The following map illustrates that specific area, as well as the absolute maximum heights for each of the zoning districts mentioned including the 190’ maximum height proposed for the subject area.



An analysis of the map illustrates that the proposed height adjustment within the subject area would not conform to the “two-sided pyramidal urban form with the tallest buildings in the Central Business District” that is stipulated within the *Downtown Master Plan*. The proposed maximum height of 190’ would more than double the maximum height of the D-3 zone located immediately adjacent to the east. Like the rest of the G-MU zone directly to the north and east, the D-4 zone has a maximum height of only 120’. With buildings potentially 100’ taller than those in the D-3 and zone and 70’ higher than those in the D-4 zone and the remainder of the G-MU zone, the proposed height increase would not fully implement this provision of the master plan.

Another element within the *Downtown Master Plan* relevant to this proposal regards views and viewsheds. The master plan states the following:

VIEWS & VIEWSHEDS Connect People to Place

Views to the mountains and view corridors to iconic buildings in and around the downtown are an important component to the structure and image of the downtown. There are several view corridors that should continue to be protected:

- *300 South to the Rio Grande Depot*

Although the plan identifies several viewsheds, the 300 South to the Rio Grande Depot viewshed is the only one listed in this report as it is pertinent to this application. The Rio Grande Depot itself is approximately 65'-75' tall so if maximum building heights were increased to 190' as proposed, they could be significantly taller than the depot. Looking east along 300 South from the intersection at 600 West, the majority of the building would still be visible but the sides may be cropped. Conversely, the views of the east side of the depot from 400 West would not be directly impacted by taller structures behind the depot but they could diminish the architectural prominence of the depot itself.

Building scale and massing is also addressed in the downtown areas south and west of the Central Business District. The text reads as follows:

*BUILDING SCALE & MASSING Define the Character and Image of the Public Realm
...A more refined skyline with interesting roof tops and stepped massing of structures is encouraged rather than "benching" with rectangular towers with flat roofs. West and south of the Central Business District is encouraged to be six to twelve stories. Building height and massing is also determined by the character of each district (see Districts chapter).*

The plan states that this area, which is southwest of the Central Business District, encourages structures that are between six to twelve stories. With no specifics on height for an individual story provided, this is somewhat subjective seeing that the heights of most stories range between 10'-12' but can be taller where extra height is featured in the design. For example, the pedestrian level story of many structures are often much taller to invite the public into more expansive and inviting spaces such as hotel and office lobbies, commercial establishments, and restaurants. For the ease of calculation, if 10' is utilized for the height of an average story, a six story structure would be 60' tall and a 12 story would be 120' tall. If 12' is the average story height, those measurements would be 72' and 144'. The maximum height allowed by the current G-MU zoning of 90' is exactly in the middle of the 10' standard range and on the lower end of the 12' standard. The proposed 190' height maximum would exceed both of those calculations.

District Initiatives and Catalytic Projects

Another section of the *Downtown Master Plan* called *District Initiatives & Catalytic Projects* focuses on ten districts within the downtown area. The subject area of this petition is located within the *Depot District*. The *Depot District* section presents several initiatives across several categories. Those most pertinent to this petition include the following:

Provides Housing Choice

- *Utilize interior streets and walkways for townhouse development to activate interior of blocks while keeping main streets commercial.*
- *Encourage development of/create incentives for housing for families with children, as part of identifiable neighborhood areas, in ground-oriented or low-rise dense developments and close to open space, schools, childcare centers, community facilities and other amenities designed for children; and smaller suites should be in towers and/or in spaces above busy commercial areas.*

Prosperous

- *Utilize interior streets and walkways for townhouse development to activate interior of blocks while keeping main streets commercial.*

Walkable

- Consider economic development tools for small neighborhood retail (i.e. coffee shops, book stores, bodegas, small grocery stores).

This area of Salt Lake City located between the UTA Intermodal Hub and the historic Rio Grande Station has been a planning focus for years. The desire to enhance an area dominated by vacant lots and uses that tend towards activities such as warehouses, industrial, shipping, to more lively and inviting uses such as multi-family residential, commercial, restaurants, and office has been fomenting for years and only increased with the placement of the Central Station at the intersection of 600 West and 300 South.

If the project area is developed appropriately, it could create another vibrant neighborhood within the greater downtown area. 300 South between the Central Station and the Rio Grande Station could become a thoroughfare of active uses for multiple forms of transportation with an emphasis on pedestrians and cyclists connecting with public transit. Ideas for it to be a “festival” street with wholesale, residential, and office uses have been emphasized for many years as demonstrated by master plans and specific actions which will be discussed in more depth in the following sections.

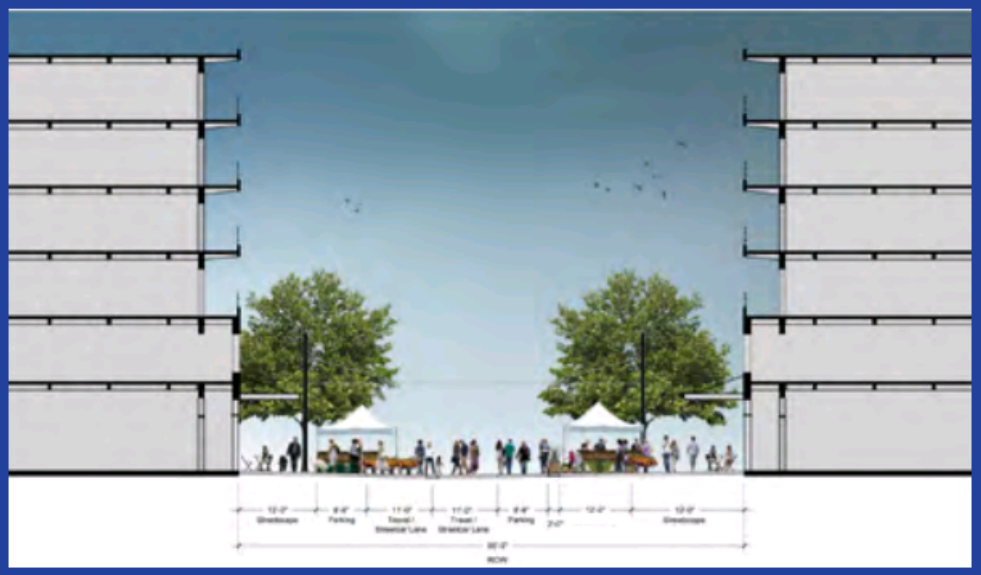
The subject area has been identified as the focus of the *Catalytic Project: Hub Implementation Strategy* featured in the *Depot District* section of the *Downtown Master Plan*. It serves to specifically address the subject area and lays out the type of development that meets the objectives of the governing master plans. The following two graphics are taken directly from the *Downtown Master Plan* and establish the overall development objectives for the subject area. The reader should note that the second graphic only features development on RDA owned properties, but other adjacent properties are included in the proposed text amendment. It is anticipated that those properties would develop in a similar manner.

The Redevelopment Agency owns 9.63 acres between the historic Rio Grande Depot and the Intermodal Hub. The redevelopment strategy for this property and adjacent properties creates a festival street along 300 South (see section at right) and space for a year-round farmer's market. With Frontrunner, TRAX, Greyhound and added connectivity to downtown via the future streetcar, the Hub Implementation Strategy is a true transit oriented development. The key concepts of the strategy include:

- Increased use of Frontrunner to and from the area by increasing the office use in the area
- Smaller blocks bounded by new streets and walkways
- Reduced street widths
- Preserved older buildings where possible
- Employment-based transit-oriented development
- Integrated residential, office and commercial uses
- Unique paving, lighting, planting, and other design elements
- New pocket parks and plazas
- Reimagined “park blocks” along 500 West as usable linear park space.

The plan (next page) represents how this area might develop in the future. While the details may change, the key concepts identified above should be demonstrated in the final development plan. Over time, this concept should extend to North Temple, where this type of development is already occurring and south to 500 South.

The Hub area is an ideal location for a year-round market as it is a natural extension of the Pioneer Park Farmer's Market and dovetails with the RDA concept for a festival street along 300 South.



300 South is proposed as a festival street between 500 West and 600 West. The right-of-way has been narrowed to 85 feet, creating a proportionately-enclosed space between buildings.



The *Catalytic Project* plan contains several elements that are not amenable to the building heights proposed by the applicant including breaking the area down into smaller blocks with extensive green space and pocket parks, the transformation of 300 South to a festival street by reducing the width of the thoroughfare (see Consideration 3), and buildings that are 6-12 stories in height. A dispersed building layout with ample green space with an emphasis on the reduced width “festival street”, would not function well with buildings that are nearly 200’ tall as it depends upon appropriately scaled buildings that create space on the pedestrian level that is comfortable and inviting. When exceptionally tall buildings are out of scale in comparison to the roadways and sidewalks below them, they are not considered to be designed on the “human scale” and can greatly diminish pedestrian activities in such areas.

Consideration 2 –Zoning Map Amendment to G-MU (2017)

In 2017 a Zoning Map Amendment (PLNPCM2016-00583) requested by Mayor Jackie Biskupski was approved by the City Council. It amended the zoning within the subject area from D-3 (Downtown Warehouse/Residential) and CG (General Commercial) to the current G-MU. The reason for the change was to facilitate the development of RDA owned property as stated in the staff report:

This amendment will facilitate the development of Station Center, the RDA project located in the same general area. The proposed redevelopment will include a mix of commercial and residential uses. The subject properties have a mix of commercial and light-industrial uses and some vacant land, presently.

The staff report also laid out the reasons that the G-MU zone was selected as the best option to facilitate development as envisioned within the applicable master plans, it states that:

... the G-MU zone is intended to implement aspects of the adopted Gateway Master Plan. This is a zoning district that has been successfully used on adjacent blocks for redevelopment projects akin to, though surely distinct from, what has been proposed by Salt Lake City's Redevelopment Agency on the subject sites. The adjacent development that has been executed under the G-MU zoning has existed comfortably alongside a range of other urban zoning districts.

** The Gateway Master Plan mentioned in the above quote was incorporated into, and superseded by, the Downtown Master Plan.*

This zoning map amendment is relevant to consider in regards to this petition because it was approved only two years ago and none of the development goals for the area have shifted since then. Not only RDA properties, but many parcels adjacent to those properties were included and significant consideration was given to provide zoning that would allow for the type of development envisioned by the guiding documents and the RDA. During that process, if building heights beyond 90' were deemed appropriate and necessary, it likely would have been addressed by recommending that a zone that allowed for greater height was proposed.

Consideration 3 – 300 South Street Narrowing (2014)

A partial street closure on each side of 300 South between 500 West and 600 West was approved by the City Council in 2014, via petition PLNPCM2013-00882 which was initiated by the RDA. The street closure was a mechanism to reduce the width of the right of way as explained in this excerpt of the staff report:

The Redevelopment Agency of Salt Lake (RDA), represented by BreAnne McConkie, is requesting that the City approve a partial street closure to reduce the width of 300 South between 500 and 600 West. The right-of-way would be reduced from approximately 132' to 85' in width, creating approximately 31,000 square feet of new parceled property along the street. The purpose of the proposal is to reduce the street width to a more pedestrian scale and encourage the use of 300 South as a festival street as part of the RDA's redevelopment plans for the area.

The referenced festival street was proposed in the *Gateway Master Plan* which was then incorporated into and superseded by the *Downtown Master Plan*. This petition was filed as the first step to implement that vision via the RDA preferred development plan. The application went on to state that:

The proposed street closure is located in the area addressed by the Gateway District Land Use and Development Master Plan (Attachment D), adopted in 1998. That plan provided the following policy related to the proposed street closure:

The potential development of an intermodal station along 600 West and 200 South would provide an opportunity for Transit Oriented Development (TOD) in which community needs and services are combined with those of commuters to benefit the neighborhood as well as the transit system. 300 South Street between the intermodal station and the Rio Grande Depot should develop as a pedestrian oriented plaza and street and make a visual and physical connection to the Depot.

In respect to this policy, the proposal by the RDA is to narrow the street in order to make the street width more pedestrian in scale. The reduction of the right-of-way would allow buildings to be developed closer to the street, which can create a sense of enclosure and thereby make the street more comfortable and inviting for pedestrians to use. Contemporary urban design theory suggests that the ideal minimum building height to street width ratio for a downtown area is 1:1, or 1 foot of height for every 1 foot of right-of-way width. This ratio is the approximate level at which pedestrians tend to feel most comfortable walking in a built

environment. The current zoning and long-range plan for the area suggest a maximum height of 75' for development in the area, with some allowance for additional height through a review process. A street width reduction would bring the development potential for the area more in line with this ideal enclosure ratio.

The partial street closure to create a narrowed roadway for a festival street on 300 South has been referenced in guiding documents for many years culminating in the *Downtown Master Plan*. As mentioned in the previous citation, the proposed building heights along that narrowed street have also been carefully considered. Planning Staff mentions that the ideal ratio of street width to building height for a pedestrian oriented festival street would be a 1:1 ratio. Current G-MU zoning with a height of 90' (maximum of 120' via Design Review approval) would create a ratio that conforms to the established plan for the area. Allowing for additional height along 300 South would not implement this development goal.

Consideration 4 – Development Potential (Proposed versus Existing Standards)

The applicant has submitted specific language for the changes that they propose. The full application that they submitted, along with subsequent materials can be found in [Attachment C](#). The language that they are proposing to alter is also presented here to contextualize it and to highlight how the changes would alter the zoning standards. As illustrated in the following text, the applicant has utilized text from the G-MU (21A.31.020) section of the SLC Zoning Code (non bolded) along with their proposed changes (bolded).

E. Building Height: The minimum building height shall be forty five feet (45') and the 200 South Street corridor shall have a minimum height of twenty five feet (25'). The maximum building height shall not exceed seventy five feet (75') except buildings with non-flat roofs (e.g., pitched, shed, mansard, gabled or hipped roofs) may be allowed, up to a maximum of ninety feet (90') (subject to subsection I of this section). The additional building height may incorporate habitable space.

1. Conditional Building and Site Design Review: A modification to the minimum building height or to the maximum building height (up to 120 feet) provisions of this section may be granted through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title, and subject to compliance to the applicable master plan.

2. Height Exceptions: Spires, tower, or decorative noninhabitable elements shall have a maximum height of ninety feet (90') and with conditional building and site design review approval may exceed the maximum height, subject to conformance with the standards and procedures of chapter 21A.59 of this title

3. Additional height may be allowed as specified below:

a. Additional Permitted Height Location: Additional height is permitted in the area described by: The Accompanying “Station Center Core Diagram”.

b. Height Regulations: No corner building shall be less than one hundred feet (100') nor more than one hundred ninety feet (190') in height. The minimum one hundred foot (100') high portion of the building shall be located not farther than five feet (5') from the lot line along front and corner lot lines.

c. The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic

demand management guidelines administered by the city traffic engineer.

Additional Standards For Certain Height Modifications:

- (1) The first one hundred feet (100') of height shall not be set back from the street front more than five feet (5') except that setbacks above the first fifty feet (50') may be approved through the conditional building and site design review process.**
- (2) Modifying the height will achieve the preservation of a landmark site or contributing structure in an H historic preservation overlay district.**
- (3) Modifying the height will allow interim service commercial uses to support the downtown community.**

d. Special Controls Over Mid-Block Areas:

- (1) Intent: Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.**
- (2) Height Regulations: No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized through the Design Review process, subject to the requirements of chapter 21A.59 of this title.**

Based upon the submitted text, the following tables lay out the standards for the existing G-MU zoning standards compared to the proposed changes.

Current G-MU Development Standards (21A.31.020)							
LOT WIDTH	LOT AREA	FRONT YARD	CORNER SIDE YARD	REAR YARD	SIDE YARDS	HEIGHT	
None required	None required	No minimum. A minimum of 25% of the length of the building shall be set back not farther than 5' from the street right of way.	No minimum. A minimum of 25% of the length of the building shall be set back not farther than 5' from the street right of way.	No minimum	No minimum	Minimum: 45' except for 200 S corridor where it is 25' Maximum: 90' for non-flat roofs 120' via design review	

Proposed Changes to the G-MU Development Standards within the Subject Area							
LOT WIDTH	LOT AREA	FRONT YARD	CORNER SIDE YARD	REAR YARD	SIDE YARDS	HEIGHT	SETBACKS
None required	None required	No minimum. A minimum of 25% of the length of the building shall be set back not farther than 5' from the street right of way.	No minimum. A minimum of 25% of the length of the building shall be set back not farther than 5' from the street right of way.	No minimum	No minimum	Minimum: corner building: 100' Midblock building: not mentioned in application. Maximum: corner building: 190' Midblock building: 100'. Application states that taller buildings may be approved through design review but provides no maximum.	First 100' of height shall not be setback more than 5'. Setbacks above 50' may be approved via design review process.

Besides language disallowing more than 5' setbacks for the initial 100' of height, except via design review above 50', the proposed text change does not significantly alter any of the G-MU standards other than height. As indicated in the table, the minimum height would be 100' for corner buildings with no mention of height minimums for midblock buildings. Maximum heights for corners would be 190' and 100' for midblocks, with additional midblock height via design review.

DISCUSSION:

This proposed zoning text amendment could provide some positive benefits to the subject area as illustrated by certain elements of Plan Salt Lake that could be viewed to support the increase in height. The plan broadly supports objectives such as growth, economic development, proximity to transit options, on a city-wide basis which could be well served by taller buildings. Additionally, there is an ever increasing demand for housing across Salt Lake City which could potentially be addressed by taller residential buildings.

However, the specific development goals for this area are well documented and do not seem to support the requested height increase. The *Downtown Master Plan* features this area as a catalytic project for the area featuring 300 South as a "festival street" with green space and pocket parks throughout the area between buildings that are only between 6-12 stories tall. To facilitate that vision, the street has already been narrowed to 85' and the G-MU zone was recently adopted to allow for buildings that would create a human scaled environment that encourages pedestrian use.

Additionally, the downtown urban form has been established with the greatest building heights located in the downtown core which then decrease to the south and the west in a roughly pyramidal form. Given other zoning districts located between the subject area and the downtown core with significantly lower maximum heights than those proposed, the petition does not conform to that overarching design concept.

Given these discrepancies between the guiding documents and the proposed zoning text amendment, Planning Staff recommends that the Planning Commission forward a recommendation of denial to the City Council.

NEXT STEPS:

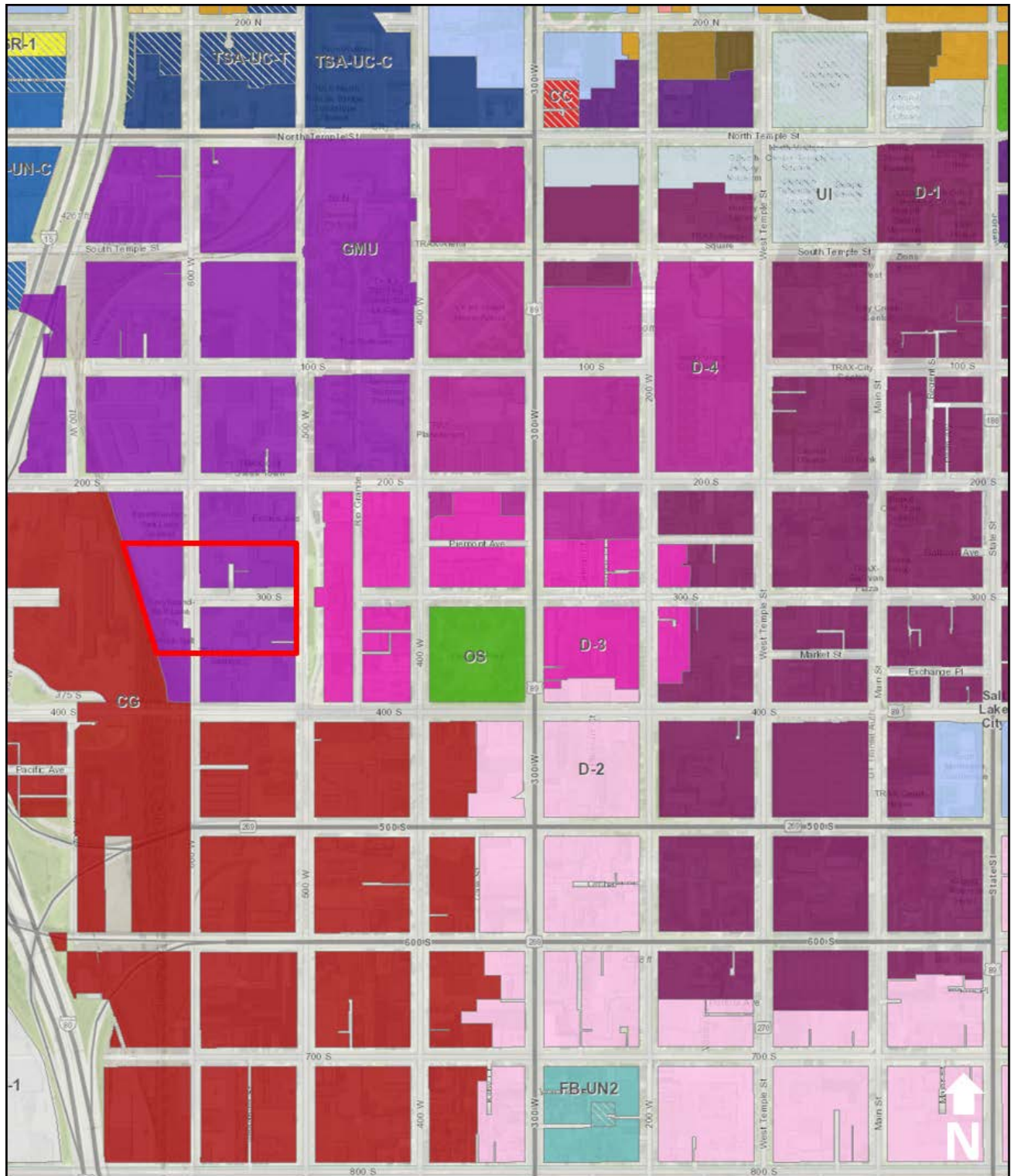
Regardless of the recommendation of the Planning Commission, the proposed zoning text change allowing for additional height in the subject area of the G-MU zone will be sent to the City Council for a final decision. The City Council may approve, deny, or modify the petition.

If the zoning text change amendment is approved, the subject properties will be delineated within the text of the G-MU zoning district. Any specific proposals for future development would need to comply with the updated G-MU zoning regulations, be approved, and have appropriate permits issued.

If the proposal is approved with modifications, any future development would have to comply with the applicable zoning regulations or any conditions placed on the property by the City Council.

If the zoning map amendment is denied, the properties will remain zoned G-MU (Gateway Mixed Use) and any potential development would need to meet the existing standards of that zoning district.

ATTACHMENT A: ZONING MAP



 Subject Area

ATTACHMENT B: AREA PHOTOGRAPHS



Looking West towards the Central Station Intermodal Hub



Looking north from the 300 South 600 West Intersection



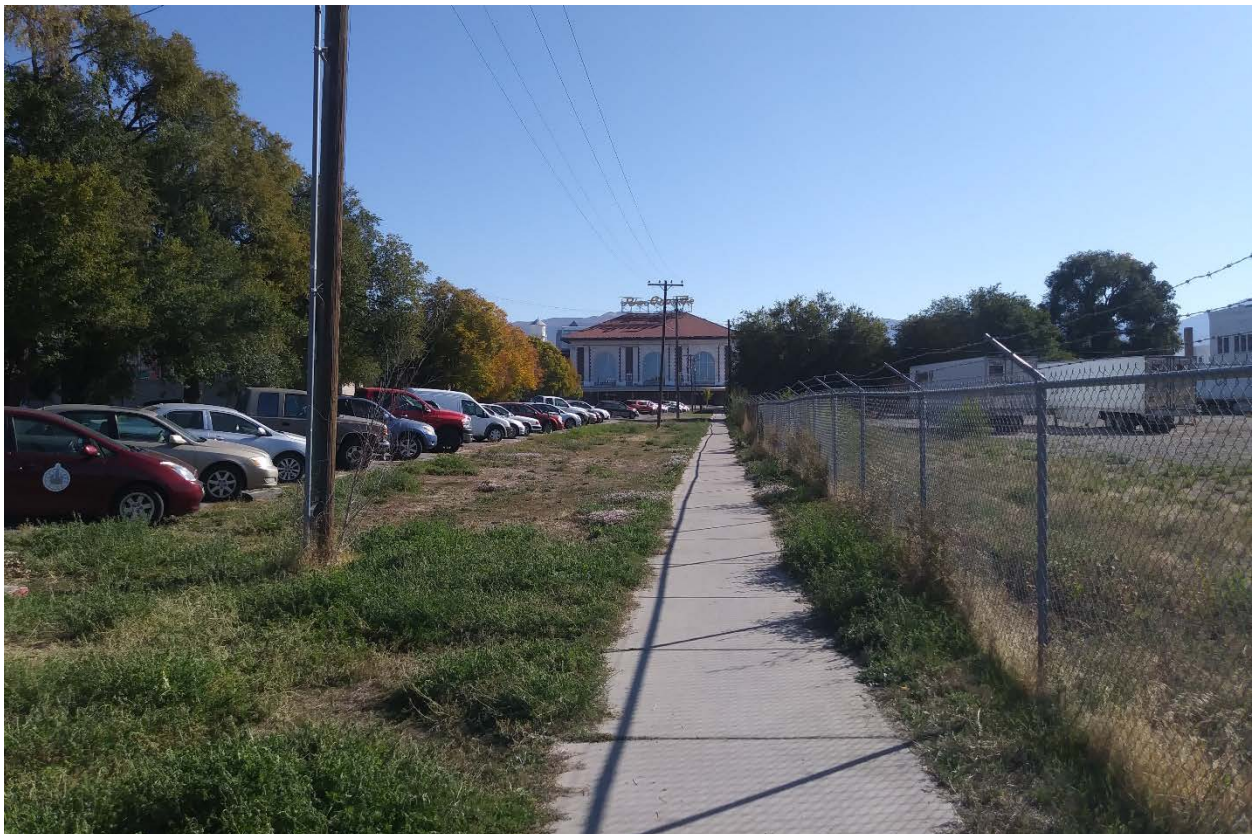
Looking northeast from the 300 South and near 600 West



Looking east towards the Rio Grande Station



Looking northeast across the southeast corner parcel at 600 West and 300 South



Looking east across along southeast corner parcel at 600 West and 300 South



Looking South across a midblock area along 300 South



Building on the northwest corner of 300 South and 500 West



Looking northwest corner of 300 South and 500 West with ArtSpace in the background



Looking west along 300 South from approximately 300 West

ATTACHMENT C: APPLICATION & OTHER MATERIALS



Zoning Amendment

SALT LAKE CITY PLANNING

☒ Amend the text of the Zoning Ordinance ☐ Amend the Zoning Map

OFFICE USE ONLY

Received By:

Date Received:

Project #:

Name or Section/s of Zoning Amendment:

PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area):

Per Accompanying Legal Description

Name of Applicant:

Doug Thimm

Phone:

(801) 924-5045

Address of Applicant: 2505 East Parleys Way

Salt Lake City, Utah 84109

E-mail of Applicant:

dthimm@archnexus.com

Cell/Fax:

(801) 699-7507

Applicant's Interest in Subject Property:

☐

Owner

☐

Contractor

☒

Architect

☐

Other:

Name of Property Owner (if different from applicant): Nathan Ricks, STACK Real Estate

E-mail of Property Owner:

nathan@stackwithus.com

Phone:

(801) 231-0066

Please note that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

AVAILABLE CONSULTATION

If you have any questions regarding the requirements of this application, please contact Salt Lake City Planning Counter at (801) 535-7700 prior to submitting the application.

REQUIRED FEE

Map Amendment: filing fee of \$1,034, plus \$121 per acre in excess of one acre
Text Amendment: filing fee of \$1,035, plus \$100 for newspaper notice.
Plus additional fee for mailed public notices.

SIGNATURE

If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Signature of Owner or Agent:

Date:

July 10, 2019

Doug Thimm, AIA, LEED AB BD+C
Architectural Nexus

Updated 7/1/19

SUBMITTAL REQUIREMENTS

Staff Review

1. Project Description (please attach additional sheets.)

- ☐ ☒ A statement declaring the purpose for the amendment.
- ☐ ☒ A description of the proposed use of the property being rezoned.
- ☐ ☒ List the reasons why the present zoning may not be appropriate for the area.
- ☐ ☐ Is the request amending the Zoning Map?
If so, please list the parcel numbers to be changed.
- ☐ ☒ Is the request amending the text of the Zoning Ordinance?
If so, please include language and the reference to the Zoning Ordinance to be changed.

WHERE TO FILE THE COMPLETE APPLICATION

Mailing Address: Planning Counter
PO Box 145471
Salt Lake City, UT 84114

In Person: Planning Counter
451 South State Street, Room 215
Telephone: (801) 535-7700

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

- ☒ I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.



ARCHITECTURAL NEXUS, Inc
archnexus.com

SALT LAKE CITY

2505 East Parleys Way
Salt Lake City, Utah 84109
T 801.924.5000

SACRAMENTO

930 R Street
Sacramento, California 95811
T 916.443.5911

July 10, 2019

Mr. Joel Paterson, Zoning Administrator
Salt Lake City Planning Department
451 South State Street
Salt Lake City, Utah 84114

**Re: Gateway District (G-MU)
Zone Text Amendment Application**

Dear Joel:

As we have recently discussed, on behalf of STACK Real Estate, we are formally submitting the accompanying application for a Zone Text Amendment to the Gateway District (G-MU). We appreciate the time that you have spent with us and look forward to expediting the next steps of this process. Accompanying this submission are the following documents: our application, our Project Description, and associated Exhibits. As we have mentioned, we have been working closely with the adjacent property owners and the RDA (Danny Walz and Cara Lindsley), who are aware of the intentions of this proposed Amendment and its benefits to the District. Of note, we are working on a development named the "Nicco Block" on the southwest corner of 300 South and 600 West. In the next week or so, we will be submitting our application for Site Plan Review and Design Review for that site. As needed, we will be happy to share the conceptual information for the "Nicco Block" with you, upon your request.

For your convenience, we have provided a thumb drive containing pdf files of all parts of this submittal along with a word document file of the Project Description. Please let us know if you have any questions or comments, and once again, Thank You for all of your efforts.

Sincerely,

Doug Thimm, AIA, LEED AB BD+C
Architectural Nexus

Project Description:

Gateway District Zone Text Amendment

July 10, 2019

Background:

The development of the Gateway District includes over 600 acres of land located between Interstate 15 on the west, 300 West on the east, North Temple on the north and 1000 South on the south end. In terms of the “Gateway” to Salt Lake City, this district has long been regarded as that in terms of the Transportation Corridor into the City, as the Gateway Specific Plan rightly points out:

“As a visual and welcoming gateway to the City from the regional highway system and the Salt Lake City International Airport; as an orientation point and initial image of downtown for visitors arriving by car or transit as they pass through a new mixed-use urban district”.

Compliance with Salt Lake City Policy Directives:

The City recognized the importance of the area in its Gateway Specific Plan, as adopted by the Salt Lake City Council on August 11, 1998. The City’s Downtown plan, adopted on May 24, 2016, also underlines the importance of the “Depot District” as part of the logical extension of Salt Lake City’s downtown experience. The roots of the district are embedded in the industrial character and uses. Both the Gateway Specific Plan and the Downtown plan recognize the evolving nature of the district as a mixed-use neighborhood that is thought of as the Gateway to Salt Lake City and the Wasatch Front.

As the “initial image” of Salt Lake City’s downtown expression, the extension of a downtown statement is essential. The image of a “downtown” place also includes the ability for development to be attracted that is worthy of being the expression of downtown in terms of the type of businesses and the stature of a downtown statement. With the heart of Salt Lake City’s downtown core being the State Street and Main Street area as defined by the D1 Central Business District zoning, which is characterized by strongly anchored block corners with buildings as much as 375 feet tall and mid-block area buildings as tall as 100 feet.

The Downtown Zoning of the D1 Zone establishes:

The intent of the amendment would be to follow the established strategy of Salt Lake City’s downtown zoning. That being to anchor the corners of intersecting streets with taller buildings and reduce the height at midblock developments. The Downtown Zoning of the D1 Zone states:

“Organization of District Regulations: In addition to regulations that apply to the D-1 Central Business District as a whole, three (3) sets of regulations are contained in this district that apply to specific geographical areas:

- **Special Controls Over Block Corners:** These regulations apply only to properties within a specified distance from street intersections, as established in subsection E of this section. No corner building shall be less than one hundred feet (100') nor more than three hundred seventy-five feet (375') in height.
- **Special Controls Over Mid-Block Areas:** These regulations apply only to the intervening property between block corner properties, as established in subsection F of this section. No building shall be more than one hundred feet (100') in height.
- **Special Controls Over The Main Street Retail Core:** These regulations apply only to the Main Street retail core area, as established in subsection G of this section. The regulations governing block corners and mid-block areas also apply to the Main Street retail core.”

The G-MU Zoning District currently allows heights of up to 120 feet. This has served well in the development of much of the district over the past 20-ish years; however, in order to honor the extension of Salt Lake City’s Downtown District as outlined by the Gateway Specific Plan, additional height for the Core of the Station Center subdistrict should be strongly considered.

Purpose:

As new development is considered in the Gateway District the underlying G-MU Zoning should be carefully examined in light of the continuing effort that has been expended to provide a basis for development of the district. In recent years, the City has had the foresight to consolidate much of the land ownership in the immediate area of the Intermodal Hub through the Redevelopment Agency. As this has happened, Salt Lake City, including City Planning and the RDA, have established the Station Center Development Area as a subdistrict, due to the proximity to our City’s intermodal hub and also with its exposure as the true Salt Lake City Gateway from the west. In so doing, the establishment of 300 South (Festival Street) now has become the center of the district establishing a District Core with a higher relative intensity and a mixture of uses. Essentially, Festival Street has become its own subdistrict within the G-MU. In order to achieve the critical mass of the area, a strategic understanding of bringing this to life also includes the ability to intensify this core area in the creation of a vibrant extension of Downtown Salt Lake City. To this end, we propose an increase to the building height limitations to facilitate the Goals and Aspirations of both the Gateway Specific Plan and the Downtown Plan. The stated goals include:

- Create a positive and clear identity of Salt Lake City and the Gateway District
- Create a sense of place for the District that celebrates and supports “Neighborhoods”, each with a distinct character and personality.
- Encourage development that strengthens and compliments the Central Business District.
- Create a hierarchy of streets and open spaces that provide structure and framework for the development of neighborhoods.

- Encourage a mix of uses with diversity in jobs, residents, and visitors that balances neighborhood needs, has a vital street life and character, and results in a thriving local economy.
- Encourage excellence in design of public infrastructure opportunities such as the public transportation systems, and streetscapes that are elegant and fitting of a Gateway.
- Look to traditional patterns of development in Salt Lake City as examples of the kind of blocks and streets that encourage and support urban neighborhood development.
- Require excellence in design through urban design standards that preserve views and vistas, create pedestrian friendly and attractive streets, establish a district character, and create landmarks and signature structures in architecture and infrastructure.

This G-MU Amendment suggests that a similar philosophy to the D1 Central Business District be adopted for the Station Center Development area further defining the area of the 300 South/Festival Street as a core area of the G-MU District, with additional building height defining the block corners. It is important that the Station Center Core does not compete with the heart of downtown in terms of prominence, so this Amendment provides for building heights at the corners of up to 190 feet and mid-block building heights of up to 100 feet. Rather than changing building heights within the entire district, and similar to recent modifications to the D4 Secondary Business District, this amendment proposes a limited area of scope be included as depicted by the accompanying exhibits.

Surrounding Zoning:

Salt Lake City Building Height Requirements:

21A.30.020: D-1 CENTRAL BUSINESS DISTRICT:

6. Height Regulations: No corner building shall be less than one hundred feet (100') nor more than three hundred seventy-five feet (375') in height. The minimum one hundred foot (100') high portion of the building shall be located not farther than five feet (5') from the lot line along front and corner lot lines. Buildings higher than three hundred seventy-five feet (375') may be allowed in accordance with the provisions of subsections E6a and E6b of this section.

a. Conditions For Taller Corner Buildings: Corner buildings may exceed the three hundred seventy-five foot (375') height limit provided they conform to the following requirements:

(1) To minimize excessive building mass at higher elevations and preserve scenic views, some or all of the building mass over the three hundred seventy five foot (375') height level shall be subject to additional setback, as determined appropriate through the conditional building and site design review process.

- (2) Not less than one percent (1%) of the building construction budget shall be used for enhanced amenities, including art visible to the public, enhanced design elements of the exterior of the building or exterior spaces available to the public for cultural or recreational activities. The property owner shall not be required to exceed one hundred thousand dollars (\$100,000.00) in required amenities.
- (3) The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic demand management guidelines administered by the city traffic engineer.

b. Additional Standards For Certain Height Modifications:

- (1) The first one hundred feet (100') of height shall not be set back from the street front more than five feet (5') except that setbacks above the first fifty feet (50') may be approved through the conditional building and site design review process.
- (2) Modifying the height will achieve the preservation of a landmark site or contributing structure in an H historic preservation overlay district.
- (3) Modifying the height will allow interim service commercial uses to support the downtown community.

c. Conditional Building And Site Design Approval: A modification to the height regulations in subsection E6a of this section may be granted through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title.

F. Special Controls Over Mid-Block Areas:

1. Intent: Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.
2. Area Of Applicability: The controls established under this subsection shall apply to:
 - a. Buildings constructed after April 12, 1995; and
 - b. All intervening land between block corner properties, as established in subsection E2 of this section.

3. Height Regulations: No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title.

21A.30.030: D-2 DOWNTOWN SUPPORT DISTRICT:

Maximum Building Height: No building shall exceed sixty five feet (65').

Buildings taller than sixty five feet (65') but less than one hundred twenty feet (120') may be authorized through the conditional building and site design process, subject to the requirements of chapter 21A.59 of this title.

21A.30.040: D-3 DOWNTOWN WAREHOUSE/RESIDENTIAL DISTRICT:

Maximum Building Height: No building shall exceed seventy five feet (75').

Buildings taller than seventy five feet (75') but less than ninety feet (90') may be authorized through the conditional building and site design review process, provided the additional height is supported by the applicable master plan, the overall square footage of the buildings is greater than fifty percent (50%) residential use, and subject to the requirements of chapter 21A.59 of this title.

21A.30.045: D-4 DOWNTOWN SECONDARY CENTRAL BUSINESS DISTRICT:

Maximum Building Height: No building shall exceed seventy five feet (75').

Buildings taller than seventy five feet (75') but less than one hundred twenty feet (120') may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title. Additional height may be allowed as specified below:

- a. Additional Permitted Height Location: Additional height greater than one hundred twenty feet (120') but not more than three hundred seventy five feet (375') in height is permitted in the area bounded by:

(1) The centerlines of South Temple, West Temple, 200 South, and 200 West Streets; and

(2) Beginning at the Southeast Corner of Block 67, Plat 'A', Salt Lake City Survey, and running thence along the south line of said Block 67, N89°54'02"W 283.86 feet; thence N00°04'50"E 38.59 feet; thence N10°46'51"W 238.70 feet; thence N24°45'15"W 62.98 feet; thence S89°54'02"E 355.45 feet to the east line of said Block 67; thence along said east line S00°06'35"W 330.14 feet to the point of beginning. Contains 102,339 square feet, or 2.349 acres, more or less

21A.26.070: CG GENERAL COMMERCIAL DISTRICT:

Maximum Height: No building shall exceed sixty feet (60'). Buildings higher than sixty feet (60') may be allowed in accordance with the provisions of subsections F1 and F3 of this section.

1. Procedure For Modification: A modification to the height regulations in this subsection F may be granted through the conditional building and site design review process in conformance with the provisions of chapter 21A.59 of this title. In evaluating an application submitted pursuant to this section, the Planning Commission or in the case of an administrative approval the Planning Director or designee, shall find that the increased height will result in improved site layout and amenities.

2. Landscaping: If additional floors are approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floors.

3. Maximum Additional Height: Additional height shall be limited to thirty feet (30'). (Ord. 66-13, 2013: Ord. 15-13, 2013: Ord. 12-11, 2011: Ord. 61-09 § 18, 2009: Ord. 3-01 § 2, 2001: Ord. 35-99 § 27, 1999: Ord. 26-95 §2(13-6), 1995)

Existing G-MU Zoning Text:

E. Building Height: The minimum building height shall be forty five feet (45') and the 200 South Street corridor shall have a minimum height of twenty five feet (25'). The maximum building height shall not exceed seventy five feet (75') except buildings with non-flat roofs (e.g., pitched, shed, mansard, gabled or hipped roofs) may be allowed, up to a maximum of ninety feet (90') (subject to subsection I of this section). The additional building height may incorporate habitable space.

1. Conditional Building and Site Design Review: A modification to the minimum building height or to the maximum building height (up to 120 feet) provisions of this section may be granted through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title, and subject to compliance to the applicable master plan.

2. Height Exceptions: Spires, tower, or decorative noninhabitable elements shall have a maximum height of ninety feet (90') and with conditional building and site design review approval may exceed the maximum height, subject to conformance with the standards and procedures of chapter 21A.59 of this title

Proposed G-MU Zoning Text:

E. Building Height: The minimum building height shall be forty five feet (45') and the 200 South Street corridor shall have a minimum height of twenty five feet (25'). The maximum building height shall not exceed seventy five feet (75') except buildings with non-flat roofs (e.g., pitched, shed, mansard, gabled or hipped roofs) may be allowed, up to a maximum of ninety feet (90') (subject to subsection I of this section). The additional building height may incorporate habitable space.

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3. ***Additional height may be allowed as specified below:***

a. Additional Permitted Height Location: Additional height is permitted in the area described by: The Accompanying "Station Center Core Diagram".

b. Height Regulations: No corner building shall be less than one hundred feet (100') nor more than one hundred ninety feet (190') in height. The minimum one hundred foot (100') high portion of the building shall be located not farther than five feet (5') from the lot line along front and corner lot lines.

c. The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic demand management guidelines administered by the city traffic engineer.

Additional Standards For Certain Height Modifications:

(1) The first one hundred feet (100') of height shall not be set back from the street front more than five feet (5') except that setbacks above the first fifty feet (50') may be approved through the conditional building and site design review process.

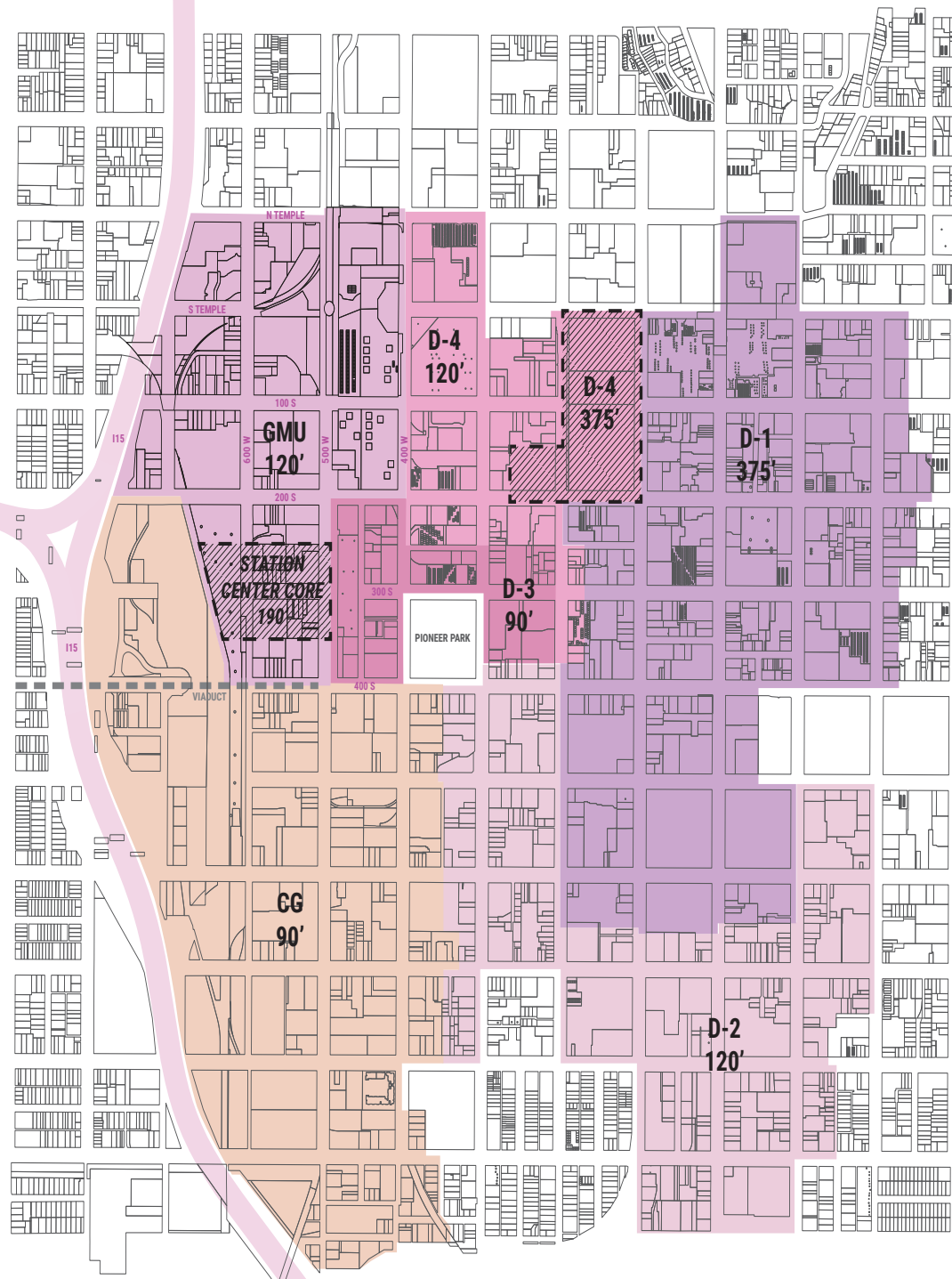
(2) Modifying the height will achieve the preservation of a landmark site or contributing structure in an H historic preservation overlay district.

(3) Modifying the height will allow interim service commercial uses to support the downtown community.

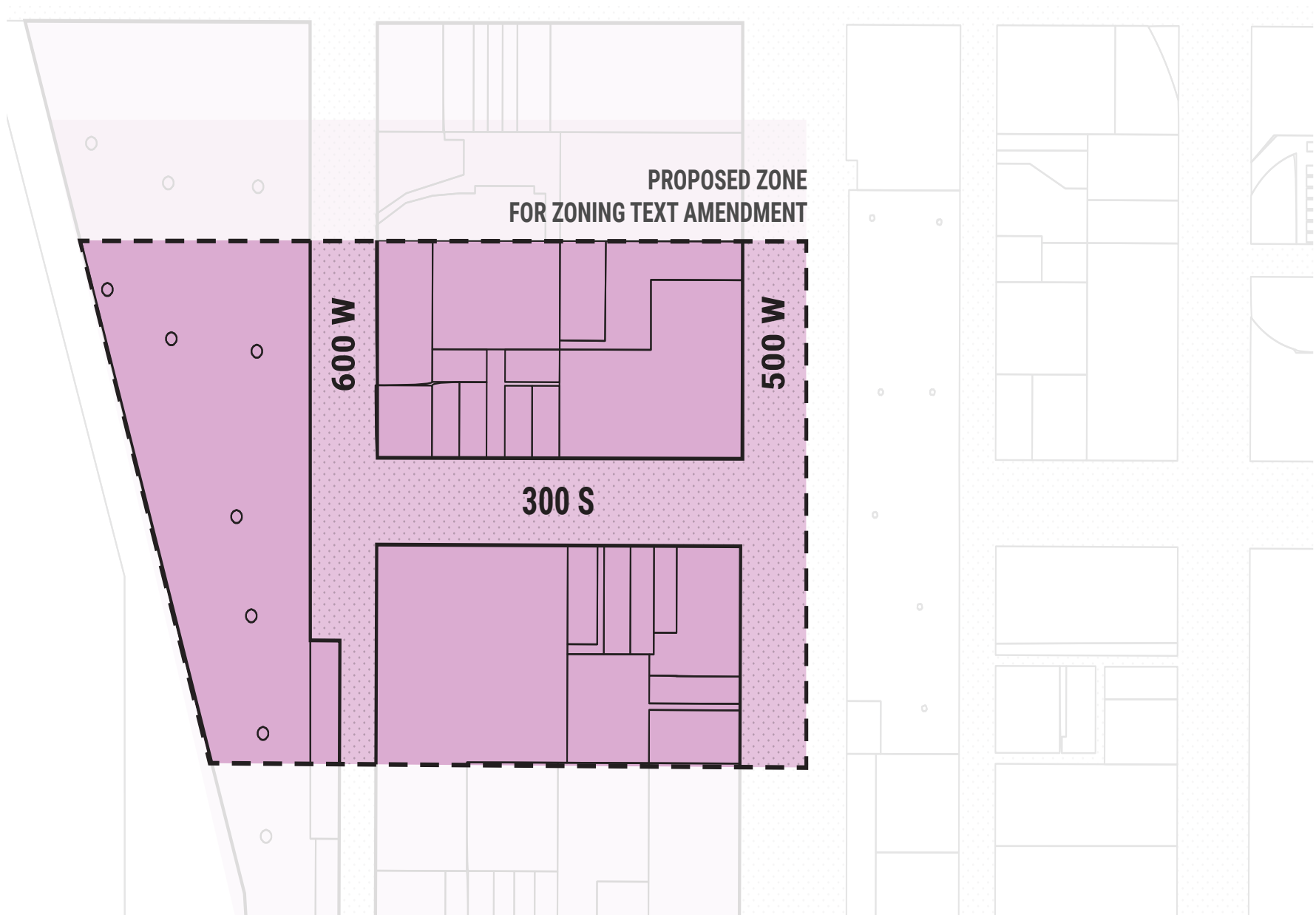
d. Special Controls Over Mid-Block Areas:

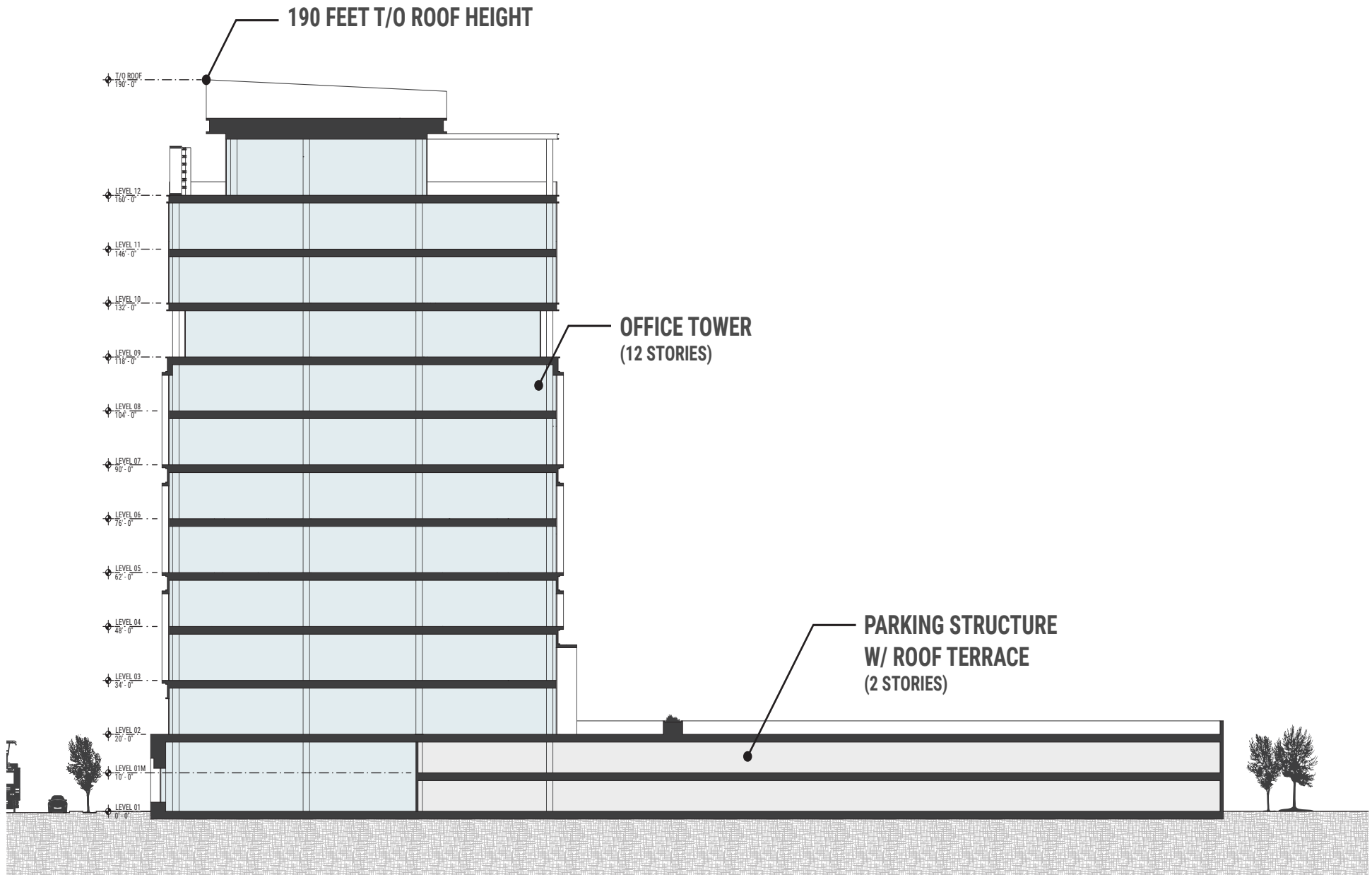
(1) Intent: Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.

(2) Height Regulations: No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized through the Design Review process, subject to the requirements of chapter 21A.59 of this title.



LEGEND
D-1 = ZONING DISTRICT
375' = MAX BUILDING HEIGHT (FT)





STATION CENTER CORE - HEIGHT DIAGRAM 07.10.2019

Project Description:

Gateway District Zone Text Amendment

August 23, 2019

Background:

The development of the Gateway District includes over 600 acres of land located between Interstate 15 on the west, 300 West on the east, North Temple on the north and 1000 South on the south end. In terms of the “Gateway” to Salt Lake City, this district has long been regarded as that in terms of the Transportation Corridor into the City, as the Gateway Specific Plan rightly points out:

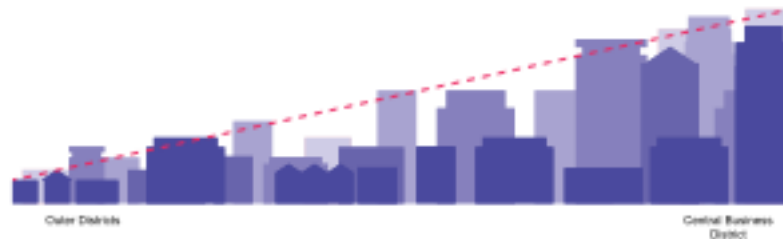
“As a visual and welcoming gateway to the City from the regional highway system and the Salt Lake City International Airport; as an orientation point and initial image of downtown for visitors arriving by car or transit as they pass through a new mixed-use urban district”.

Compliance with Salt Lake City Policy Directives:

The City recognized the importance of the area in its Gateway Specific Plan, as adopted by the Salt Lake City Council on August 11, 1998. This was further reinforced in the document ‘Creating an Urban Neighborhood’, also adopted on August 1998. The City’s Downtown Plan, adopted on May 24, 2016, also underlines the importance of the “Depot District” as part of the logical extension of Salt Lake City’s downtown experience. The roots of the district are embedded in the industrial character and uses. The ‘Creating an Urban Neighborhood’ document, the Gateway Specific Plan, and the Downtown plan all recognize the evolving nature of the district as a mixed-use neighborhood that is thought of as the Gateway to Salt Lake City and the Wasatch Front.

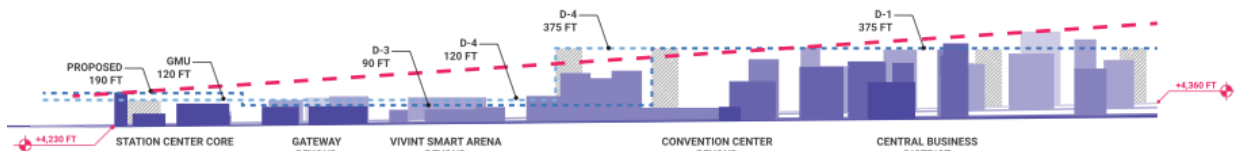
The Creating an Urban Neighborhood document outlines Implementation Issues, which include a strong recommendation to “work with designers and developers of the intermodal station facility so that it provides a strong terminus to 300 south Street and reinforces the connection between the station and the depot.” It remains important to provide the level of emphasis to create an active urban environment on the 300 South “Festival Street” corridor thus establishing the strong terminus that is outlined in the Urban Neighborhood narrative. In order to accomplish this, there is a need to recognize the type of development that will allow this to become a reality. The Urban Neighborhood plan outlines the type of development that is to be encouraged. This includes development such as offices, which entails working with the developers of office space and creating a strong and vibrant district. To this end, it is also important to consider the impact of employment opportunities, and the City’s recognition of establishing this as a complete neighborhood includes the development of the workplace along with other services. In order to accomplish this, it is essential to bring the type of development, which can include some taller buildings to emphasize the importance of the area in establishing this district, which has taken some time to take place.

The City's Downtown Plan provides for an Urban Design Framework and establishes that "Urban design has a significant impact on the image of downtown by shaping its urban form, distinguishing the character of districts and framing and detailing the public realm." The Plan describes the "Urban Form" as being the shape of the city. In terms of height, the Plan indicates that "The 3D structure of downtown is a two-sided pyramidal form with the highest points in the central Business District. Building height gradually steps down to the south and west", and provides this diagram as an illustration:



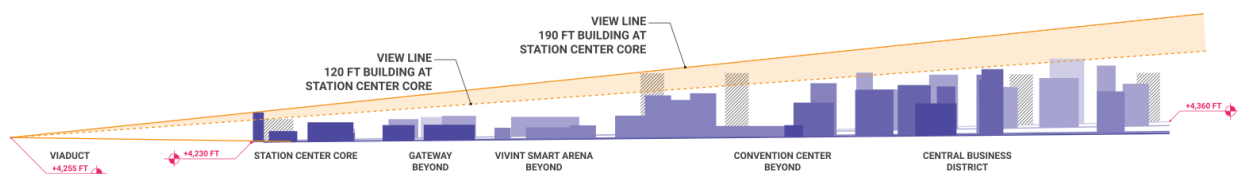
Downtown has a two-sided pyramidal urban form with the tallest buildings in the Central Business District

This proposal recognizes the importance of maintaining a plan and the Downtown Plan's establishment of a massing profile for Salt Lake City can be maintained, while also recognizing the need for a moderate amount of additional height in the Gateway District – allowing a maximum building height of 190'. The emphasis on the Central Business District is maintained, while the emphasis of creating a strong Gateway District Hub is maintained in a similar fashion:



Zone Height change with extended two-sided pyramidal urban form with the tallest buildings in the Central Business District

Additionally, the recognition of the "Gateway" that is outlined by the City's Plans includes the need to determine that a moderate amount of additional height in the Gateway District does not diminish the view of downtown Salt Lake City from the 400 South Gateway Entrance. This remains important and remains intact when the proposed additional height is allowed:



Line of sight from 400 South Gateway towards the downtown Central Business District.

As the “initial image” of Salt Lake City’s downtown expression, the extension of a downtown statement is essential. The image of a “downtown” place also includes the ability for development to be attracted that is worthy of being the expression of an extended downtown in terms of the type of businesses and the stature of a downtown statement. With the heart of Salt Lake City’s downtown core being the State Street and Main Street area as defined by the D1 Central Business District zoning, which is characterized by strongly anchored block corners with buildings as much as 375 feet tall and mid-block area buildings as tall as 100 feet.

The Downtown Zoning of the D1 Zone establishes:

The intent of the amendment would be to follow the established strategy of Salt Lake City’s downtown zoning. That being to anchor the corners of intersecting streets with taller buildings and reduce the height at midblock developments. The Downtown Zoning of the D1 Zone states:

“Organization of District Regulations: In addition to regulations that apply to the D-1 Central Business District as a whole, three (3) sets of regulations are contained in this district that apply to specific geographical areas:

- **Special Controls Over Block Corners:** These regulations apply only to properties within a specified distance from street intersections, as established in subsection E of this section. No corner building shall be less than one hundred feet (100') nor more than three hundred seventy-five feet (375') in height.
- **Special Controls Over Mid-Block Areas:** These regulations apply only to the intervening property between block corner properties, as established in subsection F of this section. No building shall be more than one hundred feet (100') in height.
- **Special Controls Over The Main Street Retail Core:** These regulations apply only to the Main Street retail core area, as established in subsection G of this section. The regulations governing block corners and mid-block areas also apply to the Main Street retail core.”

The G-MU Zoning District currently allows heights of up to 120 feet. This has served well in the development of much of the district over the past 20-ish years; however, in order to honor the extension of Salt Lake City’s Downtown District as outlined by the Gateway Specific Plan, additional height for the Core of the Station Center subdistrict should be strongly considered.

Purpose:

As new development is considered in the Gateway District the underlying G-MU Zoning should be carefully examined in light of the continuing effort that has been expended to provide a basis for development of the district. In recent years, the City has had the foresight to consolidate much of the land ownership in the immediate area of the

Intermodal Hub through the Redevelopment Agency. As this has happened, Salt Lake City, including City Planning and the RDA, have established the Station Center Development Area as a subdistrict, due to the proximity to our City's intermodal hub and also with its exposure as the true Salt Lake City Gateway from the west. In so doing, the establishment of 300 South (Festival Street) now has become the center of the district establishing a District Core with a higher relative intensity and a mixture of uses. Essentially, Festival Street has become its own subdistrict within the G-MU. In order to achieve the critical mass of the area, a strategic understanding of bringing this to life also includes the ability to intensify this core area in the creation of a vibrant extension of Downtown Salt Lake City. To this end, we propose an increase to the building height limitations to facilitate the Goals and Aspirations of both the Gateway Specific Plan and the Downtown Plan. The stated goals include:

- Create a positive and clear identity of Salt Lake City and the Gateway District
- Create a sense of place for the District that celebrates and supports "Neighborhoods", each with a distinct character and personality.
- Encourage development that strengthens and compliments the Central Business District.
- Create a hierarchy of streets and open spaces that provide structure and framework for the development of neighborhoods.
- Encourage a mix of uses with diversity in jobs, residents, and visitors that balances neighborhood needs, has a vital street life and character, and results in a thriving local economy.
- Encourage excellence in design of public infrastructure opportunities such as the public transportation systems, and streetscapes that are elegant and fitting of a Gateway.
- Look to traditional patterns of development in Salt Lake City as examples of the kind of blocks and streets that encourage and support urban neighborhood development.
- Require excellence in design through urban design standards that preserve views and vistas, create pedestrian friendly and attractive streets, establish a district character, and create landmarks and signature structures in architecture and infrastructure.

This G-MU Amendment suggests that a similar philosophy to the D1 Central Business District be adopted for the Station Center Development area further defining the area of the 300 South/Festival Street as a core area of the G-MU District, with additional building height defining the block corners. It is important that the Station Center Core does not compete with the heart of downtown in terms of prominence, so this Amendment provides for building heights at the corners of up to 190 feet and mid-block building heights of up to 100 feet. Rather than changing building heights within the entire district, and similar to recent modifications to the D4 Secondary Business District, this amendment proposes a limited area of scope be included as depicted by the accompanying exhibits.

Surrounding Zoning:

Salt Lake City Building Height Requirements:

21A.30.020: D-1 CENTRAL BUSINESS DISTRICT:

6. Height Regulations: No corner building shall be less than one hundred feet (100') nor more than three hundred seventy-five feet (375') in height. The minimum one hundred foot (100') high portion of the building shall be located not farther than five feet (5') from the lot line along front and corner lot lines. Buildings higher than three hundred seventy-five feet (375') may be allowed in accordance with the provisions of subsections E6a and E6b of this section.

a. Conditions For Taller Corner Buildings: Corner buildings may exceed the three hundred seventy-five foot (375') height limit provided they conform to the following requirements:

- (1) To minimize excessive building mass at higher elevations and preserve scenic views, some or all of the building mass over the three hundred seventy five foot (375') height level shall be subject to additional setback, as determined appropriate through the conditional building and site design review process.
- (2) Not less than one percent (1%) of the building construction budget shall be used for enhanced amenities, including art visible to the public, enhanced design elements of the exterior of the building or exterior spaces available to the public for cultural or recreational activities. The property owner shall not be required to exceed one hundred thousand dollars (\$100,000.00) in required amenities.
- (3) The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic demand management guidelines administered by the city traffic engineer.

b. Additional Standards For Certain Height Modifications:

- (1) The first one hundred feet (100') of height shall not be set back from the street front more than five feet (5') except that setbacks above the first fifty feet (50') may be approved through the conditional building and site design review process.
- (2) Modifying the height will achieve the preservation of a landmark site or contributing structure in an H historic preservation overlay district.
- (3) Modifying the height will allow interim service commercial uses to support the downtown community.

- c. Conditional Building And Site Design Approval: A modification to the height regulations in subsection E6a of this section may be granted through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title.

F. Special Controls Over Mid-Block Areas:

- 1. Intent: Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.
- 2. Area Of Applicability: The controls established under this subsection shall apply to:
 - a. Buildings constructed after April 12, 1995; and
 - b. All intervening land between block corner properties, as established in subsection E2 of this section.
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Maximum Building Height: No building shall exceed sixty five feet (65'). Buildings taller than sixty five feet (65') but less than one hundred twenty feet (120') may be authorized through the conditional building and site design process, subject to the requirements of chapter 21A.59 of this title.

21A.30.040: D-3 DOWNTOWN WAREHOUSE/RESIDENTIAL DISTRICT:

Maximum Building Height: No building shall exceed seventy five feet (75'). Buildings taller than seventy five feet (75') but less than ninety feet (90') may be authorized through the conditional building and site design review process, provided the additional height is supported by the applicable master plan, the overall square footage of the buildings is greater than fifty percent (50%) residential use, and subject to the requirements of chapter 21A.59 of this title.

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a. Additional Permitted Height Location: Additional height greater than one hundred twenty feet (120') but not more than three hundred seventy five feet (375') in height is permitted in the area bounded by:

(1) The centerlines of South Temple, West Temple, 200 South, and 200 West Streets; and

(2) Beginning at the Southeast Corner of Block 67, Plat 'A', Salt Lake City Survey, and running thence along the south line of said Block 67, N89°54'02"W 283.86 feet; thence N00°04'50"E 38.59 feet; thence N10°46'51"W 238.70 feet; thence N24°45'15"W 62.98 feet; thence S89°54'02"E 355.45 feet to the east line of said Block 67; thence along said east line S00°06'35"W 330.14 feet to the point of beginning. Contains 102,339 square feet, or 2.349 acres, more or less

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Maximum Height: No building shall exceed sixty feet (60'). Buildings higher than sixty feet (60') may be allowed in accordance with the provisions of subsections F1 and F3 of this section.

1. Procedure For Modification: A modification to the height regulations in this subsection F may be granted through the conditional building and site design review process in conformance with the provisions of chapter 21A.59 of this title. In evaluating an application submitted pursuant to this section, the Planning Commission or in the case of an administrative approval the Planning Director or designee, shall find that the increased height will result in improved site layout and amenities.

2. Landscaping: If additional floors are approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floors.

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- (2) Modifying the height will achieve the preservation of a landmark site or contributing structure in an H historic preservation overlay district.***
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d. Special Controls Over Mid-Block Areas:

- (1) Intent: Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.***
- (2) Height Regulations: No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized through the Design Review process, subject to the requirements of chapter 21A.59 of this title.***

ATTACHMENT D: ANALYSIS OF STANDARDS

ZONING TEXT 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 text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;	Does not Comply	Please see the <i>Key Considerations</i> regarding applicable master plan policies and goals. As discussed, staff finds that the proposed zoning amendment is not consistent with the purposes, goals, objectives, and policies of <i>The Downtown Master Plan</i> and <i>Plan Salt Lake</i> .
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;	Does not Complies	<p>The purpose statement of the G-MU zoning district states that it,</p> <p><i>...is intended to implement the objectives of the adopted gateway development master plan and encourage the mixture of residential, commercial and assembly uses within an urban neighborhood atmosphere. The 200 South corridor is intended to encourage commercial development on an urban scale and the 500 West corridor is intended to be a primary residential corridor from North Temple to 400 South. Development in this district is intended to create an urban neighborhood that provides employment and economic development opportunities that are oriented toward the pedestrian with a strong emphasis on a safe and attractive streetscape. The standards are intended to achieve established objectives for urban and historic design, pedestrian amenities and land use regulation.</i></p> <p>The subject area of this petition is located between the train tracks at the intermodal hub and 500 West and approximately 250 South and 350 South. The proposed height change does not seem to conform</p>

		to the purpose statement for the zone in that the proposed height increase would diminish development that is oriented toward the pedestrian. It would also detract from the safe and attractive streetscape that is key to converting 300 South to a lively and inviting “festival street”.
3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and	Complies	The property is not located within an overlay zoning district that imposes additional standards.
4. The extent to which a proposed map amendment implements best current, professional practices of urban planning and design.	Does not Comply	The petition for additional height is not, in and of itself, an inappropriate request. Often, additional height is wholly appropriate; particularly in a city such as Salt Lake City which is growing rapidly and struggling to meet housing needs. However, in this specific area, extensive planning that implements the best current and professional practices of urban planning and design has already been done to foster a neighborhood that is oriented to the pedestrian scale. In fact, not only professional planning, but specific action has been taken (zoning change to G-MU and 300 S Street narrowing) to achieve the development objectives.

ATTACHMENT E: PUBLIC PROCESS

Notice of Application to the Downtown Community Council and Downtown Alliance:

A notice of application was sent to the Downtown Community Council Chairperson, Thomas Merrill, and the Executive Director of the Downtown Alliance, Dee Brewer, on August 27, 2019. The Community Council was given 45 days to respond with any concerns or request staff to meet with them and discuss the proposed text amendment. There was no response or comments from either group.

Notice of Application to Building Owners and Residents:

An early notice of application was sent to owners and residents of buildings within a 300' radius of the subject parcels on September 9, 2019 to let them know about the submitted petition.

Notice of the Planning Commission Public Hearing:

Notice of the public hearing scheduled for October 23, 2019 were mailed and posted on October 11, 2019.

Public Input:

No public input was received.

ATTACHMENT F: DEPARTMENT REVIEW COMMENTS

Redevelopment Agency (Cara Lindsley)

The RDA does have some existing agreements and potential developments that are in progress that could be impacted by requiring additional height in the area. We would look to Planning and the policymakers about the appropriate heights in the area, so we don't have any comments on maximum heights. However, if additional height is allowed, we would ask to remove the required minimum because we are seeing challenges with meeting the parking demands of these developments and imposing a minimum height requirement may add parking-related costs to the projects. Additionally, a minimum height requirement could necessitate a different construction type than what is used for building heights currently allowed in the G-MU zone, creating additional financial barriers that might make these projects infeasible.

Engineering (Scott Weiler)

I believe the current right-of-way width of 300 South between 500 West and 600 West will be requested to be narrowed by the RDA as part of the Station Center development. Provided that the effects of that action are understood by SLC Planning, Engineering has no objections to the proposed zoning amendment regarding building heights.

Transportation (Michael Barry)

No issues with height from Transportation.

Zoning

No comments received

Building

No comments received

Public Utilities

No comments received.

Fire

No comments received.

3D. PLANNING COMMISSION AGENDA & MINUTES
October 23, 2019

SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA

In Room 326 of the City & County Building

October 23, 2019, at 5:30 p.m.

(The order of the items may change at the Commission's discretion)

FIELD TRIP - The field trip is scheduled to leave at 4:00 p.m.

DINNER - Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m. in Room 126 of the City and County Building. During the dinner break, the Planning Commission may receive training on city planning related topics, including the role and function of the Planning Commission.

PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM IN ROOM 326

APPROVAL OF MINUTES FOR OCTOBER 9, 2019

REPORT OF THE CHAIR AND VICE CHAIR

REPORT OF THE DIRECTOR

PUBLIC HEARINGS

1. **Home Replacement at approximately 828 W Duluth Avenue** - Bill Whitaker, property owner, is requesting a Conditional Use to demolish the existing single-family residential structure and build a new single-family residential structure on the property located at 828 W Duluth Avenue in a manufacturing zoning district. The subject property is in the M-2 Heavy Manufacturing zoning district and located within Council District 3, represented by Chris Wharton. (Staff contact: Chris Earl at (801) 535-7932 or christopher.earl@slcgov.com) **Case number PLNPCM2019-00552**
2. **Text Amendment for Increased Height Limits in part of the G-MU Zone** - A zoning text amendment petition from Doug Thimm, on behalf of STACK Real Estate, to increase the maximum height of buildings within a portion of the G-MU zoning district. The G-MU zone currently allows for building heights of 75 feet but heights of up to 120 feet can be approved through the Design Review process. The applicant proposes to increase maximum heights up to 190 feet for buildings located on street corners and 100 feet for midblock sections in the area located between 500 West and the railroad tracks (approximately 625 West) and approximately 250 South and 350 South. The purpose of the request is to accommodate a large-scale development within the subject area. (Staff Contact: Christopher Lee at (801) 535-7706 or christopher.lee@slcgov.com) **Case number PLNPCM2019-00639**
3. **Medicinal Cannabis Text Amendment** - A text amendment to amend section(s) of Title 21A (Zoning) of the Salt Lake City Code to establish regulations, in accordance with recently adopted State law, concerning the cultivation, production, and distribution of medicinal cannabis. Related provisions of title 21A may also be amended as part of this petition as necessary. The changes would apply citywide. (Staff contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com) **Case number PLNHLC2019-00678**

4. **Business Park-I Overlay Zoning Map and Text Amendment** - Bryon Prince, representing Ivory Development, is requesting to rezone property located at approximately 2691 N 2200 West. The property is currently zoned Business Park (BP). The applicant is proposing to add a new overlay zone to the property, which would add additional development regulations to the property. The overlay regulations are proposed to add additional allowed uses, allow required open space to be distributed across the property, require additional buffering, increase the building height limit, limit vehicle access from 2200 West, and add environmental protections related to potential bird and water quality impacts. The purpose of the requested rezone and text amendment is to accommodate a future "Research Park" development involving businesses and industries related or similar to those in the existing "Research Park" located next to the University of Utah. The proposal includes two petitions:

a. **PLNPCM2019-00677** – Text amendment to adopt the proposed "Business Park-I" overlay zone ordinance as a new overlay zone in the City Zoning Code (Title 21A).

b. **PLNPCM2018-00856** – Map amendment to map the proposed "Business Park-I" overlay zone over the property on the official City zoning map.

Related provisions of Title 21A-Zoning may also be amended as part of this petition. The property is located within Council District 1, represented by James Rogers. (Staff Contact: Daniel Echeverria at (801) 535-7165 or daniel.echeverria@slcgov.com)

The files for the above items are available in the Planning Division offices, room 406 of the City and County Building. Please contact the staff planner for information, Visit the Planning Division's website at www.slcgov.com/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. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived and may be viewed at www.slctv.com. The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326, Salt Lake City, Utah
Wednesday, October 23, 2019

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:34:17 PM](#). Audio recordings of the Planning Commission meetings are retained for a period of time.

Present for the Planning Commission meeting were: Vice Chairperson Brenda Scheer; Commissioners Maurine Bachman, Amy Barry, Weston Clark,Carolynn Hoskins, Jon Lee, and Darin Mano. Chairperson Adrienne Bell; Commissioners Andres Paredes and Sara Urquhart were excused.

Planning Staff members present at the meeting were Wayne Mills, Planning Manager; Paul Nielson, Attorney; Chris Earl, Associate Planner; Chris Lee, Principal Planner; Lex Traugher, Senior Planner; Daniel Echeverria, Senior Planner; and Marlene Rankins, Administrative Secretary.

Field Trip

A field trip was held prior to the work session. Planning Commissioners present were: Maurine Bachman, Carolynn Hoskins, and Jon Lee. Staff members in attendance were Wayne Mills, Chris Earl, and Chris Lee.

- **828 W Duluth Ave** - Staff summarized proposal and explained that replacement of homes in this zone requires conditional use
- **Text Amendment for Increased Height Limits in part of the G-MU Zone** – Staff summarized proposal.

APPROVAL OF THE OCTOBER 9, 2019, MEETING MINUTES. [5:34:35 PM](#)

MOTION [5:34:39 PM](#)

Commissioner Clark moved to approve the October 9, 2019 minutes. Commissioner Bachman seconded the motion. Commissioners Lyon, Mano, Barry, Hoskins, Bachman, Clark, and Lee voted “Aye”. The motion passed unanimously.

REPORT OF THE CHAIR AND VICE CHAIR [5:35:10 PM](#)

Chairperson Bell was not present.

Vice Chairperson Scheer stated she had nothing to report.

REPORT OF THE DIRECTOR [5:35:12 PM](#)

Wayne Mills, Planning Manager, stated he had nothing to report.

[5:48:32 PM](#)

Text Amendment for Increased Height Limits in part of the G-MU Zone - A zoning text amendment petition from Doug Thimm, on behalf of STACK Real Estate, to increase the maximum height of buildings within a portion of the G-MU zoning district. The G-MU zone currently allows for building heights of 75 feet but heights of up to 120 feet can be approved through the Design Review process. The applicant proposes to increase maximum heights up to 190 feet for buildings located on street corners and 100 feet for midblock sections in the area located between 500 West and the railroad tracks (approximately

625 West) and approximately 250 South and 350 South. The purpose of the request is to accommodate a large-scale development within the subject area. (Staff Contact: Christopher Lee at (801) 535-7706 or christopher.lee@slcgov.com) **Case number PLNPCM2019-00639**

Chris Lee, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). He stated Staff recommended that the Planning Commission forward a negative recommendation to the City Council.

The Commission and Staff discussed the following:

- Clarification as to what the RDA's take on the matter is
- Clarification as to what is currently the highest building in downtown Salt Lake

Doug Thimm, Arch Nexus; Andrew Bybee, STACK Real Estate; and Nathan Ricks, STACK Real Estate, provided further details regarding the proposed project.

The Commission, Staff and Applicant discussed the following:

- Clarification on need for height over 120 feet
- Clarification on why applicants feel they meet the requirements
- How much of the property is currently owned by the applicant?
- Clarification as to why the applicant is not requesting an entire zone versus just partial

PUBLIC HEARING [6:18:30 PM](#)

Vice Chairperson Scheer opened the Public Hearing; seeing no one wished to speak; Vice Chairperson Scheer closed the Public Hearing.

The Commission and Staff further discussed the following:

- Whether there are mixed use requirements in the zone

MOTION [6:28:07 PM](#)

Commissioner Lyon stated, based on the findings listed in the staff report, the information presented, and input received during the public hearing, I move that the Planning Commission forward a negative recommendation to the City Council in regard to the zoning text amendment to increase height limits for a portion of the G-MU zone (petition PLNPCM2019-00639.

Commissioner Bachman seconded the motion.

Further discussion was made regarding the motion.

Commissioners Lee, Clark, Bachman, Hoskins, Barry, Mano, and Lyon voted "Aye". The motion passed unanimously.

4. ORIGINAL PETITION



Zoning Amendment

SALT LAKE CITY PLANNING

☒ Amend the text of the Zoning Ordinance ☐ Amend the Zoning Map

OFFICE USE ONLY

Received By:

Date Received:

Project #:

PLNPCM 2019-00639

A. Anglin

7/10/19

Name or Section/s of Zoning Amendment:

modification to Height Limits in GMM

PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area):

Per Accompanying Legal Description

Name of Applicant:

Doug Thimm

Phone:

(801) 924-5045

Address of Applicant: 2505 East Parleys Way

Salt Lake City, Utah 84109

E-mail of Applicant:

dthimm@archnexus.com

Cell/Fax:

(801) 699-7507

Applicant's Interest in Subject Property:

☐ Owner

☐ Contractor

☒ Architect

☐ Other:

Name of Property Owner (if different from applicant): Nathan Ricks, STACK Real Estate

E-mail of Property Owner:

nathan@stackwithus.com

Phone:

(801) 231-0066

Please note that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

AVAILABLE CONSULTATION

If you have any questions regarding the requirements of this application, please contact Salt Lake City Planning Counter at (801) 535-7700 prior to submitting the application.

REQUIRED FEE

Map Amendment: filing fee of \$1,034, plus \$121 per acre in excess of one acre

Text Amendment: filing fee of \$1,035, plus \$100 for newspaper notice.

Plus additional fee for mailed public notices.

SIGNATURE

If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Signature of Owner or Agent:

Date:

July 10, 2019

SUBMITTAL REQUIREMENTS

Staff Review

1. Project Description (please attach additional sheets.)

- ☐ ☒ A statement declaring the purpose for the amendment.
- ☐ ☒ A description of the proposed use of the property being rezoned.
- ☐ ☒ List the reasons why the present zoning may not be appropriate for the area.
- ☐ ☐ Is the request amending the Zoning Map?
If so, please list the parcel numbers to be changed.
- ☐ ☒ Is the request amending the text of the Zoning Ordinance?
If so, please include language and the reference to the Zoning Ordinance to be changed.

WHERE TO FILE THE COMPLETE APPLICATION

<i>Mailing Address:</i>	Planning Counter PO Box 145471 Salt Lake City, UT 84114	<i>In Person:</i>	Planning Counter 451 South State Street, Room 215 Telephone: (801) 535-7700
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INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

- ☒ I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.



ARCHITECTURAL NEXUS, Inc
archnexus.com

SALT LAKE CITY

2505 East Parleys Way
Salt Lake City, Utah 84109
T 801.924.5000

SACRAMENTO

930 R Street
Sacramento, California 95811
T 916.443.5911

July 10, 2019

Mr. Joel Paterson, Zoning Administrator
Salt Lake City Planning Department
451 South State Street
Salt Lake City, Utah 84114

**Re: Gateway District (G-MU)
Zone Text Amendment Application**

Dear Joel:

As we have recently discussed, on behalf of STACK Real Estate, we are formally submitting the accompanying application for a Zone Text Amendment to the Gateway District (G-MU). We appreciate the time that you have spent with us and look forward to expediting the next steps of this process. Accompanying this submission are the following documents: our application, our Project Description, and associated Exhibits. As we have mentioned, we have been working closely with the adjacent property owners and the RDA (Danny Walz and Cara Lindsley), who are aware of the intentions of this proposed Amendment and its benefits to the District. Of note, we are working on a development named the "Nicco Block" on the southwest corner of 300 South and 600 West. In the next week or so, we will be submitting our application for Site Plan Review and Design Review for that site. As needed, we will be happy to share the conceptual information for the "Nicco Block" with you, upon your request.

For your convenience, we have provided a thumb drive containing pdf files of all parts of this submittal along with a word document file of the Project Description. Please let us know if you have any questions or comments, and once again, Thank You for all of your efforts.

Sincerely,

Doug Thimm, AIA, LEED AB BD+C
Architectural Nexus

Project Description:

Gateway District Zone Text Amendment

July 10, 2019

Background:

The development of the Gateway District includes over 600 acres of land located between Interstate 15 on the west, 300 West on the east, North Temple on the north and 1000 South on the south end. In terms of the “Gateway” to Salt Lake City, this district has long been regarded as that in terms of the Transportation Corridor into the City, as the Gateway Specific Plan rightly points out:

“As a visual and welcoming gateway to the City from the regional highway system and the Salt Lake City International Airport; as an orientation point and initial image of downtown for visitors arriving by car or transit as they pass through a new mixed-use urban district”.

Compliance with Salt Lake City Policy Directives:

The City recognized the importance of the area in its Gateway Specific Plan, as adopted by the Salt Lake City Council on August 11, 1998. The City’s Downtown plan, adopted on May 24, 2016, also underlines the importance of the “Depot District” as part of the logical extension of Salt Lake City’s downtown experience. The roots of the district are embedded in the industrial character and uses. Both the Gateway Specific Plan and the Downtown plan recognize the evolving nature of the district as a mixed-use neighborhood that is thought of as the Gateway to Salt Lake City and the Wasatch Front.

As the “initial image” of Salt Lake City’s downtown expression, the extension of a downtown statement is essential. The image of a “downtown” place also includes the ability for development to be attracted that is worthy of being the expression of downtown in terms of the type of businesses and the stature of a downtown statement. With the heart of Salt Lake City’s downtown core being the State Street and Main Street area as defined by the D1 Central Business District zoning, which is characterized by strongly anchored block corners with buildings as much as 375 feet tall and mid-block area buildings as tall as 100 feet.

The Downtown Zoning of the D1 Zone establishes:

The intent of the amendment would be to follow the established strategy of Salt Lake City’s downtown zoning. That being to anchor the corners of intersecting streets with taller buildings and reduce the height at midblock developments. The Downtown Zoning of the D1 Zone states:

“Organization of District Regulations: In addition to regulations that apply to the D-1 Central Business District as a whole, three (3) sets of regulations are contained in this district that apply to specific geographical areas:

- **Special Controls Over Block Corners:** These regulations apply only to properties within a specified distance from street intersections, as established in subsection E of this section. No corner building shall be less than one hundred feet (100') nor more than three hundred seventy-five feet (375') in height.
- **Special Controls Over Mid-Block Areas:** These regulations apply only to the intervening property between block corner properties, as established in subsection F of this section. No building shall be more than one hundred feet (100') in height.
- **Special Controls Over The Main Street Retail Core:** These regulations apply only to the Main Street retail core area, as established in subsection G of this section. The regulations governing block corners and mid-block areas also apply to the Main Street retail core."

The G-MU Zoning District currently allows heights of up to 120 feet. This has served well in the development of much of the district over the past 20-ish years; however, in order to honor the extension of Salt Lake City's Downtown District as outlined by the Gateway Specific Plan, additional height for the Core of the Station Center subdistrict should be strongly considered.

Purpose:

As new development is considered in the Gateway District the underlying G-MU Zoning should be carefully examined in light of the continuing effort that has been expended to provide a basis for development of the district. In recent years, the City has had the foresight to consolidate much of the land ownership in the immediate area of the Intermodal Hub through the Redevelopment Agency. As this has happened, Salt Lake City, including City Planning and the RDA, have established the Station Center Development Area as a subdistrict, due to the proximity to our City's intermodal hub and also with its exposure as the true Salt Lake City Gateway from the west. In so doing, the establishment of 300 South (Festival Street) now has become the center of the district establishing a District Core with a higher relative intensity and a mixture of uses. Essentially, Festival Street has become its own subdistrict within the G-MU. In order to achieve the critical mass of the area, a strategic understanding of bringing this to life also includes the ability to intensify this core area in the creation of a vibrant extension of Downtown Salt Lake City. To this end, we propose an increase to the building height limitations to facilitate the Goals and Aspirations of both the Gateway Specific Plan and the Downtown Plan. The stated goals include:

- Create a positive and clear identity of Salt Lake City and the Gateway District
- Create a sense of place for the District that celebrates and supports "Neighborhoods", each with a distinct character and personality.
- Encourage development that strengthens and compliments the Central Business District.
- Create a hierarchy of streets and open spaces that provide structure and framework for the development of neighborhoods.

- Encourage a mix of uses with diversity in jobs, residents, and visitors that balances neighborhood needs, has a vital street life and character, and results in a thriving local economy.
- Encourage excellence in design of public infrastructure opportunities such as the public transportation systems, and streetscapes that are elegant and fitting of a Gateway.
- Look to traditional patterns of development in Salt Lake City as examples of the kind of blocks and streets that encourage and support urban neighborhood development.
- Require excellence in design through urban design standards that preserve views and vistas, create pedestrian friendly and attractive streets, establish a district character, and create landmarks and signature structures in architecture and infrastructure.

This G-MU Amendment suggests that a similar philosophy to the D1 Central Business District be adopted for the Station Center Development area further defining the area of the 300 South/Festival Street as a core area of the G-MU District, with additional building height defining the block corners. It is important that the Station Center Core does not compete with the heart of downtown in terms of prominence, so this Amendment provides for building heights at the corners of up to 190 feet and mid-block building heights of up to 100 feet. Rather than changing building heights within the entire district, and similar to recent modifications to the D4 Secondary Business District, this amendment proposes a limited area of scope be included as depicted by the accompanying exhibits.

Surrounding Zoning:

Salt Lake City Building Height Requirements:

21A.30.020: D-1 CENTRAL BUSINESS DISTRICT:

6. Height Regulations: No corner building shall be less than one hundred feet (100') nor more than three hundred seventy-five feet (375') in height. The minimum one hundred foot (100') high portion of the building shall be located not farther than five feet (5') from the lot line along front and corner lot lines. Buildings higher than three hundred seventy-five feet (375') may be allowed in accordance with the provisions of subsections E6a and E6b of this section.

a. Conditions For Taller Corner Buildings: Corner buildings may exceed the three hundred seventy-five foot (375') height limit provided they conform to the following requirements:

(1) To minimize excessive building mass at higher elevations and preserve scenic views, some or all of the building mass over the three hundred seventy five foot (375') height level shall be subject to additional setback, as determined appropriate through the conditional building and site design review process.

- (2) Not less than one percent (1%) of the building construction budget shall be used for enhanced amenities, including art visible to the public, enhanced design elements of the exterior of the building or exterior spaces available to the public for cultural or recreational activities. The property owner shall not be required to exceed one hundred thousand dollars (\$100,000.00) in required amenities.
- (3) The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic demand management guidelines administered by the city traffic engineer.

b. Additional Standards For Certain Height Modifications:

- (1) The first one hundred feet (100') of height shall not be set back from the street front more than five feet (5') except that setbacks above the first fifty feet (50') may be approved through the conditional building and site design review process.
- (2) Modifying the height will achieve the preservation of a landmark site or contributing structure in an H historic preservation overlay district.
- (3) Modifying the height will allow interim service commercial uses to support the downtown community.

c. Conditional Building And Site Design Approval: A modification to the height regulations in subsection E6a of this section may be granted through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title.

F. Special Controls Over Mid-Block Areas:

1. Intent: Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.
2. Area Of Applicability: The controls established under this subsection shall apply to:
 - a. Buildings constructed after April 12, 1995; and
 - b. All intervening land between block corner properties, as established in subsection E2 of this section.

3. Height Regulations: No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title.

21A.30.030: D-2 DOWNTOWN SUPPORT DISTRICT:

Maximum Building Height: No building shall exceed sixty five feet (65').

Buildings taller than sixty five feet (65') but less than one hundred twenty feet (120') may be authorized through the conditional building and site design process, subject to the requirements of chapter 21A.59 of this title.

21A.30.040: D-3 DOWNTOWN WAREHOUSE/RESIDENTIAL DISTRICT:

Maximum Building Height: No building shall exceed seventy five feet (75').

Buildings taller than seventy five feet (75') but less than ninety feet (90') may be authorized through the conditional building and site design review process, provided the additional height is supported by the applicable master plan, the overall square footage of the buildings is greater than fifty percent (50%) residential use, and subject to the requirements of chapter 21A.59 of this title.

21A.30.045: D-4 DOWNTOWN SECONDARY CENTRAL BUSINESS DISTRICT:

Maximum Building Height: No building shall exceed seventy five feet (75').

Buildings taller than seventy five feet (75') but less than one hundred twenty feet (120') may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title. Additional height may be allowed as specified below:

a. Additional Permitted Height Location: Additional height greater than one hundred twenty feet (120') but not more than three hundred seventy five feet (375') in height is permitted in the area bounded by:

(1) The centerlines of South Temple, West Temple, 200 South, and 200 West Streets; and

(2) Beginning at the Southeast Corner of Block 67, Plat 'A', Salt Lake City Survey, and running thence along the south line of said Block 67, N89°54'02"W 283.86 feet; thence N00°04'50"E 38.59 feet; thence N10°46'51"W 238.70 feet; thence N24°45'15"W 62.98 feet; thence S89°54'02"E 355.45 feet to the east line of said Block 67; thence along said east line S00°06'35"W 330.14 feet to the point of beginning. Contains 102,339 square feet, or 2.349 acres, more or less

21A.26.070: CG GENERAL COMMERCIAL DISTRICT:

Maximum Height: No building shall exceed sixty feet (60'). Buildings higher than sixty feet (60') may be allowed in accordance with the provisions of subsections F1 and F3 of this section.

1. Procedure For Modification: A modification to the height regulations in this subsection F may be granted through the conditional building and site design review process in conformance with the provisions of chapter 21A.59 of this title. In evaluating an application submitted pursuant to this section, the Planning Commission or in the case of an administrative approval the Planning Director or designee, shall find that the increased height will result in improved site layout and amenities.

2. Landscaping: If additional floors are approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floors.

3. Maximum Additional Height: Additional height shall be limited to thirty feet (30'). (Ord. 66-13, 2013: Ord. 15-13, 2013: Ord. 12-11, 2011: Ord. 61-09 § 18, 2009: Ord. 3-01 § 2, 2001: Ord. 35-99 § 27, 1999: Ord. 26-95 §2(13-6), 1995)

Existing G-MU Zoning Text:

E. Building Height: The minimum building height shall be forty five feet (45') and the 200 South Street corridor shall have a minimum height of twenty five feet (25'). The maximum building height shall not exceed seventy five feet (75') except buildings with non-flat roofs (e.g., pitched, shed, mansard, gabled or hipped roofs) may be allowed, up to a maximum of ninety feet (90') (subject to subsection I of this section). The additional building height may incorporate habitable space.

1. Conditional Building and Site Design Review: A modification to the minimum building height or to the maximum building height (up to 120 feet) provisions of this section may be granted through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title, and subject to compliance to the applicable master plan.

2. Height Exceptions: Spires, tower, or decorative noninhabitable elements shall have a maximum height of ninety feet (90') and with conditional building and site design review approval may exceed the maximum height, subject to conformance with the standards and procedures of chapter 21A.59 of this title

Proposed G-MU Zoning Text:

E. Building Height: The minimum building height shall be forty five feet (45') and the 200 South Street corridor shall have a minimum height of twenty five feet (25'). The maximum building height shall not exceed seventy five feet (75') except buildings with non-flat roofs (e.g., pitched, shed, mansard, gabled or hipped roofs) may be allowed, up to a maximum of ninety feet (90') (subject to subsection I of this section). The additional building height may incorporate habitable space.

1. Conditional Building and Site Design Review: A modification to the minimum building height or to the maximum building height (up to 120 feet) provisions of this section may be granted through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title, and subject to compliance to the applicable master plan.

2. Height Exceptions: Spires, tower, or decorative noninhabitable elements shall have a maximum height of ninety feet (90') and with conditional building and site design review approval may exceed the maximum height, subject to conformance with the standards and procedures of chapter 21A.59 of this title

3. ***Additional height may be allowed as specified below:***

a. Additional Permitted Height Location: Additional height is permitted in the area described by: The Accompanying "Station Center Core Diagram".

b. Height Regulations: No corner building shall be less than one hundred feet (100') nor more than one hundred ninety feet (190') in height. The minimum one hundred foot (100') high portion of the building shall be located not farther than five feet (5') from the lot line along front and corner lot lines.

c. The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic demand management guidelines administered by the city traffic engineer.

Additional Standards For Certain Height Modifications:

(1) The first one hundred feet (100') of height shall not be set back from the street front more than five feet (5') except that setbacks above the first fifty feet (50') may be approved through the conditional building and site design review process.

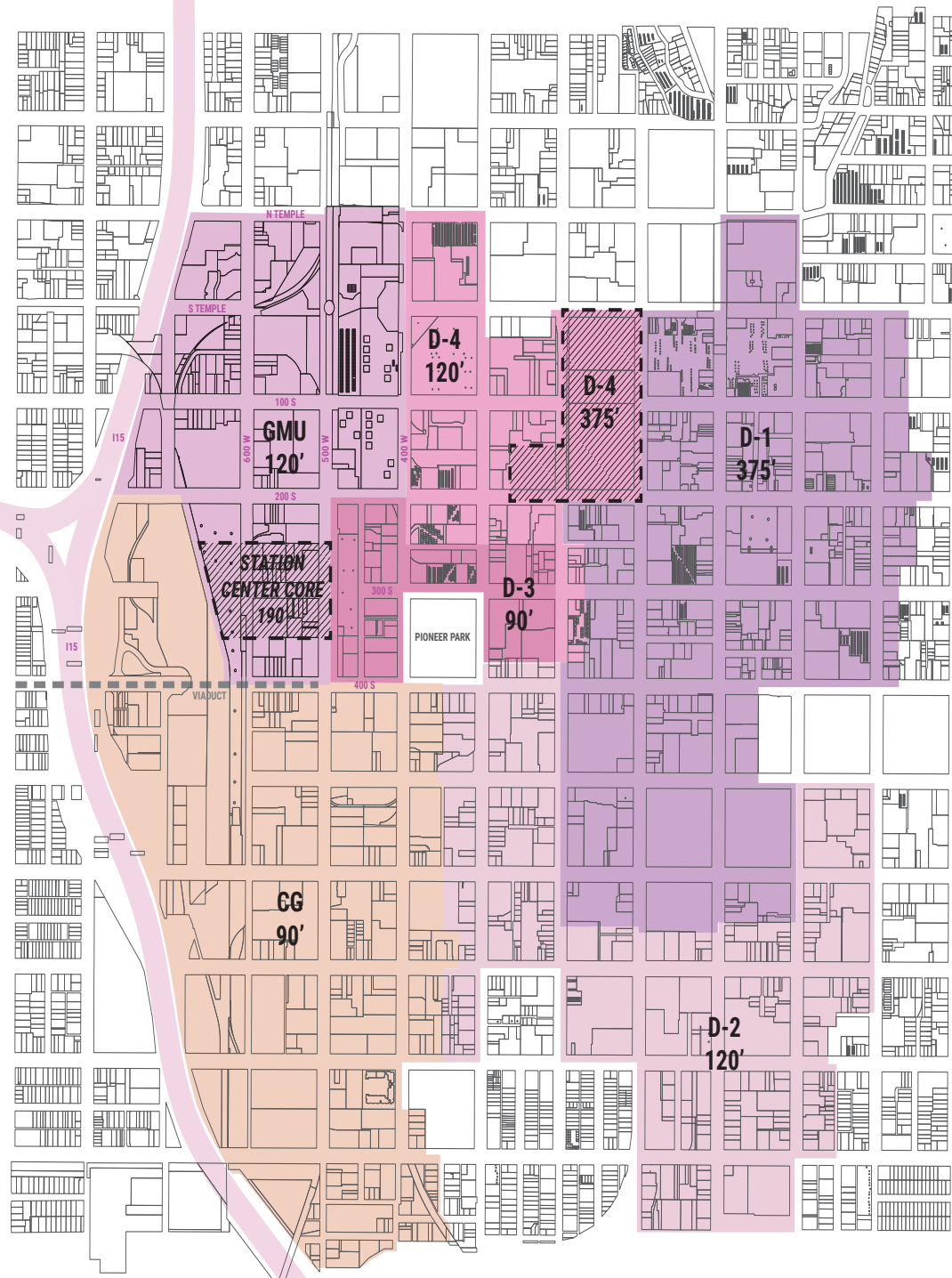
(2) Modifying the height will achieve the preservation of a landmark site or contributing structure in an H historic preservation overlay district.

(3) Modifying the height will allow interim service commercial uses to support the downtown community.

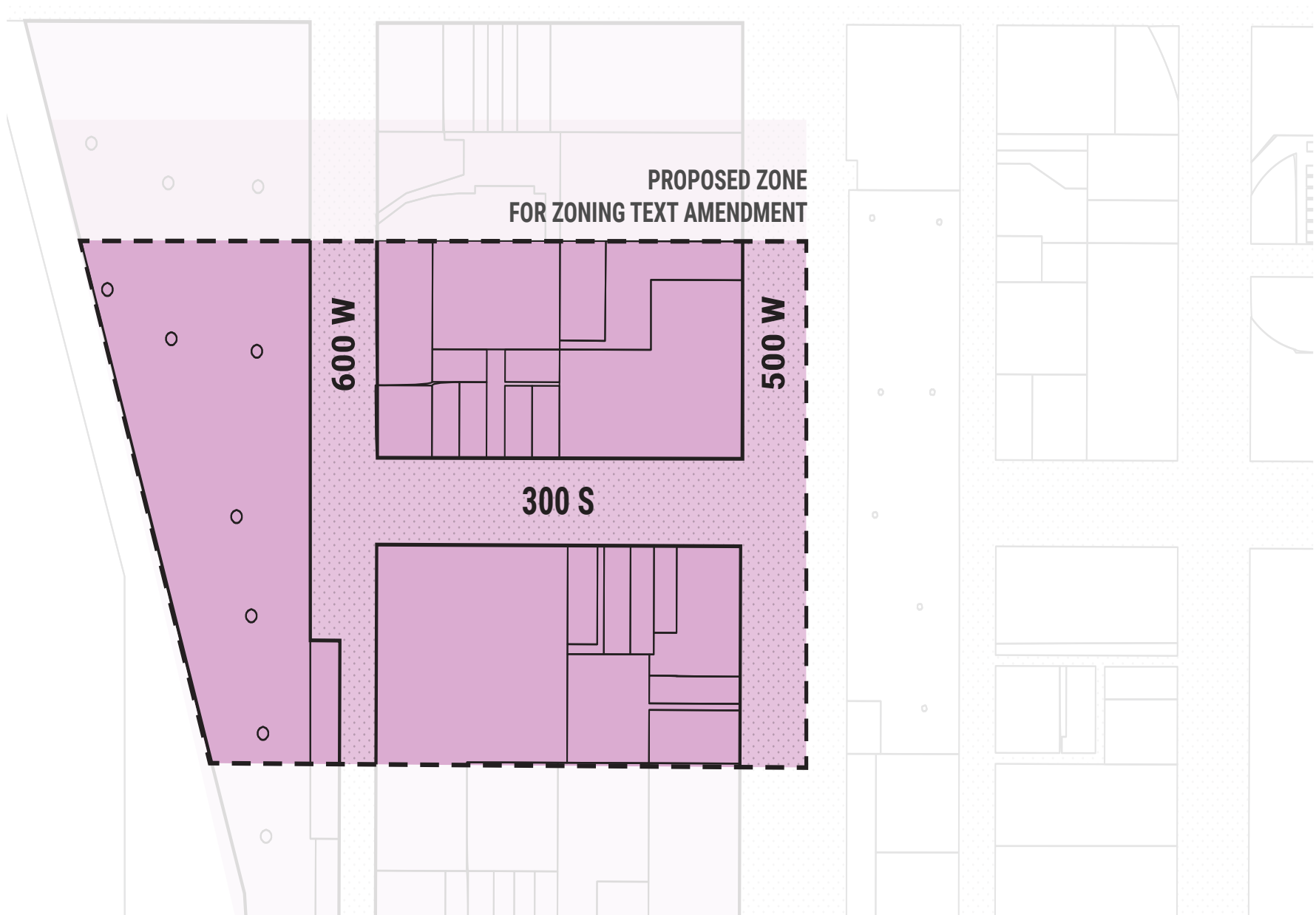
d. Special Controls Over Mid-Block Areas:

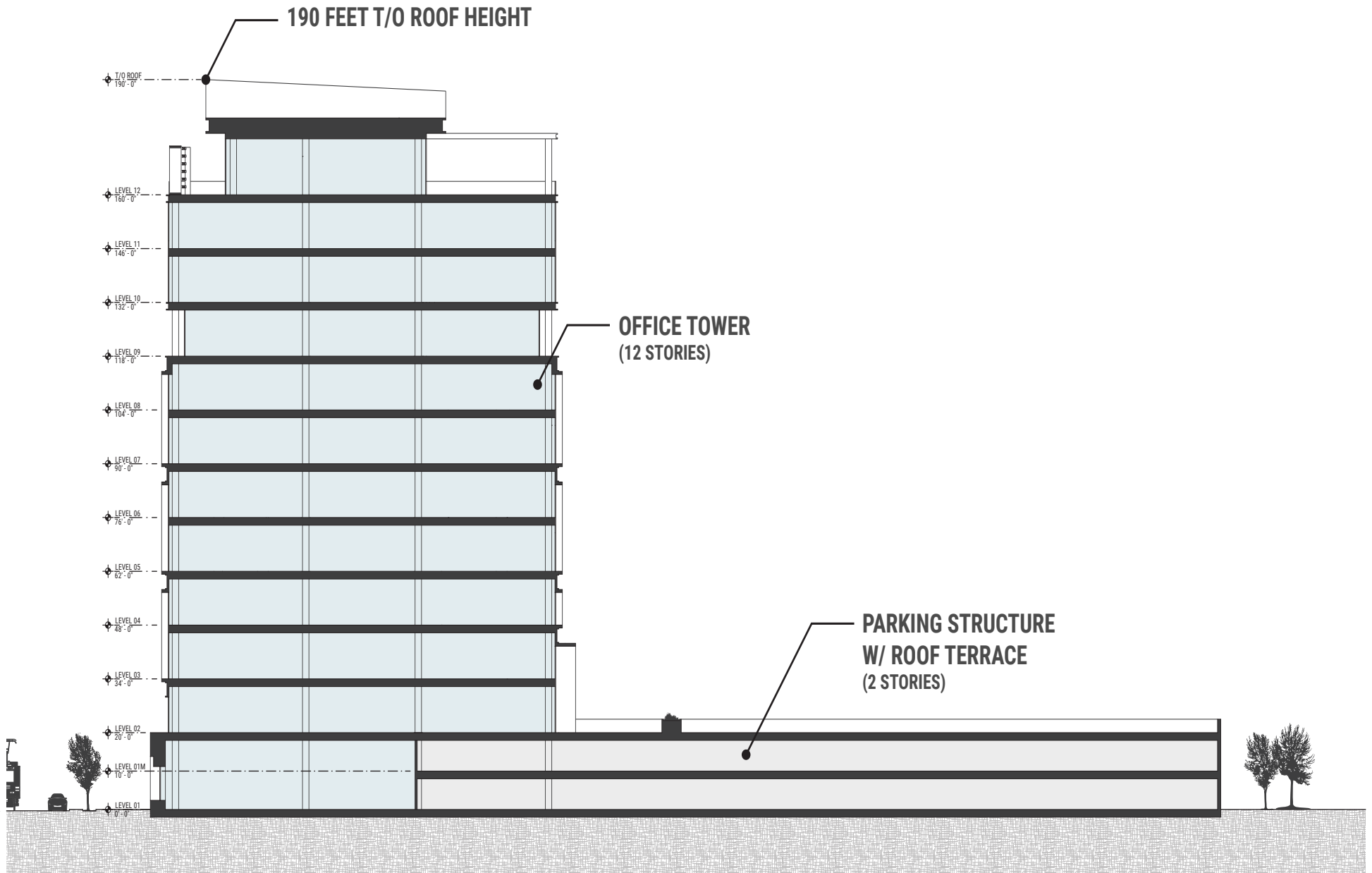
(1) Intent: Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.

(2) Height Regulations: No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized through the Design Review process, subject to the requirements of chapter 21A.59 of this title.



LEGEND
D-1 = ZONING DISTRICT
375' = MAX BUILDING HEIGHT (FT)





STATION CENTER CORE - HEIGHT DIAGRAM 07.10.2019

5. ADDITIONAL MATERIALS

Project Description: Gateway District Zone Text Amendment

August 23, 2019

Background:

The development of the Gateway District includes over 600 acres of land located between Interstate 15 on the west, 300 West on the east, North Temple on the north and 1000 South on the south end. In terms of the “Gateway” to Salt Lake City, this district has long been regarded as that in terms of the Transportation Corridor into the City, as the Gateway Specific Plan rightly points out:

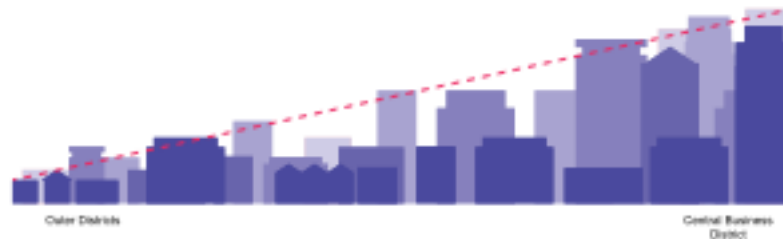
“As a visual and welcoming gateway to the City from the regional highway system and the Salt Lake City International Airport; as an orientation point and initial image of downtown for visitors arriving by car or transit as they pass through a new mixed-use urban district”.

Compliance with Salt Lake City Policy Directives:

The City recognized the importance of the area in its Gateway Specific Plan, as adopted by the Salt Lake City Council on August 11, 1998. This was further reinforced in the document ‘Creating an Urban Neighborhood’, also adopted on August 1998. The City’s Downtown Plan, adopted on May 24, 2016, also underlines the importance of the “Depot District” as part of the logical extension of Salt Lake City’s downtown experience. The roots of the district are embedded in the industrial character and uses. The ‘Creating an Urban Neighborhood’ document, the Gateway Specific Plan, and the Downtown plan all recognize the evolving nature of the district as a mixed-use neighborhood that is thought of as the Gateway to Salt Lake City and the Wasatch Front.

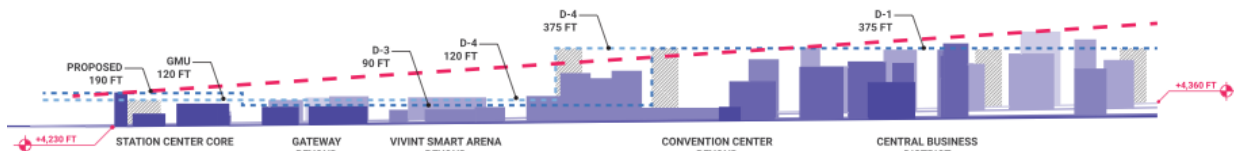
The Creating an Urban Neighborhood document outlines Implementation Issues, which include a strong recommendation to “work with designers and developers of the intermodal station facility so that it provides a strong terminus to 300 south Street and reinforces the connection between the station and the depot.” It remains important to provide the level of emphasis to create an active urban environment on the 300 South “Festival Street” corridor thus establishing the strong terminus that is outlined in the Urban Neighborhood narrative. In order to accomplish this, there is a need to recognize the type of development that will allow this to become a reality. The Urban Neighborhood plan outlines the type of development that is to be encouraged. This includes development such as offices, which entails working with the developers of office space and creating a strong and vibrant district. To this end, it is also important to consider the impact of employment opportunities, and the City’s recognition of establishing this as a complete neighborhood includes the development of the workplace along with other services. In order to accomplish this, it is essential to bring the type of development, which can include some taller buildings to emphasize the importance of the area in establishing this district, which has taken some time to take place.

The City's Downtown Plan provides for an Urban Design Framework and establishes that "Urban design has a significant impact on the image of downtown by shaping its urban form, distinguishing the character of districts and framing and detailing the public realm." The Plan describes the "Urban Form" as being the shape of the city. In terms of height, the Plan indicates that "The 3D structure of downtown is a two-sided pyramidal form with the highest points in the central Business District. Building height gradually steps down to the south and west", and provides this diagram as an illustration:



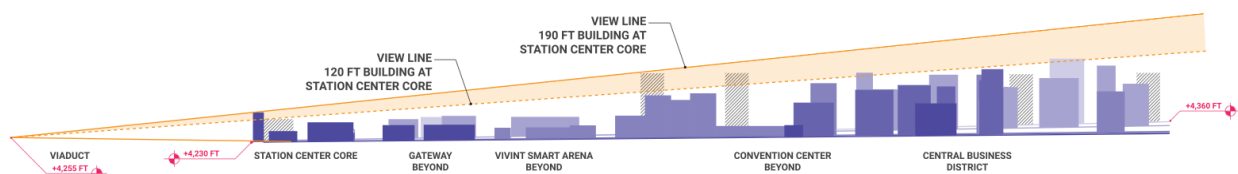
Downtown has a two-sided pyramidal urban form with the tallest buildings in the Central Business District

This proposal recognizes the importance of maintaining a plan and the Downtown Plan's establishment of a massing profile for Salt Lake City can be maintained, while also recognizing the need for a moderate amount of additional height in the Gateway District – allowing a maximum building height of 190'. The emphasis on the Central Business District is maintained, while the emphasis of creating a strong Gateway District Hub is maintained in a similar fashion:



Zone Height change with extended two-sided pyramidal urban form with the tallest buildings in the Central Business District

Additionally, the recognition of the "Gateway" that is outlined by the City's Plans includes the need to determine that a moderate amount of additional height in the Gateway District does not diminish the view of downtown Salt Lake City from the 400 South Gateway Entrance. This remains important and remains intact when the proposed additional height is allowed:



Line of sight from 400 South Gateway towards the downtown Central Business District.

As the “initial image” of Salt Lake City’s downtown expression, the extension of a downtown statement is essential. The image of a “downtown” place also includes the ability for development to be attracted that is worthy of being the expression of an extended downtown in terms of the type of businesses and the stature of a downtown statement. With the heart of Salt Lake City’s downtown core being the State Street and Main Street area as defined by the D1 Central Business District zoning, which is characterized by strongly anchored block corners with buildings as much as 375 feet tall and mid-block area buildings as tall as 100 feet.

The Downtown Zoning of the D1 Zone establishes:

The intent of the amendment would be to follow the established strategy of Salt Lake City’s downtown zoning. That being to anchor the corners of intersecting streets with taller buildings and reduce the height at midblock developments. The Downtown Zoning of the D1 Zone states:

“Organization of District Regulations: In addition to regulations that apply to the D-1 Central Business District as a whole, three (3) sets of regulations are contained in this district that apply to specific geographical areas:

- **Special Controls Over Block Corners:** These regulations apply only to properties within a specified distance from street intersections, as established in subsection E of this section. No corner building shall be less than one hundred feet (100') nor more than three hundred seventy-five feet (375') in height.
- **Special Controls Over Mid-Block Areas:** These regulations apply only to the intervening property between block corner properties, as established in subsection F of this section. No building shall be more than one hundred feet (100') in height.
- **Special Controls Over The Main Street Retail Core:** These regulations apply only to the Main Street retail core area, as established in subsection G of this section. The regulations governing block corners and mid-block areas also apply to the Main Street retail core.”

The G-MU Zoning District currently allows heights of up to 120 feet. This has served well in the development of much of the district over the past 20-ish years; however, in order to honor the extension of Salt Lake City’s Downtown District as outlined by the Gateway Specific Plan, additional height for the Core of the Station Center subdistrict should be strongly considered.

Purpose:

As new development is considered in the Gateway District the underlying G-MU Zoning should be carefully examined in light of the continuing effort that has been expended to provide a basis for development of the district. In recent years, the City has had the foresight to consolidate much of the land ownership in the immediate area of the

Intermodal Hub through the Redevelopment Agency. As this has happened, Salt Lake City, including City Planning and the RDA, have established the Station Center Development Area as a subdistrict, due to the proximity to our City's intermodal hub and also with its exposure as the true Salt Lake City Gateway from the west. In so doing, the establishment of 300 South (Festival Street) now has become the center of the district establishing a District Core with a higher relative intensity and a mixture of uses. Essentially, Festival Street has become its own subdistrict within the G-MU. In order to achieve the critical mass of the area, a strategic understanding of bringing this to life also includes the ability to intensify this core area in the creation of a vibrant extension of Downtown Salt Lake City. To this end, we propose an increase to the building height limitations to facilitate the Goals and Aspirations of both the Gateway Specific Plan and the Downtown Plan. The stated goals include:

- Create a positive and clear identity of Salt Lake City and the Gateway District
- Create a sense of place for the District that celebrates and supports "Neighborhoods", each with a distinct character and personality.
- Encourage development that strengthens and compliments the Central Business District.
- Create a hierarchy of streets and open spaces that provide structure and framework for the development of neighborhoods.
- Encourage a mix of uses with diversity in jobs, residents, and visitors that balances neighborhood needs, has a vital street life and character, and results in a thriving local economy.
- Encourage excellence in design of public infrastructure opportunities such as the public transportation systems, and streetscapes that are elegant and fitting of a Gateway.
- Look to traditional patterns of development in Salt Lake City as examples of the kind of blocks and streets that encourage and support urban neighborhood development.
- Require excellence in design through urban design standards that preserve views and vistas, create pedestrian friendly and attractive streets, establish a district character, and create landmarks and signature structures in architecture and infrastructure.

This G-MU Amendment suggests that a similar philosophy to the D1 Central Business District be adopted for the Station Center Development area further defining the area of the 300 South/Festival Street as a core area of the G-MU District, with additional building height defining the block corners. It is important that the Station Center Core does not compete with the heart of downtown in terms of prominence, so this Amendment provides for building heights at the corners of up to 190 feet and mid-block building heights of up to 100 feet. Rather than changing building heights within the entire district, and similar to recent modifications to the D4 Secondary Business District, this amendment proposes a limited area of scope be included as depicted by the accompanying exhibits.

Surrounding Zoning:

Salt Lake City Building Height Requirements:

21A.30.020: D-1 CENTRAL BUSINESS DISTRICT:

6. Height Regulations: No corner building shall be less than one hundred feet (100') nor more than three hundred seventy-five feet (375') in height. The minimum one hundred foot (100') high portion of the building shall be located not farther than five feet (5') from the lot line along front and corner lot lines. Buildings higher than three hundred seventy-five feet (375') may be allowed in accordance with the provisions of subsections E6a and E6b of this section.

a. Conditions For Taller Corner Buildings: Corner buildings may exceed the three hundred seventy-five foot (375') height limit provided they conform to the following requirements:

- (1) To minimize excessive building mass at higher elevations and preserve scenic views, some or all of the building mass over the three hundred seventy five foot (375') height level shall be subject to additional setback, as determined appropriate through the conditional building and site design review process.
- (2) Not less than one percent (1%) of the building construction budget shall be used for enhanced amenities, including art visible to the public, enhanced design elements of the exterior of the building or exterior spaces available to the public for cultural or recreational activities. The property owner shall not be required to exceed one hundred thousand dollars (\$100,000.00) in required amenities.
- (3) The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic demand management guidelines administered by the city traffic engineer.

b. Additional Standards For Certain Height Modifications:

- (1) The first one hundred feet (100') of height shall not be set back from the street front more than five feet (5') except that setbacks above the first fifty feet (50') may be approved through the conditional building and site design review process.
- (2) Modifying the height will achieve the preservation of a landmark site or contributing structure in an H historic preservation overlay district.
- (3) Modifying the height will allow interim service commercial uses to support the downtown community.

- c. Conditional Building And Site Design Approval: A modification to the height regulations in subsection E6a of this section may be granted through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title.

F. Special Controls Over Mid-Block Areas:

- 1. Intent: Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.
- 2. Area Of Applicability: The controls established under this subsection shall apply to:
 - a. Buildings constructed after April 12, 1995; and
 - b. All intervening land between block corner properties, as established in subsection E2 of this section.
- 3. Height Regulations: No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title.

21A.30.030: D-2 DOWNTOWN SUPPORT DISTRICT:

Maximum Building Height: No building shall exceed sixty five feet (65'). Buildings taller than sixty five feet (65') but less than one hundred twenty feet (120') may be authorized through the conditional building and site design process, subject to the requirements of chapter 21A.59 of this title.

21A.30.040: D-3 DOWNTOWN WAREHOUSE/RESIDENTIAL DISTRICT:

Maximum Building Height: No building shall exceed seventy five feet (75'). Buildings taller than seventy five feet (75') but less than ninety feet (90') may be authorized through the conditional building and site design review process, provided the additional height is supported by the applicable master plan, the overall square footage of the buildings is greater than fifty percent (50%) residential use, and subject to the requirements of chapter 21A.59 of this title.

21A.30.045: D-4 DOWNTOWN SECONDARY CENTRAL BUSINESS DISTRICT:

Maximum Building Height: No building shall exceed seventy five feet (75'). Buildings taller than seventy five feet (75') but less than one hundred twenty feet (120') may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title. Additional height may be allowed as specified below:

a. Additional Permitted Height Location: Additional height greater than one hundred twenty feet (120') but not more than three hundred seventy five feet (375') in height is permitted in the area bounded by:

(1) The centerlines of South Temple, West Temple, 200 South, and 200 West Streets; and

(2) Beginning at the Southeast Corner of Block 67, Plat 'A', Salt Lake City Survey, and running thence along the south line of said Block 67, N89°54'02"W 283.86 feet; thence N00°04'50"E 38.59 feet; thence N10°46'51"W 238.70 feet; thence N24°45'15"W 62.98 feet; thence S89°54'02"E 355.45 feet to the east line of said Block 67; thence along said east line S00°06'35"W 330.14 feet to the point of beginning. Contains 102,339 square feet, or 2.349 acres, more or less

21A.26.070: CG GENERAL COMMERCIAL DISTRICT:

Maximum Height: No building shall exceed sixty feet (60'). Buildings higher than sixty feet (60') may be allowed in accordance with the provisions of subsections F1 and F3 of this section.

1. Procedure For Modification: A modification to the height regulations in this subsection F may be granted through the conditional building and site design review process in conformance with the provisions of chapter 21A.59 of this title. In evaluating an application submitted pursuant to this section, the Planning Commission or in the case of an administrative approval the Planning Director or designee, shall find that the increased height will result in improved site layout and amenities.

2. Landscaping: If additional floors are approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floors.

3. Maximum Additional Height: Additional height shall be limited to thirty feet (30'). (Ord. 66-13, 2013: Ord. 15-13, 2013: Ord. 12-11, 2011: Ord. 61-09 § 18, 2009: Ord. 3-01 § 2, 2001: Ord. 35-99 § 27, 1999: Ord. 26-95 §2(13-6), 1995)

Existing G-MU Zoning Text:

E. Building Height: The minimum building height shall be forty five feet (45') and the 200 South Street corridor shall have a minimum height of twenty five feet (25'). The maximum building height shall not exceed seventy five feet (75') except buildings with non-flat roofs (e.g., pitched, shed, mansard, gabled or hipped roofs) may be allowed, up to a maximum of ninety feet (90') (subject to subsection I of this section). The additional building height may incorporate habitable space.

1. Conditional Building and Site Design Review: A modification to the minimum building height or to the maximum building height (up to 120 feet) provisions of this section may be granted through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title, and subject to compliance to the applicable master plan.

2. Height Exceptions: Spires, tower, or decorative noninhabitable elements shall have a maximum height of ninety feet (90') and with conditional building and site design review approval may exceed the maximum height, subject to conformance with the standards and procedures of chapter 21A.59 of this title

Proposed G-MU Zoning Text:

E. Building Height: The minimum building height shall be forty five feet (45') and the 200 South Street corridor shall have a minimum height of twenty five feet (25'). The maximum building height shall not exceed seventy five feet (75') except buildings with non-flat roofs (e.g., pitched, shed, mansard, gabled or hipped roofs) may be allowed, up to a maximum of ninety feet (90') (subject to subsection I of this section). The additional building height may incorporate habitable space.

1. Conditional Building and Site Design Review: A modification to the minimum building height or to the maximum building height (up to 120 feet) provisions of this section may be granted through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title, and subject to compliance to the applicable master plan.

2. Height Exceptions: Spires, tower, or decorative noninhabitable elements shall have a maximum height of ninety feet (90') and with conditional building and site design review approval may exceed the maximum height, subject to conformance with the standards and procedures of chapter 21A.59 of this title

3. ***Additional height may be allowed as specified below:***

a. Additional Permitted Height Location: Additional height is permitted in the area described by: The Accompanying "Station Center Core Diagram".

- b. Height Regulations: No corner building shall be less than one hundred feet (100') nor more than one hundred ninety feet (190') in height. The minimum one hundred foot (100') high portion of the building shall be located not farther than five feet (5') from the lot line along front and corner lot lines.***
- c. The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic demand management guidelines administered by the city traffic engineer.***

Additional Standards For Certain Height Modifications:

- (1) The first one hundred feet (100') of height shall not be set back from the street front more than five feet (5') except that setbacks above the first fifty feet (50') may be approved through the conditional building and site design review process.***
- (2) Modifying the height will achieve the preservation of a landmark site or contributing structure in an H historic preservation overlay district.***
- (3) Modifying the height will allow interim service commercial uses to support the downtown community.***

d. Special Controls Over Mid-Block Areas:

- (1) Intent: Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.***
- (2) Height Regulations: No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized through the Design Review process, subject to the requirements of chapter 21A.59 of this title.***

6. MAILING LIST

Name	Address1	Address2
GREYHOUND LINES INC	PO BOX 52427	ATLANTA, GA 30355
UNION PACIFIC RAILROAD COMPANY	1400 DOUGLAS ST STOP 1640	OMAHA, NE 68179-
WESTERN PACIFIC RAILROAD CO; ET AL	1400 DOUGLAS ST STOP 1640	OMAHA, NE 68179
UNION PACIFIC RAIL ROAD COMPANY	1400 DOUGLAS ST STOP 1640	OMAHA, NE 68179-1640
D & R G W RAILROAD	1400 DOUGLAS ST STOP 1640	OMAHA, NE 68173-1640
216 DEVELOPMENT, LLC	801 N 500 W	BOUNTIFUL, UT 84010
217 DEVELOPMENT LLC	801 N 500 W	BOUNTIFUL, UT 84010
HART, RICHARD D	2030 S 750 E	BOUNTIFUL, UT 84010
JACKLAND INVESTMENT, INC	4568 S HIGHLAND DR #290	MILLCREEK, UT 84117-4237
SIXTH SOUTH & SIXTH WEST, LC	5288 S COMMERCE DR	MURRAY, UT 84107-4712
ARTSPACE CITY CENTER, LLC	150 E VINE ST	MURRAY, UT 84107-4831
BAILEY, GREG R & JONI K; TRS	639 MOUNTAIN VIEW CIR	NORTH SALT LAKE, UT 84054
YEUNG, JACKIE	563 W 200 S	SALT LAKE CITY, UT 84101-1116
UTAH TRANSIT AUTHORITY	669 W 200 S	SALT LAKE CITY, UT 84101-1004
BRIDGE PROJECTS, LLC	230 S 500 W	SALT LAKE CITY, UT 84101-1129
BAHAJI PROPERTY, LLC	435 S 600 W	SALT LAKE CITY, UT 84101-1001
UTAH PAPER BOX COMPANY	920 S 700 W	SALT LAKE CITY, UT 84104-1501
CENTRAL STATION APARTMENTS, LLC	423 W BROADWAY ST	SALT LAKE CITY, UT 84101-1102
ZEBRA INVESTMENTS, LC	1335 S COLONIAL CIR	SALT LAKE CITY, UT 84108-2202
SALT LAKE CITY CORPORATION	PO BOX 145460	SALT LAKE CITY, UT 84114-5460
REDEVELOPMENT AGENCY OF SALT LAKE CITY	PO BOX 145518	SALT LAKE CITY, UT 84114-5518
REDEVELOPMENT AGENCY OF SALT LAKE CITY	PO BOX 145518	SALT LAKE CITY, UT 84114-5518
REDEVELOPMENT AGENCY OF SALT LAKE CITY,	PO BOX 145518	SALT LAKE CITY, UT 84114-5518
NICHOLAS & CO	PO BOX 45005	SALT LAKE CITY, UT 84145-0005
358 OFFICE PLAZA ASSOCIATES, LLC	358 S RIO GRANDE ST	SALT LAKE CITY, UT 84101-1106
TJT COMMERCIAL REAL ESTATE LLC	190 E ROUNDTOLT DR	SALT LAKE CITY, UT 84103-2224
GIANELO, MARILYNN W; ET AL	81 S SKYCREST LN	SALT LAKE CITY, UT 84108-1604
3333-3335 SOUTH STATE, LC; ET AL	156 E SOUTHSANDRUN RD	SALT LAKE CITY, UT 84103
WIFCO LC	1947 E ST MARYS DR	SALT LAKE CITY, UT 84108-2245
STATE OF UTAH DIV OF FAC CONSTR & MGMT	450 N STATE ST #4110	SALT LAKE CITY, UT 84114
STATE OF UTAH, DIVISION O F	450 N STATE ST	SALT LAKE CITY, UT 84103
STATE OF UTAH, THE	450 N STATE OFFICE BLDG	SALT LAKE CITY, UT 84114
POLLOCK ENTERPRISES LLC	363 E TWELFTH AVE	SALT LAKE CITY, UT 84103-2849
UTAH TRANSIT AUTHORITY	669 WEST 200 SOUTH	SALT LAKE CITY, UT 84101
PAWL-UP, LLC	955 N 1300 W	ST GEORGE, UT 84770
501 DENS, LLC	17830 W VALLEY HIGH WAY	TUKWILA, WA 98188
Resident	559 W 200 S	Salt Lake City, UT 84101
Resident	555 W 200 S	Salt Lake City, UT 84101-1116
Resident	543 W 200 S	Salt Lake City, UT 84101-1116
Resident	549 W 200 S	Salt Lake City, UT 84101-1116
Resident	245 S 600 W	Salt Lake City, UT 84101-1010
Resident	502 W 300 S	Salt Lake City, UT 84101-1118
Resident	502 W 300 S #BLDG 2	Salt Lake City, UT 84101-1118

Resident	210 S RIO GRANDE ST	Salt Lake City, UT 84101-1104
Resident	220 S RIO GRANDE ST	Salt Lake City, UT 84101-1104
Resident	570 W 400 S	Salt Lake City, UT 84101-1109
Resident	550 W 400 S	Salt Lake City, UT 84101-1109
Resident	420 S 500 W	Salt Lake City, UT 84101-1110
Resident	404 S 500 W	Salt Lake City, UT 84101-2208
Resident	428 S 500 W #TEMP	Salt Lake City, UT 84101
Resident	503 W 400 S	Salt Lake City, UT 84101-1110
Resident	360 S RIO GRANDE ST	Salt Lake City, UT 84101-1106
Resident	565 S 600 W	Salt Lake City, UT 84101-1002
Resident	651 W 600 S	Salt Lake City, UT 84104-1015
Resident	569 W 600 S	Salt Lake City, UT 84101
Resident	619 S 600 W	Salt Lake City, UT 84101-1013
Resident	625 S 600 W	Salt Lake City, UT 84101
Resident	675 W 600 S	Salt Lake City, UT 84104-1015
Resident	270 S RIO GRANDE ST	Salt Lake City, UT 84101-1104
Resident	300 S RIO GRANDE ST	Salt Lake City, UT 84101-1106
Resident	320 S RIO GRANDE ST	Salt Lake City, UT 84101-1106
Resident	346 S RIO GRANDE ST	Salt Lake City, UT 84101
Resident	310 S 500 W	Salt Lake City, UT 84101-1130
Resident	423 S 600 W	Salt Lake City, UT 84101-1001
Resident	463 S 600 W	Salt Lake City, UT 84101-1001
Resident	463 S 600 W #BLDG 3	Salt Lake City, UT 84101-1001
Resident	463 S 600 W #BLDG 4	Salt Lake City, UT 84101-1001
Resident	463 S 600 W #BLDG 5	Salt Lake City, UT 84101-1001
Resident	463 S 600 W #BLDG 6	Salt Lake City, UT 84101-1001
Resident	463 S 600 W #BLDG 7	Salt Lake City, UT 84101-1001
Resident	219 S 600 W	Salt Lake City, UT 84101-1116
Resident	577 W 200 S	Salt Lake City, UT 84101-1116
Resident	579 W 200 S	Salt Lake City, UT 84101-1116
Resident	551 S 600 W	Salt Lake City, UT 84101-2214
Resident	553 S 600 W	Salt Lake City, UT 84101-1002
Resident	555 S 600 W	Salt Lake City, UT 84101-1002
Resident	565 W 200 S	Salt Lake City, UT 84101-1116
Resident	575 W 200 S	Salt Lake City, UT 84101
Resident	561 W 200 S	Salt Lake City, UT 84101-1116
Resident	421 S 700 W	Salt Lake City, UT 84104
Resident	435 S 700 W	Salt Lake City, UT 84104-1087
Resident	648 W 600 S	Salt Lake City, UT 84104-1014
Resident	511 W 200 S	Salt Lake City, UT 84101
Resident	549 W 500 S	Salt Lake City, UT 84101-2207
Resident	549 W 500 S #BLDG 2	Salt Lake City, UT 84101-2207
Resident	535 W 300 S	Salt Lake City, UT 84101-1119
Resident	616 W 200 S	Salt Lake City, UT 84104-1003
Resident	540 W 400 S	Salt Lake City, UT 84101-1109
Resident	300 S 600 W	Salt Lake City, UT 00000
Resident	333 S 600 W	Salt Lake City, UT 84101-1012
Resident	346 S 500 W	Salt Lake City, UT 84101-1130

Salt Lake City Planning Division PO BOX 145480
Chris Lee

Salt Lake City, UT 84114

ERIN MENDENHALL
Mayor



DEPARTMENT of COMMUNITY
and NEIGHBORHOODS

Marcia L. White
Director

CITY COUNCIL TRANSMITTAL


Rachel Otto, Chief of Staff

Date Received: 3-4-2020
Date sent to Council: 3-9-2020

TO: Salt Lake City Council
Chris Wharton, Chair

DATE:

FROM: Marcia L. White, Director Department of Community & Neighborhoods



SUBJECT: PLNPCM2019-00639 GMU Building Height Proposal and relationship to
Downtown Master Plan

STAFF CONTACT: Nick Norris, Planning Director, 801-535-6173

DOCUMENT TYPE: Information Only

RECOMMENDATION: None at this time

BUDGET IMPACT: None

BACKGROUND/DISCUSSION: On January 14, 2020 the City Council held a work session regarding PLNPCM2019-00639 which is a request to allow additional building height in portions of the GMU zone. The council provided the direction for the council staff to convene a meeting with council staff, the Planning Division, and the Redevelopment Agency to discuss the adopted master plans that are applicable to the area and the impacts that increasing the height may have on future development, the master plan, and other zoning related issues.. That meeting was held on February 6, 2020. At the meeting, the Planning Division and the RDA shared the same opinion that increasing building heights should be done on a comprehensive basis, particularly when the Downtown Master Plan suggests building heights that are less than the proposed height of this private petition.

The following discussion provides a brief description of the issues discussed at the February 6, 2020 meeting as well as concerns that the Planning Division has with the proposed approach. The intent is to provide the City Council with as much background information as possible before deciding on the proposal. The Planning Division recognizes and agrees with the applicant

and the RDA that the building heights in the downtown area need to change to accommodate growth.

- The need to accommodate growth where transit is reliable, frequent, and accessible; and
- That the Planning Division and RDA agree that height should be considered in a more comprehensive approach and recognize that making changes could require a large allocation of staff resources.

The following discussion provides a brief description of the potential issues with each of the above items as well as concerns that the Planning Division has with the proposed approach. The intent is to provide the City Council with as much background information as possible before making a decision on the proposal.

February 6, 2020 Meeting Discussion of Issues

Applicants Presentation: the presentation made by the applicant during the January 14, 2020 City Council briefing had not been seen by the Planning Commission or staff of the Planning Division. It is unknown if it is consistent with the adopted policies of the City found in the Downtown Master Plan for this reason.

The need to expand the central business district: The central business district is nearing capacity due to the pace of recent development, the presence of historic buildings, land banking, and the difficulties in developing underutilized parcels. This is not a negative, but not expanding the central business district will have a negative impact on downtown and the vision of the Downtown Master Plan will not be able to be achieved. This is relevant to the heights in the GMU zone because as the D1 zone expands, the development gap is reduced and the “pyramid concept” in the Downtown Master Plan becomes steeper. As the heights increase, they should increase in an incremental manner across the entirety of the area within the Downtown Plan.

The impacts of building height: The Planning Division does support increasing building heights in the downtown area. Increasing heights is necessary to help the city achieve a development, economic, social, and housing goals and is necessary to leverage property values to maintain property tax revenue.

However, the height of buildings does create impacts on adjacent properties as well as public spaces. Taller buildings create micro-climates that can reduce access to sunlight, create wind patterns that impact the sidewalk, create issues with falling snow or ice, and may produce glare that increases the ambient heat near the building. These impacts need to be considered when designing new buildings. The city does not have regulations that address these issues. *This proposal would not include a design review process which means there would be no oversight of these issues in the design of the building.*

Reducing sunlight has multiple effects, including blocking one property from being able to receive direct sunlight which could reduce the ability for that property to utilize solar energy, grow trees and plants, or utilize passive energy designs. The building could also

project long shadows in the winter that could reach the sidewalk on the opposite side of the street, creating icing issues for pedestrians and within the travel lanes on the street.

There are some benefits to shadows from buildings, including reducing the heat felt on the sidewalk during warmer months. Shadows can also lower the energy costs required to cool the interiors of buildings.

A tall building deflects winds in different directions. When wind hits the face of building, that wind is forced up, down, or around the building. When there are other tall buildings in the area, the wind is directed up or down. Moving air will travel in the direction of least resistance, which is typically down because the air moving above the building blocks the lower air from moving up. This results in the wind moving towards the ground until it hits the ground, where it then moves horizontally. This is evident when you walk past tall buildings, particularly at intersections and feel wind. Buildings can be designed to reduce this impact by including various step backs, weather protection like awnings, or building intrusions to deflect the wind before it hits the ground.

Tall buildings do collect snow and ice. The One Utah Center frequently blocks entrances and portions of the sidewalk to reduce the risk of large amounts of snow sliding onto people on the sidewalk from the sloped roofs. Modern glass buildings build up ice on the outsides of the building because the material does not retain heat and modern construction prevents heat from escaping through the glass. Once the outside of the building warms up from air temperature increases, the ice falls from the building. These issues should be accounted for in the design of the building because they are direct impacts to the health and safety of the public. Our zoning code does not include design standards to address these issues without going through the design review process, but the design review process does not include review standards to address all of the impacts.

Growth near transit. Plan Salt Lake provides guidance on where and how the city should grow. One of the key guiding principles related to this is growing in areas that have the existing infrastructure to support future growth. Plan Salt Lake was in the adoption process at the same time as the Downtown Master Plan. The guiding principles of Plan Salt Lake were incorporated into the Downtown Plan through specific policies and action items. Growth around transit is a necessary part of the Downtown Plan and is necessary to help the city achieve adopted goals and policies. Growth has to be accommodated in comprehensive ways to ensure that the needs and impacts are addressed.

The Planning Division supports increasing the building heights in this area. *This proposal however does not provide the city with the ability to address growth in a way that mitigates the impact so that the growth is an overall benefit to the public.* Millions of tax dollars have been invested in the and it is appropriate for the city to review development in an appropriate manner to protect the public investment in the area so that growth provides an overall benefit to the community by implementing the city's adopted master plans.

Planning Division Concerns with the proposed approach

Consistency with Utah State Code. Utah Code 10-9a-505 (2) states “the legislative body shall ensure that the regulations are uniform for each class or kind of buildings throughout each zoning district, but the regulations in one zone may differ from those in other zones.” This has been interpreted by the Planning Division to mean that regulations within the same zoning district are applied equally. When it comes to building height, that means that unless the zoning district creates different types of buildings, that the same height regulations be applied to all buildings.

There are ways to allow additional building height in the same zoning district. This can be achieved by defining specific types or class of buildings (such as what is done in the form-based codes in the city), creating additional zoning districts, creating overlay districts, or by creating sub-districts. This proposal would create a height map within the GMU zone. *There is some concern that this proposal violates 10-9a-505, even though there are some zoning districts in the city that use the same approach (such as the height map in the RMU zoning district or the D-4 height overlay).*

Height and the relationship to affordable housing: Taller buildings are necessary to achieve the goals of the city in the downtown area. In urban areas, height is also one of the largest incentive cities can use to achieve other goals. The Planning Division is currently working on an affordable housing overlay. The overlay would provide some incentive, typically additional development potential, in exchange for providing a certain level of affordable housing. Increasing building heights reduces the effectiveness of an overlay such as this because it increases the development potential “by-right.” When this increase in development potential is greater than what the current market can provide, the overlay becomes ineffective. Outside of the Central Business District, the building heights are low enough that the market may support additional building height through an affordable housing overlay.

Height and relationship to historic preservation

Preserving historic buildings is a stated goal of several adopted plans of the city, including Plan Salt Lake, The City Preservation Plan, and the Downtown Master Plan. Development potential has a direct impact on historic buildings and promotes the demolition of historic buildings when the market demand is high. Increasing building height increases the development potential of a property and promotes redevelopment. Downtown buildings that are not otherwise protected by being a designated local landmark or in a local historic district are at threat of demolition when the development potential and the economy are strong.

On this issue there are often competing and somewhat paradoxical approaches: increasing the development potential of the downtown area by expanding the Central Business District while at the same time finding a way to promote preservation. One tool that could be beneficial to help address this is the transfer of development rights.

The pressure to demolish and redevelop parcels with older buildings will continue to grow provided the economy is strong. One of the tools that can be used to help protect historic buildings and promote growth is transfer of development rights. This tool allows the unrealized development potential of a parcel to be transferred to another parcel in order to protect something of value, in this case historic buildings. This allows the property owner to sell that right to be applied elsewhere. However, for this to work the development demand on the receiving parcel must exceed the existing development right. Increasing the heights may make such a program ineffective. This tool also requires certain administrative oversight to regulate the long term development rights through a “bank” that tracks which parcels have transferred their rights and which parcels received those rights.

The issue of building height demonstrates the intricate nature of regulating building heights, how quickly development pressures can change and why master plans are considered guiding documents. Within the last few years, there have been several instances where proposals for additional building height have been scaled down or a change not supported. The first was with the changes to the TSA zoning district and the building heights in the Urban Core area of the TSA zone. This was discussed during the public process and there was no support to increase the heights. This area where the additional height was being considered was adjacent to the GMU zone on the north side of North Temple. The second location was along 400 South east of 200 East (adjacent to a D1 zone) to 400 East. Both times the policies of the applicable master plans were followed and the height maintained as is. The height issue was again raised during the approval process for the Exchange Project, located at 400 South and 300 East. The developer stated that their building would have been taller if the zoning would have allowed more height. This example provides some guidance regarding the ability of an affordable housing overlay to grant additional building height when affordable units are provided.

Recently there have been two requests to increase the height in the D-4 zone, which is adjacent to the D-1 zone and located between South Temple and 200 South and West Temple and 300 West.

- Convention Center Hotel: Despite bordering the D1 zone and having D1 zoning extend as far west as 300 West (along South Temple), the height was limited to 375 feet and only in the area between West Temple and 200 West and South Temple to 200 South.
- Block 67: The developers of Block 67 later made a request to increase the building height in the D-4 zone for a portion of their project located on the corner of 200 South and 200 West –extending the convention center overlay farther west. That proposal was scaled down to a portion of a specific parcel instead of the full request to be consistent with a view corridor found in the Urban Design Element. This is a relevant example because the same view corridor extends through the central station area and is one of the reasons why the heights were established.

These examples are pointed out to help provide some recent history and context on requests to modify building height requirements that were viewed differently than the current proposal. The Downtown Master Plan supports increasing building heights in the Downtown area and the

recent development pressures have provided better understanding of the development needs and constraints related to building heights in most of the downtown area. But there are mixed messages being sent regarding when the height recommendations in adopted master plans are to be followed or not followed. The Planning Division does agree with others who have said that the view corridor is no longer relevant because the public views are or could be blocked by buildings built to the existing height in the GMU zone. Furthermore, the Planning Division does not support policies that promote private views over development needs of the city or views that are only visible from a vehicle travelling on an interstate. The most prominent public view that is elevated in this area is from the 400 South bridge. This bridge includes sidewalks and provides an elevated view towards the central business district. The top of the bridge is approximately 35 feet above the ground. The adjacent parcels to the north are zoned GMU and D3. Both zones have a permitted building height up to 75 feet in height, with additional height authorized through the design review process. The current zoning regulations would permit buildings to block the views of the historic buildings in the Central Business District from this vantage point.

Moving Forward

The pending proposal before the city council could be improved to address at least some of the issues identified above and the council has the authority to do so. Specifically, requiring buildings over a certain height to go through the design review process would enable the Planning Commission to evaluate the impacts of height. The design review process contains specific standards related to height that could address some of the issues in this report:

- Modulating taller buildings to establish steps in the building facades;
- Minimize shallow impacts, and
- Including features that serve as wind breaks above the first floor of the building.
- The design of the roof and cornice lines to complement surrounding buildings and build a cohesive pattern with the rest of the building.

The proposal eliminates design review for additional height for the area in question.

The uniformity law is a more challenging component to overcome. The simplest path forward would be to allow nonresidential buildings to be taller. This creates a different standard for two different types of buildings. However, it would ultimately lead to the demolition of most of the older building stock in the GMU zone because it would increase the development potential. This area is in a national historic district and city policies support preserving historic buildings in national historic districts.

The Planning Division does believe that there is an argument to be made that a height map within a specific zoning district could be interpreted to be a form of an overlay because it applies different regulations to a specific geographic area for a specific purpose and the city has a history of utilizing a similar approach. The City Attorney's Office may not support this argument.

PUBLIC PROCESS: See the previous transmittal on this petition.