
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: February 21, 2006

SUBJECT: Petition No. 400-04-46 - A request by Dave Murdock of Press Reality Advisors to amend the text of the Business Park (BP) Zoning District to allow commercial indoor recreation as a conditional use.

STAFF REPORT BY: Jennifer Bruno, Policy Analyst

AFFECTED COUNCIL DISTRICTS: City-wide

**ADMINISTRATIVE DEPT:
AND CONTACT PERSON:** Community Development Department
Jackie Gasparik, Principal Planner

NOTICE REQUIREMENTS: Newspaper advertisement and written notification to surrounding property owners 14 days prior to the Public Hearing

POTENTIAL MOTIONS:

1. **["I move that the Council"]** Adopt an ordinance to amend the table of permitted and conditional uses for Special Purpose Districts to allow commercial indoor recreation as a conditional use in the Business Park (BP) Zoning District.
 2. **["I move that the Council"]** Not adopt an ordinance to amend the table of permitted and conditional uses for Special Purpose Districts to allow commercial indoor recreation as a conditional use in the Business Park (BP) Zoning District.
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The following information was provided previously for the Council Work Session on January 17, 2006. It is provided again for your reference.

KEY ELEMENTS:

- A. The Administration's transmittal contains an ordinance for Council consideration to amend the table of permitted and conditional uses for Special Purpose Districts (21A.32.140) to allow commercial indoor recreation as a conditional use in the Business Park (BP) Zoning District.
- B. This action would facilitate the development of an indoor moto-cross cross facility at a site that is currently zoned Business Park (BP). The specific location of the proposed "Winners' Motor Sports" is 1490 North 2200 West (between Salt Lake City International Airport land and I-215). Note: This business is not currently operating at this location. Press Reality Advisors is the landowner at this location and is hoping to lease the space to "Winners' Motor Sports" should the text amendment be approved. The facility has yet to pass a building inspection (see Matters at Issue).

C. Key points from the Administration’s transmittal include the following:

1. Areas within the City currently zoned “Business Park” (BP) are located in the Northwest, Capitol Hill, West Salt Lake, and Central Community neighborhoods (Districts 1, 2, 3, and 4). (See map - **Attachment 2** in Administration’s Transmittal)
2. The definition of “Commercial indoor recreation” (Section 21A.62.040) is as follows:
 - Public or private recreation facilities, tennis or other racquet courts, swimming pools, bowling alleys, skating rinks, or similar uses which are enclosed in buildings and are operated on a commercial or membership basis primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. The term “commercial indoor recreation” shall include any accessory uses such as snack bars, pro shops, and locker rooms, which are designed and intended primarily for the use of patrons of the principal recreational use. The term “commercial indoor recreation” shall not include theaters, cultural facilities, commercial recreation centers, massage parlors, or any use which is otherwise listed specifically in the table of permitted and conditional uses found at the end of each chapter in part III of this title for each category of zoning district or districts.
3. The stated purpose of the Business Park (BP) Zoning District is “to provide a nuisance free, attractive environment for modern offices, light assembly and warehouse development.”
4. The stated purpose of the Special Purpose Districts is as follows: “areas of special land uses that do not fit traditional zoning classifications. Special purpose districts are intended to maintain the integrity of these areas, allow for greater flexibility in site design, and achieve specialized goals for these areas.”
5. Areas currently zoned Business Park (BP) are surrounded by a variety of zoning districts:

Northwest	Airport (A), Public Lands (PL), Corridor Commercial (CC), General Commercial (GC), Community Shopping (CS), Single-Family Residential (R-1/5,000 and R-1/7,000), Multi-Family Residential (RMF-30 and RMF 35), Light Manufacturing (M1), Open Space (OS), and Agricultural (AG-5 and AG-4)
Capitol Hill	General Commercial (GC), Corridor Commercial (CC), Public Lands (PL), Open Space (OS), Light Manufacturing (M1)
West Salt Lake	Multi-Family Residential (RMF 35), Light Manufacturing (M1), Institutional (I)
Central Community	Multi-Family Residential (RMF-45), Public Lands (PL), Corridor Commercial (CC)

6. “Commercial Indoor Recreation” is a permitted use in the Corridor Commercial (CC), General Commercial (GC), Gateway Mixed Use (G-MU), Downtown Districts (D-1, D-2, D-3, and D-4), and Manufacturing (M1 and M2) zoning districts. It is a permitted use subject to planned development approval in the Commercial Shopping (CS) and Sugar House Business District (CSHBD) zoning districts.
7. The applicant has indicated that a facility of this nature needs a minimum of 72,000 square feet indoors to allow for the racing track and other support activities. The applicant has indicated that most of the buildings and lots in existing commercial and

- downtown zones (where indoor recreation is permitted) are not large enough, and that the manufacturing zones are too industrial to attract his target market.
8. Because this would be a conditional use in the Business Park zoning district, each project would be reviewed on a case-by-case basis by the Planning Commission.
 9. Planning staff finds that the proposed amendment is consistent with the City's General Plan, that the conditional use process will allow for enough flexibility to ensure project-specific neighborhood compatibility, and will minimizing adverse affects on adjacent properties.
- D. City Departments and Divisions were contacted for their comments. Fire, Public Utilities, Permits, Transportation, Airport, and Engineering were all supportive of the proposed amendments.
- E. The Westpointe Community Council heard this petition at their November 4, 2004 meeting. They were generally supportive of the text amendment but raised concerns about the subject property being a known former Native American burial ground.
1. Planning Staff contacted the State of Utah Archaeology Office, who in turn required that the applicant hire a State-approved consultant to prepare and submit a monitoring plan for artifacts and human remains, following necessary procedures prior to continuing construction if any are found. This State requirement was recommended as a condition for the planned development subdivision approval in the Planning Commission staff report and the applicant has agreed.
- F. An open house was held on March 23, 2005. The only comment received was from the former chair of the Westpointe Community Council, who spoke in favor of the proposed changes, because through the conditional use process, communities had opportunity to review projects and identify adverse affects if there are any.
- G. The Planning Commission held a public hearing on September 14, 2005. The Commission voted, based on Planning Staff's findings, to transmit a favorable recommendation to the City Council to adopt the proposed changes. The Planning Commission also approved a planned development subdivision and the proposed conditional use subject to the City Council's approval of the text amendment. The following issues were discussed at the Planning Commission public hearing:
1. The petitioners' request for a Planned Development subdivision, and issues relating to designing this facility given site and topographical challenges were discussed.
 2. The petitioner answered questions from the Planning Commission, responding that the go-carts can reach speeds of 40 mph, and there is a height rather than age requirement to operate the vehicles.
 3. There was no public comment at the hearing.

MATTERS AT ISSUE:

- A. The Council may wish to add as a condition of approval that the facility pass a building inspection and that the tenant obtain a business license before proceeding. The owners of the facility requested a building inspection in May 2005. An inspection was done on January 12, 2006 and the facility did not pass the inspection. The applicant can fix the issues noted in the inspectors report and ask for a follow-up inspection. The facility must pass a building inspection before a business license can be obtained by the would-be tenant, Winners' Motor Sports.

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. The Northwest Master Plan (1992), the Capitol Hill Master Plan (2001), the West Salt Lake Master Plan (1995), and the Central Community Development Plan (1974), all include language supporting more opportunities for recreational uses in communities.
- B. The Northwest Master Plan (1992) states the following with respect to new commercial development:
1. Property must be located on a street that can accommodate the additional traffic (such as a collector street).
 2. The site must be large enough for adequate open space and parking without overcrowding the lot.
 3. Business projects must be of a density, design and scale that would not negatively impact neighboring residential properties.
 4. Hours of operation, facilities for deliveries and night time lighting should not impact surrounding residents.
- C. The Capitol Hill Master Plan (adopted 2001) states the following as a goal: “provide for and encourage parks and recreation areas in various forms and locations to enhance residential neighborhoods and the surrounding community.”
- The Plan also states as a policy for the West Capitol Hill Neighborhood area, to ensure infill development is compatible with neighborhood characteristics.
- D. The West Salt Lake Master Plan (1995) states as a goal to upgrade present recreation facilities and provide additional facilities where needed.
- E. The Central Community Master Plan (November 2005), notes that the Central Community has a deficit of open space, parks, and recreation facilities while the community population continues to increase. The following are stated as goals in the Plan:
1. Achieve adequate resources for parks and recreations.
 2. Provide recreation programs that adequately meet the needs of Salt Lake City users.
 3. Ensure that recreation facilities for all age groups and activity levels are provided within the Central Community.
- F. The City’s Futures Commission Final Report (1993) stated the following regarding recreational facilities:
1. Neighborhoods - Goal A - The ideal neighborhood will be family and youth friendly. Neighborhoods will offer a variety of opportunities to residents including recreational programs, community events, and community services.
 2. Recommendation 12 - Actively promote the development of sports facilities such as football/soccer fields, softball fields, baseball fields, gymnasiums, and pools.
 3. Social Environment - Goal E - Expand recreational opportunities in Salt Lake City.
 4. Natural Environment - Open Space Recommendations - Develop additional parks, playing fields, and recreational facilities in Salt Lake City, while making them safe and accessible to all citizens.
- G. The City’s 1990 Urban Design Element includes statements that emphasize preserving the City’s image, neighborhood character and maintaining livability while being sensitive to social and economic realities.

CHRONOLOGY:

Please refer to the Administration’s transmittal for a complete chronology of events relating to the proposed text amendment.

- November 3, 2004 Planning Division receives and assigns petition.
- March 2005 Petition re-assigned.

- September 14, 2005 Planning Commission public hearing.
- December 1, 2005 Transmittal received in City Council Office.

cc: Rocky Fluhart, Sam Guevara, DJ Baxter, Alison McFarlane, Ed Butterfield, Louis Zunguze, Alexander Ikefuna, Brent Wilde, Doug Wheelwright, Cheri Coffey, Jackie Gasparik, Barry Esham, Marge Harvey, Lehua Weaver, Sylvia Jones, Jan Aramaki, Janice Jardine

File Location: Community Development Dept., Planning Division, Zoning Text Amendment, indoor recreation conditional use in the Business Park Zone, Dave Murdock (Press Reality Advisors), 1490 North 2200 West

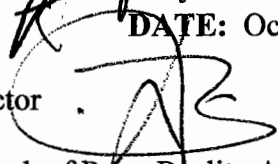
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DIRECTOR

BRENT B. WILDE
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SALT LAKE CITY CORPORATION
DEPT. OF COMMUNITY DEVELOPMENT
OFFICE OF THE DIRECTOR

ROSS C. "ROCKY" ANDERSON
MAYOR

COUNCIL TRANSMITTAL

TO: Rocky Fluhart, Chief Administrative Officer  **DATE:** October 19, 2005

FROM: Louis Zunguze, Community Development Director

RE: **Petition # 400-04-46:** A request by Dave Murdock of Press Reality Advisors, requesting that Salt Lake City amend the text of the Business Park Zoning District to allow commercial indoor recreation as a conditional use. The requested action will facilitate the commercial development of an indoor moto-cross facility. The proposed Winners' Motor Sports site is generally located at 1490 North 2200 West. This property is located in a Business Park (BP) zoning district.

STAFF CONTACT: Jackie O. Gasparik, Principal Planner, 535-6354 or
jackie.gasparik@slcgov.com

RECOMMENDATION: That the City Council schedule a briefing and a Public Hearing to consider this petition.

DOCUMENT TYPE: Text Amendment Ordinance

BUDGET IMPACT: None

DISCUSSION:

ISSUE ORIGIN: The requested text amendment is to facilitate the development of a commercial indoor moto-cross facility. The proposed Winners' Motor Sports site is located at approximately 1490 North 2200 West. All necessary City Departments and Divisions have reviewed the proposal and recommended approval of the petition to amend the table of permitted and conditional uses in the Business Park Zoning District of the City's Zoning Code to allow commercial indoor recreation as a conditional use. The applicant has agreed to all conditions of the various Departments and Divisions.

PUBLIC PROCESS: The project was presented to the Westpointe Community Council at their November 4, 2004 meeting. The Community Council supported the text amendment; however they had some concerns with the proposed project. One major concern was that the subject property was located in an area that is a known Native American burial ground. Planning Staff

contacted the State of Utah Archaeology Office to obtain information about whether or not the area is likely to contain significant artifacts. The State Archaeology Office has required that the applicant hire a State approved consultant to prepare and submit a monitoring plan for artifacts and human remains. If any are found, the applicant will work closely with the State and follow necessary procedures prior to continuing the construction process. This State requirement was made a condition of approval in the Planning Commission Staff reports for the project and is reflected as a condition of approval in the minutes.

Because the text amendment is a City wide issue an Open House was held on March 23, 2005. The only comments received were from Kadee Nielson, former Chair of the Westpointe Community Council. She recommended allowing indoor recreation as a conditional use, because through the conditional use process, communities have the opportunity to review projects and identify any adverse effects that require mitigation.

On September 14, 2005, the Planning Commission held a public hearing and voted to forward a favorable recommendation to the City Council that commercial indoor recreation be added as a conditional use in the Business Park zoning district.

CITY COUNCIL POLICY AND MASTER PLAN CONSIDERATION: The communities that have properties zoned Business Park include Northwest, Capitol Hill, West Salt Lake, and Central Community. The Northwest Master Plan (adopted in 1992), Capitol Hill Master Plan (adopted in 2001), West Salt Lake Master Plan (adopted in 1995), and Central Community Development Plan (adopted in 1974) all include language supporting more opportunities for recreational uses in the communities.

RELEVANT ORDINANCE:

SALT LAKE CITY ZONING ORDINANCE

Section 21A.32.140 Table of Permitted and Conditional uses for Special Purpose Districts

Section 21A.50.050 Standards for General Amendment

TABLE OF CONTENTS

1. Chronology
2. Ordinance
3. Notice of City Council Public Hearing
4. Mailing Labels and List
5. Planning Commission Hearing, September 14, 2005
 - 5a. Agenda, Copy of postmark from original notice
 - 5b. Staff report and attachments
 - 5c. Minutes
6. Original Petition Packet

1. CHRONOLOGY

CHRONOLOGY

- November 3, 2004, Planning Division received petition to process a text change to allow indoor recreation in the BP zone & preliminary subdivision. Project assigned to Janice Panichello.
- Janice Panichello, left City employment January 2005.
- Petition reassigned to Jackie Gasparik, March 2005
- March 28, 2005, Held an open-house for comment on the text change.
- April 11, 2005, Requested information from applicant's Engineer about items that are being requested to be modified as part of the Planned Development.
- May 17, 2005, met with applicant about required fault and geotechnical information that is being requested.
- May 13 & 18 2005, Letters were submitted from AMEC Earth & Environmental, Inc., that they were trenching and conducting field work for the required geo-tech report.
- May 18, 2005, Preliminary Plat, improvement drawings, site plan and landscape plans were submitted for distribution to Departments.
- May 20, 2005, an application was submitted for a Conditional Use for Winners Motor Sports.
- May 26, 2005 Development Review Team review of the proposed project.
- June 6, 2005 sent a Memorandum to Jim Dykeman State Archeologist for review of the subject property to identify if the property is located within an area that is a known Native American Burial ground.
- June 15, 2005 Jim Dykeman, State Archeologist responded that the area is highly likely to contain significant artifacts. The State is requiring that the applicant hire a State approved consultant to prepare and submit a monitoring plan. If any are found the applicant is required to work with the State and follow all necessary procedures prior to continuing the construction process.
- August 2, 2005 Surface fault rupture hazard study was submitted.
- September 14, 2005 Planning Commission held public hearings and;
 - Approved the Conditional Use for Winners motor sports pending text amendment approval by the City Council.
 - Approved Planned Development and Preliminary Subdivision, of the West Pointe business Center.
 - Forwarded a positive recommendation to the City Council on the proposed Text Amendment to add commercial indoor recreation as a conditional use in the Business Park District.

2. ORDINANCE

SALT LAKE CITY ORDINANCE
No. _____ of 2005
(Amending Table 21A.32.140)

AN ORDINANCE AMENDING TABLE 21A.32.140, *SALT LAKE CITY CODE*,
PERTAINING TO PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE
DISTRICTS, PURSUANT TO PETITION NO. 400-04-46.

WHEREAS, the Planning Commission and the City Council of Salt Lake City, Utah, have held public hearings and have taken into consideration citizen testimony, filing, and demographic details of the area, the long range general plans of the City, and any local master plan as part of their deliberations. Pursuant to these deliberations, the City Council has concluded that the proposed change in Table 21A.32.140 to allow commercial indoor recreation to be added as a conditional use in the Business Park District (BP) is appropriate for the development of the community in that district.

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

SECTION 1. That the table, entitled Table of Permitted and Conditional Uses for Special Purpose Districts, which is located at Section 21A.32.140 of the *Salt Lake City Code*, shall be and hereby is, amended, in part, to allow commercial indoor recreation as a conditional use in the Business Park District (BP) as set forth in the attached Exhibit "A."

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 _____,
2005.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2005.
Published: _____.

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APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date October 12, 2005
By Melanie Giff

EXHIBIT "A"

ZONING TEXT AMENDMNET

Section 21A.32.140 Table of Permitted and Conditional Uses for Special Purposed Districts
Existing Table (Partial Table)

Use	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	A	PL	PL-2	I	UI	MH	EI	MU
Recreation, Cultural And Entertainment																
Amphitheaters											C					
Arenas, stadiums, fairgrounds										C		C	C			
Art galleries											P					P
Botanical gardens	C										C					

Amended Table (Partial Table)

Added text in bold italic

Use	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	A	PL	PL-2	I	UI	MH	EI	MU
Recreation, Cultural And Entertainment																
Amphitheaters											C					
Arenas,										C		C	C			

3. NOTICE TO CITY COUNCIL PUBLIC HEARING

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is currently reviewing Petition #400-04-46 initiated by Press Reality Advisors to consider a text amendment to add commercial indoor recreation to be allowed in the Business Park District as a conditional use. The proposal is to facilitate the proposed Winners indoor moto-cross facility at 1490 North 2200 West.

The City Council is holding a public hearing to receive comments regarding the petition request. During this hearing, the Planning staff may present information on the petition and 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 and County Building
451 South State Street
Salt Lake City

If you have any questions relating to this proposal, please attend the meeting or call Jackie Gasparik at 535-6354, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

4. MAILING LABELS & LIST



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STEVENSON, DREW C &
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CERRITOS, JUAN; ET AL
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St. Mary's Community Council
1449 Devonshire Dr.
Salt Lake City, Utah 84108

Larry Spendlove, Chair
Sunnyside East Association
2114 E. Hubbard Avenue
Salt Lake City, UT 84108

Tim Dee, Chair
Sunset Oaks Community Council
1575 Devonshire Dr.
Salt Lake City, Utah 84108

Beth Bowman, Chair
Wasatch Hollow Community Council
1445 E. Harrison Ave.
Salt Lake City, Utah 84105

Kenneth L. Neal, Chair
Rose Park Community Council
1071 North Topaz Dr.
Salt Lake City, Utah 84116

Jim Webster, Chair
Yalecrest Community Council
938 Military Drive
Salt Lake City, Utah 84108-1326

Dennis Guy-Sell, Chair
East Central Community Council
PO Box 520473
Salt Lake City, Utah 84152-0473

Boris Kurz, Chair
East Liberty Park Community Council
1203 South 900 East.
Salt Lake City, Utah 84105

Angie Vorher, Chair
Jordan Meadows Community Council
1988 Sir James Dr.
Salt Lake City, Utah 84116

Mike Harman, Chair
Poplar Grove Community Council
1044 W. 300 S
Salt Lake City, Utah 84104

Jilene Whitby, Chair
Fairpark Community Council
846 W 400 N.
Salt Lake City, Utah 84116

Kadee Nielson, Chair
West Pointe Community Council
1410 N. Baroness Place.
Salt Lake City, Utah 84116

Mark Holland, Chair
Sugar House Community Council
1942 Berkeley Street
Salt Lake City, Utah 84108

Randy Sorenson, Chair
Glendale Community Council
1184 S Redwood Drive
Salt Lake City, Utah 84104

Updated March 2, 2005
AC



Downtown Alliance
Bob Farrington, Director
175 East 400 South #600
Salt Lake City, Utah 84111

Salt Lake Chamber of Commerce
175 East 400 South, Suite #600
Salt Lake City, Utah 84111

Attn: Carol Dibble
Downtown Merchants Association
10 West Broadway, Suite 420
Salt Lake City, UT 84101

Hispanic Chamber of Commerce
PO Box 1805
Salt Lake City, UT 84110

Vest Pocket Business Coalition
PO Box 521357
Salt Lake City, Utah 84152-1357

Sugar House Merchants Association
C/O Barbara Green
Smith-Crown
2000 South 1100 East
Salt Lake City, Utah 84106

Westside Alliance
C/O Neighborhood Housing Services
Maria Garcia
622 West 500 North
Salt Lake City, Utah 84116

Updated 10/05/04
KDC

5. PLANNING COMMISSION HEARING

5a. AGENDA, COPY OF POSTMARK

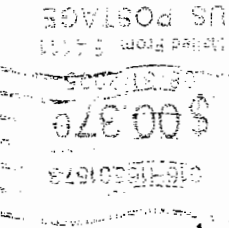
AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, September 14, 2005, at 5:45 p.m.

The Planning Commission will be having dinner at 5:00 p.m., in Room 126. During the dinner Staff may share general planning information with the Planning Commission. This portion of the meeting will be open to the public.

1. APPROVAL OF MINUTES from Wednesday, August 24, 2005
2. REPORT OF THE CHAIR AND VICE CHAIR
3. REPORT OF THE DIRECTOR
 - a. Petition for mapping Fine Tuning Round II
 - b. Update on petition to create Banner Sign regulations
 - c. Update on issues raised by Sunnyside East Community Council concerning Research Park Conditional Use petition
4. PUBLIC NOTICE AGENDA
 - a) Douglas Bagley and Salt Lake City Property Management Division—City Property Management Division is requesting that the City convey to Mr. Bagley, the fee title interest to vacant property that the City owns, which is located at the approximately 471 West 500 South Street (the Southeast corner of the intersection of 500 West and 500 South Streets) which is zoned General Commercial CG. The subject property is approximately 13,412 Square feet in area (0.308 acres) and represents excess property that the City is not utilizing. The subject property results from a prior purchase by the City of a larger property from Mr. Bagley to accommodate a new railroad spur line to the Cereal Foods property, as part of the Interstate 15 reconstruction project, wherein the City sought to have the freeway off-ramps shortened. The original purchase agreement contained a provision to allow any remainder property to be re-sold to Mr. Bagley, after construction of the railroad spur. Portions of the original purchase agreement have been in legal dispute and the City has now agreed to terms which include the transfer of this property to Mr. Bagley, as part of a settlement agreement. (Staff - John Spencer at 535-6190 or john.spencer@slcgov.com or Doug Wheelwright at 535-6178 or doug.wheelwright@slcgov.com.)
5. PUBLIC HEARINGS
 - a) **Petition No. 410-757**, by Mike Davie to construct a new LDS church at approximately **1401 West 700 South** in an R-1/5000 zoning district. A church is a conditional use in this zone. The existing church will be demolished in order to construct the new church. (Staff – Sarah Carroll at 535-6260 or sarah.carroll@slcgov.com)
 - b) **Petition No. 490-05-39**, by Mike Davie to amend the Poplar Grove Addition Subdivision for property located at approximately **1401 West 700 South** in an R-1/5000 zoning district. The lots where the existing church is have not yet been combined. These lots must be combined in order to construct the new church. (Staff – Sarah Carroll at 535-6260 or sarah.carroll@slcgov.com)
 - c) **Petition Number 400-05-20**, the Salt Lake City Council requesting to create a new zoning district limited to natural open space (Natural Open Space, NOS zone). (Staff: Ray McCandless at 535-7282 or ray.mccandless@slcgov.com)
 - d) **Petitions No. 400-01-21 and Petition No. 400-02-08**, to amend the text of the C-SHBD (Sugar House Business District) zone and the corresponding Sugar House Community Zoning Map, as well as the text of the Sugar House Community Master Plan (2001) and corresponding Sugar House Future Land Use Map. In addition, several rezones are proposed for specific properties located adjacent to the area currently zoned C-SHBD (Sugar House Business District). The area affected by these amendments is approximately **2100 South from 900 to 1300 East, and along 1100 East/Highland Drive from Hollywood Avenue to I-80, including the Granite Furniture block, the Sugar House Commons, and the Sugar House Center.** (Staff – Lex Traugher at 535-6184 or lex.traugher@slcgov.com)
 - e) **Petition No. 400-04-46** to amend the text to allow indoor recreation as a conditional use in the Business Park District. (Staff - Jackie Gasparik at 535-6354 or Jackie.gasparik@slcgov.com)
 - f) **Petition No. 410-708** to request approval for West Pointe Business Center for four lot Planned Development Subdivision to allow rear lots without frontage onto a City street and modifications to setbacks and landscaping. The project is located at approximately **490 North 2200 West** and is located in the BP zoning District. (Staff: - Jackie Gasparik at 535-6354 or Jackie.gasparik@slcgov.com)
 - g) **Petition No. 410-746** to allow Winners Motorsports at approximately **1490 North 2200 West**, to have indoor go-kart racing and interactive entertainment in the BP district. (Staff - Jackie Gasparik at 535-6354 or Jackie.gasparik@slcgov.com)
6. UNFINISHED BUSINESS

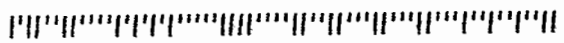
MAGGIE TOW
SLC PLANNING COMMISSION
451 S. STATE STREET, RM. 406
SALT LAKE CITY, UT 84111

Salt Lake City Planning Division
Planning Commission Secretary
451 South State Street, Rm. 406
Salt Lake City, UT 84111



1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. In order to be considerate of everyone attending the meeting, public comments are limited to 3 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Written comments are welcome and will be provided to the Planning Commission in advance of the meeting if they are submitted to the Planning Division prior to noon the day before the meeting. Written comments should be sent to:

Salt Lake City Planning Director
451 South State Street, Room 406
Salt Lake City, UT 84111
4. Speakers will be called by the Chair.
5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
6. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. Salt Lake City Corporation complies with all ADA guidelines. If you are planning to attend the public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the Planning Office 48 hours in advance of the meeting and we will try to provide whatever assistance may be required. Please call 535-7757 for assistance.



84111/3102

5b. STAFF REPORT

DATE: September 9, 2005

TO: Salt Lake City Planning Commission

FROM: Jackie Gasparik
Principal Planner
Telephone: 535-6354
E-mail: jackie.gasparik@slcgov.com

RE: A zoning text amendment request to allow commercial indoor recreation to be added as a conditional use in the Business Park zoning district.

CASE NUMBER: 400-04-46 Text Amendment

APPLICANT: Press Realty Advisors

STATUS OF APPLICANT: Property owner

PROJECT LOCATION: City wide
Properties zoned BP are currently located in four planning communities: Northwest, West Salt Lake, Central Community, and Capitol Hill. (See attached maps.)

PROJECT/PROPERTY SIZE: City wide

COUNCIL DISTRICT: District 1, Carlton Christensen
District 2, Van Turner
District 3, Eric Jorgensen
District 4, Nancy Saxton

REQUESTED ACTION: Dave Murdock representing Press Realty Advisors is requesting a zoning text amendment to allow commercial indoor recreation to be added as a conditional use in the BP (Business Park District) zoning.

PROPOSED ZONING TEXT AMENDMENT: The zoning text amendment would add commercial indoor recreation as a permitted or conditional use in the BP zoning (see attached table).

APPLICABLE LAND USE REGULATIONS:

Section 21A.32.030

BP Business Park District

Purpose: to provide a nuisance free, attractive environment for modern offices, light assembly and warehouse development.

Commercial indoor recreation is not currently listed as a permitted or conditional use in the BP zoning district.

Section 21A.32.140

Table of Permitted and Conditional Uses for Special Purpose Districts

Purpose: Identifies permitted and conditional uses in special purpose districts (which includes the Business Park District zoning).

Section 21A.62.040

Definitions

Purpose: “Commercial indoor recreation” means public or private recreation facilities, tennis or other racquet courts, swimming pools, bowling alleys, skating rinks, or similar uses which are enclosed in buildings and are operated on a commercial or membership basis primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. The term “commercial indoor recreation” shall include any accessory uses such as snack bars, pro shops, and locker rooms, which are designed and intended primarily for the use of patrons of the principal recreational use. The term “commercial indoor recreation” shall not include theaters, cultural facilities, commercial recreation centers, massage parlors, or any use which is otherwise listed specifically in the table of permitted and conditional uses found at the end of each chapter in part III of this title for each category of zoning district or districts.

Section 21A.50.050

Standards for General Amendments

Purpose: Provides standards and procedures for making amendments to the text of the zoning ordinance and the zoning map.

**State Code 10-9a-401-406 Plan Adoption and State Code 10-9a-503-504
Amendment of Plan**

The legislative body may make any modifications to the proposed general plan that it considers appropriate. The Planning Commission and legislative body must provide reasonable notice at least 14 days prior to the date of the hearing.

Section 21A.32.010

Special Purpose Districts

Purpose: Areas of special land uses that do not fit traditional zoning classifications. Special purpose districts are intended to maintain the integrity of these areas, allow for greater flexibility in site design, and achieve specialized goals for these areas.

SURROUNDING ZONING DISTRICTS:

Areas currently zoned BP are surrounded by the following zoning districts:

Northwest: A (Airport), PL (Public Lands), CC (Corridor Commercial), CG (General Commercial), CS (Community Shopping), RMF-30 (Low Density Multi-Family Residential), RMF-35 (Moderate Density Multi-Family Residential), M1 (Light Manufacturing), OS (Open Space), R-1/5,000 and R-1/7,000 (single family residential), AG-5 and AG-4 (agricultural)

Capitol Hill: CC (Corridor Commercial), PL (Public Lands), OS (Open Space), M1 (Light Manufacturing), CG (General Commercial)

West Salt Lake: M1 (Light Manufacturing), RMF-35 (Moderate Density Multi-Family Residential), I (Institutional)

Central: CC (Corridor Commercial), PL (Public Lands), RMF-45 (Moderate/High Density Multi-Family Residential)

SURROUNDING LAND USES: Not applicable

MASTER PLAN SPECIFICATIONS: The adopted land use policy documents that guide new development in the area surrounding the proposed zoning map amendment, are the Northwest Master Plan (adopted in 1992), the Capitol Hill Master Plan (adopted in 2001), the West Salt Lake Master Plan (adopted in 1995), the Central Community Development Plan (adopted in 1974), and the Central Community Development Plan currently in the adoption process. (The Planning Commission reviewed the proposed Central Community Master Plan in 2002 and recommended that the City Council adopt the plan. However, this document is still under review by the City Council and has not been adopted.) A description of the pertinent information in these community master plans is provided below.

Northwest Master Plan: Northwest Master Plan (adopted 1992)

BP area between Jordan River and Redwood Road, north of North Temple Street:

Conditions for approval of conditional uses in this area should meet the following development guidelines:

- Maintain campus element with large amounts of landscaped open space. The percent of landscaped areas established by the development plan should apply to all office development in this area;
- Building height limit should follow the three story height established by the existing Agricultural and Health buildings;
- Any private development must be responsive in their design plans to requirements outlined in the State Administration Campus Development Plan;
- Off-street parking should be centralized and provide the major access from secondary streets.
- Parking areas should be screened from buildings and streets with berms and landscaping. Large parking lots should be divided with intermittent landscaped areas which include trees. Any parking structure should be limited to a maximum of two levels above ground.

Capitol Hill Master Plan (adopted November 9, 1999): Provide for and encourage parks and recreation areas in various forms and locations to enhance residential neighborhoods and the surrounding community. With the closure of the Wasatch Plunge in 1975 and the demolition of the Deseret Gym in 1997, there is no existing indoor recreation facility in this community. Therefore, the need for a new site in the community for a recreational center with a swimming pool is great.

West Salt Lake Master Plan (adopted March 21, 1995): Identifies several parks, golf courses and community centers. However, staff finds that the master plan supports new indoor recreational activities, such as those allowed under the definition of commercial indoor recreational facilities. One of the applicable goals listed in the plan is to; Upgrade present recreation facilities and provide additional facilities where needed.

Central Community Master Plan (not yet adopted): The Central Community has a deficit of open space, parks and recreation facilities while the community population continues to increase. Staff finds that adding indoor recreation opportunities in the BP zone will help to ensure that recreational facilities for all age groups and activity levels are provided within the Central Community (Section: Parks, Open Space and recreation Land Use II-43).

SUBJECT PROPERTY HISTORY:

The BP (Business Park District) zone was created in 1995 to provide areas for office buildings, light assembly and warehouse development.

In the 1995 zoning code “commercial indoor recreation” is a permitted use in the following zoning districts:

- Commercial districts: CC (Corridor Commercial) and CG (General Commercial). In the CS (Commercial Shopping) and CSHBD (Sugar House business district) “commercial indoor recreation” is a permitted use subject to planned development approval.

- G-MU (Gateway Mixed Use)
- All downtown districts: D-1 (Central Business District); D-2 (Downtown Support District); D-3 (Downtown Warehouse/Residential); and D-4 (Downtown Secondary Central Business District)
- Manufacturing: M1 (Light Manufacturing) and M2 (Heavy Manufacturing)

COMMENTS, ANALYSIS AND FINDINGS:

1. **COMMENTS:** Staff requested comments from applicable agencies. Staff received comments from the following:
 - a) **Business Licensing:** If the ordinance text change is approved it would also allow dance halls in the BP zone. Careful consideration should be given to all the types of businesses that would be allowed under the indoor recreation definition and not just the one that applicant is proposing for his site. Other types of businesses may require additional resources, such as police or fire, that may not be available.
 - b) **Transportation:** No concerns with allowing indoor recreation subject to standard site development transportation issues for traffic, access, staging, stacking and parking. One possible concern would be activities and their peak impact that with a conditional use status may require a traffic impact report and possible mitigation requirements.
 - c) **Public Utilities:** All standard public utility issues must be addressed as part of the construction permitting process.
 - d) **Engineering:** No comment.
 - e) **Police:** No comment.
 - f) **Fire:** See no problems with allowing commercial recreation in the BP zone. Consider this approval in reference to the zoning text amendment only and not for the site specific building permit approval.
 - g) **Community Council:** Item was presented at the November 4, 2004 meeting. The community had several concerns specifically with the site plan layout. Buildings should front on 2200 West and not the freeway – Don't like the way the buildings are situated on the lot. This may be why it would be a good idea to see the whole layout of the proposed business park so the community council understands what the ultimate configuration will be. The community council has a notion that there may be an Indian burial ground or other historic artifacts in the area. One resident of Centennial Farms states that there is and that the State Archeologist inspected the site. Staff will determine from the State if they have any information or regulations in this area. Want to better understand the grade changes that are being proposed and how that affects the drainage in the area.
 - h) **Planning Division:** Because of some of the comments received and the extensive use the applicant is proposing (see conditional use staff report) staff is recommending that commercial indoor recreation be allowed in the Business Park zone as a CUP.
 - i) **An open house was held March 23, 2005:** Kadee Nielson, former Community Council Chair of the WestPoint community, recommended allowing indoor recreation as a conditional use. Through the conditional use review communities

can determine if the proposed indoor recreation has any adverse affects that require mitigation.

2. ANALYSIS AND FINDINGS

Staff supports the requested text amendment based on the fact that indoor commercial is an allowed use in the CS, CG, D-1, D-2, D-3, D-4, M-1 and M-2 zoning districts. The applicant believes that his business will be an asset to the area and will be supported by the other business in the BP District. The applicant requires an extremely large building (minimum 72,000 square feet all indoors) to allow for the indoor racing track, and other support activities and feels that the business park zone is a better area to locate his business than any of the other zones. The existing buildings and lots in commercial and downtown zones are not large enough for his use and the manufacturing zones he feels are too industrial to attract his target market. He believes that the adult/young adult, high speed, exciting, corporate atmosphere he desires is best achieved in the Business Park District.

Planning staff has evaluated the proposed use and other similar facilities around the Country and also agrees that the Business Park District is a good fit for this unique indoor recreation use. This unique indoor recreation use is unlike other indoor recreation uses we have had in the past such as swimming pools, bowling alleys etc. and is the reason we are recommending that indoor recreation be allowed as a conditional use so that each indoor recreational use can be reviewed on a case by case basis in the Business Park District. Other adult uses that may also be compatible in the Business Park District, may be practice/training facilities for indoor golf, soccer, and football. The uses would not have stadium seating or areas for large audiences to watch, the idea is mainly to house an area large enough for the participants to perform the activity in a climate controlled secure facility.

A decision to amend the text of the zoning ordinance or the zoning map is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment, the Planning Commission and the City Council must consider the following factors:

21A.50.050 Standards for General Amendments

A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.

Discussion: The proposed text amendment is consistent with the following plans:

Salt Lake City Futures Commission Final Report (1993)

Recreation – Provide recreation amenities and programming to all citizens of Salt Lake City.

Neighborhoods: Goal A: The ideal neighborhood will be family and youth friendly. Neighborhoods will offer a variety of opportunities to residents including recreational programs, community events, and community services.

Residents will be provided ways to increase public safety with the support of public agencies. Recommendation 12: Actively promote the development of sports facilities such as football/soccer fields, softball fields, baseball fields, gymnasiums, and pools.

Social Environment: E. Expand Recreational Opportunities in Salt Lake City. Economics Subcommittee. Major Components of Salt Lake City's Economic Base – includes Retail shopping, recreation, and sports facilities.

Natural Environment – Open Space Recommendations: Develop additional parks, playing fields, and recreational facilities in Salt Lake City, while making them safe and accessible to all citizens.

Salt Lake City Strategic Plan (1993): Objective D – Residents and visitors will enjoy an abundance of quality cultural, artistic, recreational and sporting opportunities and events. Action Step 8.0: Promote and enhance the availability of sports, cultural and entertainment activities within the City.

Findings: The proposed amendment is consistent with City's General Plan.

B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.

Discussion: This proposed text amendment is not site-specific. Allowing the use as a conditional use allows a process to identify if a specific use will be harmonious with the overall character of existing development and the immediate area.

Findings: Allowing commercial indoor recreation use as a conditional use will allow a review process to determine if the use is compatible with existing development in the areas zoned BP (Business Park District).

C. The extent to which the proposed amendment will adversely affect adjacent properties.

Discussion: Commercial indoor recreation uses in the BP district will be required to comply with setbacks, landscaping, and signage standards required of other permitted development in the BP district, as well as specific off-street parking requirements for commercial indoor recreation.

Findings: The conditional use process together with the building permit review process will assure that proposed uses will not adversely affect adjacent properties.

D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.

Discussion: Areas zoned BP in the City are also affected by several overlay zones such as the: Airport Landscape Overlay (Northwest); Airport Influence

Zones A, B, C, H (Northwest, West Salt Lake); Groundwater Secondary Recharge Area (Capitol Hill); South State Street Corridor (Central).

Findings: Normal city review process will assure that proposed uses must conform to all applicable zoning and overlay standards.

- E. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.**

Findings: The normal city subdivision and building permit review processes will assure that proposed uses conform to all applicable zoning and overlay standards.

RECOMMENDATION: Based on the analysis and the findings presented in this report, the Staff recommends that the Planning Commission forward a positive recommendation to the City Council to approve Petition 400-04-46 to amend the zoning ordinance to add Commercial Indoor Recreation as a conditional use in the BP (Business Park District) zoning.

Attachments:

1. Application
2. Map of Business Park District (BP) Areas
3. Departmental Comments
4. Public Comment (Open House and Community Council).

ATTACHMENT 1 APPLICATION

Planning Commission Staff Report
Petition 400-04-46



Zoning Amendment

FOR OFFICE USE ONLY

Petition No. _____
 Receipt No. _____ Amount \$ _____
 Date Received _____
 Reviewed by _____

SALT LAKE CITY PLANNING

Address of Subject Property 1528 North 2200 West
 Name of Applicant Press Realty Advisors Phone 801-430-4488
 Address of Applicant David J. Murdock
 E-mail address of Applicant murdock0170@msn.com Cell / Fax 801-546-1480
 Applicant's Interest in Subject Property Owner
 Name of Property Owner Press Realty Advisor Phone _____
 County Tax Parcel # (Sidwell #) 08-21-400-018-0000 Zoning of Property Business Park (BP)
 Existing Use of Property raw land

- Amend the text of the Zoning Ordinance by amending Section: (attach map or legal description).
 Amend the Zoning Map by reclassifying the following property: _____
 From a _____ classification to a _____ classification.

Please include with the application:

- 1. A statement of the text amendment or map amendment describing the purpose for the amendment and the exact language, boundaries and zoning district.
- 2. A complete description of the proposed use of the property where appropriate.
- 3. Reasons why the present zoning may not be appropriate for the area.
- 4. The names and addresses of all property owners within four-hundred fifty (450) feet of the subject parcel. The name, address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair. **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
- 5. Legal description of the property.
- 6. Ten (10) copies of site plans drawn to scale.
- 7. A signed statement that the petitioner has met with and explained the proposal to the appropriate Community Council.
- 8. Related materials or data supporting the application as may be determined by the Zoning Administrator.
Filing fee of \$500.00 plus \$100 for each acre over one acre is due at the time of application.

If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition.

Sidwell maps and names of property owners are available at:

Salt Lake County Recorder
 2001 South State Street, Room N1600
 Salt Lake City, UT 84190-1051
 Telephone: (801) 468-3391

File the complete application at:

Salt Lake City Planning
 451 South State Street, Room 406
 Salt Lake City, UT 84111
 Telephone: (801) 535-7757

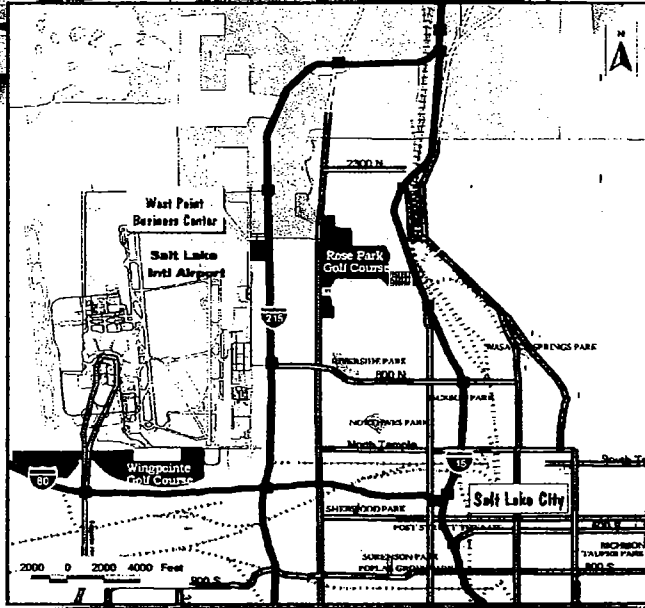
Signature of Applicant _____
 or authorized agent _____ Title of agent _____

WEST POINT BUSINESS CENTER

1490 NORTH 2200 WEST • SALT LAKE CITY



- 51,200 Total SF
- 26,000 Total SF Office Space on Two Levels (13,000 SF each)
- 25,200 SF Warehouse Space
- Units from 4,000 SF
- 22' Clearance
- Dock & Grade Level Loading
- 128 Parking Stalls
- Master Planed Business Park



SALE PRICE: \$3,482,000

LEASE RATE: \$.75/SF NNN OFFICE

\$.45/SF NNN WAREHOUSE

JAMES MERRILL

ZACH ANDERSON

801/578-5555

NAI UTAH COMMERCIAL REAL ESTATE, INC.

COMMERCIAL REAL ESTATE SERVICES, WORLDWIDE

60 East South Temple, # 1325 • Salt Lake City, UT 84111

801/578-5555 Main • 801/578-5500 Fax

Memorandum

To: Salt Lake City Planning

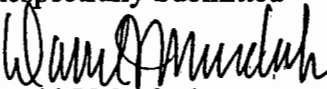
From: Dave Murdock
Press Realty Advisors

Re: Westpointe Community Council Meeting

Date: October 21, 2004

On Wednesday, October 20, 2004 Press Realty Advisors presented the Zoning Amendment application and Development Plan application with the required information and plat maps to the Westpointe Community Council meeting held at 6:30 PM and located at 1575 West 1000 North, Salt Lake City, Utah.

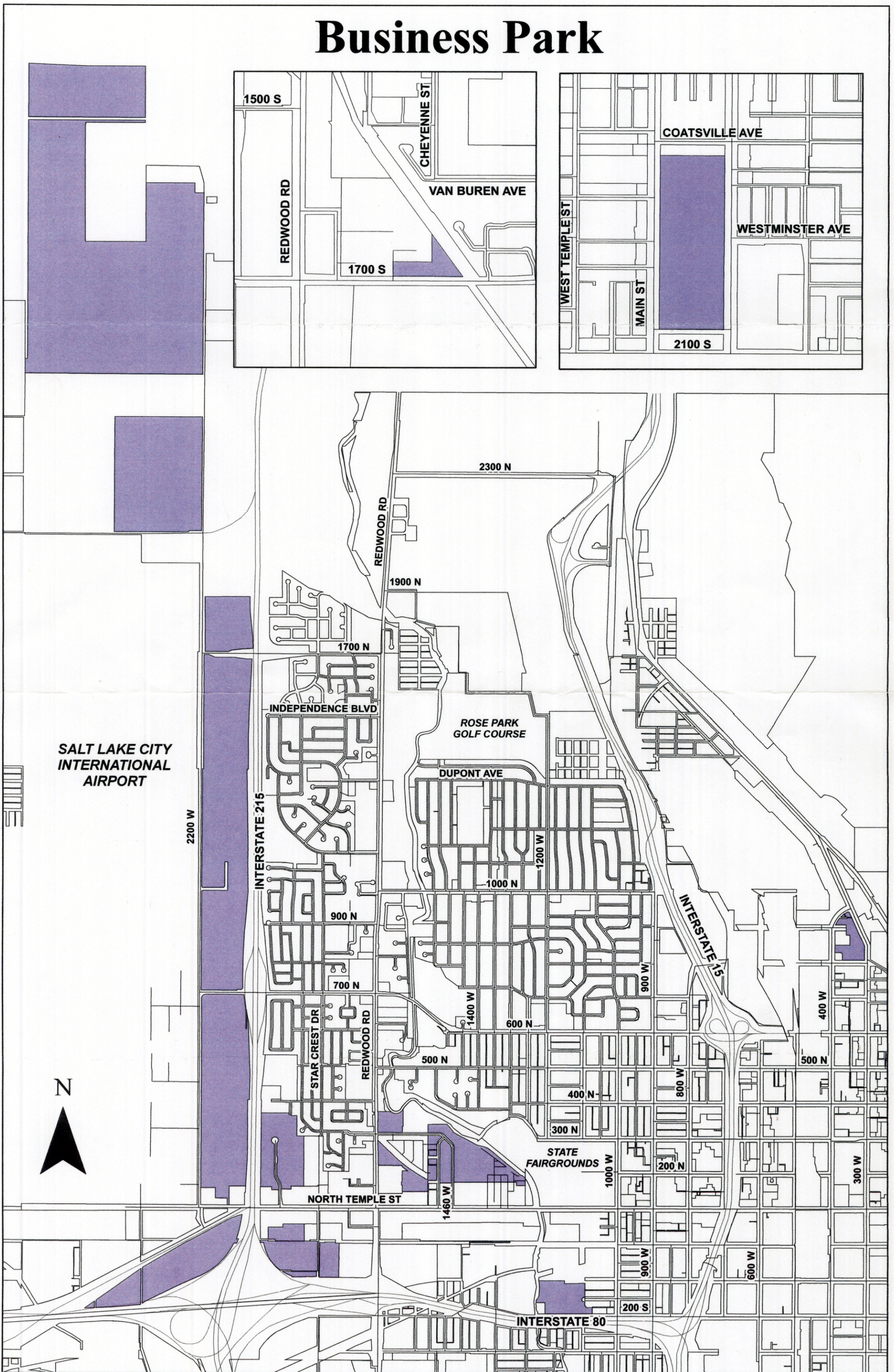
Respectfully Submitted


David J Murdock
Press Realty Advisors - President

ATTACHMENT 2

BUSINESS PARK DISTRICT AREAS

Business Park



ATTACHMENT 3

DEPARTMENTAL COMMENTS

Petition 400-04-46 Zoning text Amendment to add "Commercial Indoor Recreation" as a Permitted or Conditional Uses in the Business Park District zone.

Fire Department

Janice,

Please consider this note as Fire Department approval for the above referenced request. This approval is in reference to the Zoning Text Amendment only and not for Building Permit approval.

Please feel free to contact me should you have any questions or need further assistance.

Thank you.

*Brad Larson
Deputy Fire Marshal*

Public Utilities

Peggy, once we receive modified plans for this specific property, Jackie Gasparik will send you the information for your comment. I'll also forward her this email. At this point in time we're trying to get feedback as to whether commercial indoor recreation in any of the areas throughout the city that are zoned Business Park District (BP) would potentially cause a negative impact. Just wanted to forewarn you that this may pass your way again. Thanks for your quick response. – Janice Panichello

Janice,

Public Utilities has no issues with this proposed rezone request. All of Public Utilities' property and construction issues must be addressed as part of the construction permitting process. We believe the existing public water, sanitary sewer and storm drainage infrastructure is adequate to support this proposed use. Please contact Jeff Snelling at 483-6889 if you have any questions.

*Peggy Garcia
Contracts Supervisor
Salt Lake City Public Utilities
(801) 483-6727*

Permits

Janice:

I have no specific comments related to the proposed text amendment to allow "commercial indoor recreation" in the BP zone. However, the proposed planned development will require a detailed review once we receive adequate plans from the applicant.

Larry Butcher

Transportation

We see no undo impact to the transportation corridor system by allowing the proposed changes to allow Commercial Indoor Recreation. Subject to standard site development transportation issues for traffic access, staging, stacking, and parking as needed and referred to as 21A.44 and as per the purpose statement in that the use is "not detrimental to the surrounding neighborhood", "or are a hazard to", from a transportation view of traffic issues for vehicles or pedestrians in their function of: parking - circulation - access - or services. Our concern once the on site items are addressed would be the possible event activities and their peak impact that with a conditional use status may require a traffic impact report and possible mitigation requirements.

Sincerely,

Barry Walsh.

Airport

Janice,

Several properties adjacent to airport property are in the BP zoning district. Any new structure in the BP zone that is within the airport influence zone will require an aviation easement. The proposed amendment to the BP-zoned property allowing Commercial Indoor recreation activities does not affect airport operations at Salt Lake City International airport. I am not aware of any issues that will affect airport properties from this proposal. Thank You for sending this notification.

-Allen McCandless, Planning Manager SLCIA.

Business Licensing

Press Reality Advisors were given a Notice and Order on May 24, 2004, at 1490 N 2200 W, about the requirement to have a business license since they were conducting business in SLC. They have never applied. All attempts to contact them have failed. The phone number they provided is not a working number and there is no number listed in the phone book. They also have not registered with the Department of Commerce as required by state law. They attended the North Pointe Community Council meeting on October 20, 2004, and made a presentation for the proposed facility at about 1490 N 2200 W. Those at the meeting voiced some concern about having additional development at the site when they have allowed development on the site without the proper permits. Grading and land fill has been done without permits. Also they are allowing outdoor storage and sale of construction equipment on site without proper permits/licenses. Press Reality was advised at that meeting again that they are operating without the proper licenses and they still have not complied.

I would recommend that before further time, effort, and consideration is given to this change that Press Reality Advisors be required to comply with state and local ordinances. Up to this point they have not shown a willingness to do so even when requested.

It should also be noted that Dance Halls are approved under the ordinance as Commercial Indoor Recreation. If the ordinance is changed, Dance Halls would now be allowed in the BP zone. Careful consideration should be given to all the types of businesses that would be allowed under this change and not just the one the applicant is proposing for this site. Other types of businesses may require additional resources, such as police or fire that may not be available.

Jim Benton
Business License

Engineering

Janice, Engineering has no input to the proposed text amendment at this time.
Smith, Craig

Petition 400-04-46 Zoning text Amendment to add "Commercial Indoor Recreation" as a Permitted or Conditional Uses in the Business Park District zone.

Fire Department

Janice,

Please consider this note as Fire Department approval for the above referenced request. This approval is in reference to the Zoning Text Amendment only and not for Building Permit approval.

Please feel free to contact me should you have any questions or need further assistance.

Thank you.

*Brad Larson
Deputy Fire Marshal*

Public Utilities

Peggy, once we receive modified plans for this specific property, Jackie Gasparik will send you the information for your comment. I'll also forward her this email. At this point in time we're trying to get feedback as to whether commercial indoor recreation in any of the areas throughout the city that are zoned Business Park District (BP) would potentially cause a negative impact. Just wanted to forewarn you that this may pass your way again. Thanks for your quick response. – Janice Panichello

Janice,

Public Utilities has no issues with this proposed rezone request. All of Public Utilities' property and construction issues must be addressed as part of the construction permitting process. We believe the existing public water, sanitary sewer and storm drainage infrastructure is adequate to support this proposed use. Please contact Jeff Snelling at 483-6889 if you have any questions.

*Peggy Garcia
Contracts Supervisor
Salt Lake City Public Utilities
(801) 483-6727*

Permits

Janice:

I have no specific comments related to the proposed text amendment to allow "commercial indoor recreation" in the BP zone. However, the proposed planned development will require a detailed review once we receive adequate plans from the applicant.

Larry Butcher

Panichello, Janice

From: Benton, Jim
Sent: Wednesday, November 10, 2004 10:02 AM
To: Panichello, Janice; Harpst, Tim; Hooton, Leroy; Graham, Rick; Query, Chuck; Dinse, Rick; Boskoff, Nancy; Campbell, Tim; Clark, Luann; Fluhart, Rocky; Dobbins, David; McFarlane, Alison; Oka, Dave; Rutan, Ed
Cc: Goff, Orion; Smith, Craig; Larson, Bradley; Guess, Kim; Stewart, Brad; Walsh, Barry; Johnson, Linda; Smith, JR; McCandless, Allen; Drake, Edna
Subject: RE: Proposed text amendment to allow commercial indoor recreation in BP zoning
Categories: Program/Policy

Press Reality Advisors were given a Notice and Order on May 24, 2004, at 1490 N 2200 W, about the requirement to have a business license since they were conducting business in SLC. They have never applied. All attempts to contact them have failed. The phone number they provided is not a working number and there is no number listed in the phone book. They also have not registered with the Department of Commerce as required by state law. They attended the Northpointe Community Council meeting on October 20, 2004, and made a presentation for the proposed facility at about 1490 N 2200 W. Those at the meeting voiced some concern about having additional development at the site when they have allowed development on the site without the proper permits. Grading and land fill has been done without permits. Also they are allowing outdoor storage and sale of construction equipment on site without proper permits/licenses. Press Reality was advised at that meeting again that they are operating without the proper licenses and they still have not complied.

I would recommend that before further time, effort, and consideration is given to this change that Press Reality Advisors be required to comply with state and local ordinances. Up to this point they have not shown a willingness to do so even when requested.

It should also be noted that Dance Halls are approved under the ordinance as Commercial Indoor Recreation. If the ordinance is changed, Dance Halls would now be allowed in the BP zone. Careful consideration should be given to all the types of businesses that would be allowed under this change and not just the one the applicant is proposing for this site. Other types of businesses may require additional resources, such as police or fire, that may not be available.

Jim Benton
Business License

From: Panichello, Janice
Sent: Wednesday, November 10, 2004 8:22 AM
To: Harpst, Tim; Hooton, Leroy; Graham, Rick; Query, Chuck; Dinse, Rick; Boskoff, Nancy; Campbell, Tim; Clark, Luann; Fluhart, Rocky; Dobbins, David; McFarlane, Alison; Oka, Dave; Rutan, Ed
Cc: Goff, Orion; Smith, Craig; Larson, Bradley; Guess, Kim; Stewart, Brad; Walsh, Barry; Johnson, Linda; Smith, JR; McCandless, Allen; Benton, Jim
Subject: Proposed text amendment to allow commercial indoor recreation in BP zoning

The Planning Division is currently reviewing Petition 400-04-46, a request for a Zoning Text Amendment to add "Commercial Indoor Recreation" as a Permitted or Conditional Use in the BP (Business Park District) zoning. The applicant is requesting the text amendment to allow development of an indoor motocross recreational facility on BP-zoned property he owns, however this text amendment will apply to all BP-zoned properties. This e-mail and additional materials have been sent to appropriate city staff who have been asked to review the technical details of the project and respond in writing with any comments they have. If you would like to review details of the proposed project, please let me know by November 17th, and I will forward the specific information to you for your

11/29/2004

comments.

If you have any questions, please contact me at 535-6260I.

Thank you.

- Janice Panichello

11/29/2004

Panichello, Janice

From: Benton, Jim
Sent: Wednesday, December 22, 2004 3:53 PM
To: Panichello, Janice
Cc: Gasparik, Jackie; Drake, Edna
Subject: RE: Proposed text amendment to allow commercial indoor recreation in BP zoning
Categories: Confidential

Mr. Murdock still has not contacted me. He assured me he would after I was finally able to speak to him on the 10th of November. Just to let you know, they have done additional site work since my last email and I still can not find any permits. I'm at the point where I am ready to request a summons from the prosecutors office and issue him a class B misdemeanor citation. I would also recommend that no additional consideration or effort be expended on changing the ordinance or the site plan until Mr. Murdock complies with all items that are in violation.

From: Panichello, Janice
Sent: Monday, November 29, 2004 11:25 AM
To: Benton, Jim
Cc: Gasparik, Jackie
Subject: RE: Proposed text amendment to allow commercial indoor recreation in BP zoning

Jackie and I shared with Dave that he needs to get into compliance as far as business licensing goes, and we recommended that he contact you. I'm just working on the Business Park District text amendment application request to allow commercial indoor recreation. Jackie is working on the Planned Development petition for this specific site, so I'm sure she'll continue to be in touch with you to find out whether Dave has followed us as directed. Thanks for your help. – Janice Panichello

From: Benton, Jim
Sent: Monday, November 29, 2004 11:18 AM
To: Panichello, Janice
Subject: RE: Proposed text amendment to allow commercial indoor recreation in BP zoning

I did finally reach him on the 10th of November, but he was in a meeting and said he would call me back. As of yet, he still has not contacted me.

Jim

From: Panichello, Janice
Sent: Monday, November 29, 2004 10:19 AM
To: Benton, Jim
Subject: RE: Proposed text amendment to allow commercial indoor recreation in BP zoning

Jim, the applicant (Dave Murdock) stopped by our office last week and met with Jackie Gasparik and me. Jackie asked Dave about the phone number being out of order, and he replied that the reason we haven't been able to reach him is that we need to dial "1" first. Dave said that he was assigned an "Ogden number" instead of a Salt Lake City phone number. – Janice Panichello

From: Benton, Jim
Sent: Wednesday, November 10, 2004 10:02 AM

12/22/2004

To: Panichello, Janice; Harpst, Tim; Hooton, Leroy; Graham, Rick; Querry, Chuck; Dinse, Rick; Boskoff, Nancy; Campbell, Tim; Clark, Luann; Fluhart, Rocky; Dobbins, David; McFarlane, Alison; Oka, Dave; Rutan, Ed
Cc: Goff, Orion; Smith, Craig; Larson, Bradley; Guess, Kim; Stewart, Brad; Walsh, Barry; Johnson, Linda; Smith, JR; McCandless, Allen; Drake, Edna
Subject: RE: Proposed text amendment to allow commercial indoor recreation in BP zoning

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Jim Benton
Business License

From: Panichello, Janice
Sent: Wednesday, November 10, 2004 8:22 AM
To: Harpst, Tim; Hooton, Leroy; Graham, Rick; Querry, Chuck; Dinse, Rick; Boskoff, Nancy; Campbell, Tim; Clark, Luann; Fluhart, Rocky; Dobbins, David; McFarlane, Alison; Oka, Dave; Rutan, Ed
Cc: Goff, Orion; Smith, Craig; Larson, Bradley; Guess, Kim; Stewart, Brad; Walsh, Barry; Johnson, Linda; Smith, JR; McCandless, Allen; Benton, Jim
Subject: Proposed text amendment to allow commercial indoor recreation in BP zoning

The Planning Division is currently reviewing Petition 400-04-46, a request for a Zoning Text Amendment to add "Commercial Indoor Recreation" as a Permitted or Conditional Use in the BP (Business Park District) zoning. The applicant is requesting the text amendment to allow development of an indoor motocross recreational facility on BP-zoned property he owns, however this text amendment will apply to all BP-zoned properties. This e-mail and additional materials have been sent to appropriate city staff who have been asked to review the technical details of the project and respond in writing with any comments they have. If you would like to review details of the proposed project, please let me know by November 17th, and I will forward the specific information to you for your comments.

If you have any questions, please contact me at 535-62601.

Thank you.

- Janice Panichello

12/22/2004

Panichello, Janice

From: Walsh, Barry
Sent: Wednesday, November 10, 2004 5:49 PM
To: Panichello, Janice
Cc: Young, Kevin; Smith, Craig; Brown, Ken
Subject: Pet 400-04-46 BP zone
Categories: Program/Policy

November 10, 2004

Janice Panichello, Planning

Re: Petition 400-04-46 Zoning text Amendment to add "Commercial Indoor Recreation" as a Permitted or Conditional Uses in the BP zone.

We see no undo impact to the transportation corridor system by allowing the proposed changes to allow Commercial Indoor Recreation. Subject to standard site development transportation issues for traffic access, staging, stacking, and parking as needed and referred to as 21A.44 and as per the purpose statement in that the use is "not detrimental to the surrounding neighborhood", "or are a hazard to", from a transportation view of traffic issues for vehicles or pedestrians in their function of: parking - circulation - access - or services. Our concern once the on site items are addressed would be the possible event activities and their peak impact that with a conditional use status may require a traffic impact report and possible mitigation requirements.

Sincerely,

Barry Walsh.

Cc Kevin Young, P.E.
Craig Smith, Engineering
Ken Brown, Permits
file

Panichello, Janice

From: Larson, Bradley
Sent: Tuesday, November 23, 2004 1:03 PM
To: Panichello, Janice
Subject: Petition 400-04-46 - Zoning Text Amendment to ad "Commercial Indoor Recreation" as Permitted or Conditional Use in the BP Zoning.

Janice,

Please consider this note as Fire Department approval for the above referenced request. Note that individual applicants must obtain approval from the Fire Prevention Bureau prior to occupancy for indoor recreational uses.

Please feel free to contact me should you have any questions or need further assistance.

Thank you.

*Brad Larson
Deputy Fire Marshal*

11/23/2004

Panichello, Janice

From: Panichello, Janice
Sent: Monday, November 15, 2004 2:27 PM
To: Garcia, Peggy
Cc: Gasparik, Jackie
Subject: RE: Petition 400-04-46 - Zoning Amendment of Westpointe Business Center at 2200 West 1490 North
Categories: Program/Policy

Peggy, once we receive modified plans for this specific property, Jackie Gasparik will send you the information for your comment. I'll also forward her this email. At this point in time we're trying to get feedback as to whether commercial indoor recreation in any of the areas throughout the city that are zoned Business Park District (BP) would potentially cause a negative impact. Just wanted to forewarn you that this may pass your way again. Thanks for your quick response. – Janice Panichello

From: Garcia, Peggy
Sent: Monday, November 15, 2004 2:20 PM
To: Panichello, Janice
Cc: Greenleaf, Karryn; Stewart, Brad; Niermeyer, Jeff
Subject: Petition 400-04-46 - Zoning Amendment of Westpointe Business Center at 2200 West 1490 North

Janice,

Public Utilities has no issues with this proposed rezone request. All of Public Utilities' property and construction issues must be addressed as part of the construction permitting process. We believe the existing public water, sanitary sewer and storm drainage infrastructure is adequate to support this proposed use. Please contact Jeff Snelling at 483-6889 if you have any questions.

*Peggy Garcia
Contracts Supervisor
Salt Lake City Public Utilities
(801) 483-6727*

11/15/2004

Panichello, Janice

From: Smith, Craig
Sent: Wednesday, November 10, 2004 9:02 AM
To: Panichello, Janice
Subject: RE: Proposed text amendment to allow commercial indoor recreation in BP zoning

Janice, Engineering has no input to the proposed text amendment at this time.

From: Panichello, Janice
Sent: Wednesday, November 10, 2004 8:22 AM
To: Harpst, Tim; Hooton, Leroy; Graham, Rick; Querry, Chuck; Dinse, Rick; Boskoff, Nancy; Campbell, Tim; Clark, Luann; Fluhart, Rocky; Dobbins, David; McFarlane, Alison; Oka, Dave; Rutan, Ed
Cc: Goff, Orion; Smith, Craig; Larson, Bradley; Guess, Kim; Stewart, Brad; Walsh, Barry; Johnson, Linda; Smith, JR; McCandless, Allen; Benton, Jim
Subject: Proposed text amendment to allow commercial indoor recreation in BP zoning

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If you have any questions, please contact me at 535-62601.

Thank you.

- Janice Panichello



State of Utah

OLENE S. WALKER
Governor

GAYLE McKEACHNIE
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.
Executive Director

CARLOS M. BRACERAS, P.E.
Deputy Director

November 15, 2004

Janice Panichello
Salt Lake City Planning Division
451 South State St., # 406
Salt Lake City, Utah 84111

Dear Ms. Panichello:

Thank you forwarding the request for the zoning text amendment for the Commercial Indoor Recreation project, in Salt Lake City, Utah. The Utah Department of Transportation Region Two Staff has reviewed their request.

In order to make a permitting decision, we ask that we be provided with the following information and changes:

1. Site plan with the following:
 - a) The exact location of development, including the address, city and county, and geographical references such as intersecting highways if necessary to locate the development.
 - b) Location of the access in relationship to the property lines, in both directions, the access width, and the radius of curvature of the access.
 - c) A typical section of the state road they would like to access. Please include existing right of way distance and proposed right of way dedications from the centerline of the road to the property line. This section should include the location of curb, gutter and sidewalk that meets ADA specifications. The curb/gutter shall be constructed in accordance with UDOT Standard Drawings GW 2 (Type B1) and called out on the plan (attached). The access shall be constructed in accordance with UDOT Standard Drawings GW 4 and called out on the plan (attached).
 - d) Distance between the access and the nearest roadways and access, in both directions, on the same side and on the opposite side of the highway they are requesting access to.
 - e) Location of existing median openings serving the property. The raised median island will be reconstructed in accordance with UDOT Standard Drawing GW 1.

2. A traffic impact analysis document prepared by a professional engineer licensed in the State of Utah. The evaluation should consider traffic capacity, signalization and safety issues. The report will be used to determine the needed improvements in the vicinity of the site access and provide data to the State and local jurisdictions on what off-site improvements need to be considered. Verify there is adequate sight distance to AASHTO standards and submit a drawing stamped by the engineer with the required information. Include the proposed signing and striping of the access and highway.
3. Layout of all existing and proposed utilities within the right of way. Please have them show the size of utility, length of line, depth of trench, and the use of pipe or conduit. All above ground utilities (utility poles, fire hydrants) must be located 18 inches behind the curb. Bore all utilities past the first travel lane. For all utility taps, flowable fill per UDOT's current mix design and 6" of PG-64 or better grade asphalt conforming to current state specifications are required.
4. A grading and drainage plan, include a profile of the road they want to access, drawn to scale showing existing drainage features with elevations such as pipe, inlet etc. Please include proposed improvements such as buildings, parking lots, detention systems and control structures. Please submit all computations and reference to methodologies used to determine storage volumes and control structure sizes. Please be advised that connecting to a UDOT storm drain system will not be permitted.
5. A pavement profile for roadway widening. UDOT requires 12" of granular borrow; 6" untreated base course and 6" of PG-64 or better grade asphalt conforming to current state specifications.
6. Please have them provide a plan for the proposed signing and striping of the access and highway. All signs will be high intensity grade and installed per UDOT Standard Drawings SN 7 & 11.
7. A signed, notarized, and original shared access agreement for the access (See attached sample shared access agreement). Please provide us with the name of the property owner and project name. UDOT will prepare the documents for their signature and notarization on bonded paper. This agreement does not required to coordinate with or obtain approval from the adjacent property. The agreement is between the property owner requesting the access and UDOT.
8. The following UDOT Notes will be called out on the plan:
 - a) Work on the UDOT right-of-way is restricted from October 15 – April 15.
 - b) Any new pavement markings or pavement markings that are removed from the highway are to be replaced with in kind materials such as 3M tape, thermoplastic etc. All paint lines are to be installed with permanent paint application before completion of the permit and must have at least 6 months life as determined by UDOT's permits officer.
 - c) Work is not allowed on the right of way during the AM/PM peak traffic hours (6:00 - 9:00 AM and 3:30 - 6:00 PM).
 - d) All signs installed on the UDOT right of way will be high intensity grade per UDOT Standard Drawing SN 11.

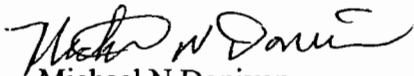
- e) Before commencing work on the State highway, the contractor who is awarded the project must have a performance bond on file with UDOT, and obtain an encroachment permit from the Region Two Permits Office.
9. A completed and signed access application.

UDOT Standard Drawings are available on our website at:

<http://www.dot.utah.gov/esd/2002Standards/Drawings/StandardDrawings.htm>. All plans and drawings should conform to the Utah Department of Transportation's "*Standard Drawings*" and "*Standard Specifications*." Projects should also conform to the American Association of State Highway and Transportation Officials' "*A Policy on Geometric Design of Highways and Streets*" and the Federal Highway Administration "*Manual on Uniform Traffic Control Devices*." Plans should be submitted on legible size 24"x 36".

Preliminary approval is valid for six months from the date this letter is signed. When the requested information has been submitted, we will review their application and make any recommendations for modifications to the plans. We will need approximately two weeks review time. Until the plans are approved, their request for access has been denied. If you have any questions regarding this project, I would be happy to discuss them with you. Please call me at (801) 975-4810. We appreciate your cooperation. Proper access management can yield benefits for both the development of properties and the operation of the highway system.

Sincerely,



Michael N Donovan
Right Of Way Control Coordinator

ATTACHMENT 4 PUBLIC COMMENT

Panichello, Janice

From: Coffey, Cheri
Sent: Friday, November 05, 2004 10:00 AM
To: Panichello, Janice; Gasparik, Jackie
Cc: Giraud, Elizabeth; Wheelwright, Doug; Zunguze, Louis
Subject: Mini Nascar
Categories: Program/Policy

I spoke with Kadee Neilson on Thursday November 4th. She stated that the applicant who wants to put a mini Nascar facility on 2200 West presented information to the Westpointe Community Council last month. She stated that they had many comments but really wanted to see the whole site plan layout of the business park. Below are the comments Kadee told me about:

- Buildings should front on 2200 West not the freeway- Don't like the way the buildings are situated on the lot. (this may be why it would be a good idea to see the whole layout of the proposed business park so the community council understands what the ultimate configuration will be.)
- Want a trail to be developed along the freeway side of the property to tie into the existing trail that is north of 700 North.
- The Community Council has a notion that there may be an Indian Burial ground or other historic artifacts in the area. One resident of Centennial Farms states that there is and that the State Archeologist inspected the site. It may be a good idea to find out from the State if they have any information or regulations in this area.
- Want to better understand the grade changes that are being proposed and how that affects the drainage in the area.

They would like the applicant to return to them and show the overall site plan. I reiterated to Kadee, that the Community Council does not have the authority to "approve" a project and that the reason for having the applicant meet with them is to present the project and take comments. I told her that if the applicant did not have adequate information when he presented it to them, they could request that he returns. In light of the fact that we are going to hold an open house to discuss the text change and the planned development, we should ensure the applicant provides adequate information so the community understands what is being requested (overall site configuration for the area). It is probably also important to find out from the State whether there are any archeological issues that need to be addressed. We can also analyze whether it is appropriate to require a trail along the borders of the planned development. In my opinion, we should obtain the Westpointe Mailing List from community affairs and send notice to all of them (as well as the property owners within 450 feet of the project site) and the other city-wide lists to the open house.

Thanks.

OPEN HOUSE

Petition # 400-04-06

Proposal to add indoor recreation as a use in the BP Zoning District

March 23, 2005

PLEASE PRINT CLEARLY

PRINT NAME <u>David Murdock - 430-4488</u>	PRINT NAME _____
ADDRESS <u>1490 N. 2200 W.</u>	ADDRESS _____
ZIP CODE <u>84116</u>	ZIP CODE _____
PRINT NAME <u>Cameron Duncan</u>	PRINT NAME _____
ADDRESS <u>918 E. Dupler Rd.</u>	ADDRESS _____
ZIP CODE <u>84094</u>	ZIP CODE _____
PRINT NAME <u>Brandon Burton</u>	PRINT NAME _____
ADDRESS <u>537 N Bright cant</u>	ADDRESS _____
ZIP CODE <u>84116</u>	ZIP CODE _____
PRINT NAME <u>Michael Kelly</u>	PRINT NAME _____
ADDRESS <u>366 Bryan Ave</u>	ADDRESS _____
ZIP CODE <u>84115</u>	ZIP CODE _____
PRINT NAME <u>KADEE NIELSON</u>	PRINT NAME _____
ADDRESS <u>1410 N ADDRESS PL.</u>	ADDRESS _____
ZIP CODE <u>S.L.C. UT 84116</u>	ZIP CODE _____
PRINT NAME _____	PRINT NAME _____
ADDRESS _____	ADDRESS _____
ZIP CODE _____	ZIP CODE _____

OPEN HOUSE COMMENTS

Petition 400-04-06

Petition to add indoor recreation as a use in the BP zoning District

Please provide us with the following information, so that we may contact you for further comment. Please print clearly, as this information will be used in the analysis of and attached to the subsequent staff report. Thank you.

Name KADEE NIELSON (CHAIR WESTPOINTE COMMUNITY)
Address 1410 N BARONESS PLACE
SLC, UTAH 84116
Phone 541-4199
email cartogibbon@yahoo.com

Your Comments:
RESIDENTS OF WESTPOINTE WOULD LIKE TO SEE
APPROVAL ON CASE BY CASE BASIS AND ~~ONLY~~
~~AS~~ THROUGH THE CONDITIONAL USE PROCESS
ONLY - THANK YOU. KADEE.

OPEN HOUSE COMMENTS

Petition 400-04-06

Petition to add indoor recreation as a use in the BP zoning District

Please provide us with the following information, so that we may contact you for further comment. Please print clearly, as this information will be used in the analysis of and attached to the subsequent staff report. Thank you.

Name Brandon Burton

Address 537 W Bright Court VT 84116

Phone 860-4502

email Brandon@legendscars.com

Your Comments:

- Indoor Recreational kart Racing
- New & used Race car sales & service
- Corporate parties - catered events
- Driving schools - performance driving

OPEN HOUSE COMMENTS

Petition 400-04-06

Petition to add indoor recreation as a use in the BP zoning District

Please provide us with the following information, so that we may contact you for further comment. Please print clearly, as this information will be used in the analysis of and attached to the subsequent staff report. Thank you.

Name David J. Murdock

Address 1490 N. 2200 W.

Salt Lake City, ut 84116

Phone 801-298 0170

email Murdock0170 @ msn. com

Your Comments:

I am in strong support of approving this petition which will allow in-door recreation in a B.P. zone.

through facilities																
Government offices	P	P							P	P	P	P	P			P
Medical and dental offices	P	P										P	P			P
Offices		P							P		P					P
Offices, research related	P	P									P					P
Veterinary offices, operating entirely within an enclosed building and keeping animals overnight only for treatment purposes		P														P
Retail Sales And Services																
Accessory retail sales and services uses when located											P					

with drive-through facilities																
Restaurants without drive-through facilities		C7														P
Retail goods establishments		C7														P
Retail service establishments																P
Institutional Uses																
Adult daycare centers											P	P	P			P
Cemeteries and accessory crematoriums								P								
Child daycare centers	P	P							P	P	P	P	P			P
Colleges and universities											P	P	P			
Community and recreation centers								P		P	P	P	P			P
Conference	P								P		C	C	P			

center																
Convention center, with or without hotels										C						
Convents and monasteries												P	P			
Dental laboratories/ research facilities	P	P										C				P
Emergency response and medical service facilities including fire stations and living quarters	C									P		P				
Exhibition hall										C	P	C	P			
Hospitals, including accessory lodging facilities	C											P	P			
Libraries										P	P	P	P			
Medical and dental clinics	P	P										P	P			P

Medical /nursing schools												P				
Medical research facilities	P											P				P
Meeting halls of membership organizations		P										P	P			P
Nursing care facility; sanitariums												P	P			
Pet cemetery				P4	P4	P4	P4	P4,5								
Philanthropic uses											P	P	P			
Places of worship	P	P										P	P			P
Prison or jail										C						
Religious assembly with exhibit hall												C	P			
Research, commercial, scientific, educational	P	P								P	P					C
Reuse of										C		C	C			P

Community gardens as defined in part VI, chapter 21A.62 of this title																	P
Country clubs								P									
Dance studio																	P
Golf courses								P	P	P							
Movie theaters/ live performance theaters											C						P
Museums	C									P	P	P	P				
Natural open space and conservation areas				P	P	P	P	P									P
Nature preserves/ conservation areas, public and private			P	P	P	P	P	P									P
Park (public)	C							P			P		P				P
Pedestrian pathways, trails													P				P

and greenways																
Performing arts production facility																P
Private recreational facilities	P							P				P	P			P
Tavern/ lounge/ brew pub; 2,500 square feet or less in floor area																C
Zoological park								P								
Airport And Related Uses																
Air cargo terminals and package delivery facilities		P							P							
Airline service and maintenance operations									P							
Airline ticketing and baggage processing									P							

Airport operations (including air traffic control, navigational aids, emergency and maintenance operations)									P							
Alcoholic beverage consumption establishments (on premises) (within terminal complex only)									P							
Automobile rental agencies		P							P							
Commercial recreation center (within terminal complex only)									P							
Financial institutions (within terminal complex only)									P							
Fuel storage									P							

for on site distribution																
General aviation facilities									P							
Heliport	C	C							P			C	C			
Light manufacturing		C							P							
Meeting rooms (within terminal complex only)									P							
Offices									P							
Restaurants; other food services									P							
Retail goods establishments specialty, primarily for airport customers (within terminal complex only)									P							
Retail services establishment primarily for airport									P							

customers (within terminal complex only)																
Miscellaneous																
Accessory uses, except those that are otherwise specifically regulated in this chapter, or elsewhere in this title	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Agricultural uses		C		P	P	P	P		P							
Bed and breakfast												C2	P			P
Bed and breakfast inn												C2	P			P
Bed and breakfast manor													P			P
Commercial parking garage or lot		C														
Communication towers	P	P	C							P	P	C	P	P		P

wholesale business (5,000 square foot or greater floor plate)																
Warehouse, accessory to retail and wholesale business (maximum 5,000 square foot floor plate)																P
Warehouse, including ministorage warehouses		P							P							
Wholesale distribution		P							P							C

Qualifying Provisions:

1. See subsection 21A.02.050B of this title for utility regulations.
2. When located in a building listed on the Salt Lake City Register of Cultural Resources.
3. When located on an arterial street.
4. Subject to Salt Lake City/County health department approval.

5. In conjunction with, and within the boundaries of, a cemetery for human remains.
6. Radio station equipment and antennas shall be required to go through the site plan review process to ensure that the color, design and location of all proposed equipment and antennas are screened or integrated into the architecture of the project and are compatible with surrounding uses.
7. When approved as part of a business park planned development pursuant to the provisions of section 21A.54.150 of this title.
8. Kennels, public or private, whether within penned enclosures or within enclosed buildings, shall not be permitted within 200 feet of an existing single-family dwelling on an adjacent lot.

(Ord. 18-04 § 4, 2004: Ord. 13-04 § 12 (Exh. F), 2004: Ord. 73-02 § 4 (Exh. A), 2002: Ord. 23-02 § 7 (Exh. E), 2002: Ord. 64-01 § 2, 2001: Ord. 68-00 § 1, 2000: Ord. 14-00 § 4, 2000: Ord. 9-00 § 3, 2000: Ord. 35-99 § 41, 1999: Ord. 12-98 § 4, 1998: amended during 5/96 supplement: Ord. 85-95 § 1 (Exh. A), 1995: Ord. 84-95 § 1 (Exh. A), 1995: Ord. 26-95 § 2(16-12), 1995)

5c. MINUTES

**SALT LAKE CITY
PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, September 14, 2005**

Present from the Planning Commission were Chairperson Chambless, Vice Chairperson Laurie Noda, and Commissioners Babs De Lay, John Diamond, Craig Galli, Peggy McDonough, and Prescott Muir. Commissioners Jennifer Seelig and Kathy Scott were excused.

Present from the Staff were Louis Zunguze, Community Development Director, Brent Wilde, Deputy Community Development Director, Alexander Ikefuna, Planning Director, Doug Wheelwright, Deputy Planning Director, Cheri Coffey, Deputy Planning Director, Ray McCandless, Principal Planner, Lex Traughber, Principal Planner, Jackie Gasparik, Principal Planner, and Maggie Tow, Planning Commission Secretary.

A roll is kept of all who attended the Planning Commission Meeting. Chairperson Chambless called the meeting to order at 5:49 p.m. Minutes are presented in agenda order and not necessarily as cases were heard by the Planning Commission. Tapes of the meeting will be retained in the Planning Office for a period of one year, after which they will be erased.

APPROVAL OF MINUTES FOR WEDNESDAY, August 24, 2005.

(This item was heard at 5:50 P.M.)


Chairperson Chambless asked for a motion to approve the minutes of August 24, 2005. Commissioner De Lay moved to approve the minutes.

Commissioner Noda asked that the recording of the minutes for August 24, 2005 be checked to verify statements made by Greg Gardner, Boyer Research Park Associates and Doug Wheelwright, Deputy Planning Director, regarding Petition No. 410-755. The Planning Secretary verified the sound recording of August 28, 2005 and the ratified minutes of August 28, 2005 and found that the information Commissioner Noda was questioning was heard on the sound recording and had been included in the minutes.

Mr. Gardner did state that Boyer Company had received a grading permit the week before the August 24, 2005 meeting was held and they began grading work when they received the permit. Mr. Gardner also stated they had not and would not begin the work, as it related to this petition to allow additional building height for a proposed research laboratory, unless or until the petition was approved..

Doug Wheelwright did make the statement regarding the City's list of recognized community councils and the attendance at the Yalecrest meeting. He stated that Sunnyside East Neighborhood Association was listed in the City's list of recognized community councils and that the information on meeting dates indicated that the Sunnyside East Neighborhood Association did not hold regular meetings. He stated that the applicant must call the chair of the association for the meeting date. He said that Sunnyside East Neighborhood Association was notified of this agenda item. Mr.

Discussion by the Planning Commissioners continued. Commissioner De Lay questioned whether they were out of order with the discussion after the vote and was told by the Chairperson Chambless that they were not out of order. Mr. Zunguze suggested that Chairperson Chambless vote. Chairperson Chambless stated he was waiting to determine if a subsequent motion would be put forward. He stated that if he were to vote he would find that there was a reasonable doubt and would therefore vote "No". After further discussion and no resolution by the Commissioners, Commissioner Galli called for the question and Chairperson Chambless to vote. Chairperson Chambless voted No. The motion failed. Commissioner Noda moved to table the items. The Planning Commission voted to form a subcommittee to further discuss the height and traffic issues. Commissioner McDonough, Commissioner Noda, Commissioner Muir, and Commissioner Diamond vote "Yea". Commissioner Galli and Commissioner De Lay voted "Nay". The motion passed. The subcommittee would consist of Commissioner Noda, Commissioner McDonough, Commissioner Muir and Commissioner Diamond.



Petition No. 400-04-46, to amend the text to allow indoor recreation as a conditional use in the Business Park District.

Petition No. 410-708, to request approval for West Pointe Business Center for four lot Planned Development Subdivision to allow rear lots without frontage onto a City street and modifications to setbacks and landscaping. The project is located at approximately 1490 North 2200 West and is located in the BP Zoning District.

Petition No. 410-746, to allow Winners Motorsports at approximately 1490 North 2200 West, to have indoor go-cart racing and interactive entertainment in the BP district.

At 9:28 p.m. Chairperson Chambless introduced Petition No. 400-04-46, Petition No.410-708, Petition No. 410-746, and Jackie Gasparik, Principal Planner. Ms. Gasparik stated that this was a text amendment to allow in-door recreation in the BP zone. The applicant, Press Realty Advisors, proposed three (3) petitions. Staff had researched the proposed use of adding in-door recreation to the PB zone and had also reviewed similar facilities around the county. When the BP zone was created, in-door recreation was not included because that type of adult entertainment use had not been heard of. The Planning staff supported the addition of in-door recreation to the BP zone as a Conditional Use. Staff felt that Conditional Use balances the comments received from other City departments and from the community; that in-door recreation could be reviewed on a case by case basis. Ms. Gasparik further stated that in-door recreation was allowed in the commercial zone and in the downtown Salt Lake City. However, those areas in the existing fabric of the City did not allow for large enough lots or buildings for the types of uses that they were being proposed. Staff supported the in-door recreation as a Conditional Use subject to the conditions listed in the staff report.

Ms. Gasparik stated that the Planned Development Subdivision could be developed as a typical subdivision. However, the two (2) rear lots would not have frontage onto a public street with the proposed plan. Following the City standards for proper ingress and egress to get to the back of the building on the property would create a very large cul-de-sac that would use a significant portion of the applicant's property. She stated that was why the

petitioner proposed a business park design. The site had been particularly difficult for the applicant because this rear area was actually a regional detention pond. Because of freeway landscaping requirements, the applicant had requested that two (2) modifications be made through the Plan Development approval.

- 1) Freeway landscaping that would normally be required be relocated to Lot three (3), and
- 2) Remaining landscape would be included in the front set back area of Lot two (2).

Ms. Gasparik stated that the subject property was located within the West Valley Fault Zone. The applicant had previously dug three (3) trenches to study the location of the fault on his property and found it did run near the regional detention area. Salt Lake County's fault recommendation stated that the buildings would have to be set back a minimum of twenty (20) feet from that fault. The applicant's plan exceeded that distance. Staff recommended approval.

Ms. Gasparik said that through the Community Council process, the site was identified as possibly having Native American Indian archeological artifacts or human remains. When contacted, the State recommended that a consultant be hired to submit a monitoring plan for those types of archeological remains and if any were found, the applicant would work with the State through the necessary procedures before continuing with the construction process. The applicant agreed. Staff recommended that the condition stated be followed closely on this project.

The applicant had a tenant to rent Building #2 and stated that the tenant would complete some internal improvements. As required in the BP zone, all uses had to be completely enclosed. The use would be for in-door miniature NASCAR racing. Conferences and special events would also be held.


Chairperson Chambless asked if there were questions for staff. Commissioner Diamond asked Ms. Gasparik if the three (3) buildings were currently standing. She stated that the only building on site was building #1 that would be on proposed Lot #1. The project would be completed in phases. The rear building would be Phase two (2), in which they would now construct buildings and occupy. Phases three (3) and four (4) would come when the owner had tenants for those buildings.

Chairperson asked for comments from the petitioner.

Dave Murdock, owner of Press Realty, and the petitioner for the project, spoke. He asked if the Planning Commissioners would like to ask any questions. The Commissioners asked the speed of the go-carts and the age limit requirement for driving. Mr. Brandon Burton responded that the carts could reach speeds of forty (40) miles per hour, and they had a height requirement instead of an age requirement because of coordination skills needed to maneuver the carts.

Chairperson Chambless asked if there were any Community Council members who wished to speak. No response was heard. Chairperson Chambless closed the public hearing and asked for discussion and/or motion.

Motion for Petition No. 400-04-46, Petition No. 410-708, and Petition No. 490-05-39:



Commissioner Noda moved that the Planning Commission approve Petition No. 400-04-46, Petition No. 410-708, and Petition No. 410-746, based on the analysis and findings outlined in the staff memorandum. Commissioner Diamond seconded the motion. Commissioner De Lay, Commissioner Galli, Commissioner Muir, Commissioner McDonough, Commissioner Noda, and Commissioner Diamond voted "Aye". Commissioner Scott and Commissioner Seelig were not present. The motion passed.

UNFINISHED BUSINESS

Commissioner McDonough stated that for the record, she would like to disclose that she lived very close to the Sugar House zoning that had been discussed. It was the opinion of the other Commissioners that it was unnecessary to disclose or disqualify herself on this issue.

Commissioner Diamond stated that he felt all material for the meeting should be included in the packet given to the Commissioners before the meeting and not distributed to them during the meeting. Chairperson Chambless stated that the timing of handouts and letters was a technique used by various committees, and businesses to inundate the Commissioners with information.

Mr. Zunguze stated that the Commission had received a report regarding the Research Park Conditional Use petition. He said certain parties were getting together to talk and he felt that the issues being discussed were more long range than originally thought. He would like to suggest that the Commission consider the last motion passed that stated that until all issues were resolved, the Commission would not entertain any other Conditional Use for review for that neighborhood. Mr. Zunguze was concerned about the potential impact of the perception of Research Park being shut down for further business. He asked that the Planning Commission lift the hammer and staff would report what progress had been made at every meeting or every other meeting, because the whole area had to be looked at in a comprehensive and long-range way.

Chairperson Chambless stated that he had some ambivalence with this issue because in the 1980's that very issue had been raised with Charlie Evans and the University of Utah. At that time it was decided to roll ahead, not be concerned with traffic, get as many businesses in Research Park as possible, and not meet the concerns that were being raised. Chairperson Chambless stated he was reluctant to remove the hammer.

Mr. Zunguze stated that the issue would not be resolved today or tomorrow, but perhaps would be next year, with major improvements required for the streets involved in the Park.

6. ORIGINAL PETITION PACKET

PETITION CHECKLIST

<u>Date</u>	<u>Initials</u>	<u>Action Required</u>
<u>11/3/04</u>	<u>WA</u>	Petition delivered to Planning
<u>11/3/04 3/05</u>	<u>WA/JS</u>	Petition assigned to: <u>Janice Sanchez</u>
<u>9/14/05</u>	<u>JS</u>	Planning Staff or Planning Commission Action Date
<u>_____</u>	<u>_____</u>	Return Original Letter and Yellow Petition Cover
<u>10/4/05</u>	<u>JS</u>	Chronology
<u>NA</u>	<u>NA</u>	Property Description (marked with a post it note)
<u>_____</u>	<u>_____</u>	Affected Sidwell Numbers Included
<u>10/4/05</u>	<u>JS</u>	Mailing List for Petition, include appropriate Community Councils
<u>10/4/05</u>	<u>JS</u>	Mailing Postmark Date Verification
<u>10/4/05</u>	<u>JS</u>	Planning Commission Minutes
<u>10/4/05</u>	<u>JS</u>	Planning Staff Report
<u>10/4/05</u>	<u>JS</u>	Cover letter outlining what the request is and a brief description of what action the Planning Commission or Staff is recommending.
<u>10/7/05</u>	<u>JS</u>	Ordinance Prepared by the Attorney's Office
<u>_____</u>	<u>_____</u>	Ordinance property description is checked, dated and initialed by the Planner. Ordinance is stamped by Attorney.
<u>Debbie Casparik</u>	<u>_____</u>	Planner responsible for taking calls on the Petition
<u>_____</u>	<u>_____</u>	Date Set for City Council Action _____
<u>_____</u>	<u>_____</u>	Petition filed with City Recorder's Office