

ADMINISTRATIVE HEARING STAFF REPORT

Utah Performing Arts Center Subdivision

Minor Subdivision Preliminary Plat

PLNSUB2013-00268

125 S. Main Street

Hearing date: June 13, 2013



Planning and Zoning
Division
Department of Community
Development

Applicant:

Stephen L. Swisher representing
Garfield Traub Swisher

Staff:

John Anderson (801) 535-7214
john.anderson@slcgov.com

Tax ID:

1606105002, 1606105003,
1606105004, 1606105028,
1606105029, 16061050301001,
16061050321001, 1606105044,
1606105045, 1606105046,
1606105058

Zone:

D-1 Central Business District

Master Plan:

Central Business District; Central
Community Future Land Use Map

Council District:

District 4, Luke Garrott

Community Council:

Downtown

Current Lot Size:

12 existing parcels making up 2.03
acres

Current Use:

Office and Retail

Applicable Land Use Regulations:

- 20.31 Subdivision Amendments
- 21A.30.020 D-1 Central Business District

Attachments:

- A. Preliminary Subdivision Plat
- B. Department/Division Comments
- C. Site Photographs

Request

Stephen L. Swisher, representing the architectural firm Garfield Traub Swisher, is requesting to combine twelve existing parcels located generally at the southeast corner of 100 South and Main Street and consisting of addresses 107 – 135 South Main Street into two lots. The request is being made to accommodate the development of the Utah Performing Arts Center (UPAC) and an adjacent office tower. The proposed development will require the demolition of multiple structures. The proposed minor subdivision is located in the D-1 Central Business District.

Staff Recommendation

Staff recommends that the Administrative Hearing Officer grant preliminary approval of the Utah Performing Arts Center Minor Subdivision as proposed, according to the findings and analysis in this staff report and the following conditions of approval:

1. A final subdivision plat application shall be filed with the Planning Division and the final plat shall be recorded with the Salt Lake County Recorder.
2. Applicant shall comply with all department/division requirements prior to the recording of this plat.
3. Permits required for the demolition of buildings located between 107- 135 South Main Street must be received prior to recordation.

Vicinity Map



Background

Project Description

The proposed minor subdivision is located generally at the southeast corner of 100 South and Main Street, consisting of twelve parcels between 107 & 135 South Main Street. The properties are all owned by either the Redevelopment Agency of Salt Lake City or by the Church of Jesus Christ of Latter-day Saints (LDS Church) through two companies Property Reserve Inc. and Suburban Reserve Inc. These properties all have frontage on Main Street, 100 South or on Regent Street.

The purpose of this proposed subdivision is to combine the twelve existing parcels into two lots, and to develop the site into the UPAC and an office tower. As proposed, Lot 1 which is 1.72 acres in size would have frontage on both Main Street and Regent Street and is the proposed site of the UPAC. Lot 2 which is the proposed site of an office tower is significantly smaller at 0.31 acres and occupies the actual corner at 100 South and Main Street. This lot has frontage on both 100 South and Main Street.

Several structures will need to be demolished in order to develop the UPAC and the accompanying office tower. Securing the required permits for their demolition should be a condition of approval.

The proposed subdivision amendment is located in the D-1 Central Business District. The lots created in the proposed subdivision must comply with the D-1 Central Business District standards.

Public Notice, Meetings, Comments

Notice of the public hearing for the proposal included:

- Public hearing notice mailed on June 31, 2013
- Sign posted on property on June 31, 2013
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on June 31, 2013.

Public Comments

Staff received no public comments about this proposal at the time of publication.

City Department Comments

The proposed subdivision was reviewed by the applicable City departments and divisions. The review comments have been attached to this report as Attachment B. None of the comments would preclude approval of the project but should be listed as conditions of approval. The applicant will need to submit a revised plat per City department's comments for final plat approval.

Analysis and Findings

Subdivision Amendment Standards for Approval

A subdivision amendment petition may be approved only if it meets the requirements specified in Section 20.31.090 of the Salt Lake City Code. The standards for approval are as follows:

A. The amendment will be in the best interests of the city.

Analysis: The purpose of the proposal is to combine twelve existing parcels into two lots that would allow for the development of the UPAC and an accompanying office tower. The new lots would conform to the zoning requirements for parcels located in the D-1 zoning district. The purpose statement of the zone supports commercial and economic development as well as entertainment and cultural facilities. This proposal would further the stated purpose statement of the zoning district.

Finding: Staff finds that the proposed minor subdivision will be in the best interests of the City.

B. All lots comply with all applicable zoning standards.

Analysis: Staff has reviewed the properties for compliance with all applicable Zoning Ordinance standards and found that they meet the minimum standards.

The D-1 Zoning District has the following yard and bulk regulations:

District	Minimum Lot Area	Maximum Lot Area	Minimum/Maximum Front and Corner Yard	Interior Side Yard	Minimum Rear Yard	Minimum Lot Width
D-1	None	None	0' minimum, 5' maximum	None	None	None

There are neither minimum nor maximum lot area or width limits in this district as well as no minimum setback requirements. There is a 5 foot maximum front and corner side yard requirement. The two lots as proposed at 0.31 and 1.72 acres, meet the limited yard and bulk regulations required in the zoning district. (See table above)

Though no specific lot width is required both lots will have frontage on two public streets. Lot 1 will have frontage along Main Street and Regent Street. Lot 2 will have frontage on 100 South and Main Street.

Finding: Staff finds that the proposed lots comply with the applicable zoning standards.

C. All necessary and required dedications are made.

Analysis: This proposal was reviewed by all applicable city divisions and departments. There were no requirements listed for any required dedications. Several easements including access easements from Regent Street and 200 South are shown on the plat. There is also an aerial easement labeled on the plat between Lots 1 and 2, which would allow a proposed office tower to extend towards the south over the UPAC.

Finding: Staff finds that this standard has been met as dedications are provided but no dedications are required.

D. Provisions for the construction of any required public improvements are included.

Analysis: The Engineering Division has indicated that public improvements will be required. Their comments indicated that a Subdivision Improvement Construction Agreement will be required. There will also be work conducting in the public way including canopies over the sidewalk along Main Street and doorway encroachments along Regent Street. Applicants will be required to work with Property Management to obtain approvals for the work.

Finding: Public improvements are required and a finalized agreement is a condition of approval.

E. The amendment complies with all applicable laws and regulations.

Analysis: The proposed minor subdivision has been reviewed by all pertinent city departments and divisions as to its adherence to applicable laws and regulations. No departments or divisions had objections to the request, subject to the conditions as discussed in the staff report.

Finding: Staff finds that the minor subdivision meets all applicable laws and regulations.

F. The amendment does not materially injure the public or any person and there is good cause for the amendment.

Analysis: No comments from the public have been received objecting to the proposal as of the publication of this staff report. The proposed subdivision complies with the standards of the zoning ordinance. The standards of the zoning ordinance provide existing property owners, and potential or future property owners, and tenants a basic understanding of what type of land uses and what types of development may occur in the area. With the proposal complying with the subdivision regulations, there is no other known evidence that indicates material injury to the public or any person.

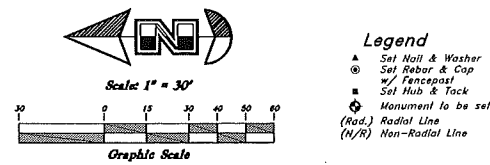
Finding: There is no evidence that the proposed minor subdivision will materially injure the public or any person and staff finds that there is good cause for the subdivision.

ATTACHMENT A

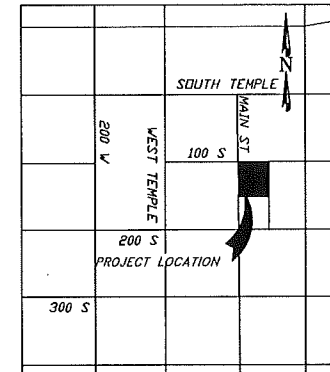
Preliminary Plat

Utah Performing Arts Center Subdivision

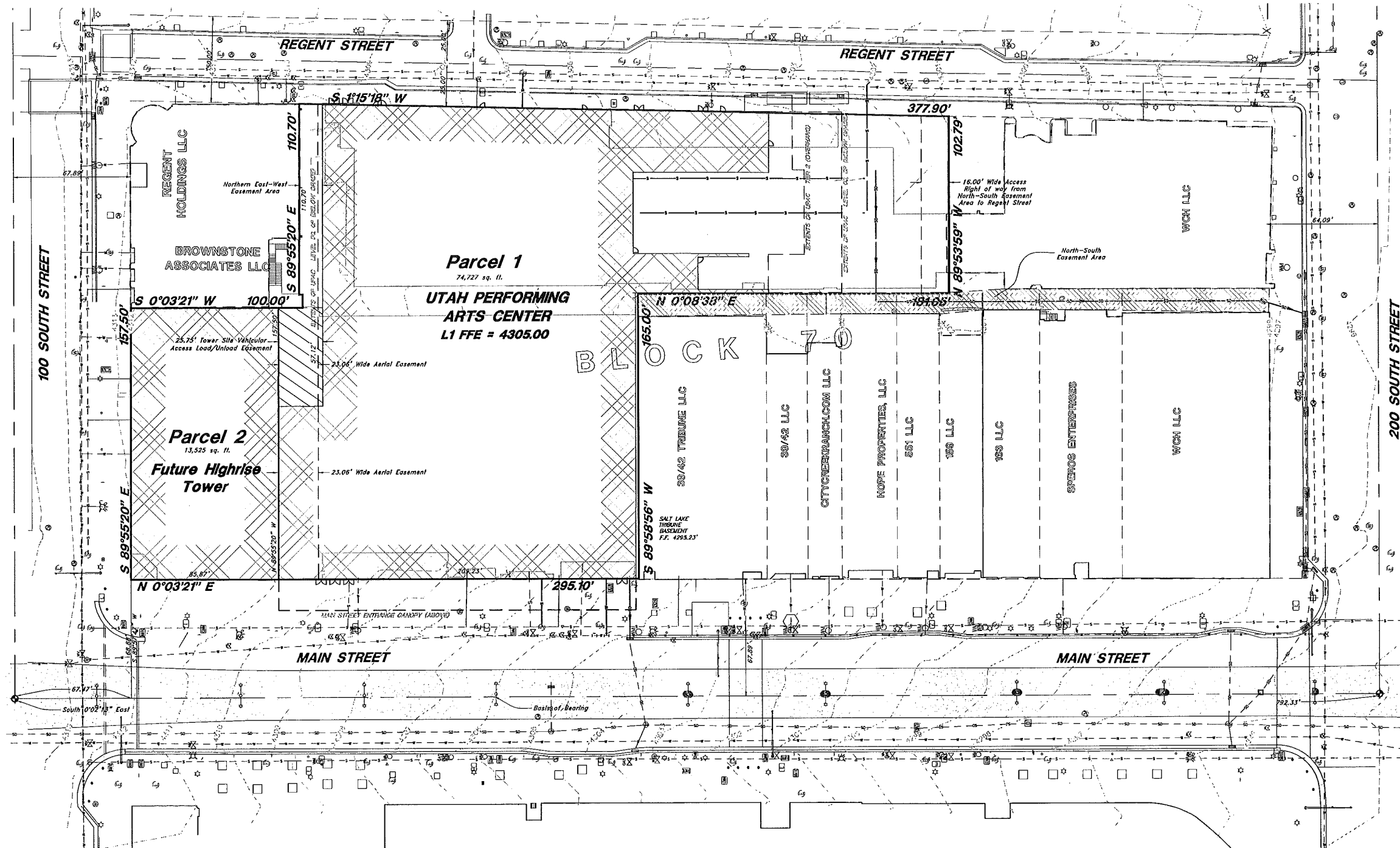
Preliminary Plan for
A part of Block 70, Plat "A",
Salt Lake City, Salt Lake County, Utah
04/2013



BENCHMARK:
100 South and Main Street 30.0' North of Center of Intersection
on Concrete Pad. Found 1" Copper Disk.
Elevation 4315.287



Vicinity Map N.T.S.



BOUNDARY DESCRIPTION
A part of Block 70 Plat A, Salt Lake City Survey:
Beginning at the intersection of the East right of way line of Main Street and the South right of way line of 100 South Street said point is 67.47 feet South 0°02'13" East along the centerline of main street, and 68.88 feet North 89°57'47" East from the intersection of 100 South Street and Main Street and running thence South 89°55'20" East 157.50 feet along said South right of way line of said 100 South Street; thence South 00°03'21" West 100.00 feet; thence South 89°55'20" East 7.50 feet; thence North 00°03'21" East 2.00 feet; thence South 89°52'21" East 110.70 feet to the West right of way line of Regent Street; thence South 01°15'18" West 377.90 feet along said West right of way line; thence North 89°53'59" West 102.79 feet; thence North 00°03'21" East 181.05 feet; thence South 89°58'56" West 165.00 feet to said East right of way line of said Main Street; thence North 00°03'21" East 295.10 feet along said East right of way line to the point of beginning.
Less & Except all that volume of space which lies above an elevation of 4320.28 feet, as measured vertically from the National Geodetic Vertical Datum 1929, (NGVD 29) using Salt Lake City NGVD 29 benchmark #1328 described page 2 elevation 4312.487, formed by projecting vertically upwards the following boundary: beg South 01°15'19" W 98.02 feet from the Northeast corner of Lot 6, block 70, Plat A, Salt Lake City Survey; and running thence South 01°15'19" West 15 feet; thence North 89°55'12" West 78.06 feet; thence North 15 feet; thence South 89°55'12" East 78.39 feet to the point of beginning.
Contains 88,252 square feet or 2.026 acres.

NOTE:
1. Existing property is currently platted in the Salt Lake County recorder's office as Part of Block 70, Plat A: Parcel #s 1606105002, 1606105003, 1606105004, 1606105028, 1606105029, 1606105030, 1606105031, 1606105032, 1606105033, 1606105034, 1606105044, 1606105045, 1606105046, 1606105058.
2. The intent of this development is to allow combine the existing parcels and allow for new buildings to be constructed on the proposed lots.
3. Property is located in the D-1 Zone with Downtown Main Street Core Overlay.

ZONING CLASSIFICATION

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

A. Purpose Statement: The purpose of the D-1 central business district is to provide for commercial and economic development within Salt Lake City's most urban and intense areas. A broad range of uses, including very high density housing, are intended to foster a twenty four (24) hour activity environment consistent with the area's function as the business, office, retail, entertainment, cultural and tourist center of the region. Development is intended to be very intense with high lot coverage and large buildings that are placed close together while being oriented towards the pedestrian with a strong emphasis on a safe and attractive streetscape and preserving the urban nature of the downtown area. This district is appropriate in areas where supported by applicable master plans. The standards are intended to achieve established objectives for urban design, pedestrian amenities and land use control.

Information obtained from:
http://www.sterlingcodifiers.com/codebook/index.php?book_id=672

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Preliminary Development Plan
Utah Performing Arts Center Subdivision

09 Apr, 2013

SHEET NO.
C1

12H911-PRELIM

ATTACHMENT B
Department/Division Comments

Police Review

No comments

Public Utilities—Justin Stoker (801)483-6786

I have reviewed the proposal and found that the proposed area has 11 water services, several of those are fire services into the subject area. There are also a number of sanitary sewer laterals to the property from Main Street, 100 South and Regent Street. Any unused sewer lines will need to be cut, capped and blocked at the property line. Any lines effected by building demolition would also need to be temporarily killed while the building is demolished. Sewer services in good condition may be reused if they are appropriately sized when the new building is constructed.

City code only allows a single culinary water service and fire service. Extra water services must be killed at the main. During demolition, all water services that are going to be reused need to be cut back and killed at the meter.

In all, we have no comment on the plat itself, but by finalizing the plat a number of service changes will need to take place. Civil engineering demo and improvement plans should be prepared and submitted for review prior to demo of the building.

Zoning Review—Ken Brown (801)535-6179

Provided any public way encroachments are worked out with Property Management and exterior wall openings relative to property lines have been worked out with the building code, Building Services has no issue with this subdivision proposal.

Building—Kenneth Anderson (801)535-6624

No comments

Transportation Review—Barry Walsh (801)535-6630

The plan indicates no change to existing public transportation right of way corridors of Main Street, 100 South, or Regent Street. There is the noted Main Street entrance canopy, not defined, and the doorway encroachments show with all doors swinging out into the public ROW that may be misleading, to be addressed by Property Management

Engineering Review- Scott Weiler (801)535-6159

Redlined drawings have been forwarded.

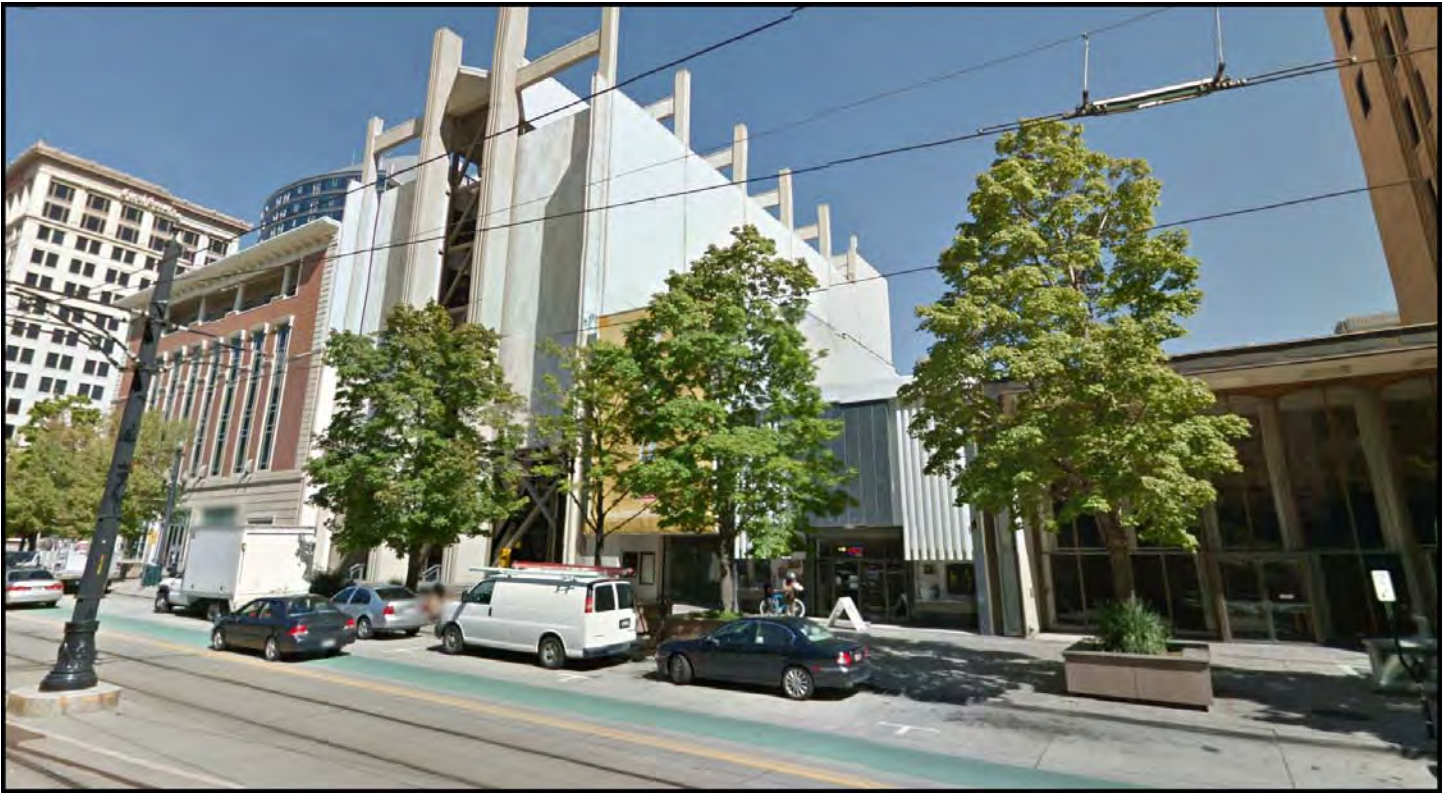
Since this project involves a subdivision plat and public way improvements, the applicant (RDA) will have to execute a Subdivision Improvement Construction Agreement, provide me a security device (bond, letter of credit, cash escrow agreement or cash deposit), provide insurance, and pay a fee to SLC Corporation. It is my understanding that Justin Belliveau has already been advised of this by Boyd Ferguson (SLC Attorney's office). As the project plans progress, we will know more of the impact this will have on the public way of Main Street, 100 South and Regent Street.

Fire Review

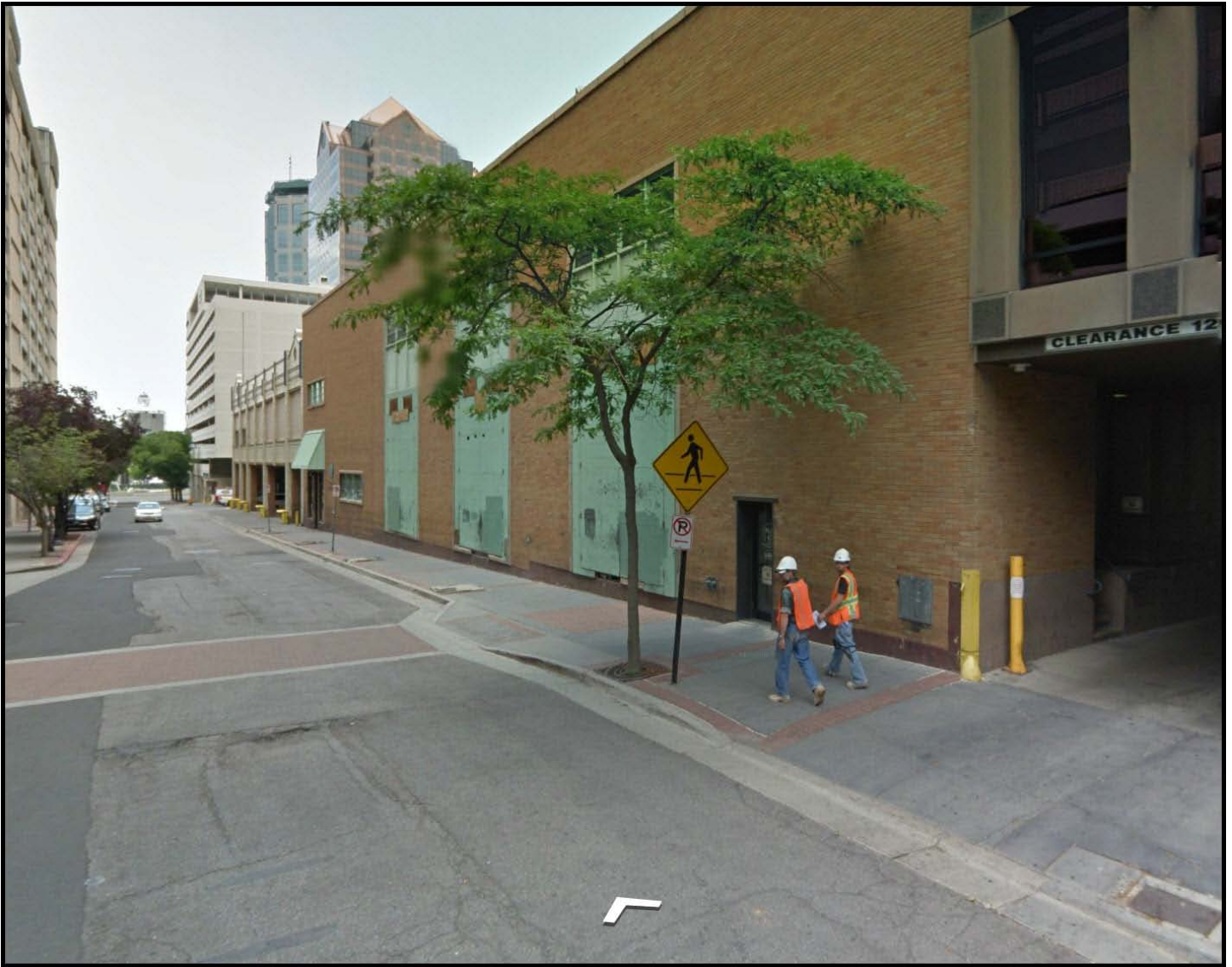
No comments

ATTACHMENT C

Site Photographs



Area of the proposed subdivision looking towards the east.



Looking south on Regent Street, the area of the proposed subdivision is on the right side of the photograph.