



# MOTION SHEET

CITY COUNCIL *of* SALT LAKE CITY

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**TO:** City Council Members

**FROM:** Brian Fullmer  
Policy Analyst

**DATE:** October 1, 2024

**RE: Zoning Map Amendment at Approximately 754 South State Street  
PLNPCM2022-01109**

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**MOTION 1 (adopt with requirements)**

I move that the Council adopt the ordinance subject to the applicant executing the development agreement attached to the ordinance.

**MOTION 2 (reject ordinance)**

I move that the Council reject the ordinance.





# COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

**TO:** City Council Members

**FROM:** Brian Fullmer  
Policy Analyst

**DATE:** October 1, 2024

**RE: 754 South State Street Zoning Map and Text Amendments (Sears Block)  
PLNPCM2022-01109**

**Item Schedule:**

Briefing: July 11, 2023,  
August 27, 2024, October 1, 2024  
Set Date: June 6, 2023,  
July 9, 2024  
Public Hearing: July 11, 2023,  
August 27, 2024  
Potential Action: October 1, 2024

## **OCTOBER 1, 2024 UPDATE**

During the August 27, 2024 follow up briefing, the Council voted on a series of straw polls for a development agreement that would include: ground floor activation for the proposed hospital, additional opportunities for public input, and the benefits of a hospital at this location.

Six people spoke at the public hearing that evening and most expressed general support, though one person felt a hospital does not fit the vision for the area. Ground floor activation, connectivity through the block, and maintaining access to other businesses on the block were all mentioned. The Council closed the hearing and deferred action to a future meeting.

Since the August 27, 2024 meetings Planning staff, the Attorney's Office, Council staff and representatives from Intermountain Health have been working to draft a development agreement that meets the needs of the City, Intermountain Health, and the community. This agreement was reviewed by the Planning Commission at its September 25, 2024 meeting and a public hearing was held at which no one spoke.

The Planning Commission voted unanimously to forward a positive recommendation to the City Council on the development agreement, with the following recommendations for the Council to consider:

- A minimum of one-acre open space within the block and accessible from the mid-block walkways. The open space shall include vegetation that covers a minimum of 33% of the open space and sufficient trees to provide shade for at least 33% of the open space area when the trees are fully mature.



- Authorize driveway widths up to 100 feet on 700 South and 800 South and include a minimum eight-foot-wide sidewalk that does not conflict with the emergency vehicle access.
- Require transparent glass for active spaces facing the streets.
- The development is required to comply with all other applicable regulations and any modifications be authorized through the design review process subject to the applicant submitting a complete design review application.

On October 1, 2024, the Council may consider voting on two ordinances related to the zoning map amendment and development agreement, and allowing hospitals and ambulance services as a conditional use in the D-1 zoning district.

**AUGUST 27, 2024 UPDATE**

Since the July 11, 2023 briefing Council Members have met several times with representatives from Intermountain Health (Intermountain) to discuss potential ground floor activation uses. Intermountain created concept massing drawings that show potential ground floor activation uses that will benefit the community while providing services necessary for an urban hospital.

Potential ground floor active uses proposed by Intermountain include a minimum of one acre of public open space such as healing gardens and outdoor wellness areas on the property, mid-block walkways through the property, a year-round food truck park, food market, coffee shop, cancer care salon, and a community room available to non-profit organizations. Hospital related ground floor activation includes emergency department/InstaCare/clinic reception, hospital reception and admitting, and an outpatient pharmacy.

The Planning Division reviewed Intermountain’s concept drawings and noted that some uses such as walkways, lobbies, and reception areas are not considered active ground floor uses in City code. The concept drawings do not meet minimum percentages for ground floor activation required in code. Planning staff is supportive of the proposed food market, but suggested expanding the use to be more of a grocery store that could support current residents and those who will live in the many housing units coming to the area.

Planning staff also noted that surface parking lots are not allowed in the downtown districts. Any surface parking lots would need to be a temporary use.

The City Council will determine whether the zoning map amendment is approved. If a hospital is developed on the property it would go through the design review process at the Planning Commission where details of the hospital design, ground floor activation and walkways/green space are determined. As part of the design review process, the Planning Commission may modify requirements outlined in City code such as reducing the minimum percentage of ground floor activation.

The City Attorney’s Office suggested a potential option for the Council to consider is a development agreement with specific requirements such as those proposed by Intermountain listed above if a hospital is developed on the property.

Some options for the Council to consider include:

- Rejecting the ordinances to rezone the property and allow hospitals and ambulance services in the D-1 (Central Business District) zone. The property would remain zoned D-2 (Downtown Support District), and development would be required to meet standards for that zoning district.

- Adopt the ordinances with a condition that Intermountain enter a development agreement with the City requiring inclusion of specific features that may include a minimum of one-acre of publicly available open space such as healing gardens and outdoor wellness areas, a year-round food truck park, or others if a hospital is developed on the property. The Council could also require that the ordinances are not published until the development agreement is approved by the Planning Commission and ratified by the Council.
- Adopt the ordinances as currently written with no additional conditions. As a reminder, zoning runs with the land and if this option is selected, the property could be developed by Intermountain or other future owners within D-1 zoning regulations in place at the time.

Potential straw polls for the Council to consider:

1. Is the Council supportive of adopting an ordinance subject to the Planning Commission reviewing the development agreement which includes ground floor activation, open space, and food truck park as proposed by Intermountain Health, and obtaining necessary design review and other potential approvals?
2. Is the Council supportive of requiring that the ordinances are not to be published until the development agreement and any other required processes are approved by the Planning Commission and ratified by the Council?
3. Is the Council supportive of amending City code to add hospitals (including accessory lodging facilities) and ambulance services (indoor and outdoor) as conditional uses in the D-1 Central Business District?

***The following information was provided previous Council meetings. It is included again for background purposes.***

The Council will be briefed on a proposed zoning map amendment for ten parcels totaling approximately nine acres on the block bordered by 700 South, 800 South, State Street, and Main Street as shown in the image below. This is the former Sears department store location which closed in 2018 and the buildings have since been demolished. The property is currently zoned D-2 (Downtown Support District), and the requested zoning designation is D-1 (Central Business District). Intermountain Health owns the property, and their stated objective is to construct an urban hospital on the site.

Hospitals are not allowed as permitted or conditional uses under the proposed D-1 or current D-2 zoning. Included with the zoning map amendment, the petitioner also requested a text amendment to section 21A.33.050 Table of Permitted and Conditional Uses for Downtown Districts found in *Salt Lake City Code* to allow hospitals, including accessory lodging facilities, and ambulance services as permitted uses in the D-1 zoning district. It is worth noting that the Planning Commission recommended the Council adopt the text amendment to specify that these uses should be conditional rather than permitted. Additional information follows later in this report.

Nine acres is significantly smaller than a typical hospital development, but the applicant indicated additional height allowed under the proposed D-1 zoning district would allow them to build up rather than out, so the site would accommodate their needs. (Building height is limited to 120 feet in the current D-2 zoning district. There is no height limit in the D-1 zone, but buildings taller than 200 feet are subject to design review and conditions).

It is worth noting that Major Street is a public street entering the site mid-block from 700 South. During the design process, if the petitioner wants to build over the street property rather than use it as an access point, a separate street vacation petition would be required.

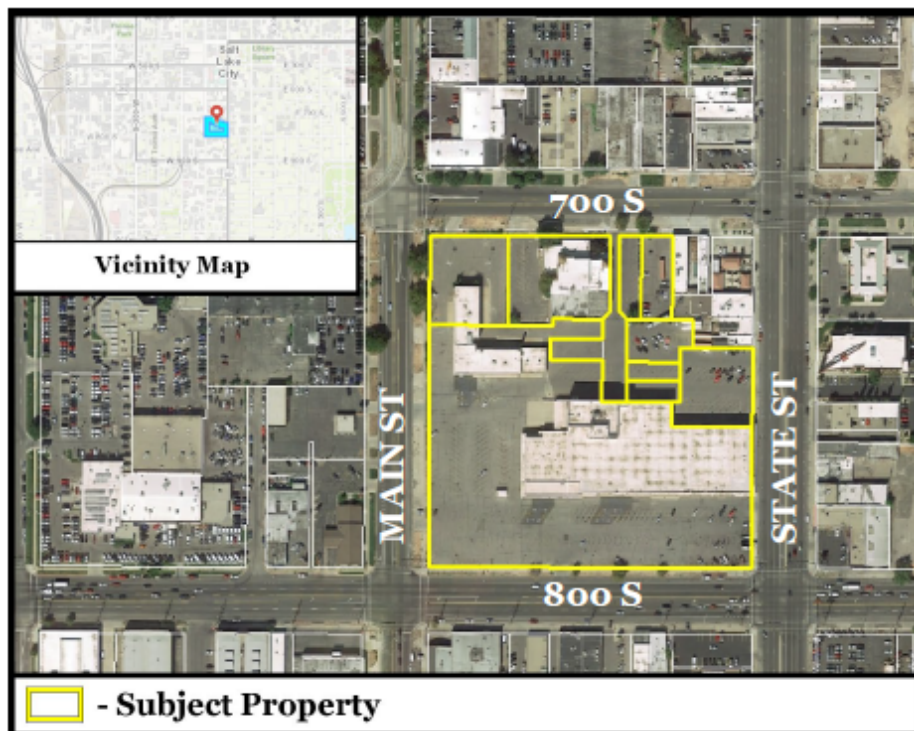
The Council is only being asked to consider rezoning the property and the accompanying text amendment. No formal site plan has been submitted to the City nor is it within the scope of the Council’s role to review the plans. Because zoning of a property can outlast the life of a building, any rezoning application should be considered on the merits of changing the zoning of that property, not simply based on a potential project.

The Planning Commission reviewed this proposal at its March 22, 2023 meeting and held a public hearing at which two people spoke. A representative of the Downtown Community Council expressed general support and referenced a letter sent to Intermountain (included on pages 31-34 of the Planning Commission staff report) which includes several requests for the potential hospital site that would be reviewed later if the project advances. The other commenter shared concerns about potential adverse effects to nearby neighbors from the hospital and helicopters landing there. When asked about the anticipated frequency of helicopter landings, the petitioner said the hospital will not be a trauma one center as are Intermountain Medical Center and the University of Utah Hospital, so helicopter traffic will be light. Some patients will require transport via helicopter, with a projected average of one to two times per week. This is based on what LDS Hospital experiences. Heliports are currently allowed as a conditional use in the D-1 zone.

The Commission voted 7-3 to forward a positive recommendation to the Council amending the zoning map for the subject parcels from D-2 to D-1, and add the following uses as Conditional within the D-1 district:

- Ambulance service (indoor)
- Ambulance service (outdoor)
- Hospital, including accessory lodging facility.

One Commissioner who voted against the motion previously made a motion to include the above uses as permitted. A substitute motion was made to include the uses as conditional in the D-1 zoning district, which a majority of the Commission voted to support. Others who voted against the motion did not specify why they were opposed.



*Vicinity map with the subject parcels outlined in yellow.  
Note-other parcels on the block are under separate ownership and not included in this proposal.  
Image courtesy of Salt Lake City Planning Division.*

**Goal of the briefing:** Review the proposed zoning map and text amendments, determine if the Council supports moving forward with the proposal.

## **POLICY QUESTIONS**

1. The Council may wish to ask the petitioner whether they are planning to provide housing at or near the proposed hospital site.
2. The Council may wish to ask the petitioner about what ground floor public facing amenities are anticipated for the site such as retail and food establishments, in order to provide ground floor activation for pedestrian traffic, as is the goal of other D-1 district parcels.
3. The Council may also wish to ask about plans for other public-facing amenities such as open space, etc. that could provide a benefit to the adjacent community.
4. The Council may wish to discuss policy goals for midblock walkways or other ways to break up the building(s) and provide a more open feel to the site. As previously stated there is no current site plan and the Council's role is not to review site plans, although this could provide policy guidance for the future as it relates to closure of Major Street, which fall under the Council's purview.
5. The Council may wish to ask the petitioner if they have plans to provide healthcare services for those staying at the homeless resource centers, or services not available from other providers.
6. As shown in the map below, if approved, this parcel would be zoned D-1 and would not be contiguous with other D-1 properties. It would be separated by properties on the north side of 700 South which are zoned D-2. The Council may wish to ask the Planning Division if this is consistent with best practices (previous concerns have been raised by the Administration and past Councils about "spot zoning"), or if there are considerations for rezoning those properties in the future. As noted in Planning's analysis, the surrounding uses are compatible with the proposal.

## **KEY CONSIDERATIONS**

Planning staff identified three key considerations related to the proposal which are found on pages 4-9 of the Planning Commission staff report and summarized below. For the complete analysis, please see the staff report.

### **Consideration 1-Neighborhood and Citywide Master Plan Considerations**

The subject parcels are near the southern edge of the area covered by the *Downtown Master Plan*, adopted in 2016. The plan acknowledges ongoing population growth and calls for improved access to services and amenities that support current and future downtown residents. If the proposed hospital is built it would provide healthcare and jobs for nearby residents and those in the region.

Existing infrastructure will not accommodate the level of demand a hospital would generate. The developer will be required to make improvements to offsite water, sewer, and stormwater quality in addition to nearby water mains. Other needed improvements will be identified if the hospital is built.

The subject parcels are less than one block south of the D-1 zoning district as shown in the area zoning map below. Although the proposed zoning change to D-1 would allow for higher density development and taller buildings called for in the *Downtown Master Plan*, Planning staff found the zoning supports initiatives outlined in the plan and continues the established development framework.

If approved by the Council, the subject properties would be surrounded by D-2 zoning, but Planning anticipates these property owners will eventually work toward rezoning their properties.

Planning staff identified the following guiding principles found in *Plan Salt Lake* (2015) that relate to the proposed zoning map and text amendments.

- *Neighborhoods that provide a safe environment, opportunities for social interaction, and services needed for the wellbeing of the community therein.*
- *A beautiful city that is people focused.*
- *Ensure access to all City amenities for all citizens while treating everyone equitably with fairness, justice and respect.*
- *A balanced economy that produces quality jobs and fosters an environment for commerce, local business, and industry to thrive.*



*Area zoning map with subject property outlined in red.  
Image courtesy of Salt Lake City Planning Division.*

### **Consideration 2-Development Potential**

D-2 zoning limits building height to 120 feet. The requested D-1 zoning does not limit building height, but buildings taller than 200 feet are subject to conditions and design review. One of the following conditions would have to be provided as part of the design review process if a building taller than 200 feet is built:

- Midblock walkway that exceeds standard requirements by at least five feet,
- Affordable housing incentives,
- Additional ground floor use and visual interest,

- A restrictive covenant for a building older than 50 years and not listed as a local landmark site, or
- 500 square feet of open space with a shade that covers 60% of the area.

Planning staff anticipates a design review application will be submitted requesting additional building height.

**Consideration 3- Compatibility with Adjacent Properties**

As noted above, the subject property is less than one block south of the D-1 district and the *Downtown Master Plan* anticipates this district to expand to approximately 900 South. Planning staff believes the proposed rezone is compatible with development to the north and aligns with the community’s expectation of downtown expansion. Surrounding businesses are smaller in scale and include restaurants, barber shops, banks, and car dealerships.

The Central City neighborhood is located to the east of the subject property, and Central 9<sup>th</sup> is to the west. Central City is an established residential neighborhood with some of the city’s oldest single-family homes. Central 9<sup>th</sup> is also an older single-family residential neighborhood but is transitioning to more medium density among the older homes. It is Planning staff’s opinion the surrounding community would not be adversely impacted by the rezone. Additionally, if surrounding property owners work to rezone their properties as is anticipated, development potential on those properties would be the same.

The subject site is within the Ballpark Community Council boundaries, but is within 600 feet of the Central 9<sup>th</sup>, Central City, and Downtown community council boundaries. It is within the Ballpark neighborhood, but not included in the recently adopted Ballpark Small Area Plan. Rather, as noted above, it is located within the *Downtown Master Plan* area.

If the proposed hospital is built, there will be a significant increase in area pedestrian and vehicular traffic. Planning noted that designers would need to consider City plans related to streetscape design, midblock connections, and activation on State and Main Streets. They also encouraged transit use for employees, promote active transportation, and to be an example of how an urban hospital can revitalize a site. Those recommendations would be reviewed if the project develops.

**ZONING COMPARISON**

The following table includes regulations in the zoning ordinance recently adopted by the Council.

<b>Regulation</b>	<b>Existing Zoning (D-2)</b>	<b>Proposed Zoning (D-1)</b>
<i>Building Height</i>	Maximum height-65 feet by right Above 65 feet up to 120 feet subject to design review	Minimum height-100 feet Maximum Height-no limit Buildings taller than 200 feet subject to design review and must include at least one of the following: <ul style="list-style-type: none"> <li>• Midblock walkway</li> <li>• Affordable housing</li> <li>• Exceed minimum ground floor uses</li> <li>• Restrictive covenant on historic building to</li> </ul>



		<p>preserve for at least 50 years</p> <ul style="list-style-type: none"> <li>Privately owned publicly accessible open space of at least 500 square feet</li> </ul>
<i>Yard Requirements</i>	<p>Front/corner side yard-no minimum.</p> <p>Ten feet maximum.</p> <p>Buildings with ground floor residential: Minimum eight-foot front yard setback, 16 foot maximum. Provided yard shall be landscaped and provide at least one of the following:</p> <ul style="list-style-type: none"> <li>Minimum of one bench for every 500 square feet of yard space</li> <li>Landscaping that includes increase of at least 25% of total number of required trees</li> <li>Awning covering at least five feet width and length from all street-facing building entrances</li> </ul>	<p>No minimum</p> <p>Eight feet maximum. If provided must include at least one of the following:</p> <ul style="list-style-type: none"> <li>Minimum of one bench for every 500 square feet of yard space</li> <li>Landscaping that includes increase of at least 25% of total number of required trees</li> <li>Awning covering at least five feet width and length from all street-facing building entrances</li> </ul>

**Analysis of Factors**

Attachment D (pages 25-29) of the Planning Commission staff report outlines zoning map and zoning text amendment standards that should be considered as the Council reviews this proposal.

*Zoning Map Amendments*

<b>Factor</b>	<b>Finding</b>
Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents.	<i>The proposed amendment is generally consistent with the goals and policies of the applicable master plans.</i>
Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	<i>The proposal generally furthers the specific purpose statements of the zoning ordinance.</i>
The extent to which a proposed map amendment will affect adjacent properties	<i>The change in zoning is not anticipated to create any substantial new negative impacts that wouldn't be anticipated with the current zoning.</i>
Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards.	<i>There is no applicable overlay district that imposes additional development standards on this property.</i>
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,	<i>The redevelopment of the site will require public facility upgrades.</i>

stormwater drainage systems, water supplies, and wastewater and refuse collection.	
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*Zoning Text Amendments*

<b>Factor</b>	<b>Finding</b>
Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents.	<i>The proposed amendment is generally consistent with the goals and policies of the applicable master plans.</i>
Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance.	<i>The proposal generally furthers the specific purpose statements of the zoning ordinance.</i>
Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards.	<i>The change in zoning is not anticipated to create any substantial new negative impacts that wouldn't be anticipated with the current zoning.</i>
The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.	<i>The redevelopment of the site will require public facility upgrades.</i>

**City Department Review**

During City review of the petitions, no responding departments or divisions expressed objections to the proposal, but provided, or stated they would provide, comments that are applicable if the property is developed.

**PROJECT CHRONOLOGY**

- November 11, 2022-Petition for zoning map and text amendment received by Planning Division.
- November 23, 2022-Zoning map amendment petitions assigned to Amanda Roman, Urban Designer.
- December 8, 2022-Notice sent to Ballpark, Central City, Central 9<sup>th</sup>, and Downtown Community Councils, and Downtown Alliance. Early notification sent to property owners and residents within 300 feet of the proposal.
- December 12, 2022- Proposal posted for an online open house.
- March 10, 2023-Planning Commission public hearing notice sent. Agenda posted to Planning Commission website and State Public Notice webpage.
- March 22, 2023-Planning Commission public hearing. The Commission forwarded a positive recommendation to the City Council for the proposed zoning map amendment. The Commission also forwarded a positive recommendation to add the proposed hospital and ambulance service land uses to D-1 as conditional rather than the requested permitted uses.
- March 27, 2023-Ordinance requested from Attorney's Office.
- April 14, 2023-Signed ordinance received from the Attorney's Office.
- April 27, 2023-Transmittal received in City Council Office.

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2024

(An ordinance amending the zoning of property located at approximately 754 S State Street from D-2 Downtown Support District to D-1 Central Business District)

An ordinance amending the zoning map pertaining to property located at approximately 754 S State Street from D-2 Downtown Support District to D-1 Central Business District pursuant to Petition No. PLNPCM2022-01109.

WHEREAS, the Salt Lake City Planning Commission (“Planning Commission”) held a public hearing on March 22, 2023 to consider a petition by Tyler Buswell, counsel for the property owner, to rezone ten parcels located at 754 S State Street (Tax ID Nos. 16-07-103-017-0000, 16-07-103-001-0000, 16-07-103-002-0000, 16-07-103-003-0000, 16-07-103-004-0000, 16-07-103-008-0000, 16-07-103-009-0000, 16-07-103-010-0000, 16-07-103-011-0000, 16-07-103-023-0000) (collectively, “Property”) from D-2 Downtown Support District to D-1 Central Business District pursuant to Petition No. PLNPCM2022-01109; and

WHEREAS, at its March 22, 2023 meeting, the Planning Commission voted in favor of transmitting a positive recommendation to the Salt Lake City Council (“City Council”) on said petition; and

WHEREAS, at its September 25, 2024 meeting, the Planning Commission voted in favor of transmitted a positive recommendation to the City Council on the accompanying development agreement for the Property.

WHEREAS, after a public hearing on this matter the City Council has determined that adopting this ordinance is in the city’s best interests.

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

SECTION 1. Amending the Zoning Map. The Salt Lake City zoning map, as adopted by the *Salt Lake City Code*, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended to reflect that the property identified on Exhibit “A” hereto shall be and hereby is rezoned from D-2 Downtown Support District to D-1 Central Business District.

SECTION 2. Condition. The zoning map amendment set forth herein is conditioned upon the owner(s) of the Property entering into the form of development agreement attached hereto as Exhibit “B”.

SECTION 3. Effective Date. This ordinance shall become effective on the date of its first publication. The Salt Lake City Recorder is instructed to not publish this ordinance until the condition set forth in Section 2 is satisfied as certified by the Salt Lake City Planning Director or his designee.

SECTION 4. Time. If the condition set forth in Section 2 has not been met within one year after adoption of this ordinance, then this ordinance shall become null and void. The City Council may, for good cause shown, extend the time period for satisfying the above condition by resolution.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor’s Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER  
(SEAL)

Bill No. \_\_\_\_\_ of 2024.  
Published: \_\_\_\_\_.

Ordinance rezoning 754 S State Street to D-1v2

**APPROVED AS TO FORM**  
Salt Lake City Attorney's Office  
Date: September 27, 2024  
By: *Katherine Pasker*  
Katherine D. Pasker, *Senior City Attorney*

# EXHIBIT "A"

Legal Description and Map of Property Subject to Zoning Map Amendment:

## Parcel Tax ID Nos.

16-07-103-017  
16-07-103-001  
16-07-103-002  
16-07-103-003  
16-07-103-004  
16-07-103-008  
16-07-103-009  
16-07-103-010  
16-07-103-011  
16-07-103-022

PARCEL 16-07-103-001-0000:

COMMENCING AT THE NORTHWEST CORNER OF LOT 5, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE EAST 160 FEET; THENCE SOUTH 179 FEET; THENCE WEST 160 FEET; THENCE NORTH 179 FEET TO THE PLACE OF BEGINNING.

PARCEL 16-07-103-004-0000:

BEGINNING AT THE NORTHEAST CORNER OF LOT 7, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE WEST 62.5 FEET; THENCE SOUTH 165 FEET; THENCE EAST 62.5 FEET; THENCE NORTH 165 FEET TO THE PLACE OF BEGINNING.

PARCEL 16-07-103-008-0000:

PART OF LOTS 6 AND 7, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND COMMENCING 206.25 FEET SOUTH OF THE NORTHEAST CORNER OF LOT 6, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY; THENCE WEST 82.5 FEET; THENCE SOUTH 41.25 FEET; THENCE EAST 105 FEET; THENCE NORTH 41.25 FEET; THENCE WEST 22.5 FEET TO THE PLACE OF BEGINNING.

PARCEL 16-07-103-009-0000:

COMMENCING AT A POINT 165 FEET SOUTH AND 44 FEET EAST OF THE NORTHWEST CORNER OF LOT 8, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE SOUTH 57.75 FEET; THENCE WEST 27.5 FEET; THENCE SOUTH 27.5 FEET; THENCE WEST 109 FEET; THENCE NORTH 85.25 FEET; THENCE EAST 136.5 FEET TO THE PLACE OF BEGINNING.

PARCELS 16-07-103-017-0000, 16-07-103-010-0000, and 16-07-103-011-0000:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 8, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE SOUTH 49.5 FEET; THENCE WEST 165 FEET; THENCE NORTH 49.5 FEET; THENCE WEST 92.5 FEET; THENCE NORTH 79.75 FEET; THENCE EAST 109 FEET; THENCE NORTH 27.5 FEET; THENCE EAST 148.5 FEET; THENCE SOUTH 107.25 FEET TO THE PLACE OF BEGINNING.

PARCEL 16-07-103-002-0000:

BEGINNING AT A POINT 160 FEET EAST OF THE NORTHWEST CORNER OF LOT 5, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND RUNNING THENCE EAST 87.5 FEET; THENCE SOUTH 179 FEET; THENCE WEST 87.5 FEET; THENCE NORTH 179 FEET TO THE PLACE OF BEGINNING.

ALSO: BEGINNING AT A POINT 4 FEET WEST OF THE NORTHEAST CORNER OF LOT 6, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND RUNNING THENCE WEST 78.5 FEET; THENCE SOUTH 165 FEET; THENCE EAST 78.5 FEET; THENCE NORTH 165 FEET TO THE PLACE OF BEGINNING.

ALSO: BEGINNING AT THE NORTHWEST CORNER OF LOT 7, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND RUNNING THENCE EAST 37.5 FEET; THENCE SOUTH 148.5 FEET; THENCE SOUTHWESTERLY 22.4 FEET TO A POINT 165 FEET SOUTH AND 22.5 FEET EAST OF THE NORTHWEST CORNER OF LOT 7; THENCE WEST 26.5 FEET; THENCE NORTH 165 FEET; THENCE EAST 4 FEET TO THE PLACE OF BEGINNING.

PARCEL 16-07-103-003-0000:

BEGINNING 57.5 FEET EAST OF THE NORTHWEST CORNER OF LOT 7, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND RUNNING THENCE EAST 45 FEET; THENCE SOUTH 165 FEET; THENCE WEST 30 FEET; THENCE NORTHWEST 22.4 FEET, MORE OR LESS, TO A POINT 148.5 FEET SOUTH FROM THE POINT OF BEGINNING; THENCE NORTH 148.5 FEET TO THE PLACE OF BEGINNING.

PARCEL 16-07-103-022-0000:

TRACT 1: COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE NORTH 17 RODS; THENCE WEST 10 RODS; THENCE NORTH 3 RODS; THENCE WEST 142.5 FEET; THENCE NORTH 5 RODS; THENCE WEST 105 FEET; THENCE NORTH 68.5 FEET; THENCE WEST 15 RODS; THENCE SOUTH 239 FEET; THENCE EAST 10 RODS; THENCE SOUTH 21 FEET; THENCE WEST 10 RODS; THENCE SOUTH 221 FEET; THENCE EAST 660 FEET TO THE PLACE OF BEGINNING.

TRACT 2: BEGINNING 165 FEET SOUTH FROM THE NORTHEAST CORNER OF LOT 6, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE EAST 22.5 FEET; THENCE SOUTH 41.25 FEET; THENCE WEST 105 FEET; THENCE NORTH 41.25 FEET; THENCE EAST 82.5 FEET TO THE BEGINNING.

TRACT 3: BEGINNING AT A POINT 88 FEET SOUTH FROM THE NORTHWEST CORNER OF LOT 4, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE SOUTH 21 FEET; THENCE EAST 165 FEET; THENCE NORTH 21 FEET; THENCE WEST 165 FEET TO THE POINT OF BEGINNING.

PARCEL (S. Major St.):

PARCELS 3, 4, 5, 6, 7 AND 8 DESCRIBED ABOVE ARE TOGETHER WITH THE FOLLOWING:

A RIGHT OF WAY IN COMMON WITH OTHERS: COMMENCING 37.5 FEET EAST FROM THE NORTHWEST CORNER OF LOT 7, BLOCK 16, PLAT "A", SALT LAKE CITY

SURVEY AND RUNNING THENCE SOUTH 148.5 FEET; THENCE SOUTHWEST 22.5 FEET, MORE OR LESS, TO A POINT 142.5 FEET WEST AND 165 FEET NORTH FROM THE SOUTHEAST CORNER OF SAID LOT 7; THENCE SOUTH 165 FEET; THENCE EAST 50 FEET; THENCE NORTH 165 FEET; THENCE NORTHWEST 22.5 FEET, MORE OR LESS, TO A POINT 107.5 FEET WEST AND 11 RODS NORTH FROM THE SOUTHEAST CORNER OF SAID LOT 7; THENCE NORTH 148.5 FEET; THENCE WEST 20 FEET TO THE PLACE OF BEGINNING.



# EXHIBIT “B”

## WHEN RECORDED, RETURN TO:

Salt Lake City Corporation  
Attn: Planning Director  
451 S. State Street, Suite 406  
Salt Lake City, Utah 84111

Tax Parcel Nos. 16071030020000, 16071030010000, 16071030230000, 16071030080000,  
16071030170000, 16071030110000, 16071030100000, 16071030090000, 16071030040000,  
16071030030000

## DEVELOPMENT AND USE AGREEMENT

THIS DEVELOPMENT AND USE AGREEMENT (the “**Agreement**”) is made and entered into by and between **SALT LAKE CITY CORPORATION**, a political subdivision of the State of Utah (“**City**”) and **IHC HEALTH SERVICES, INC**, a Utah corporation (“**Developer**”). City and Developer may be referred to herein collectively as “**Parties**.”

### RECITALS

A. Developer is the owner of approximately 9 acres of land located at approximately 754 South State Street in Salt Lake City (the “**Property**”), which land is more particularly described on the attached Exhibit “**A**”.

B. Developer submitted a petition to amend the zoning map with respect to a portion of the Property to change the zoning from D-2 Downtown Support District to D-1 Central Business District, as well as a text amendment to allow for certain hospital uses in the D-1 Central Business District (Petition No. PLNPCM2022-01109).

C. The Salt Lake City Planning Commission (“**Planning Commission**”) made a positive recommendation to the Salt Lake City Council (“**City Council**”) on Developer’s petition at its March 22, 2023 meeting.

D. At its September 25, 2024, meeting the Planning Commission made a positive recommendation concerning the terms of this Agreement.

E. On \_\_\_\_\_, 2024, the City Council voted to approve Developer’s petition subject to Developer entering into this Agreement.

F. City, acting pursuant to its authority under the Municipal Land Use, Development, and Management Act, Utah Code §§ 10-9a-101, *et seq.*, as amended, and in furtherance of its land use policies, goals, objectives, ordinances, and regulations of Salt Lake

City, in the exercise of its legislative discretion, has elected to approve and enter into this Agreement.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in reliance on the foregoing recitals, City and Developer agree as follows:

1. **Incorporations of Recitals.** The Parties hereby incorporate the foregoing recitals into this Agreement.

2. **Obligations of the Parties.**

a. So long as the Property is used as a hospital and its accessory uses:

i. As calculated pursuant to *Salt Lake City Code* Section 21A.37.050, the active ground floor uses of the buildings on the Property shall total not less than 79% along State Street, 70% along Main Street, 60% along 800 South, and 50% along 700 South. The active ground floor uses may include: gift shop, other retail goods and services, café, salon, art therapy space, daycare, food truck courtyard, open courtyard/walkways, reception/lobby, restaurant, pharmacy, and other similar uses as determined by the Planning Director, all of which count toward the percentages required in this paragraph.

ii. Developer shall provide a minimum one acre of landscaped open space generally located in the middle of the block (bordered by State Street, 800 S, Main Street, and 700 S) with midblock walkways providing access to at least three of the adjoining public streets. Within the open space a minimum of 33% of the area shall be covered by vegetation. Additionally, no less than 33% of the open space shall be shaded by trees at maturation.

iii. Developer shall provide 150 linear feet of space along State Street for an activated food truck/outdoor activity area that is open year-round. This activity area shall include seating, tables, shade, and perimeter landscaping that complies with the standards set forth in *Salt Lake City Code* Section 21A.48.070. The food truck area will be equipped with sufficient power such that generators shall not be used or needed. Patrons to the food truck/outdoor activity area shall be provided with access to restrooms on the Property during the operating hours of the food truck/outdoor activity area.

iv. The parties acknowledge and agree that a hospital is not subject to the maximum building façade length set forth in *Salt Lake City Code* Chapter 21A.37.

v. Driveways no wider than 100 feet may be installed along the 700 South and 800 South. Such driveways may not exceed more than 1 per block face.

vi. A sidewalk that is a minimum of 8 feet wide shall run parallel to the driveway providing primary vehicle access to the emergency room in order to afford pedestrian access to the interior of the block.

vii. Developer shall install transparent glass for the active ground floor uses provided in Section 2.a.i above that abut the public right of way.

b. In the event that the Property is not used as a hospital and its accessory uses the Property shall comply with all of the City's regulations pertaining to the D1 zoning district.

c. Developer shall provide public pedestrian access midblock walkways along the routes approximately in the locations shown on Exhibit B on a form approved by the City and recorded with the Salt Lake County Recorder.

d. All of the active ground floor uses on the Property shall have direct access to the sidewalk or midblock walkways through doors that are open during business hours.

e. Developer shall record this Agreement against the Property by filing this Agreement with the Salt Lake County Recorder.

3. **Severability.** If any term or provision of this Agreement, or the application of any term or provision of this Agreement to a particular situation, is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining terms and provisions of this Agreement, or the application of this Agreement to other situations, shall continue in full force and effect unless amended or modified by mutual consent of the Parties.

4. **Other Necessary Acts.** Each Party shall execute and deliver to the other any further instruments and documents as may be reasonably necessary to carry out the objectives and intent of this Agreement.

5. **Construction/Interpretation.** This Agreement has been reviewed and revised by legal counsel for both the City and Developer, and no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement. Terms that are undefined in this Agreement shall be interpreted using the definitions provided in Chapter 21A.62 of the Salt Lake City Code, or its successor.

6. **Other Miscellaneous Terms.** The singular shall include the plural; the masculine gender shall include the feminine; "shall" is mandatory; "may" is permissive.

7. **Covenants Running with the Land.** The provisions of this Agreement shall constitute real covenants, contract and property rights, and equitable servitudes, which shall run with the land subject to this Agreement. The burdens and benefits of this Agreement shall bind and inure to the benefit of each of the Parties, and to their respective successors, heirs, assigns, and transferees. Developer shall record this Agreement against the Property with the Salt Lake County Recorder.

8. **Waiver.** No action taken by any Party shall be deemed to constitute a waiver of compliance by such Party with respect to any representation, warranty, or condition contained in this Agreement.

9. **Remedies.** Either Party may, in addition to any other rights or remedies, institute an equitable action to cure, correct, or remedy any default, enforce any covenant or agreement herein, enjoin any threatened or attempted violation thereof, enforce by specific performance the obligations and rights of the Parties hereto, or to obtain any remedies consistent with the foregoing and the purpose of this Agreement.

10. **Utah Law.** This Agreement shall be construed and enforced in accordance with the laws of the State of Utah.

11. **Covenant of Good Faith and Fair Dealing.** Each Party shall use its best efforts and take and employ all necessary actions in good faith consistent with this Agreement to ensure that the rights secured by the other Party through this Agreement can be enjoyed.

12. **No Third-Party Beneficiaries.** This Agreement is between the City and Developer. No other party shall be deemed a third-party beneficiary or have any rights under this Agreement.

13. **Entire Agreement, Counterparts and Exhibit.** Unless otherwise noted herein, this Agreement is the final and exclusive understanding and agreement of the Parties and supersedes all negotiations or previous agreements between the Parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Agreement shall be in writing and signed by the appropriate authorities of City and Developer.

14. **Term and Termination.** This Agreement includes covenants, conditions, and restrictions regarding the development and use of Developer's Property, which shall run with the land in perpetuity. The covenants, conditions, and restrictions may only be modified or terminated with the express authorization of the Salt Lake City Council.

16. **REPRESENTATION REGARDING ETHICAL STANDARDS FOR CITY OFFICERS AND EMPLOYEES AND FORMER CITY OFFICERS AND EMPLOYEES.** Developer represents that it has not: (1) provided an illegal gift or payoff to a City officer or employee or former City officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, or brokerage or contingent fee, other than bona fide employees or bona fide commercial selling agencies for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code; or (4) knowingly influenced, and hereby promises that it will not knowingly

influence, a City officer or employee or former City officer or employee to breach any of the ethical standards set forth in City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code.

17. **GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT.** City is subject to the requirements of the Government Records Access and Management Act, Chapter 2, Title 63G, Utah Code Annotated or its successor (“GRAMA”). All materials submitted by Developer pursuant to this Agreement are subject to disclosure unless such materials are exempt from disclosure pursuant to GRAMA. The burden of claiming an exemption from disclosure shall rest solely with Developer. Any materials for which Developer claims a privilege from disclosure shall be submitted marked as “Business Confidential” and accompanied by a concise statement of reasons supporting Developer’s claim of business confidentiality. City will make reasonable efforts to notify Developer of any requests made for disclosure of documents submitted under a claim of business confidentiality. Developer may, at Developer’s sole expense, take any appropriate actions to prevent disclosure of such material. Developer specifically waives any claims against City related to disclosure of any materials required by GRAMA.

*[Signature Page to Follow]*

EFFECTIVE as of the \_\_\_\_ day of \_\_\_\_\_, 2024.

CITY:

ATTEST AND COUNTERSIGN:

**SALT LAKE CITY CORPORATION**, a  
municipal corporation of the State of Utah

By: \_\_\_\_\_

By: \_\_\_\_\_

Salt Lake City Recorder

Mayor Erin Mendenhall

STATE OF UTAH

COUNTY OF SALT LAKE

On this \_\_\_\_ day of \_\_\_\_\_, 2024, personally appeared before me Erin Mendenhall, who being by me duly sworn did say for herself, that she is the Mayor of SALT LAKE CITY CORPORATION, a Utah municipal corporation that executed the foregoing instrument, and the said Mayor duly acknowledged to me that said corporation executed the same.

\_\_\_\_\_  
Notary Public

Approved as to form:

\_\_\_\_\_  
City Attorney's Office

Date: \_\_\_\_\_

SIGNATURES CONTINUE ON FOLLOWING PAGE

DEVELOPER:

By: \_\_\_\_\_

Its: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF UTAH    )  
                                  : ss.  
County of \_\_\_\_\_)

On \_\_\_\_\_, personally appeared before me, \_\_\_\_\_, who  
being by me duly sworn, did say that he executed the foregoing instrument as the  
\_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_, and said  
person acknowledged to me that said \_\_\_\_\_ executed the same.

\_\_\_\_\_  
NOTARY PUBLIC, residing in  
\_\_\_\_\_ County, Utah

# EXHIBIT “A”

Legal description of Developer’s Property

*[to be inserted]*



# EXHIBIT "B"

Midblock Walkway Locations





# SALT LAKE CITY TRANSMITTAL

**To:**  
Salt Lake City Council Chair

**Start Date:**  
09/26/2024

**Date Sent to Council:**  
09/27/2024

**From:**

**Employee Name:**  
Roman, Amanda

**E-mail**  
[amanda.roman@slc.gov](mailto:amanda.roman@slc.gov)

**Department**  
Community and Neighborhood

**Department Director Signature**

*Blake H. Thomas*

**Chief Administrator Officer's Signature \***

*Jill Love*

**Director Signed Date**  
09/26/2024

**Chief Administrator Officer's Signed Date**  
09/27/2024

**Subject:**  
Intermountain Health Development Agreement

**Additional Staff Contact:**  
Nick Norris, [nick.norris@slc.gov](mailto:nick.norris@slc.gov)

**Presenters/Staff Table**  
Amanda Roman, [amanda.roman@slc.gov](mailto:amanda.roman@slc.gov)  
Heather Wall, [Heather.Wall@imail.org](mailto:Heather.Wall@imail.org)  
Bentley Peay, [bentley.peay@imail.org](mailto:bentley.peay@imail.org)

**Document Type \***  
Ordinance

**Budget Impact \***  
 Yes  
 No

**Budget Impact:**

**Recommendation: \***

That the City Council include the Development Agreement as part of adoption of PLNPCM2022-01109 as recommended by the Planning Commission.

**Background/Discussion (?)**

During the August 27, 2024 City Council work session, the Council indicated that they would like to apply a Development Agreement between the City and Intermountain Health (the Applicant) as part of the Council's consideration of the Applicant's proposed zoning map and text amendment petition. Under Utah Code, the Planning Commission is required to make a recommendation regarding a Development Agreement if the agreement expands the development rights compared to what would be allowed under the proposed zoning district. The Applicant has proposed reducing specific zoning standards, which grants the Applicant a development right that is greater than other properties in the same zoning district. The modifications identified in the Development Agreement would:

- Reduce the ground floor activation requirements on Main Street, State Street, 700 South, and 800 South and exempt Major Street from ground floor activation requirements;
- Expand the types of land uses that would be considered "ground floor activation uses";
- Allow for modifications to the maximum length of street facing building facades that applies to the D-1 zoning district;
- Allow for wider driveways than what is currently allowed in the D-1 zoning district;
- Identify midblock walkways and open space requirements within the future development.

The specific changes can be found in the Draft Development Agreement in Exhibit 1. The Development Agreement applies only if the subject properties are developed as a hospital. A more detailed explanation of the content of the Development Agreement can be found in the Planning Commission staff report.

**PUBLIC PROCESS:** The Planning Commission held a public hearing on September 25, 2024. The public hearing was advertised as required by Utah Code and City Ordinance. The proposed zoning map and text amendments went through a more extensive public engagement process. A description of that process and public input can be found in the original petitions associated with the zoning map and text amendment.

The Planning Commission recommended that the City Council adopt the Development Agreement with the following modifications:

- Update to section a.ii of the Development Agreement: Developer shall provide a minimum one acre of landscaped open space generally located in the middle of the block (bordered by State Street, 800 S, Main Street, and 700 S) with midblock walkways providing access to at least three of the adjoining public streets. Within the landscaped open space, a minimum of 33% vegetation *“and sufficient trees to provide shade for at least 33% of the open space area when the trees are fully mature”* shall be required.
- An authorization for a driveway up to 100 feet in width on 700 South and 800 South as shown on the concept plan and that the driveway include a minimum eight-foot-wide sidewalk that does not conflict with emergency vehicle access.
- That the development of the site complies with all other applicable regulations and that any modification to additional regulations be authorized through the design review process subject to the Applicant submitting a complete design review application.
- The ground floor uses designated in the Development Agreement as “active uses” must maintain transparency along public street frontages. Windows shall not be covered by signage or other obstructions.

The City Council Office asked for a quick transmittal of the Development Agreement. As such, the Planning Commission records for September 25th are not yet available. Once available, they can be found [here](#). The Planning Commission staff report can be found [here](#).

**EXHIBITS:**

- 1) Draft Development Agreement

**Will the City Council need to hold a public hearing for this item? \***

- Yes  
 No

**Public Process**

**Chief Administrator Officer's Comments**

**WHEN RECORDED, RETURN TO:**

Salt Lake City Corporation  
Attn: Planning Director  
451 S. State Street, Suite 406  
Salt Lake City, Utah 84111

Tax Parcel Nos. 16071030020000, 16071030010000, 16071030230000, 16071030080000,  
16071030170000, 16071030110000, 16071030100000, 16071030090000, 16071030040000,  
16071030030000

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**RECITALS**

A. Developer is the owner of approximately \_\_\_\_\_ acres of land located at approximately 754 South State Street in Salt Lake City (the “**Property**”), which land is more particularly described on the attached Exhibit “A”.

B. Developer submitted a petition to amend the zoning map with respect to a portion of the Property to change the zoning from D-2 Downtown Support District to D-1 Central Business District, as well as a text amendment to allow for certain hospital uses in the D-1 Central Business District (Petition No. PLNPCM2022-01109).

C. The Salt Lake City Planning Commission (“**Planning Commission**”) made a positive recommendation to the Salt Lake City Council (“**City Council**”) on Developer’s petition at its March 22, 2023 meeting.

D. At its September 25, 2024, meeting the Planning Commission made a \_\_\_\_\_ recommendation concerning the terms of this Agreement.

E. On \_\_\_\_\_, 2024, the City Council voted to approve Developer’s petition subject to Developer entering into this Agreement.

F. City, acting pursuant to its authority under the Municipal Land Use, Development, and Management Act, Utah Code §§ 10-9a-101, *et seq.*, as amended, and in

furtherance of its land use policies, goals, objectives, ordinances, and regulations of Salt Lake City, in the exercise of its legislative discretion, has elected to approve and enter into this Agreement.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in reliance on the foregoing recitals, City and Developer agree as follows:

1. **Incorporations of Recitals.** The Parties hereby incorporate the foregoing recitals into this Agreement.

2. **Obligations of the Parties.**

a. So long as the Property is used as a hospital and its accessory uses:

i. The active ground floor uses of the buildings on the Property shall total not less than 79% along State Street, 70% along Main Street, 60% along 800 South, and 50% along 700 South. The active ground floor uses may include: gift shop, other retail goods and services, café, salon, art therapy space, daycare, food truck courtyard, open courtyard/walkways, reception/lobby, restaurant, pharmacy, and other similar uses as determined by the Planning Director, all of which count toward the percentages required in this paragraph.

ii. Developer shall provide a minimum one acre of landscaped open space generally located in the middle of the block (bordered by State Street, 800 S, Main Street, and 700 S) with midblock walkways providing access to at least three of the adjoining public streets. Within the landscaped open space a minimum of 33% vegetation shall be required.

iii. Developer shall provide 150 linear feet of space along State Street for an activated food truck/outdoor activity area that is open year-round. This activity area shall include seating, tables, shade, and perimeter landscaping that complies with the standards set forth in *Salt Lake City Code* Section 21A.48.070. The food truck area will be equipped with sufficient power such that generators shall not be used or needed. Patrons to the food truck/outdoor activity area shall be provided with access to restrooms on the Property during the operating hours of the food truck/outdoor activity area.

iv. The parties acknowledge and agree that a hospital is not subject to the maximum building façade length set forth in *Salt Lake City Code* Chapter 21A.37.

b. In the event that the Property is not used as a hospital and its accessory uses the Property shall comply with the City's regulations for ground floor use

activation set forth in *Salt Lake City Code* Section 21A.37.050, or its successor, as well as the maximum façade length set forth in *Salt Lake City Code* Chapter 21A.37.

c. Developer shall provide public pedestrian access midblock walkways along the routes shown on Exhibit B on a form approved by the City and recorded with the Salt Lake County Recorder.

d. All of the active ground floor uses on the Property shall have direct access to the sidewalk or midblock walkways through doors that are open during business hours.

e. Developer shall record this Agreement against the Property by filing this Agreement with the Salt Lake County Recorder.

3. **Severability.** If any term or provision of this Agreement, or the application of any term or provision of this Agreement to a particular situation, is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining terms and provisions of this Agreement, or the application of this Agreement to other situations, shall continue in full force and effect unless amended or modified by mutual consent of the Parties.

4. **Other Necessary Acts.** Each Party shall execute and deliver to the other any further instruments and documents as may be reasonably necessary to carry out the objectives and intent of this Agreement.

5. **Construction/Interpretation.** This Agreement has been reviewed and revised by legal counsel for both the City and Developer, and no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement. Terms that are undefined in this Agreement shall be interpreted using the definitions provided in Chapter 21A.62 of the Salt Lake City Code, or its successor.

6. **Other Miscellaneous Terms.** The singular shall include the plural; the masculine gender shall include the feminine; “shall” is mandatory; “may” is permissive.

7. **Covenants Running with the Land.** The provisions of this Agreement shall constitute real covenants, contract and property rights, and equitable servitudes, which shall run with the land subject to this Agreement. The burdens and benefits of this Agreement shall bind and inure to the benefit of each of the Parties, and to their respective successors, heirs, assigns, and transferees. Developer shall record this Agreement against the Property with the Salt Lake County Recorder.

8. **Waiver.** No action taken by any Party shall be deemed to constitute a waiver of compliance by such Party with respect to any representation, warranty, or condition contained in this Agreement.

9. **Remedies.** Either Party may, in addition to any other rights or remedies, institute an equitable action to cure, correct, or remedy any default, enforce any covenant or agreement herein, enjoin any threatened or attempted violation thereof, enforce by specific performance the

obligations and rights of the Parties hereto, or to obtain any remedies consistent with the foregoing and the purpose of this Agreement.

10. **Utah Law.** This Agreement shall be construed and enforced in accordance with the laws of the State of Utah.

11. **Covenant of Good Faith and Fair Dealing.** Each Party shall use its best efforts and take and employ all necessary actions in good faith consistent with this Agreement to ensure that the rights secured by the other Party through this Agreement can be enjoyed.

12. **No Third-Party Beneficiaries.** This Agreement is between the City and Developer. No other party shall be deemed a third-party beneficiary or have any rights under this Agreement.

13. **Entire Agreement, Counterparts and Exhibit.** Unless otherwise noted herein, this Agreement is the final and exclusive understanding and agreement of the Parties and supersedes all negotiations or previous agreements between the Parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Agreement shall be in writing and signed by the appropriate authorities of City and Developer.

14. **Term and Termination.** This Agreement includes covenants, conditions, and restrictions regarding the development and use of Developer's Property, which shall run with the land in perpetuity. The covenants, conditions, and restrictions may only be modified or terminated with the express authorization of the Salt Lake City Council.

16. **REPRESENTATION REGARDING ETHICAL STANDARDS FOR CITY OFFICERS AND EMPLOYEES AND FORMER CITY OFFICERS AND EMPLOYEES.** Developer represents that it has not: (1) provided an illegal gift or payoff to a City officer or employee or former City officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, or brokerage or contingent fee, other than bona fide employees or bona fide commercial selling agencies for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code; or (4) knowingly influenced, and hereby promises that it will not knowingly influence, a City officer or employee or former City officer or employee to breach any of the ethical standards set forth in City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code.

17. **GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT.** City is subject to the requirements of the Government Records Access and Management Act, Chapter 2, Title 63G, Utah Code Annotated or its successor ("GRAMA"). All materials submitted by Developer pursuant to this Agreement are subject to disclosure unless such materials are exempt from disclosure pursuant to GRAMA. The burden of claiming an exemption from disclosure shall rest solely with Developer. Any materials for which Developer claims a privilege from disclosure shall be submitted marked as "Business Confidential" and accompanied by a concise statement of reasons supporting Developer's claim of business confidentiality. City will make reasonable efforts to notify Developer of any requests made for disclosure of documents

submitted under a claim of business confidentiality. Developer may, at Developer's sole expense, take any appropriate actions to prevent disclosure of such material. Developer specifically waives any claims against City related to disclosure of any materials required by GRAMA.

*[Signature Page to Follow]*



EFFECTIVE as of the \_\_\_\_ day of \_\_\_\_\_, 2024.

CITY:

ATTEST AND COUNTERSIGN:

**SALT LAKE CITY CORPORATION**, a  
municipal corporation of the State of Utah

By: \_\_\_\_\_

By: \_\_\_\_\_

Salt Lake City Recorder

Mayor Erin Mendenhall

STATE OF UTAH

COUNTY OF SALT LAKE

On this \_\_\_\_ day of \_\_\_\_\_, 2024, personally appeared before me Erin Mendenhall, who being by me duly sworn did say for herself, that she is the Mayor of SALT LAKE CITY CORPORATION, a Utah municipal corporation that executed the foregoing instrument, and the said Mayor duly acknowledged to me that said corporation executed the same.

\_\_\_\_\_  
Notary Public

Approved as to form:

\_\_\_\_\_  
City Attorney's Office

Date: \_\_\_\_\_

SIGNATURES CONTINUE ON FOLLOWING PAGE

DEVELOPER:

By: \_\_\_\_\_

Its: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF UTAH    )  
                                  : ss.  
County of \_\_\_\_\_)

On \_\_\_\_\_, personally appeared before me, \_\_\_\_\_, who  
being by me duly sworn, did say that he executed the foregoing instrument as the  
\_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_, and said  
person acknowledged to me that said \_\_\_\_\_ executed the same.

\_\_\_\_\_  
NOTARY PUBLIC, residing in  
\_\_\_\_\_ County, Utah

# EXHIBIT “A”

Legal description of Developer’s Property

# EXHIBIT “B”

Midblock Walkway Locations


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ERIN MENDENHALL  
Mayor



DEPARTMENT of COMMUNITY  
and NEIGHBORHOODS  
Blake Thomas  
Director

## CITY COUNCIL TRANSMITTAL

  
Lisa Shaffer (Apr 27, 2023 16:42 MDT)

Lisa Shaffer, Chief Administrative Officer

**Date Received:** 04/27/2023

**Date sent to Council:** 04/27/2023

**TO:** Salt Lake City Council  
Darin Mano, Chair

**DATE:** April 27, 2023

**FROM:** Blake Thomas, Director, Department of Community & Neighborhoods



**SUBJECT:** Zoning Map Amendment at approximately 754 S State Street  
Petition PLNPCM2022-01109

**STAFF CONTACT:** Amanda Roman, Urban Designer  
801-535-7660 or amanda.roman@slcgov.com

**DOCUMENT TYPE:** Ordinance

**RECOMMENDATION:** That the City Council follow the recommendation of the Planning Commission to amend the zoning map of 10 parcels at approximately 754 S State Street from D-2 Downtown Support District to D-1 Central Business District and amend [section 21A.33.050 Table of Permitted and Conditional Uses for Downtown Districts](#) to add the following uses as Conditional within the D-1 zoning district:

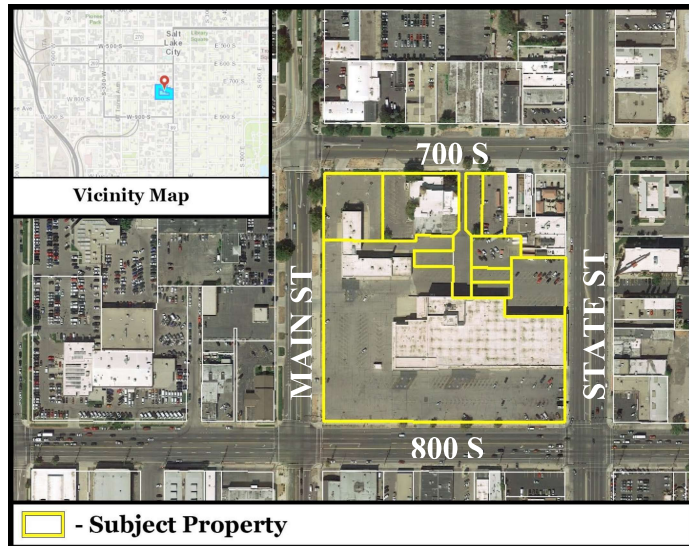
- Ambulance service (indoor)
- Ambulance service (outdoor)
- Hospital, including accessory lodging facility

**BUDGET IMPACT:** None.

## **BACKGROUND/DISCUSSION:**

The proposal includes a zoning map amendment to change the zoning of 10 parcels at approximately 754 S State Street from D-2 Downtown Support District to D-1 Central Business District. The purpose of the proposed amendment is to allow for the redevelopment of the property with an urban hospital. To develop the property, the D-1 zoning district land use table also needs to be amended to add hospitals and ambulance services as Permitted or Conditional uses.

Planning staff recommended that the two proposed uses (Hospitals and Ambulance Services) be adopted as Permitted uses in the D-1 zoning district. During the Planning Commission discussion period on March 22, 2023, a majority of the Commission (7:3) voted to modify staff's recommendation and forward the proposal to the City Council with a recommendation to adopt the uses as Conditional rather than Permitted. Additional discussion topics during the March 22, 2023, Planning Commission meeting included parking and housing options on the site if the rezone is adopted.



The intent behind the rezone and text amendment request is to allow for more design flexibility for the purpose of constructing an urban hospital. The building height in the D-2 zoning district is limited to a maximum of 120 feet, with Design Review approval. The by-right building height in the D-1 zone for buildings located on a block corner is 100 – 375 feet. Buildings taller than 375 feet must receive Design Review approval, but there is no maximum height.

The Planning Division has transmitted a proposed ordinance to the City Council that would increase allowable building heights in the Downtown Districts while supporting human-scale development, increased street activation, pedestrian accessibility, and community character. If adopted, the Downtown Building Heights and Street Activation text amendment (PLNPCM2022-00529) would directly affect the development potential of the subject property. The proposed amendment would eliminate the distinction of corner and midblock lots and change the by-right building height in the D-1 zone to 200 feet. Buildings over 200 feet would be required to receive Design Review approval but would have no maximum height. The City Council was briefed on the proposed text amendment on April 4, 2023. At the time of this transmittal, a vote has not been taken to approve, modify, or deny the ordinance.

For specific information regarding the proposal, please refer to the Planning Commission Staff Report.

## **PUBLIC PROCESS:**

- The Planning Division provided a 45-day comment period notice to the associated community councils for the property: Ballpark, Central City, Central 9<sup>th</sup>, and Downtown. The councils held a joint meeting with Planning staff and the applicant to discuss the proposal on January 19, 2023. A formal letter was submitted and is included in the Planning Commission Staff Report.
- Staff sent an early notification announcement of the project to all residents and property owners living within 300 feet of the project site providing notice about the proposal and information on how to give public input on the project on December 12, 2022.
- An online open house has been posted to the Planning Division's webpage since December 12, 2022. The page remains open for review.
- Four public comments were received prior to the Planning Commission meeting and three were submitted either after the Commission staff report was published or after the meeting. The three additional comments are included in Exhibit 4 of the transmittal.

## **Planning Commission (PC) Records (Click to Access)**

[PC Agenda for March 22, 2023](#)

[PC Minutes of March 22, 2023](#)

[PC Staff Report for March 22, 2023](#)

## **EXHIBITS**

1. Chronology
2. Notice of City Council Hearing
3. Petition Application
4. Additional Public Comments
5. Mailing List



SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2023

(An ordinance amending the zoning of property located at approximately 754 S State Street from D-2 Downtown Support District to D-1 Central Business District)

An ordinance amending the zoning map pertaining to property located at approximately 754 S State Street from D-2 Downtown Support District to D-1 Central Business District pursuant to Petition No. PLNPCM2022-01109.

WHEREAS, the Salt Lake City Planning Commission (“Planning Commission”) held a public hearing on March 22, 2023 to consider a petition by Tyler Buswell, counsel for the property owner, to rezone ten parcels located at 754 S State Street (Tax ID Nos. 16-07-103-017-0000, 16-07-103-001-0000, 16-07-103-002-0000, 16-07-103-003-0000, 16-07-103-004-0000, 16-07-103-008-0000, 16-07-103-009-0000, 16-07-103-010-0000, 16-07-103-011-0000, 16-07-103-022-0000) from D-2 Downtown Support District to D-1 Central Business District pursuant to Petition No. PLNPCM2022-01109; and

WHEREAS, at its March 22, 2023 meeting, the Planning Commission voted in favor of transmitting a positive recommendation to the Salt Lake City Council (“City Council”) on said petition; and

WHEREAS, after a public hearing on this matter the City Council has determined that adopting this ordinance is in the city’s best interests.

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

SECTION 1. Amending the Zoning Map. The Salt Lake City zoning map, as adopted by the *Salt Lake City Code*, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended to reflect that the property identified on Exhibit “A” hereto shall be and hereby is rezoned from D-2 Downtown Support District to D-1 Central Business District.

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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER  
(SEAL)

Bill No. \_\_\_\_\_ of 2023.  
Published: \_\_\_\_\_.

Ordinance rezoning 754 S State Street to D-1

<p><b>APPROVED AS TO FORM</b> Salt Lake City Attorney's Office Date: <u>April 14, 2023</u> By: <u><i>Katherine D. Pasker</i></u> Katherine D. Pasker, <i>Senior City Attorney</i></p>
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# EXHIBIT "A"

Legal Description and Map of Property Subject to Zoning Map Amendment:

## Parcel Tax ID Nos.

16-07-103-017  
16-07-103-001  
16-07-103-002  
16-07-103-003  
16-07-103-004  
16-07-103-008  
16-07-103-009  
16-07-103-010  
16-07-103-011  
16-07-103-022

PARCEL 16-07-103-001-0000:

COMMENCING AT THE NORTHWEST CORNER OF LOT 5, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE EAST 160 FEET; THENCE SOUTH 179 FEET; THENCE WEST 160 FEET; THENCE NORTH 179 FEET TO THE PLACE OF BEGINNING.

PARCEL 16-07-103-004-0000:

BEGINNING AT THE NORTHEAST CORNER OF LOT 7, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE WEST 62.5 FEET; THENCE SOUTH 165 FEET; THENCE EAST 62.5 FEET; THENCE NORTH 165 FEET TO THE PLACE OF BEGINNING.

PARCEL 16-07-103-008-0000:

PART OF LOTS 6 AND 7, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND COMMENCING 206.25 FEET SOUTH OF THE NORTHEAST CORNER OF LOT 6, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY; THENCE WEST 82.5 FEET; THENCE SOUTH 41.25 FEET; THENCE EAST 105 FEET; THENCE NORTH 41.25 FEET; THENCE WEST 22.5 FEET TO THE PLACE OF BEGINNING.

PARCEL 16-07-103-009-0000:

COMMENCING AT A POINT 165 FEET SOUTH AND 44 FEET EAST OF THE NORTHWEST CORNER OF LOT 8, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE SOUTH 57.75 FEET; THENCE WEST 27.5 FEET; THENCE SOUTH 27.5 FEET; THENCE WEST 109 FEET; THENCE NORTH 85.25 FEET; THENCE EAST 136.5 FEET TO THE PLACE OF BEGINNING.

PARCELS 16-07-103-017-0000, 16-07-103-010-0000, and 16-07-103-011-0000:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 8, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE SOUTH 49.5 FEET; THENCE WEST 165 FEET; THENCE NORTH 49.5 FEET; THENCE WEST 92.5 FEET; THENCE NORTH 79.75 FEET; THENCE EAST 109 FEET; THENCE NORTH 27.5 FEET; THENCE EAST 148.5 FEET; THENCE SOUTH 107.25 FEET TO THE PLACE OF BEGINNING.

PARCEL 16-07-103-002-0000:

BEGINNING AT A POINT 160 FEET EAST OF THE NORTHWEST CORNER OF LOT 5, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND RUNNING THENCE EAST 87.5 FEET; THENCE SOUTH 179 FEET; THENCE WEST 87.5 FEET; THENCE NORTH 179 FEET TO THE PLACE OF BEGINNING.

ALSO: BEGINNING AT A POINT 4 FEET WEST OF THE NORTHEAST CORNER OF LOT 6, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND RUNNING THENCE WEST 78.5 FEET; THENCE SOUTH 165 FEET; THENCE EAST 78.5 FEET; THENCE NORTH 165 FEET TO THE PLACE OF BEGINNING.

ALSO: BEGINNING AT THE NORTHWEST CORNER OF LOT 7, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND RUNNING THENCE EAST 37.5 FEET; THENCE SOUTH 148.5 FEET; THENCE SOUTHWESTERLY 22.4 FEET TO A POINT 165 FEET SOUTH AND 22.5 FEET EAST OF THE NORTHWEST CORNER OF LOT 7; THENCE WEST 26.5 FEET; THENCE NORTH 165 FEET; THENCE EAST 4 FEET TO THE PLACE OF BEGINNING.

PARCEL 16-07-103-003-0000:

BEGINNING 57.5 FEET EAST OF THE NORTHWEST CORNER OF LOT 7, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND RUNNING THENCE EAST 45 FEET; THENCE SOUTH 165 FEET; THENCE WEST 30 FEET; THENCE NORTHWEST 22.4 FEET, MORE OR LESS, TO A POINT 148.5 FEET SOUTH FROM THE POINT OF BEGINNING; THENCE NORTH 148.5 FEET TO THE PLACE OF BEGINNING.

PARCEL 16-07-103-022-0000:

TRACT 1: COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE NORTH 17 RODS; THENCE WEST 10 RODS; THENCE NORTH 3 RODS; THENCE WEST 142.5 FEET; THENCE NORTH 5 RODS; THENCE WEST 105 FEET; THENCE NORTH 68.5 FEET; THENCE WEST 15 RODS; THENCE SOUTH 239 FEET; THENCE EAST 10 RODS; THENCE SOUTH 21 FEET; THENCE WEST 10 RODS; THENCE SOUTH 221 FEET; THENCE EAST 660 FEET TO THE PLACE OF BEGINNING.

TRACT 2: BEGINNING 165 FEET SOUTH FROM THE NORTHEAST CORNER OF LOT 6, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE EAST 22.5 FEET; THENCE SOUTH 41.25 FEET; THENCE WEST 105 FEET; THENCE NORTH 41.25 FEET; THENCE EAST 82.5 FEET TO THE BEGINNING.

TRACT 3: BEGINNING AT A POINT 88 FEET SOUTH FROM THE NORTHWEST CORNER OF LOT 4, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE SOUTH 21 FEET; THENCE EAST 165 FEET; THENCE NORTH 21 FEET; THENCE WEST 165 FEET TO THE POINT OF BEGINNING.

PARCEL (S. Major St.):

PARCELS 3, 4, 5, 6, 7 AND 8 DESCRIBED ABOVE ARE TOGETHER WITH THE FOLLOWING:

A RIGHT OF WAY IN COMMON WITH OTHERS: COMMENCING 37.5 FEET EAST FROM THE NORTHWEST CORNER OF LOT 7, BLOCK 16, PLAT "A", SALT LAKE CITY

SURVEY AND RUNNING THENCE SOUTH 148.5 FEET; THENCE SOUTHWEST 22.5 FEET, MORE OR LESS, TO A POINT 142.5 FEET WEST AND 165 FEET NORTH FROM THE SOUTHEAST CORNER OF SAID LOT 7; THENCE SOUTH 165 FEET; THENCE EAST 50 FEET; THENCE NORTH 165 FEET; THENCE NORTHWEST 22.5 FEET, MORE OR LESS, TO A POINT 107.5 FEET WEST AND 11 RODS NORTH FROM THE SOUTHEAST CORNER OF SAID LOT 7; THENCE NORTH 148.5 FEET; THENCE WEST 20 FEET TO THE PLACE OF BEGINNING.

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2023

(An ordinance amending the text of Section 21A.33.050 of the *Salt Lake City Code* to add Hospitals (including accessory lodging facility), Ambulance Services (indoor), and Ambulance Services (outdoor) as Conditional Uses in the D-1 Central Business District)

An ordinance amending the text of Section 21A.33.050 of the *Salt Lake City Code* to add Hospitals (including accessory lodging facility), Ambulance Services (indoor), and Ambulance Services (outdoor) as conditional uses in the D-1 Central Business District pursuant to Petition No. PLNPCM2022-01109.

WHEREAS, the Salt Lake City Planning Commission (“Planning Commission”) held a public hearing on March 22, 2023 to consider a petition by Tyler Buswell, counsel for the property owner, to amend the text of Section of 21A.33.050 of the *Salt Lake City Code* to add Hospitals (including accessory lodging facility), Ambulance Services (indoor), and Ambulance Services (outdoor) as permitted uses in the D-1 Central Business District pursuant to Petition No. PLNPCM2022-01109; and

WHEREAS, at its March 22, 2023 meeting, the Planning Commission voted in favor of transmitting a positive recommendation to the Salt Lake City Council (“City Council”) that Section of 21A.33.050 of the *Salt Lake City Code* be amended to add Hospitals (including accessory lodging facility), Ambulance Services (indoor), and Ambulance Services (outdoor) as conditional uses in the D-1 Central Business District; and

WHEREAS, after a public hearing on this matter the City Council has determined that adopting this ordinance is in the city’s best interests.

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

SECTION 1. Amending the text of Salt Lake City Code Section 21A.33.050 That

Section 21A.33.050 of the Salt Lake City Code (Zoning: Table of Permitted and Conditional

Uses for Downtown Districts) shall be and hereby is amended as follows:

**21A.33.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:**

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District			
	D-1	D-2	D-3	D-4
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P	P
Adaptive reuse of a landmark site	P	P	P	P <sup>4</sup>
Alcohol:				
Bar establishment (indoor)	P <sup>6</sup>	C <sup>6</sup>	C <sup>6</sup>	P <sup>6</sup>
Bar establishment (outdoor)	P <sup>6</sup>	C <sup>6</sup>	C <sup>6</sup>	P <sup>6</sup>
Brewpub (indoor)	P <sup>6</sup>	P <sup>6</sup>	P <sup>6</sup>	P <sup>6</sup>
Brewpub (outdoor)	P <sup>6</sup>	P <sup>6</sup>	P <sup>6</sup>	P <sup>6</sup>
Tavern (indoor)	P <sup>6</sup>	C <sup>6</sup>	C <sup>6</sup>	P <sup>6</sup>
Tavern (outdoor)	P <sup>6</sup>	C <sup>6</sup>	C <sup>6</sup>	P <sup>6</sup>
Ambulance Service (indoor)	C			
Ambulance Service (outdoor)	C			
Animal, veterinary office		P	P	
Antenna, communication tower	P	P	P	P
Antenna, communication tower, exceeding the maximum building height	C	C	C	C
Art gallery	P	P	P	P
Artisan food production	P <sup>4,18</sup>	P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>
Bed and breakfast	P	P	P	P
Bed and breakfast inn	P	P	P	P
Bed and breakfast manor	P	P	P	P
Bio-medical facility	P <sup>7,18</sup>	P <sup>17,18</sup>	P <sup>17,18</sup>	P <sup>17,18</sup>
Blood donation center		P		
Bus line station/terminal	P <sup>7</sup>	P <sup>7</sup>	P <sup>7</sup>	P <sup>7</sup>

Bus line yard and repair facility		P		
Car wash		P3		
Check cashing/payday loan business	P <sup>5</sup>			
Clinic (medical, dental)	P	P	P	P
Commercial food preparation	P <sup>8</sup>	P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>
Community garden	P	P	P	P
Convention center				P
Crematorium	P	P	P	
Daycare center, adult	P	P	P	P
Daycare center, child	P	P	P	P
Daycare, nonregistered home daycare	P <sup>2</sup>	P <sup>12</sup>	P <sup>12</sup>	P <sup>12</sup>
Daycare, registered home daycare or preschool	P <sup>2</sup>	P <sup>12</sup>	P <sup>12</sup>	P <sup>12</sup>
Dwelling:				
Artists' loft/studio	P	P	P	P
Assisted living facility (large)	P	P	P	P
Assisted living facility (limited capacity)		P	P	P
Assisted living facility (small)	P	P	P	P
Congregate care facility (large)	C	C	C	C
Congregate care facility (small)	P	P	P	P
Group home (large)		C	C	
Group home (small)	P	P	P	P
Multi-family	P	P	P	P
Residential support (large)		C	C	
Residential support (small)		C	C	
Exhibition hall				P
Farmers' market			P	
Financial institution	P	P	P	P
Financial institution with drive-through facility		P <sup>8</sup>		P <sup>8</sup>
Funeral home	P	P	P	
Gas station		P	P <sup>7</sup>	P <sup>7</sup>
Government facility	C	C	C	C
Government facility requiring special design features for security purposes			P <sup>7</sup>	P <sup>7</sup>



Heliport, accessory	C	C		C
Home occupation	P <sup>3</sup>	P <sup>13</sup>	P <sup>13</sup>	P <sup>13</sup>
Homeless resource center		C <sup>15</sup>	C <sup>15</sup>	
Homeless shelter		C <sup>15</sup>	C <sup>15</sup>	
Hospital, including accessory lodging facility	C			
Hotel/motel	P	P	P	P
Industrial assembly		C <sup>18</sup>	C <sup>18</sup>	
Laboratory, medical related	P <sup>8</sup>	P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>
Laundry, commercial		P <sup>18</sup>		
Library	P	P	P	P
Limousine service		P		
Mixed use development	P	P	P	P
Mobile food business (operation in the public right-of-way)	P	P	P	P
Mobile food business (operation on private property)	P	P	P	P
Mobile food court	P	P	P	P
Municipal services uses including City utility uses and police and fire stations	P	P	P	P
Museum	P	P	P	P
Office	P	P	P	P
Office, publishing company	P	P	P	P
Open space on lots less than 4 acres in size	P <sup>7</sup>	P <sup>7</sup>	P <sup>7</sup>	P <sup>7</sup>
Park	P	P	P	P
Parking, commercial	C	P	C	C
Parking, off site	P	P	P	P
Performing arts production facility	P	P	P	P
Place of worship	P <sup>11</sup>	P <sup>11</sup>	P <sup>11</sup>	P <sup>11</sup>
Radio, television station	P	P		P
Railroad, passenger station	P	P	P	P
Reception center	P	P	P	P
Recreation (indoor)	P	P	P	P
Recreation (outdoor)		P		
Research and development facility	P <sup>8</sup>	P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>
Restaurant	P	P	P	P

Restaurant with drive-through facility		P <sup>8</sup>		
Retail goods establishment	P	P	P	P
Retail service establishment	P	P	P	P
Retail service establishment, upholstery shop		P	P	
Sales and display (outdoor)	P	P	P	P
School:				
College or university	P	P	P	P
K - 12 private			P	P
K - 12 public			P	P
Music conservatory	P	P	P	P
Professional and vocational	P	P	P	P
Seminary and religious institute	P	P	P	P
Shared housing	P	P	P	P
Small brewery		C <sup>18</sup>		
Social service mission and charity dining hall		C	C	
Stadium	C	C		C
Storage, self	P <sup>6</sup>	P	P	
Store:				
Department	P	P		P
Fashion oriented department	P <sup>2</sup>			
Mass merchandising	P	P		P
Pawnshop		P		
Specialty	P	P		P
Superstore and hypermarket		P		
Studio, art	P	P	P	P
Technology facility	P <sup>8</sup>	P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>
Theater, live performance	P <sup>9</sup>	P <sup>9</sup>	P <sup>9</sup>	P <sup>9</sup>
Theater, movie	P	P	P	P
Utility, buildings or structure	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>
Utility, transmission wire, line, pipe or pole	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>
Vehicle:				
Automobile repair (major)		P	P <sup>7</sup>	P <sup>7</sup>
Automobile repair (minor)		P	P <sup>7</sup>	P <sup>7</sup>

Automobile sales/rental and service	P <sup>0</sup>	P	P <sup>10</sup>	
Vending cart, private property	P	P	P	P
Vending cart, public property				
Warehouse		P <sup>18</sup>		
Warehouse, accessory		P	P	
Wholesale distribution		P <sup>18</sup>		
Wireless telecommunications facility (see section 21A.40.090, table 21A.40.090E of this title)				

Qualifying provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050B of this title.
2. Uses allowed only within the boundaries and subject to the provisions of the Downtown Main Street Core Overlay District (section 21A.34.110 of this title).
3. A car wash located within 165 feet (including streets) of a residential use shall not be allowed.
4. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a design review (chapter 21A.59 of this title).
5. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
6. Subject to conformance with the provisions in section 21A.36.300, "Alcohol Related Establishments", of this title.
7. Subject to conformance with the provisions of chapter 21A.59, "Design Review", of this title.
8. Subject to conformance to the provisions in section 21A.40.060 of this title for drive-through use regulations.
9. Prohibited within 1,000 feet of a Single- or Two-Family Zoning District.
10. Must be located in a fully enclosed building and entirely indoors.
11. If a place of worship is proposed to be located within 600 feet of a tavern, bar establishment, or brewpub, the place of worship must submit a written waiver of spacing requirement as a condition of approval.
12. Subject to section 21A.36.130 of this title.
13. Allowed only within legal conforming single-family, duplex, and multi-family dwellings and subject to section 21A.36.030 of this title.
14. Must contain retail component for on-site food sales.
15. Subject to conformance with the provisions of section 21A.36.350 of this title.
16. Limited to basement/below ground levels only. Not allowed on the ground or upper levels of the building, with the exception of associated public leasing/office space.
17. Prohibited within 1/2 mile of a residential use if the facility produces hazardous or radioactive waste as defined by the Utah Department of Environmental Quality administrative rules.
18. Consult the water use and/or consumption limitations of Subsection 21A.33.010.D.1.

SECTION 6. 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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER  
(SEAL)

Bill No. \_\_\_\_\_ of 2023.

Published: \_\_\_\_\_.

Ordinance amending Section 21A.33.050 of  
the *Salt Lake City Code*

**APPROVED AS TO FORM**  
Salt Lake City Attorney's Office

Date: April 14, 2023

By: *Katherine Pasker*  
Katherine D. Pasker, *Senior City Attorney*

## **TABLE OF CONTENTS**

- 1. PROJECT CHRONOLOGY**
- 2. NOTICE OF CITY COUNCIL HEARING**
- 3. ORIGINAL PETITION**
- 4. ADDITIONAL PUBLIC COMMENTS**
- 5. MAILING LIST**

## **1) CHRONOLOGY**

## **PROJECT CHRONOLOGY**

**Petition:** PLNPCM2022-01109

- November 11, 2022** Application for a Zoning Map and Text Amendment.
- November 23, 2022** Petition PLNPCM2022-01109 was assigned to Amanda Roman, Urban Designer, for staff analysis and processing.
- December 8, 2022** Notice sent to Recognized Community Organizations informing them of the petition. The RCO's notified included the Ballpark, Central City, Central 9<sup>th</sup>, and Downtown Community Councils, and the Downtown Alliance.
- Early notification of the project was also sent to property owners and residents within 300 feet of the proposal.
- December 12, 2022** The proposal was posted for an online open house through March 22, 2023. The proposal can still be viewed online.
- March 10, 2023** Planning Commission public hearing notices emailed to interested parties and residents/property owners who requested notice. Agenda posted to the Planning Commission website and the State of Utah Public Notice webpage.
- March 17, 2023** Planning Commission Staff Report posted.
- March 22, 2023** Planning Commission held a public hearing and made a positive recommendation to the City Council to approve the proposed map amendment.
- The Commission also forwarded a recommendation to approve the text amendment, but modified the recommendation to add the land uses to the D-1 zoning district as Conditional rather than Permitted.
- March 27, 2023** Ordinance request sent to Attorney's Office.
- April 14, 2023** Signed ordinance received from Attorney's Office.

## **2) NOTICE OF CITY COUNCIL HEARING**



**NOTICE OF PUBLIC HEARING**

The Salt Lake City Council is considering **Petition PLNPCM2022-01109** Zoning Map & Zoning Text Amendment for the property at approximately 754 S State Street. Kirton McConkie, represented by Tyler Buswell, Attorney for IHC Health Services, Inc. (the Property Owner), initiated a petition for a zoning map and zoning text amendment, which would facilitate the development of an urban hospital at approximately 754 S State Street. The zoning map amendment request is to rezone 10 parcels from D-2 Downtown Support District to D-1 Central Business District. The 10 parcels included in this proposal are listed below for reference.

<b>Address</b>	<b>Parcel ID</b>	<b>Approximate Acreage</b>
748 South State St.	16-07-103-017	.55
709 South Main St.	16-07-103-001	.66
36 E 700 S	16-07-103-002	.81
48 E 700 S	16-07-103-003	.17
56 E 700 S	16-07-103-004	.24
728 S Major St.	16-07-103-008	.10
725 S Major St.	16-07-103-009	.25
735 S Major St.	16-07-103-010	.10
739 S Major St.	16-07-103-011	.10
754 S State St.	16-07-103-022	5.97
Major Street	None	Total Acreage: 8.95

The proposed text amendment to [section 21A.33.050 Table of Permitted and Conditional Uses for Downtown Districts](#) would add the following uses as Conditional within the D-1 zoning district:

- Ambulance service (indoor)
- Ambulance service (outdoor)
- Hospital, including accessory lodging facility

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petitions. During the hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The Council may consider adopting the ordinance the same night of the public hearing. The hearing will be held:

**DATE:**  
**TIME:** 7:00 pm  
**PLACE:** 451 South State Street, Room 326, Salt Lake City, Utah

**\*\* This meeting will be held in-person, to attend or participate in the hearing at the City and County Building, located at 451 South State Street, Room 326, Salt Lake City, Utah. For more information, please visit [www.sl.gov/council](http://www.sl.gov/council). Comments may also be provided by calling the 24-Hour comment line at (801) 535-7654 or sending an email to [council.comments@slgov.com](mailto:council.comments@slgov.com). All comments received through any source are shared with the Council and added to the public record.**

If you have any questions relating to this proposal or would like to review the file, please call Amanda Roman at 801-535-7660 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, or via e-mail at [amanda.roman@slgov.com](mailto:amanda.roman@slgov.com)

The application details can be accessed at <https://citizenportal.sl.gov/>, by selecting the “Planning” tab and entering the petition number PLNPCM2022-01109.

People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two weeks in advance. If you have a request, please contact the City Council Office at [council.comments@slgov.com](mailto:council.comments@slgov.com), (801)535-7600, or relay service 711.

### **3) ORIGINAL PETITION**



# Zoning Amendment

SALT LAKE CITY PLANNING

Amend the text of the Zoning Ordinance     Amend the Zoning Map

**OFFICE USE ONLY**

Received By:	Date Received:	Project #:
--------------	----------------	------------

Name or Section/s of Zoning Amendment:  
Map amendment of D-2 Zone to D-1 Zone; Text amendment to D-1 Zone

**PLEASE PROVIDE THE FOLLOWING INFORMATION**

Address of Subject Property (or Area):  
754 S. State St.; 709 S. Main St.; 36/48/56 E. 700 S.; 725/727/728/735/739 S. Major St.

Name of Applicant: Tyler Buswell of Kirton McConkie, Attorney for IHC Health Services, Inc.	Phone: [REDACTED]
--	----------------------

Address of Applicant:  
50 E. South Temple, #400, SLC, UT 84111

E-mail of Applicant: [REDACTED]	Cell/Fax:
------------------------------------	-----------

Applicant's Interest in Subject Property:  
 Owner     Contractor     Architect     Other:

Name of Property Owner (if different from applicant):  
IHC Health Services, Inc.

E-mail of Property Owner: [REDACTED]	Phone: [REDACTED]
---	----------------------

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

**AVAILABLE CONSULTATION**

If you have any questions regarding the requirements of this application, please contact Salt Lake City Planning Counter at [zoning@slcgov.com](mailto:zoning@slcgov.com) prior to submitting the application.

**REQUIRED FEE**

Map Amendment: filing fee of **\$1,075** plus **\$121** per acre in excess of one acre  
Text Amendment: filing fee of **\$1,075**, plus fees for newspaper notice.  
Plus, additional fee for mailed public notices. Noticing fees will be assessed after the application is submitted.

**SIGNATURE**

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

Signature of Owner or Agent: 	Date: Nov 11, 2022
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# KIRTON | M<sup>C</sup>CONKIE

Tyler Buswell  
50 E. South Temple, Suite 400  
Salt Lake City, UT 84111



November 15, 2022

Nick Norris, Director  
Salt Lake City – Planning Division  
451 S. State St.  
Salt Lake City, UT 84111  
nick.norris@slcgov.com

**RE: Letter in support of application for zoning map and text amendment.**

**Applicant:** Kirton McConkie  
Attn: Tyler L. Buswell  
50 E. South Temple Street, #400  
Salt Lake City, Utah 84111  
(801) 321-4820  
tbuswell@kmclaw.com

**Property Addresses:** 754 S. State St.  
709 S. Main St.  
36, 48, and 56 E. 700 S.  
725, 727, 728, 735, and 739 S. Major St.  
All of S. Major St.  
Salt Lake City, UT 84111  
As more fully described in Exhibit A  
(collectively, the “Property”).  
Totaling approx. 9.22 acres.

**Amendments Requested:** Zoning map amendment of the Property from the D-2 Zone to the D-1 Zone. And zoning text amendment to the D-1 Zone to allow hospitals as a permitted use.

**Application Fees:** \$2,036.95 for map amendment (\$1,075 + \$121 x 7.95 acres).  
\$1,075 for text amendment.

Dear Mr. Norris:

This law firm represents IHC Health Services, Inc. (“Intermountain”), which is the owner of the Property described above. This letter accompanies the zoning map and text amendment application submitted concurrently with this letter. The purpose of this letter is to address the submittal requirements of the City’s Zoning Amendment application form. Specifically, this letter will provide the following: (1) a statement declaring the purpose of the amendment, (2) a description of the proposed use of the property being rezoned, (3) the reasons why the present zoning may not be appropriate for the area, (4) the parcel numbers for each parcel affected by the proposed map amendment, and (5) the requested text revisions to the applicable zoning ordinance. Intermountain and our firm look forward to working with the City regarding this application. We hope to create an outcome that will benefit the City, the Property, and residents of Salt Lake City.

**(1) Purpose for the amendment.**

Intermountain proposes to amend both the zoning map and the applicable text of the D-1 zone. The Property is comprised of 10 separate tax parcels where the old Sears building is located and an old, unused right of way (S. Major St.), all of which is situated just south of downtown Salt Lake City. The current zoning of all such parcels is the D-2 Downtown Support District zone, and Intermountain proposes to amend the zoning map to the D-1 Central Business District zone. As explained further in paragraph (5) below, Intermountain also proposes to amend the text of the D-1 zone to allow Hospitals as a permitted use, along with other uses to be designated as either permitted or conditional uses.

Accordingly, the purpose of these proposed amendments is to allow for the re-development of the majority of the Sears block to accommodate a new, downtown, urban hospital. As the City has known for some time, the Sears property has been in dire need of improvement and redevelopment for many years. The unique location of the block, directly on the southern border of downtown and right along State Street, makes it a prime location for a unique project in general, and an urban hospital in particular.

The amendment to D-1 will allow for the maximum flexibility on the Property to create a project that can both function as part of the downtown core, but also facilitate a transition from the downtown uses to the supporting uses of the D-2 zone. Moreover, the amendment will allow the Property to best meet the City’s vision for the South State area as described in the Downtown Master Plan.

**(2) Description of the proposed use of the property being rezoned.**

While Intermountain has not created any formal or conceptual plans for the Property, the hospital use would be akin to many urban hospitals across the country.

The project would create and serve as an anchor and bookend on the south end of downtown. The current border of the D-1 zone is less than half a block away to the northwest of the Property, and approximately half a block away directly to the north of the Property, so a hospital project would not only fit with the existing development pattern in the surrounding area, but it would serve to revitalize the area. The hospital would include the typical necessary accompanying uses for a hospital.

### **(3) Reasons why the present zoning may not be appropriate for the area.**

The current zoning of D-2 for the Property is not appropriate because it has created a site that is underperforming and is not the highest and best use for the Property. The Property has sat largely vacant and underutilized for so long because the D-2 zone does not foster and has not attracted the type of users and uses that this site will support. Because the Property is located in a transition block from D-1 to D-2, it has created a circumstance where more traditional downtown uses, such as high-rise office or residential projects are not well suited, and the economics of lower-rise commercial, office, or residential uses are not as financially viable.

The proposed use of a hospital can bridge the gap of those drawbacks created by the Property's location. The D-1 zone will allow Intermountain the flexibility in building height while also not being out of character for the area with the Grand America being two blocks away, and the new multi-story office/residential projects built on 600 South and Main Street, 700 South Main Street, and 600 South State Street. The D-1 zone's building height and density flexibility will also help Intermountain in working with the City to design a project that better incorporates permeability and walkability of the Property that would not otherwise be possible given the small area of the Property compared to the level of services Intermountain desires to include on the Property.

Amending the Property to D-1 will also be in line with the City's vision of the "South State" area in its Downtown Master Plan. A hospital will accomplish the goals of re-urbanizing South State while not disrupting the integrity of the neighborhoods to the east. It would also serve those neighborhoods by providing needed healthcare services within walking distance to many residents.

The current state and zoning of the Property has failed to live up to or satisfy the City's vision for the area. So, Intermountain would strive to cooperate with the City in its efforts to implement the Downtown Master Plan goals for this site. A hospital can blend and accomplish the City's desired outcomes for this area.

### **(4) Parcel numbers to be changed from D-2 to D-1 on the Zoning Map.**

The following parcels are all proposed to be changed from D-2 to D-1 on the City's Zoning Map:

<b>Address</b>	<b>Parcel Number</b>	<b>Approx. Acreage</b>
709 S. Main St.	16-07-103-001-0000	0.66
56 E. 700 S.	16-07-103-004-0000	0.24
728 S. Major St.	16-07-103-008-0000	0.10
725-727 S. Major St.	16-07-103-009-0000	0.25
754 S. State St.	16-07-103-017-0000	0.55
735 S. Major St.	16-07-103-010-0000	0.10
739 S. Major St.	16-07-103-011-0000	0.10
36 E. 700 S.	16-07-103-002-0000	0.81
48 E. 700 S.	16-07-103-003-0000	0.17
754 S. State St.	16-07-103-022-0000	5.97
All of S. Major St.	None	

**(5) Requested text amendments to the D-1 Zone.**

Currently, a hospital is not specifically designated in the table of permitted and conditional uses for the D-1 zone. Consequently, in addition to the requested map amendments, Intermountain proposes the following text amendments to the D-1 zone.

**(a) Edit to 21A.33.050, Table of Permitted and Conditional Uses For Downton Districts.**

Intermountain proposes to add the following uses to Table 21A.33.050:

- “Ambulance service (indoor): Permitted.”
- “Ambulance service (outdoor): Permitted.”
- “Hospital, including accessory lodging facility: Permitted.”
- “Retail, sales and service accessory use when located within a principal building and operated primarily for the convenience of employees: Permitted.”

(Note that the following uses that may be incorporated into the proposed hospital are already either permitted or conditional uses in the D-1 zone as shown on Table 21A.33.050: Bio-medical facility (permitted); medical clinic (permitted); heliport (conditional use); laboratory, medical related (permitted); mixed-use development (permitted); office (permitted).)



We look forward to working with the City on these proposed changes. Please feel free to contact me at [REDACTED] if you would like to discuss.

Sincerely,

Kirton McConkie

A handwritten signature in blue ink, appearing to read 'TLB', with a long horizontal flourish extending to the right.

Tyler L. Buswell  
Counsel for Intermountain

## Exhibit A

### Legal Description of the Property

Real property located in Salt Lake County, Utah, more particularly described as follows:

PARCEL 1 (16-07-103-001-0000):

COMMENCING AT THE NORTHWEST CORNER OF LOT 5, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE EAST 160 FEET; THENCE SOUTH 179 FEET; THENCE WEST 160 FEET; THENCE NORTH 179 FEET TO THE PLACE OF BEGINNING.

PARCEL 2 (16-07-103-004-0000):

BEGINNING AT THE NORTHEAST CORNER OF LOT 7, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE WEST 62.5 FEET; THENCE SOUTH 165 FEET; THENCE EAST 62.5 FEET; THENCE NORTH 165 FEET TO THE PLACE OF BEGINNING.

PARCEL 3 (16-07-103-008-0000):

PART OF LOTS 6 AND 7, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND COMMENCING 206.25 FEET SOUTH OF THE NORTHEAST CORNER OF LOT 6, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY; THENCE WEST 82.5 FEET; THENCE SOUTH 41.25 FEET; THENCE EAST 105 FEET; THENCE NORTH 41.25 FEET; THENCE WEST 22.5 FEET TO THE PLACE OF BEGINNING.

PARCEL 4 (16-07-103-009-0000):

COMMENCING AT A POINT 165 FEET SOUTH AND 44 FEET EAST OF THE NORTHWEST CORNER OF LOT 8, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE SOUTH 57.75 FEET; THENCE WEST 27.5 FEET; THENCE SOUTH 27.5 FEET; THENCE WEST 109 FEET; THENCE NORTH 85.25 FEET; THENCE EAST 136.5 FEET TO THE PLACE OF BEGINNING.

PARCEL 5 (16-07-103-017-0000, 16-07-103-010-0000, 16-07-103-011-0000):

COMMENCING AT THE SOUTHEAST CORNER OF LOT 8, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE SOUTH 49.5 FEET; THENCE WEST 165 FEET; THENCE NORTH 49.5 FEET; THENCE WEST 92.5 FEET; THENCE NORTH 79.75 FEET; THENCE EAST 109 FEET; THENCE NORTH 27.5 FEET; THENCE EAST 148.5 FEET; THENCE SOUTH 107.25 FEET TO THE PLACE OF BEGINNING.

PARCEL 6 (16-07-103-002-0000):

BEGINNING AT A POINT 160 FEET EAST OF THE NORTHWEST CORNER OF LOT 5, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND RUNNING THENCE EAST 87.5 FEET; THENCE SOUTH 179 FEET; THENCE WEST 87.5 FEET; THENCE NORTH 179 FEET TO THE PLACE OF BEGINNING.

ALSO: BEGINNING AT A POINT 4 FEET WEST OF THE NORTHEAST CORNER OF LOT 6, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND RUNNING THENCE WEST 78.5 FEET; THENCE SOUTH 165 FEET; THENCE EAST 78.5 FEET; THENCE NORTH 165 FEET TO THE PLACE OF BEGINNING.

ALSO: BEGINNING AT THE NORTHWEST CORNER OF LOT 7, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND RUNNING THENCE EAST 37.5 FEET; THENCE SOUTH 148.5 FEET; THENCE

SOUTHWESTERLY 22.4 FEET TO A POINT 165 FEET SOUTH AND 22.5 FEET EAST OF THE NORTHWEST CORNER OF LOT 7; THENCE WEST 26.5 FEET; THENCE NORTH 165 FEET; THENCE EAST 4 FEET TO THE PLACE OF BEGINNING.

PARCEL 7 (16-07-103-003-0000):

BEGINNING 57.5 FEET EAST OF THE NORTHWEST CORNER OF LOT 7, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY, AND RUNNING THENCE EAST 45 FEET; THENCE SOUTH 165 FEET; THENCE WEST 30 FEET; THENCE NORTHWEST 22.4 FEET, MORE OR LESS, TO A POINT 148.5 FEET SOUTH FROM THE POINT OF BEGINNING; THENCE NORTH 148.5 FEET TO THE PLACE OF BEGINNING.

PARCEL 8 (16-07-103-022-0000):

TRACT 1: COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE NORTH 17 RODS; THENCE WEST 10 RODS; THENCE NORTH 3 RODS; THENCE WEST 142.5 FEET; THENCE NORTH 5 RODS; THENCE WEST 105 FEET; THENCE NORTH 68.5 FEET; THENCE WEST 15 RODS; THENCE SOUTH 239 FEET; THENCE EAST 10 RODS; THENCE SOUTH 21 FEET; THENCE WEST 10 RODS; THENCE SOUTH 221 FEET; THENCE EAST 660 FEET TO THE PLACE OF BEGINNING.

TRACT 2: BEGINNING 165 FEET SOUTH FROM THE NORTHEAST CORNER OF LOT 6, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE EAST 22.5 FEET; THENCE SOUTH 41.25 FEET; THENCE WEST 105 FEET; THENCE NORTH 41.25 FEET; THENCE EAST 82.5 FEET TO THE BEGINNING.

TRACT 3: BEGINNING AT A POINT 88 FEET SOUTH FROM THE NORTHWEST CORNER OF LOT 4, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE SOUTH 21 FEET; THENCE EAST 165 FEET; THENCE NORTH 21 FEET; THENCE WEST 165 FEET TO THE POINT OF BEGINNING.

PARCEL 9 (S. Major St.):

PARCELS 3, 4, 5, 6, 7 AND 8 DESCRIBED ABOVE ARE TOGETHER WITH THE FOLLOWING:

A RIGHT OF WAY IN COMMON WITH OTHERS: COMMENCING 37.5 FEET EAST FROM THE NORTHWEST CORNER OF LOT 7, BLOCK 16, PLAT "A", SALT LAKE CITY SURVEY AND RUNNING THENCE SOUTH 148.5 FEET; THENCE SOUTHWEST 22.5 FEET, MORE OR LESS, TO A POINT 142.5 FEET WEST AND 165 FEET NORTH FROM THE SOUTHEAST CORNER OF SAID LOT 7; THENCE SOUTH 165 FEET; THENCE EAST 50 FEET; THENCE NORTH 165 FEET; THENCE NORTHWEST 22.5 FEET, MORE OR LESS, TO A POINT 107.5 FEET WEST AND 11 RODS NORTH FROM THE SOUTHEAST CORNER OF SAID LOT 7; THENCE NORTH 148.5 FEET; THENCE WEST 20 FEET TO THE PLACE OF BEGINNING.

#### **4) ADDITIONAL PUBLIC COMMENTS**

**From:** [Thomas Merrill](#)  
**To:** [Roman, Amanda](#)  
**Subject:** (EXTERNAL) Downtown coalition requests re: Intermountain  
**Date:** Tuesday, March 21, 2023 2:54:05 PM

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Hi Amanda,

After having reviewed the excellent staff report prepared for tomorrow's agenda item entitled, "Zoning Map & Text Amendment at Approximately 754 S State Street," we wondered what opportunities there are to get our official requests from the 1/19 meeting with Intermountain and Planning Commission staff on record? Those requests are summarized below:

**1. Requirement of a concept plan prior to D1 zoning approval**

We believe Intermountain is a unique entity that has a greater obligation to transparency with regard to their planning process by virtue of their non-profit status and corresponding community benefit obligations set forth by state and federal law. Specifically, we believe that their request for D1 zoning approval be approved but conditioned upon first the submission of a concept plan that demonstrates a sincere - even if preliminary - incorporation of community feedback gathered to date. Note: we have communicated this request to our D4 Council Member, Ana Valdemoros.

**2. The fourth text amendment element re: internal retail should be conditional and limited**

As communicated by surrounding businesses, we are concerned that the fourth element of the proposed text amendment, "Retail, sales and service accessory use when located within a principal building and operated primarily for the convenience of employees: Permitted" should be only conditionally approved and limited. We strongly recommend against internal retail developments that impede the full beneficial impact of Intermountain's workforce and clientele on the surrounding retail community. We understand that Intermountain would reasonably want food options for employees that allow them to stay close to their responsibilities but an approach similar to the Medical Center in Murray with a variety of internal restaurants would undermine the objective to support the existing retail community.

Thank you for your consideration on this.

--

Tom Merrill  
Downtown Community Council  


**From:** [Erik Bieging](#)  
**To:** [Planning Public Comments](#)  
**Subject:** (EXTERNAL) No IHC hospital downtown without comprehensive reproductive healthcare  
**Date:** Saturday, March 25, 2023 12:17:45 AM

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Hello,

The following comments are intended to be read for the planning commission regarding Intermountain Healthcare's request to rezone 754 S State Street (the Sears block):

With the passage of H.B. 467 during the most recent state legislative session, hospitals will soon be the only institution legally allowed to provide abortion services in Utah. The two providers of routine abortion in the state, Planned Parenthood and Wasatch Women's Center, will soon be forced to close in May. Residents of Salt Lake City will have to travel hundreds of miles to receive what the American Medical Association calls an essential healthcare service.

Zoning offers communities the opportunity to align land uses with the needs of their residents. When a new land use is granted, it should fulfill the needs of the community. At first glance, it would seem that Intermountain Healthcare's proposal to add hospital functions as a permitted use on their downtown property would improve access to healthcare for Salt Lake City residents. However, Intermountain Healthcare has not and has made no intention to provide routine abortion services at its hospitals, despite being uniquely positioned to do so. In Salt Lake City, we already have access to tertiary care hospitals with extensive healthcare services, but abortion care will soon be the exception. We should not grant a new hospital land use unless the hospital will provide the essential healthcare services that our residents need most.

Thank you,

Erik Bieging  
Salt Lake City Resident

**From:** [Clark, Aubrey](#)  
**To:** [Roman, Amanda](#)  
**Cc:** [Norris, Nick](#); [Oktay, Michaela](#)  
**Subject:** Bird Friendly Glass  
**Date:** Thursday, April 6, 2023 5:16:06 PM  
**Attachments:** [image001.png](#)

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### Just received this in the MySLC portal:

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Hello, Council Member Dugan received the below email from a constituent and referred the constituent to planning. Council Member Dugan is interested in seeing bird friendly windows implemented at the new IHC building. Thanks!

From: Jeanne LeBer <[REDACTED]>  
Sent: Saturday, March 25, 2023 2:17 PM  
To: Dugan, Dan <[dan.dugan@slcgov.com](mailto:dan.dugan@slcgov.com)>  
Cc: Jeanne LeBer <[REDACTED]>; Linda Johnson <[REDACTED]>; GSLA Membership <[REDACTED]>; Barbara Brown <[REDACTED]>; Cooper Farr <[REDACTED]>; Christopher Merritt <[REDACTED]>  
Subject: (EXTERNAL) Who could we talk to about building with bird-friendly glass?

Dear Dan:  
Our Great Salt Lake Audubon Bird-window Collision Working Group recently talked with you about building with bird-friendly glass. We noted the hospital building being built on the old Sears property is still in the planning phases. (See link in email below from Linda Johnson.)

Can you suggest a contact person we could talk to about using bird-friendly glass in the structure.

Appreciate you getting back to us on this.

Let me know.  
Thanks.

Jeanne

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I am sure applicants don't want us giving out their info. What would the proper response be here?



Aubrey Clark | (*She/Her/Hers*)  
Administrative Assistant  
PLANNING DIVISION | SALT LAKE CITY CORPORATION  
Direct: (801) 535-7759 or Mobile: (385) 415-4701  
Email: [Aubrey.Clark@slcgov.com](mailto:Aubrey.Clark@slcgov.com)  
[WWW.SLC.GOV/PLANNING](http://WWW.SLC.GOV/PLANNING) [WWW.SLC.GOV](http://WWW.SLC.GOV)

Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

## **5) MAILING LIST**



OWN_FULL_NAME	OWN_ADDR	own_unit	OWN_CITY	OWN_STATOWN_ZIP
S & S ROBERTS INVESTMENTS, LTD	338 E SOUTHTEMPLE ST		SALT LAKE CITY	UT 84111
ADY-CHASE, LP	535 E FOURTH AVE		SALT LAKE CITY	UT 84103
QUALITY OIL COMPANY	4625 S 2300 E # 203		HOLLADAY	UT 84117
KEN GARFF ENTERPRISES, LLC	111 E BROADWAY ST		SALT LAKE CITY	UT 84111
TAYLOR AIR, LLC	PO BOX 3390		SALT LAKE CITY	UT 84110
700 SOUTH PARTNERS, LLC	180 N UNIVERSITY AVE		PROVO	UT 84601
AXIOM PROPERTIES III, LLC	PO BOX 3390		SALT LAKE CITY	UT 84110
HARRIS & HARRIS, LC	PO BOX 71979		SALT LAKE CITY	UT 84171
D STEVEN BREWSTER; DANA S BREWSTER (JT)	657 S MAIN ST		SALT LAKE CITY	UT 84111
THIRD RIVER REAL ESTATE CORPORATION	4701 N STONEHAVEN LOOP		LEHI	UT 84043
LOTUS WINTER, LLC	338 E SOUTHTEMPLE ST		SALT LAKE CITY	UT 84111
CITY GREEK LLC	PO BOX 520795		SALT LAKE CITY	UT 84152
DELUXE MANAGEMENT, INC	662 S STATE ST		SALT LAKE CITY	UT 84111
PEZELY, PROPERTIES LLC	1433 S CHANCELLOR WY		SALT LAKE CITY	UT 84108
BNOLLC	68 S MAIN ST # 200		SALT LAKE CITY	UT 84101
SINCLAIR REAL ESTATE COMPANY	PO BOX 30825		SALT LAKE CITY	UT 84130
CUP OF SUGAR INC	1383 E 2100 S		SALT LAKE CITY	UT 84105
STANLEY D SCHUBACH	PO BOX 128		SALT LAKE CITY	UT 84110
SHELTER THE HOMELESS COMMITTEE INC	242 W PARAMOUNT AVE		SALT LAKE CITY	UT 84115
AM TALBOT & SONS LLC	273 E SIXTH AVE		SALT LAKE CITY	UT 84103
700 GS, LLC	PO BOX 3390		SALT LAKE CITY	UT 84110
MOUNTAIN AMERICA FEDERAL CREDIT UNION	PO BOX 2331		SANDY	UT 84091
LOUIS A. MATE	1172 HWY 89		FISH HAVEN	ID 83287
FOOD ALLEY LLC	722 S STATE ST		SALT LAKE CITY	UT 84111
ALTAF H SIAL	777 S STATE ST		SALT LAKE CITY	UT 84111
WILLIAM B SUTTON	825 S MAIN ST		SALT LAKE CITY	UT 84111
DENA LLC	26 E 800 S		SALT LAKE CITY	UT 84111
NINTH STREET DEVELOPMENT, LLC	PO BOX 65809		SALT LAKE CITY	UT 84165
VINA ENTERPRISES LLC; SHERRY VINA	3751 S WASATCH BLVD		MILLCREEK	UT 84109
WILLIAM B SUTTON	823 S MAIN ST		SALT LAKE CITY	UT 84111
KIMWELL CORPORATION	1000 S MAIN ST # 104		SALT LAKE CITY	UT 84101
STORE CAPITAL ACQUISITIONS LLC	2410 LILLYVALE AVENUE		LOS ANGELES	CA 90032
WOLF BUILDING LLC	20 W CENTURY PARK WY		SOUTH SALT LAKE	UT 84115
LC SMGA HOLDINGS	801 S STATE ST		SALT LAKE CITY	UT 84111
GEORGE S CASSITY	801 S STATE ST		SALT LAKE CITY	UT 84111
Current Occupant	676 S MAIN ST		Salt Lake City	84101 UT
Current Occupant	18 W 700 S		Salt Lake City	84101 UT
Current Occupant	16 W 700 S		Salt Lake City	84101 UT
Current Occupant	690 S MAIN ST		Salt Lake City	84101 UT
Current Occupant	755 S RICHARDS ST		Salt Lake City	84101 UT
Current Occupant	750 S MAIN ST		Salt Lake City	84101 UT
Current Occupant	702 S MAIN ST		Salt Lake City	84101 UT
Current Occupant	16 W 800 S		Salt Lake City	84101 UT
Current Occupant	808 S MAIN ST		Salt Lake City	84101 UT
Current Occupant	659 S MAIN ST		Salt Lake City	84111 UT
Current Occupant	640 S STATE ST		Salt Lake City	84111 UT
Current Occupant	679 S MAIN ST		Salt Lake City	84111 UT
Current Occupant	29 E 700 S		Salt Lake City	84111 UT
Current Occupant	31 E 700 S		Salt Lake City	84111 UT
Current Occupant	43 E 700 S		Salt Lake City	84111 UT
Current Occupant	47 E 700 S		Salt Lake City	84111 UT
Current Occupant	61 E 700 S		Salt Lake City	84111 UT
Current Occupant	660 S STATE ST		Salt Lake City	84111 UT
Current Occupant	666 S STATE ST		Salt Lake City	84111 UT
Current Occupant	680 S STATE ST		Salt Lake City	84111 UT
Current Occupant	34 E EARDLEY PL		Salt Lake City	84111 UT
Current Occupant	49 E 700 S		Salt Lake City	84111 UT
Current Occupant	57 E 700 S		Salt Lake City	84111 UT
Current Occupant	665 S STATE ST		Salt Lake City	84111 UT
Current Occupant	675 S STATE ST		Salt Lake City	84111 UT

Current Occupant	131 E 700 S	Salt Lake City	84111	UT
Current Occupant	709 S MAIN ST	Salt Lake City	84111	UT
Current Occupant	36 E 700 S	Salt Lake City	84111	UT
Current Occupant	48 E 700 S	Salt Lake City	84111	UT
Current Occupant	56 E 700 S	Salt Lake City	84111	UT
Current Occupant	68 E 700 S	Salt Lake City	84111	UT
Current Occupant	728 S MAJOR ST	Salt Lake City	84111	UT
Current Occupant	725 S MAJOR ST	Salt Lake City	84111	UT
Current Occupant	735 S MAJOR ST	Salt Lake City	84111	UT
Current Occupant	739 S MAJOR ST	Salt Lake City	84111	UT
Current Occupant	730 S STATE ST	Salt Lake City	84111	UT
Current Occupant	748 S STATE ST	Salt Lake City	84111	UT
Current Occupant	62 E 700 S	Salt Lake City	84111	UT
Current Occupant	716 S STATE ST	Salt Lake City	84111	UT
Current Occupant	754 S STATE ST	Salt Lake City	84111	UT
Current Occupant	711 S STATE ST	Salt Lake City	84111	UT
Current Occupant	735 S STATE ST	Salt Lake City	84111	UT
Current Occupant	741 S STATE ST	Salt Lake City	84111	UT
Current Occupant	745 S STATE ST	Salt Lake City	84111	UT
Current Occupant	749 S STATE ST	Salt Lake City	84111	UT
Current Occupant	14 E 800 S	Salt Lake City	84111	UT
Current Occupant	56 E 800 S	Salt Lake City	84111	UT
Current Occupant	60 E 800 S	Salt Lake City	84111	UT
Current Occupant	827 S MAIN ST	Salt Lake City	84111	UT
Current Occupant	830 S STATE ST	Salt Lake City	84111	UT
Current Occupant	802 S STATE ST	Salt Lake City	84111	UT
Current Occupant	810 S STATE ST	Salt Lake City	84111	UT
Current Occupant	38 E 800 S	Salt Lake City	84111	UT
Current Occupant	833 S MAIN ST	Salt Lake City	84111	UT
Current Occupant	817 S STATE ST	Salt Lake City	84111	UT