

**SALT LAKE CITY
PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, December 12, 2007**

Present for the Planning Commission meeting were Chairperson Matthew Wirthlin, Vice Chair Mary Woodhead, and Commissioners Frank Algarin, Tim Chambless, Babs De Lay, Peggy McDonough, Susie McHugh, Prescott Muir, and Kathy Scott. Commissioner Robert Forbis was excused from the meeting.

Present from the Planning Division were George Shaw, Planning Director; Kevin LoPiccolo, Planning Manager; Marilyn Lewis, Principal Planner, Michael Maloy, Principal Planner, Nole Walkingshaw, Zoning Administrator, and Cecily Zuck, Senior Secretary. Staff from additional City departments included: Laura Kirwan, City attorney, and Kevin Young, Transportation.

A roll is being kept of all who attended the Planning Commission Meeting. Chairperson Wirthlin called the meeting to order at 5:46 p.m. Audio recordings of Planning Commission meetings are retained in the Planning Office for an indefinite period of time.

A field trip was held prior to the meeting. Planning Commissioners present were: Frank Algarin, Tim Chambless, Kathy Scott, Prescott Muir, and Chairperson Matthew Wirthlin. Planning Staff present were: Doug Wheelwright, Marilyn Lewis, Michael Maloy and Nole Walkingshaw.

APPROVAL OF MINUTES FROM WEDNESDAY, November 28, 2007

(This item was heard at 5:46 p.m.)

Chairperson Wirthlin noted that there had been technical problems regarding the recording of the November 28, 2007 meeting. He stated that Commissioner Forbis had submitted corrections and additional materials to be included with the record. Chairperson Wirthlin noted his concern that the motion regarding the Riparian Overlay would not reflect the laborious changes that the Planning Commission made to the ordinance that evening, and therefore, was in favor of approving the minutes subject to the aforementioned additional changes submitted by Commissioner Forbis in addition to supplemental information from Marilyn Lewis, staff representative for the Riparian Overlay petition.

Commissioner McHugh noted a mistake on page eight and requested a correction.

Commissioner Muir noted that he recalled the addition of another condition to the Riparian Overlay Motion; to amend language which would enable citizens residing in Zone A of the Overlay to install a patio. Commissioner Muir noted that the amendment would be to eliminate the patio option and allow minimal staircases for maintenance purposes only.

Chairperson Wirthlin, Commissioner McDonough and Commissioner McHugh all noted that they remembered that amendment and would have that included in the motion.

Chairperson Wirthlin suggested that Ms. Lewis help to make these amendments to the motion and then email the draft to the Commissioners for review.

Commissioner McHugh made a motion to approve the minutes with noted corrections, and subject to the staff planner's notes regarding the Riparian Overlay. Commissioner McDonough seconded the motion. Commissioner Algarin abstained from the vote. All others voted, "Aye", the motion carried unanimously.

REPORT OF THE CHAIR AND VICE CHAIR

(This item was heard at 5:50 p.m.)

Chairperson Wirthlin noted that this was the last meeting in which Mr. Ross C. Anderson would be the presiding mayor of Salt Lake City. Chairperson Wirthlin stated that he and Vice Chairperson Woodhead would be meeting with the new mayor elect, Ralph Becker and the Chair and Vice Chair of the City Council in the New Year.

REPORT OF THE DIRECTOR

(This item was heard at 5:50 p.m.)

Mr. Shaw noted that there were no items at this time.

ISSUES ONLY PUBLIC HEARING

Petition No's. 410-07-32, 490-07-49, 400-07-25, 300 West Town Center—Chad Nielson, Project Manager with CLC Associates, has proposed development of a 210,600 ± square foot commercial retail goods and services center located approximately at 1120 South 300 West. The applicant is requesting conditional use approval to develop the center as a planned development in order to modify landscape and signage standards. The applicant also proposes to record a subdivision that would combine 20 parcels encompassing 18.3 ± acres into 7 parcels. Additionally, the applicant is requesting closure of a public alley located immediately north and adjacent to 338, 340, 344, 352, and 356 W Paxton Ave (1170 S), which is within the project boundaries. The proposed development is in the CG General Commercial District. As this is an Issues Only public hearing, no final development decision will be made by the Planning Commission at this meeting (Staff—Michael Maloy at 535-7118 or michael.maloy@slcgov.com).

(This item was heard at 5:51 p.m.)

Chairperson Wirthlin recognized Michael Maloy as staff representative.

Mr. Maloy noted that all of the intended uses the applicant had applied for were permitted uses within the CG (General Commercial) Zoning District. He stated that the reason the Planned Development petition was before the Planning Commission was to review modifications to the landscaping, buffering options, and signage requirements within the ordinance. Mr. Maloy noted that he had received a rather favorable response to the proposed development from individuals present at an open house held regarding the petitions. He stated that he had received no comments from the affected Community Council. Mr. Maloy noted that staff was particularly interested in the response of the Planning Commission at this Issues Only Hearing.

Commissioner De Lay noted that these petitions had gone through a subcommittee.

Mr. Maloy noted that the subcommittee had raised some concerns regarding the transportation impact and that a transportation impact analysis had been performed; but no formal recommendation had been forwarded at this time. Mr. Maloy noted that in particular, the reconstruction on 300 West was of concern.

Commissioner Scott noted her concern regarding the parcel on the south side of Paxton Street and how it would be affected.

Mr. Maloy noted that the development would initially use this parcel as part of the surface level parking lot, but if the market were to change, it might be used as a retail pad.

Commissioner Wirthlin invited the applicants forward to speak at 5:59 p.m.

Chad Nielsen, the project manager from CLC Associates, and Steve Schoflick from Miller Weingard, the developer were present.

Mr. Schoflick noted that the parcel to the south was currently being envisioned as a parking lot, and ultimately it could be converted into a building for retail use based upon a variety of factors.

Mr. Nielsen noted that the Planned Development application had been created with the intent of enhancing the overall site regarding the landscaping and signage.

Vice Chairperson Woodhead noted her concern regarding the proposed additional parking south of Paxton Street and the removal of the existing businesses could be considered a detriment to the community-at-large.

Mr. Nielsen noted that they felt the additional parking to be a necessity as the applicant was a major retailer and felt that the ordinance requirements were not sufficient to meet their needs. He stated that those businesses would be relocated to the larger parcel to the North of the development and for the amount of density being created; there would be insufficient parking without the additional overflow on the south parcel.

Commissioner McHugh noted her concern regarding the alley closure, and inquired what benefit a partial alley closure would garner them.

Mr. Maloy stated that the parcel on the southeast corner of the development was not a part of the project and a full closure would affect their business. Mr. Maloy noted that the applicant changed their plan based upon this fact, and the initial response from the City Transportation department indicated that even an abutting property owner did not sign the petition, a complete closure could still be considered; however, Mr. Maloy stated that the applicant had petitioned for a partial closure to aid this owner.

Chairperson Wirthlin opened the floor to public comment at 6:03 p.m.

Margrit Schneider, 1180 South 400 West, adjoining property owner, noted that she was concerned regarding how the project would affect traffic on 400 West and Paxton Avenue, and if there would be any transportation construction changes affecting her business. Ms. Schnieder noted that she was particularly concerned with a rumor regarding the possible construction of a median on 1300 South. She noted that the southwest corner of the proposed site plan was not clear; it could be a fence or landscaping, and she requested clarification.

Chairperson Wirthlin closed the public portion of the Issues Only hearing at 6:06 p.m.

Chairperson Wirthlin recognized Kevin Young from the Transportation department to address traffic concerns.

Mr. Young noted that these concerns were being addressed in the traffic report, particularly the intersections of 1300 South and 300 West, and 900 South and 300 West. Mr. Young noted that the biggest concern in the area was the existing freeway entrance, with a number of signals existing in close proximity to one another. He stated that the issue at 1300 South 400 West was in regards to a median, and with proximity to freeway access, was that those Westbound on 1300 South were in danger, and that this traffic movement may need to be prevented in the future by the placement of a median or island. Mr. Young noted that the City would be discussing these issues with UDOT, and wanted to look at the freeway issues in more detail, but no specific decision had been made yet. Mr. Young noted that sometimes traffic conditions and safety issues dictated the placement of these islands or medians.

Commissioner De Lay noted that she would like to see what the primary route for the retail delivery traffic would be within the development area.

Dr. Joel Perrin, the applicant's traffic consultant was present to answer Commissioner De Lay's inquiry. Mr. Perrin noted that the expected route for incoming deliveries would be to exit the freeway onto 300 West, into the back of the development which would include truck access and docks and then onto 400 West and back to the freeway.

Commissioner Chambless inquired if City Transportation was envisioning the creation of a left hand turn arrow and a right hand turn lane at 300 West and when would the decision be made regarding the traffic study.

Mr. Young noted that the traffic report had proposed that an upgraded signal be installed at the intersection, but more analysis would be necessary to see if this option was warranted. Mr. Young noted that there was currently a two-way left turn; however, a separate right-turn lane may be warranted. Mr. Young noted that the report would probably be reviewed and considered prior to Christmas.

Chairperson Wirthlin inquired about the sign proposal for the development.

Mr. Maloy noted that the sign proposal included in the staff report was fairly generic, but if desired by the Commission, it could be creatively addressed through the sign plan in the future.

Vice Chairperson Woodhead noted her interest in the landscaping options, particularly trees located in the parking lot.

Mr. Schofflick presented an updated landscaping plan to the Commission which included a large number of additional trees within the parking lot.

Vice Chairperson Woodhead expressed her approval of the proposed landscape improvement.

Commissioner Muir noted that Councilwoman Nancy Saxton had hosted a tour regarding the pedestrian issues surrounding the existing Wal-Mart on 300 West. He stated that the extremely limited sidewalk access in that area was of critical concern and that the Commission ought not to make the same oversight with this proposed development.

Chairperson Wirthlin closed the public hearing portion of the meeting at 6:17 p.m.

Commissioner De Lay noted her concern regarding the development's proximity to TRAX and pedestrian foot traffic.

Commissioner McDonough inquired of Mr. Maloy if there were notes from the original subcommittee meeting regarding this development and if they could be included in the final staff report.

Mr. Maloy noted that he did have notes and would include them. He stated that staff had not only discussed the impact this development would create and how it might be mitigated, but also the disturbance that would be created through the construction process, particularly to the surrounding property and business owners.

Chairperson Wirthlin noted that the purpose of the Issues Only Hearing was to provide additional direction for the applicant prior to the next hearing so the applicant may respond appropriately. He asked the Commission if they had any concerns in addition to what had already been raised during the discussion.

Seeing no further comments, Chairperson Wirthlin closed this item of the Issues Only Hearing at 6:19 p.m.

City Creek Center—the Salt Lake City Planning Commission is reviewing requests by City Creek Center Reserve, Inc. (CCRI) requesting approval for the City Creek Center, a mixed-use development on approximately twenty-five acres generally located between West Temple and 200 East, from South Temple to 100 South. As this is an Issues Only public hearing, no final development decisions will be made by the Planning Commission at this meeting. The specific requests include:

Petition 410-06-38—a request for planned development approval for overall site plan and design approval, including a request for approval of a proposed skybridge over Main Street at approximately 50 South Main Street;

Petition 410-07-44—a request for Conditional Use approval for property located at approximately 50 East 100 South, to: allow construction of a building that would be approximately two hundred sixty-four feet (264') tall, which would exceed the D-1 Central Business District maximum building height regulation of one hundred feet (100') for a mid-block building. This request is in addition to the previous Planning Commission approvals to allow adjustments in building height at other locations within the City Creek Center development. Allow a portion of the building façade to be setback approximately fifteen feet (15') from the front property line, which would exceed the D-1 Central Business District maximum front yard setback regulation of five feet (5'). The proposed development is located in the D-1 Central Business District (Staff—Joel Paterson 535-6141 or joel.paterson@slcgov.com and Doug Dansie 535-6182 or doug.dansie@slcgov.com).

(This item was heard at 6:20 p.m.)

A copy of the presentation given by CCRI during this portion of the meeting is available with the record of the minutes in the Salt Lake City Planning office.

Chairperson Wirthlin recognized George Shaw as staff representative in Mr. Paterson's absence.

Mr. Shaw noted that two applications had been submitted; one for approval of the overall site plan development and skybridge proposal, and the second, regarding conditional use approval for additional mid-block building height and setbacks within the development. He noted that an open house had been held on November 29, 2007, regarding these petitions. Mr. Shaw stated that the Commission had a list of concerns raised during the open house as well as staff issues raised with the submittal. He noted that several attachments had been included; the Master Plan Amendment approved by the City Council regarding the skybridge design review and approval, and notes made by the Planning Commission in regards to each of the standards outlined in the Downtown Master Plan. Mr. Shaw noted that the last attachment included with the staff report was the complete submittal by PRI/CCRI for the Planned Development. Mr. Shaw noted that this was an Issues Only Hearing and asked that the Planning Commission add concerns to those already raised by staff and through previous hearings, or delete from their lists the concerns that were answered during the current hearing.

Chairperson Wirthlin invited the applicant forward to speak at 6:23 p.m.

Mark Gibbons and Alan Sullivan, both with CCRI, Bill Williams, Director of architecture, Grant Thomas, Director of construction, Dale Bills, Director of public affairs, Bruce Heckman, counsel for the applicants, Ron Locke, and Neil Schultz, from the Taubman Company, were present.

Mr. Gibbons noted that there were also representatives present from two of the proposed City Creek anchors; Paul Schmidt from Nordstrom, and Robert Cochran and Adam Smith from Macy's, if the Planning Commission wished to address them.

Mr. Sullivan noted that there were three matters before the Planning Commission. He stated that the first matter was the application for Planned Development approval which included an embedded conditional use request for additional mid-block building heights on Block 75. Mr. Sullivan stated that the second request was for a partial street closure relating to the air rights over Main Street where the proposed sky bridge would be located. He stated that the third request was for a favorable recommendation from the Planning Commission with respect to their compliance with the skybridge standards appearing in the amendments to the Downtown Master Plan approved by the City Council.

Mr. Sullivan noted that the Planning Commission should keep in mind two documents regarding zoning standards when reviewing these requests; *CCRI's Compliance with Development Standards*, a document

outlining the standards that the proposed development complied with according to the Salt Lake City Zoning Ordinance, and the Downtown Master Plan Amendment adopted by City Council. Mr. Sullivan noted that CCRI wished to show the Commission why they believed the project complied with these development standards and respective ordinances. Mr. Sullivan noted that the desire of CCRI would be to bring these issues to a final vote on January 9, 2008.

Mr. Williams gave the Planning Commission a presentation regarding the Planned Development Application. He reviewed the changes to the overall site plan including: the distribution of uses, noting that the proposal called for 1,400,000 square feet of office space, 850,000 square feet of retail, 650 residential units and 5,000 on-site underground parking stalls.

Mr. Williams noted that the new proposal included the alignment of Regent Street with the Gallivan Center, better alignments off of State Street, the general opening of interior pedestrian corridors within the development, a new adjacent use to the Qwest Building, which would include the possibility of a restaurant. Mr. Williams noted that all active retail uses had proposed entrances with access to the exterior of the development. Mr. Williams noted that this proposal, with new entrances located street side, would create a mixed use development which would contribute to an active, vibrant Downtown streetscape. He stated that these changes promoted there being no backside to the development, with active uses on all street faces.

Mr. Williams stated that the proposal would also preserve existing structures such as the Crandall and McIntyre Building and the First Security or Deseret Trust Building.

He noted that the proposed development was one of fifty projects in the country pursuing an application for new development LEED Certification. Mr. Williams also noted that the residential towers would also obtain LEED Certification for new construction.

Mr. Williams stated that Tower 4 was no longer 218 feet in height, but had been reduced in the proposal to slightly over 100 feet in height; this change would allow a little more light into the interior of the development and onto Temple Square.

He stated that Tower 5 would be approximately 265 feet high, twenty stories, with about 160 residential units. Mr. Williams reviewed illustrations of the proposed entrance, façade with retail and a restaurant which would reside on the west side of the Qwest building. Mr. Williams noted that the entrance to the residential units would be set back to give the mini anchor below more of a streetscape presence, and the applicants were requesting a 15' setback from the street to create an outdoor dining plaza for the proposed restaurant.

Mr. Williams reviewed the proposed West Temple, South Temple, and 100 South in street ramps and enhanced pedestrian connectors.

Mr. Williams presented illustrations of the proposed development block faces and streetscapes. Mr. Williams noted that there were lots of uses within the streetscapes on South Temple and Main Street particularly; including vents and mechanical vaults, and to this end, CCRI wished to improve the incorporation of these elements to create a cohesive design. Mr. Williams noted that they wished to double the tree canopy on the sidewalks and introduce other innovative developments such as mirroring public 'rooms' created on the interior of the development on Main Street by accent planting and bulbing out the curb in areas. Mr. Williams noted that they were using the Salt Lake standard of brick and concrete on all of the surrounding streets and the standard on Main Street of granite pavers.

Mr. Locke was present to discuss the urban design and planning goals originally reviewed regarding the development. He noted that these included: integrating the development into the City's grid system and creating multiple links relating to Main Street, respecting the existing view corridors along Main Street, enlivening Main Street and adjacent streets in the Central Business District, create stronger connectivity with existing office, residential developments, and other adjacent uses, open up the blocks by creating

porosity, create new vistas and sight lines, create smaller blocks with shorter walking distances for easier navigation of the downtown area, strengthening connectivity and removing physical barriers.

Mr. Locke noted that they hoped to illustrate tonight that the development would not cut off access to Main Street and would be lined with retail and restaurants with sidewalk dining. Mr. Locke noted that there had been concerns regarding pedestrians being trapped within the developments and the applicants wished to illustrate how porous it would be, not only in the vertical planes but in the horizontal as well.

Mr. Locke noted that there was a desire on the part of the developers to improve circulation on the North/South corridors of the development and to aid local businesses. He stated that by proper planning the developers were predicting a critical mass of ten to twelve million people per year, which would help in the promotion of a successful downtown.

He stated all areas of development in City Creek would be front facing towards the exterior streets and sidewalks.

Mr. Locke noted that the proposed skybridge should be of minimal impact and hopefully create new views of Ensign Peak, becoming a focal attribute and meeting place for individuals in the area.

Mr. Locke reviewed slides which noted that the City Creek development did not control all properties within the two blocks. He also reviewed slides which indicated the increased porosity that the proposed development would contribute including outward facing entryways and uses.

He stated that the two proposed mini anchors would also be two levels of retail similar to the two main anchors: Nordstrom and Macy's.

Mr. Locke presented slides reviewing the project's circulation and connectivity within the development and with the development's exterior. He noted that elevators would access the two levels of retail as well as the four levels of below ground parking. Mr. Locke stated that the development needed to be competitive with regional centers to draw that critical mass of people to the downtown area and therefore wished to be extremely accessible and convenient to the average pedestrian.

Mr. Locke reviewed the applicants logic in creating the pedestrian bridge across Main Street noting that it would create: continuity, synergy, and promote critical mass between the two blocks, as well as ensure the success of upper level tenants, and create a safe and convenient pass over Main Street and TRAX.

Mr. Locke noted that alternative proposals had been considered to the current proposal with the skybridge including: retail on one block only on two levels, retail on one level on both blocks, or retail primarily located on one block but with smaller uses located on the second block. Mr. Locke also noted the possibility of a tunnel underneath Main Street or a Main Street closure had been explored. He stated that none of the retail proposals were viable for critical mass and regional draw to the Downtown area. He stated that the idea of creating a Main Street tunnel was very difficult with the number of Utilities located under Main Street as well as the infrastructure and other underground factors.

Mr. Locke reviewed the proposed pedestrian bridge design. He noted that CCRI had asked several questions regarding the design, specifically; did the bridge need to be a strong architectural statement or less obtrusive, and noted that the architects kept returning to an example from Portland Oregon which was enclosed and fairly unobtrusive in character. Mr. Locke presented a photo example from Portland which demonstrated that even without leaves on the trees the view of the bridge was obscured from the street.

He noted that the strongest concern which CCRI had heard from the community was to minimize the impact upon the view corridor. Mr. Locke noted that the bridge also needed to meet specific specs including necessary clearances for the TRAX stations and platforms, and that the bridge must be

enclosed to prevent items from being dropped onto the train and tracks below, and eliminate the risk of electrical shock due to dangling objects onto the wires below.

Mr. Locke noted that the developers also felt that enclosing the bridge was necessary, not only to prevent liability issues with the existing TRAX lines below the proposed connector but to also provide internal continuity and weather control, preventing wind shear.

Mr. Locke reviewed slides showing renderings of possible options for the proposed sky bridge. He noted that his development group had held a work session with local design professionals about two weeks prior to this hearing and a couple of ideas had arisen from that session which CCRI was currently reviewing. He stated that if any of these ideas proved viable, CCRI would return with a revised plan on January 9, 2008.

Mr. Locke presented several slides revisiting proposed streetscapes, retail frontage and elevations. He noted that the proposed Macy's store front would retain the ZCMI façade and exterior elements such as the signage and canopies would not alter that façade.

Mr. Sullivan noted that he wished to make four points in summation: One, it was hopefully apparent that an enormous amount of thought went into the planned development in terms of its detail, and the developers had listened carefully to the concerns and comments raised by the Commission and community at large. Two, CCRI had begun thirteen months ago dismantling the core of Downtown and still had 5,000 daytime employees who were concerned regarding the issue of reassembling the City as swiftly and orderly as possible. Three, CCRI would hope that the detail and compliance with the City ordinances as expressed during the presentations to the Commission were proper representations of why the development should be approved. Four, in terms of the approval process for the pedestrian skybridge as apposed to the approval of the planned development application, the suggestion Mr. Gibbons made to the Planning Commission was to approve the Planned Development Application conditioned upon the City Council's approval of the bridge, and in that manner, CCRI would be able to move forward with the project in a timely manner toward the completion of the project.

Chairperson Wirthlin thanked the applicants for their thorough presentation and opened the floor to the public at 7:34 p.m.

Jackson Rose, 853 West 700 North, noted that he would like to see this development go forward for the good of the whole City, but did not agree with the skybridge. He noted that Brigham Young developed the City East to West and North to South and had intended for particular views to be preserved.

Jim Webster, 938 Military Drive, noted that he attended the open house and was pleased to see the positive changes to the development application. He stated that he felt it to be much more accessible, and open to Downtown. With respect to the skybridge, Mr. Webster noted that if the City had not allowed the Crossroads developer to tear down the Constitution building, he would remain opposed to the skybridge. He stated that the alternative would be to cross on grade, and both options would have downsides. He made an example of the Eccles Bridge at the University of Utah, and stated that he felt it was unfortunate that CCRI was not considering a similar open air option.

Commissioner Chambless inquired of Mr. Webster if there had been any incidents with the open bridge at the University, as TRAX passed underneath that bridge as well.

Mr. Webster noted that he had spoken with Eric Browning, on the University of Utah's campus planning staff, who stated that there had not been any concerns or problems with the bridge, and Mr. Browning noted that the only concern had been from UTA regarding their approval as a safer crossing for pedestrians in that area. Mr. Webster submitted two photographs for the record at this time.

Cindy Cromer, 816 East 100 South, noted that she was pleased with the study given to the Commission from CCRI. She noted her concerns with the amount of shadows falling on Temple Square, but noted her pleasure that the developers were deleting the extension of the Social Hall underground passage way.

Ms. Cromer noted that she was concerned that parking was not attached to any particular building, and was concerned how existing uses would survive during the construction phase. She stated that there had been the discussion of a possible design currence involving local people, but generally, she was concerned regarding the behavior of people in the development and how the sky bridge would affect internal circulation. She also stated that she felt the ZCMI façade was being treated like a postage stamp attached to another building and did not feel this would be considered good preservation.

Richard Markosian, 764 Wilson Avenue, noted his concern regarding City Creek becoming another Gateway. He stated that it would be full of national chain stores, devoid of local character and noted his concerns that south end merchants would not see the development benefits. He stated that he had spoken with local merchants in the area as an independent filmmaker and had noted that many of the merchants felt that developments within the past fifty years in the downtown area had been disastrous to local businesses, and none of the merchants wanted mechanisms put in place to keep customers trapped in the proposed project.

Jay Christianson, 1334 East 100 South, stated that he had designed his own proposal for the skybridge and shared his design with the Commission. Mr. Christianson noted that he had asked students at the University of Utah for input regarding the skybridge proposal. He shared their comments and responses, all positive, with the Commission and submitted his drawing for the record. Mr. Christianson noted that he had spoken with the architect at Callison who noted that the bridge needed to be enclosed as dictated by UTA, but Mr. Christianson noted his concern that the bridge should be a unique attribute and not simply an overpass.

Stephen Goldsmith, 3179 Sagebrush Circle, noted that the concept of creating such a mixed use development had been five years in the making. He expressed thanks to the Planning Commission in pushing design concerns forward with vigilance. Mr. Goldsmith stated that some of his concerns which remained unaddressed were some of the ADA concerns such as if there were individuals in wheelchairs, how those individuals would navigate the grand staircase.

Chairperson Wirthlin invited Community Council Chairs present to speak to the petition at 7:55 p.m.

Seeing no Community Council Chairs present to speak to the issue he closed the public comment portion of the hearing.

Chairperson Wirthlin invited the applicants forward to respond to the public comments.

Mr. Sullivan noted that he would first respond to the desire for more openness in the design of the sky bridge; he stated that there was a significant difference in the usage of a bridge with 14 million visitors a year and other uses. He noted that this was a critical part of the safety concern. He noted that with reference to parking, a question had been raised in reference to downtown merchants, and Mr. Sullivan noted that the development had far exceeded minimum standards with 5,000 stalls on block and 4,000 stalls on adjacent blocks for all individuals wishing to enjoy the Downtown area. He noted from his own experience the positive comments of three local tenants: the Stringham Family (Utah Woolen Mills), Benion Jewelers and the Shapiro Family.

Chairperson Wirthlin brought the petition back to the Commission for discussion at 7:58 p.m.

Commissioner Scott noted that she wished to have a copy of the slide containing apertures opening to the outside of the development.

Mr. Locke noted that they could provide a copy for the Commission.

Commissioner De Lay noted that based upon the retail developments, she was concerned that there would be gyms, pools and spas, or other such amenities for residents. She also noted her concern regarding whether or not animals would be allowed and where their recreation/restroom area would be located. She noted that she felt that the view corridor downtown is already gone because of TRAX and

she would have no problem with an enclosed structure. She invited CCRI to create a design contest regarding the bridge, open to members of the community. Commissioner De Lay noted her concerns that she did not see any public art envisioned in any of the common spaces. Commissioner De Lay stated that she was also concerned regarding ADA accessibility. She stated that she also wondered if the UTA requirement that the bridge be covered was not more of a suggestion for safety reasons.

Mr. Sullivan noted that each residential tower would have a common space for gatherings and parties and each would also have their own exercise facility. Mr. Sullivan noted that there would also be a large common area on top of the retail use adjacent to the rental housing on Block 76.

Mr. Sullivan noted that there had not been a particular area assigned for a dog park; however, the proposed development did include several pet friendly retail centers, dog comfort stations and green areas.

Mr. Sullivan noted that they would provide slides in the next presentation indicating how the development did meet ADA requirements. He noted that with any 18' grade change, such as with the grand staircase, an adjacent elevator would be provided.

Commissioner Chambless noted that he was pleased to hear the applicant planned on doubling the tree canopy on these two blocks and inquired how the applicant would ensure that these would plantings thrive.

Mr. Sullivan stated that they were working with consultants who had suggested no above grade planters, horizontal runs, and vertical backs to ensure their longevity. He also noted that they were planning for these trees to be of significant caliber so that they had a better chance of survival.

Commissioner Chambless noted that the lowered roof of building four appeared to indicate no landscaping, and he wanted to make sure this was accurate.

Mr. Gibbons noted that one of the challenges with that roof was that there was a large amount of mechanical housing on the roof of this building and therefore, there would be no planting on the roof. Mr. Gibbons noted that there would be adjacent planting on nearby roofs.

Commissioner Chambless noted his concern regarding the number of water features within the development.

Mr. Locke noted that there was an existing idea that the water features would run throughout the development, particularly with the symbolic representation of City Creek; a waterfall and continuous water feature throughout the public space. He noted that there were also two large fountains planned for the west block of the development.

Commissioner Chambless inquired if the twenty-four hour community referred to retail being open on Sunday as well.

Mr. Sullivan noted that the retail shops would not be open on Sunday; however, residential uses and restaurants would be open on Sunday.

Commissioner Woodhead noted her concern regarding the psychological permeability of the development, primarily with the development being composed of privately owned streets and private space, and how would this affect individual first amendment rights and travel restrictions.

Mr. Heckman noted that the interior pathways would be privately owned and therefore would not be first amendment forums. He stated that the owner would have the right to restrict private expression on those streets and he would assume that those would be reasonable restrictions.

Commissioner Woodhead noted her concern regarding the level of policing which might occur regarding this issue.

Mr. Sullivan stated that the space would not be an ecclesiastical space and he did not believe that policing would be any different than any other commercial development such as Gateway; it would be very similarly controlled and monitored.

Commissioner McDonough noted that she would like to see more information regarding the Richards Street connection south of the Nordstrom Winter Court. She stated that from trying to decipher the plan relationship and edges of the walkway, and how it would be active besides the water features.

Mr. Sullivan noted that there would be retail near the front of the Winter Court and the developers had discussed the development of a green wall, which would continue to open up to an overlook area with a view of the cascading waterfall. He stated that the Marriott hotel did have a loading dock on 100 South that the applicants were encouraging that owner to upgrade.

Mr. Locke noted that CCRI saw this entrance as a very strong link with the surrounding Downtown area and therefore there was a strong incentive to make it visually interesting to visitors.

Commissioner McDonough noted her concern that the applicant might not be able to fill all proposed restaurant spaces.

Mr. Sullivan noted that the contingency plan would be to give any unused space to interested retailers. He stated that on Block 75 the developers had already begun talking to restaurants to find tenants for the proposed spaces, and he noted that there was a large amount of interest with adjacent spaces such as the Convention Center and Temple Square.

Commissioner McDonough stated that she wanted to see how the food court would be a unique space.

Mr. Locke noted that the curvilinear line indicated on the site plan in front of the food court area was not only the representation of the Creek but also a glass wall which would run underneath the food court, and visitors within the development would cross a bridge over the creek to enter the food court. Mr. Locke noted that there would be a children's play area separate from the primary dining area. He stated that they were trying to blur the edge between indoor and outdoor space.

Commissioner McDonough noted her concern that she had not seen a contingency plan regarding the retractable, mechanical roof. She stated that she felt this to be quite an expensive and immense proposition and wondered if the applicants had considered any alternatives.

Mr. Sullivan noted that the applicants were committed to the open roof concept. He stated that they understood the costs involved, but that they were well down the road on the design of the mechanized system, which had been designed in a way to be one of the distinguishing features of the development, internationally. He noted that they did not view it as a contingency item.

Commissioner Algarin thanked the applicant for addressing the Main Street issues which had been raised previously by the Commission. He noted that he would encourage the applicant to include members of and associations within the physically challenged community for input regarding their proposed ADA compliance.

Commissioner Scott thanked CCRI for their presentation. She noted that she would appreciate more detailed architectural plans regarding the food court and the streetscape of 100 South. She also noted that she did not see graphic representation regarding the necessity of the skybridge, and would like to see a more thorough evaluation from the applicant with facts and figures.

Mr. Sullivan noted that two story retail uses comprised a very short list and mini anchors would be those which would be able to handle the extraordinary costs of vertical transportation and other aspects of a two

level store such as staffing and general increase in the cost of operation. He noted that the applicants were looking at mini anchors but it was a limited list of retailers. Mr. Sullivan stated that CCRI hoped that they could bring a computerized animation to the next Planning Commission Meeting and give a virtual tour of the development in much more detail.

Commissioner Muir complimented the applicants for their forward-thinking ideas, however, he noted that he would hope that the applicant create some drop-offs especially for traffic circulation on Main. He inquired what the applicant thought of the height restrictions dictated by the Master Plan.

Mr. Williams noted that the proposed height of the towers was truly driven by economics and anything over 250' feet required two seismic or performance driven systems, and therefore the developers had attempted to keep the height under that limit to incorporate only one lateral system. Mr. Sullivan noted that the 415' feet limit they had proposed earlier was fantastic but not feasible.

Mr. Muir noted that the north side of Nordstrom's was a very difficult space and he noted that he would encourage those owners to enliven that space as well as the West Temple façade. He noted particularly the space between the back of Olive Garden and corner of the Hilton.

Mr. Sullivan noted that there were proposed improvements and there was a slide which they would present at the next meeting.

Commissioner Muir noted his concern that if TRAX decided to go underground in the future, this could obviate the necessity for a skybridge.

Mr. Locke noted that the magic would be in the second level of the development.

Commissioner Muir noted that the air rights could be linked to the presence of TRAX.

Mr. Sullivan stated that the removal of TRAX could create several other options for the bridge, such as columns, more transparency, circulation, width and so forth.

Commissioner Muir noted that he would like to see a shadow study completed for the bridge. He also stated that he would like to see an actual photo overlay as well as a comparative study of other bridges in the area; how does it compare to bridges at The Gateway and Trolley Square in terms of width and height. He stated that he would also encourage the applicant to consider downtown power needs when increasing the overall tree canopy.

Commissioner Scott stated that she would like to see how the pedestrian crosswalk on Main Street would be effected by the bridge, how it would impact visibility.

Chairperson Wirthlin noted that Commission should provide the applicant with an indication if the Commission felt the Planned Development Application would be able to go forward and be voted upon at the next meeting, January 9, 2008.

Vice Chairperson Woodhead noted her concern that there might not be enough public testimony regarding the proposed changes to these plans.

Chairperson Wirthlin noted that the Commission could either approve or deny the development and send a recommendation to the City Council regarding the skybridge.

Commissioner McHugh noted that she felt the Commission had done their due diligence regarding public input and could move forward with a vote at the next Commission meeting.

Commissioner Scott noted that she felt the public had the right and the duty to come forward and give input as more information became available. She stated her concern that the applicant may not have enough time to gather all requested information before the next meeting. Commissioner Scott noted also

that the Crandall- McIntyre building and parking issues had come up in a previous meeting and wondered what had arisen out of the original conversation.

Mr. Sullivan noted that they were leasing parking spaces from the owner and that they seemed to be satisfied with the current situation. He noted that parking agreements would be renegotiated in the future but would typically be thirty days or one year in length.

Chairperson Wirthlin noted that this item would be advertised as a public hearing and the public was absolutely welcome to attend and comment. He stated that he felt the issue could be voted upon at the next meeting.

Mr. Shaw noted that this item would be back on the 9th of January as a Public Hearing item with the possibility for a final decision.

Mr. Heckman noted that he would like to have a list of issues raised this evening by the Commission for CCRI.

Mr. Shaw noted that staff would later compile this list for CCRI.

Chairperson De Lay inquired if it was necessary to see the Departmental Reports as well.

Mr. Shaw noted that he had spoken with Tim Harpst and Kevin Young from Transportation, who were pretty much okay with the project, but noted that there might be issues with other departments that need to be examined. He stated that he felt the applicant had gone through a great deal of detail with most City Departments already, noting particularly that Utilities had required a great deal of attention already.

Commissioner Chambless stated that if the Commission were to make two motions at the next meeting, that he was concerned that the petitioners be fully satisfied with their rendering for the skybridge. He stated that he felt a number of the Commissioners had been impressed with Jay Christianson's rendering and noted that he would like to see some of this incorporated into the design.

Mr. Sullivan noted that they were satisfied with their rendering. He stated that there were a number of interior bridges with the same type of qualities as Mr. Christianson's design, however, this bridge was over quite a wide span and such a span required specific engineering, particularly in regards to columns and supports which could not be in the middle of lanes or in parking areas and there were a great number of Utilities focused in the area as well.

Mr. Gibbons noted that they had been studying the possibility of louvers in the bridge itself to allow fresh air circulation during fair weather days, but without the bridge, the second level of retail would falter over time.

Commissioner Muir noted that regarding the proposal of a skybridge, the Commission should benchmark their opinions with regard to the Ordinances; however, he stated the proposal should be of the most minimal impact. He stated that he would challenge the design team to do their best work.

Chairperson Wirthlin called for a break at 8:58 p.m.

Petition No. 400-07-27, "Formula Based" Business Ordinance Zone Text and Map Amendment—Salt Lake City Mayor Rocky Anderson has initiated a petition to analyze the appropriateness of amending the provisions of the Salt Lake City Zoning Ordinance, creating a new "Overlay" zone prohibiting "Formula Based" or chain businesses in specific neighborhood business districts. As this is an Issues Only public hearing, no final development decision will be made by the Planning Commission at this meeting (Staff—Kevin LoPiccolo at (801) 535-6003 or kevin.lopiccolo@slcgov.com).

(This item was heard at 9:10 p.m.)

Chairperson Wirthlin recognized Nole Walkingshaw as staff representative.

Mr. Walkingshaw reviewed the petition. He stated that the intent of the proposal was to preclude formulaic businesses from locating in distinctive neighborhood districts such as 9th and 9th, Broadway east of the D-1 zoning District, 15th and 15th.

Kevin LoPiccolo noted that staff had held an open house regarding this petition item with about seventy people in attendance. Mr. LoPiccolo stated that of these seventy individuals, only two or three were in support of the proposal.

Chairperson Wirthlin noted that there was a legal memo from the Attorney's Office which had not been given to all of the Commissioners, and asked that staff provide that document.

Vice Chairperson Woodhead noted that there was another similar proposal by Councilwoman Jill Remington-Love, and was concerned that there was certainly a conflict there.

Commissioner De Lay stated that she would not deal with the issue without the presence of legal counsel.

Mr. Walkingshaw noted that the legal opinion provided by the Attorney's Office was not in reference to Mayor Anderson's request, but rather to the request of Councilwoman Remington-Love, and therefore was not reflective of the Mayor's proposal.

Chairperson Wirthlin opened the floor to public comment at 9:16 p.m.

Cindy Cromer, 816 East 100 South, noted that she had not meant for an email to be included with the public comment portion of this staff memo. Ms. Cromer noted that she felt this petition to be a monumental waste of time for business owners, planners, property owners, the Planning Commission, basically everyone involved, and did not feel that the proposal was legal.

Kay Berger-Arnold, PO Box 1588, stated that the public notices only went to property owners, not the tenants, and she was concerned that the Ordinance did not address this oversight. Mrs. Berger-Arnold noted that in the 15th and 15th neighborhood, 9 out of 11 businesses did not receive notice regarding this issue. She stated that all of these neighborhoods contained locally owned franchises which did not need the assistance of such an ordinance, particularly noting the examples of Ten Thousand Villages, Emigration Market, Crown Burger and Jolly's Pharmacy.

Patrick DePaulis, 925 East 96 South, stated that he was an Allstate representative present as an active member of the business community completely opposed to any type of prohibition and he felt this proposal to be detrimental to local businesses.

Chairperson Wirthlin read comments from a card submitted by Esther Hunter, 337 South 1100 East, who noted that text from the Historic Landmark Commission Guidelines which related to the proposed overlay areas should be included in the proposal, as well as new design guidelines which might allow formula businesses in the area, but only subject to certain criteria.

Chairperson Wirthlin closed the public comment portion of the hearing at 9:25 p.m.

Chairperson Wirthlin noted that as policy planners, the Commission should be able to deal with such issues through planning and land use tools, but not through such an ordinance.

Commissioner De Lay noted that she felt the item should be tabled until Mayor-Elect Ralph Becker took office.

Commissioner Algarin stated he felt this proposed ordinance to be prohibition of the worst kind, potentially disarming local business owners.

Mr. Shaw noted that the Commission could still give staff direction on how to move forward with the petition.

Commissioner Muir noted that if staff were to bring this petition back to the Commission, it should include both a negative and positive recommendation, giving the Commission the option of forwarding a negative recommendation.

Mr. LoPiccolo noted that the objective of the hearing this evening was to garner a reaction from the Planning Commission.

Commissioner De Lay noted that the noticing issue raised by Mrs. Berger-Arnold in the hearing and also in the staff report was a grievous error on the part of the City and inquired how it might be rectified.

Mr. Shaw noted that staff was experimenting with this issue. He stated that while there was no ordinance which required them to do so, they have been sending notices to tenants as well. Mr. Shaw noted that in the future, staff might come forward with a text amendment to address the issue, but it was still in the experimental phase; how best to inform all interested parties.

Chairperson Wirthlin closed this Issues Only Hearing item at 9:33 p.m.

PUBLIC HEARING

Petitions 490-07-41 and 410-07-35 East Wing Plaza Office Condominium—a request by Dave Curtis for Preliminary Condominium and Planned Development Conditional Use to develop two office condominium structures on a single flag lot in the BP (Business Park) Zoning district at 206 & 208 North 2100 West Street (Staff— Marilyn Lewis 535-6409 or marilyn.lewis@slcgov.com).

(This item was heard at 9:33 p.m.)

Chairperson Wirthlin recognized Marilyn Lewis as staff representative.

Ms. Lewis reviewed the request noting that the development was located off of a private road and access is obtained off of a flag lot configuration. Ms. Lewis noted that Section 21A.36 identified the BP (Business Park) Zoning District as allowing more than one structure on a site providing that they have the same use in both structures and the buildings face a public street. Ms. Lewis noted that it would be impossible for the proposed buildings to face the street and they would not be on a public road. She stated that due to the issues surrounding the private road, the application had to come before the Planning Commission as a Planned Development. She noted that the applicant was requesting a reduction in the 20' side yard setback to 15'6". Ms. Lewis noted that they had received positive feedback from Jordan Meadows Community Council which voted unanimously in favor of the proposal. She stated that the proposal had also been reviewed in subcommittee by the Planning Commission, whose primary concern had been pedestrian safety on the site, and therefore, the applicant was proposing to install a sidewalk from 2100 South to the development. Ms. Lewis noted that staff was recommending approval of the Planned Development Conditional Use, grant the modification to the required interior side yard setback and approve the preliminary condominium request subject to the conditions listed in the staff report.

Commissioner Scott noted her concern that the hotel owner might be concerned about the reduced side-yard setback.

Ms. Lewis noted that she had not received any comments whatsoever.

Chairperson Wirthlin invited the applicant forward to comment at 9:41

Dave Curtis, the developer, noted that they felt the proposal was quite an improvement over the existing use.

Commissioner Scott noted her concern that the property owner to the North retained access to their business.

Mr. Curtis stated that the property owner was L-3, and was naturally very concerned with security, and therefore the property maintained a private road and was a gated development with private security.

Chairperson Wirthlin opened the hearing to the public at 9:45 p.m.

Rawlins Young, 2135 South 1900 East, noted his concern regarding the sidewalk placement and width. Mr. Young stated his belief that planning should look at amending the Zoning Ordinance to develop rules carefully guiding the location and design of such elements intended for the public's benefit and safety.

Chairperson Wirthlin closed the public comment portion of the hearing at 9:49 p.m.

Ms. Lewis noted that the proposal was on private property, and while it did include a smaller width sidewalk, the applicant wished to consider an agreement with the adjoining property owner to widen the sidewalk in the future.

Commissioner Scott inquired which side of the road the sidewalk would be on.

Mr. Curtis noted that it was on the east side of the drive and would not be allowed on the West as it was a slope. He stated that he would much rather construct a four or five foot walk and if the neighboring properties were amenable to the concept, they would do so.

Commissioner De Lay made a motion to approve petitions 480-07-41 and 410-07-35; based upon the findings of fact, testimony heard this evening and subject to the conditions listed in the staff report:

1. Based on Section 21A.36.01.B.1&2, which allows more than one principal building on a lot in the BP (Business Park) Zoning District without a minimum or maximum lot size.
2. Grant the requested modification of a 15 feet 6 inch to the required 20 foot interior side yard setback.

The Planning Commission also approved the Preliminary Condominium request with the following conditions:

1. The subject site is located in the Airport Influence Zone B and the Airport Landscape Overlay District which requires approval of the Director of Airports and the Planning Director or their designees for the landscape plan. An Avigation Easement is also required for the property prior to the issuance of a permit.
2. The Planning Director or designee shall have final approval of any minor modifications to the site plan. All major modifications will be brought before the Planning Commission.
3. Compliance with all of the departmental comments as outlined in this staff report and during the permit process is required.
4. Full compliance with the Utah Condominium Act of 1975 and the Condominium Approval Procedure regulations in the Salt Lake City Zoning Ordinance (Section 21A.56). The execution and recording of the Declaration of Covenants is subject to approval by the Salt Lake City Attorney for compliance with State of Utah and Salt Lake City Code requirements.
5. No condominium shall have final approval, nor any units sold, until the Final Plat has been recorded with the Salt Lake County Recorder. The applicant is required to submit a complete application to the Salt Lake City Planning Division for the Final Plat process.
6. The applicant will install a paved pedestrian sidewalk from the subject site to 2100 West Street.

The motion was seconded by Commissioner Scott. All voted "Aye", The motion carried unanimously.

Petition 410-07-13, Conditional Use Amendment, Redman Residences—a request by Kevin Packer, Pacific Park Investment LC, for approval to construct a two-level parking structure for a mixed-use development located at approximately 1240 East 2100 South. The proposed development is in the CSHBD-1 (Sugar House Business District) zoning district (Staff—Michael Maloy at 535-7118 or michael.maloy@slcgov.com).

(This item was heard at 9:51 p.m.)

Chairperson Wirthlin recognized Michael Maloy as staff representative.

Mr. Maloy reviewed the request noting that the applicant was present to respond to the Commission's question. He stated that there was an active building permit and the use had been approved as a Conditional use previously, but the proposed amendment was significant enough to warrant a return to the Planning Commission.

Chairperson Wirthlin invited the applicant forward to comment to the petition at 9:52 p.m.

Jim Derby, the architect, noted that he was willing to answer any questions the Commission might have regarding the proposed amendment.

Commissioner Scott inquired if the current retaining wall would be removed or maintained.

Mr. Derby noted that the existing wall would remain in place, and they would treat the new and existing walls with sandblasting or treatment to make it appear more uniform and acceptable in appearance.

Commissioner Chambless noted that the building looked old in 1971, and given the delays, would it have been better to take the building down and rebuilt subject to the petitioner's needs.

Mr. Derby felt that the structure was adequate for the proposed reuse and had been completely renovated.

Commissioner Scott wished to assert that the Hidden Hollow Trail would remain unaffected, and no changes would occur to the drive on the East side of the building.

Mr. Maloy noted that there were some changes in function from the last submittal, but the trail would still be fully accessible, however, there would now be an ingress ramp to the parking structure with both access points still being maintained.

Commissioner De Lay noted that the original conditions of approval, except for number one, from September 23, 2003 would all still apply.

Chairperson Wirthlin opened up the hearing to the public at 9:57 p.m.

Emil Kmet, 2509 South Highland Drive, member of the Sugar House Community Council, noted that his main concern was that public access to Hidden Hollow on the east side of the building be maintained. Mr. Kmet stated that the Commission should be aware that the use of the alleyway to access the structure was of primary concern to the Council as it was the only northern access point into that area.

Rawlins Young, 2135 South 1900 East, noted that he did not feel the alleyway would be as accommodating to pedestrians as possible, and hoped the Commission would consult the Master Plan and come up with a more accommodating solution to this safety issue.

Chairperson Wirthlin closed the hearing portion of the petition at 10:03 p.m.

Mr. Derby noted that the applicant was also concerned that the access to Hidden Hollow must be maintained, and while the access could not contain a dedicated curb, the proposal had been approved by the Sugarhouse Community Council.

Commissioner Scott inquired what the total width would be for the parking lot ingress with contiguous pedestrian access.

Mr. Maloy noted that there were sixteen feet between the uses and five feet would be dedicated to pedestrian access. He stated that some of the site plans seemed to make it look quite narrow.

Commissioner Scott noted her concern that the site plan did not sufficiently convey if the crossing at the Homesteads parking lot would be a change in grade or defined by paint.

Mr. Maloy noted that it may have been part of the original discussion; however, it did not filter into the conditions of approval. Unless there was a prior agreement, the City could not have required that demarcation on someone else's property.

Commissioner Scott noted that the plan indicated that the driveway went down into the upper level of parking and seeing stairs, she was concerned about ADA guidelines being met.

Mr. Maloy noted that neither Building Services nor Transportation required it meet ADA guidelines as they considered it a minor access point to the Hidden Hollow area.

Commissioner De Lay made a motion to approve petition 410-07-13, based upon testimony heard, the findings and conditions of approval as listed on page one of the staff report and conditions 2-10 as listed on pages 3 and 4 of the staff report;

1. Approval is subject to compliance with all department comments (see attachment E-Departmental Comments)
2. Condition number one from the original Planning Commission Findings and Order Letter dated October 20, 2003 for petition #410-643 is rendered null and void.
3. Applicant shall reclaim displaced landscaping from previous development plan approval to the satisfaction of the Planning Division.
4. Parking structure shall be sufficiently illuminated to ensure public safety, however, lighting must be properly shielded to control light pollution.

And from pages 3 and 4 of the original staff report;

2. That the Planning Commission allows the Petitioner to reinstall the replicated "Redman" signs as a rooftop fixture, currently not allowed in the C-SHBD zoning district.
3. That an attractive and appropriate trailhead access sign be installed on 2100 South Street near the public alley to demarcate pedestrian access to Hidden Hollow Park. Final sign designation shall be denoted on the final site drawings and sign approval shall be granted to the Planning Director.
4. Allowance for the Petitioner to proceed with future Condominium approval through the Administrative Hearing process and final approval is delegated to the Planning Director or his/her designee.
5. The Applicant will assist the City in determining the existence of any easements conducive to extending the alignment area.
6. The petitioner must make current, all past due payments to Salt Lake City, for the installation of special improvements along the frontage of the Redman property.
7. The Declaration of Covenants for the future Homeowners Association shall declare and accept perpetual maintenance of the all pedestrian walkway paths leading from 2100 South to Hidden Hollow Park.
8. The Petitioner shall investigate the usage of low wattage bulbs for parking area lighting needs as indicated in the staff report.

9. The Petitioner shall address and adhere to all departmental comments and Salt Lake City Corporation Ordinance Standards.
10. Final plat and landscape plan approval authority be granted to the Planning Director.

Commissioner Algarin seconded the motion. Commissioners De Lay, Algarin, McHugh, Chambless, Muir and Vice Chairperson Woodhead all voted 'Aye'. Commissioner Scott voted 'Nay', the motion carried 6-1.

There was no further business.

The meeting adjourned at 10:11 p.m.

Cecily Zuck, Senior Secretary