

**SALT LAKE CITY  
PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building  
451 South State Street, Salt Lake City, Utah  
Wednesday, February 14, 2007**

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

Present from the Planning Division were George Shaw; Planning Director, Doug Wheelwright, Deputy Planning Director; Cheri Coffey, Deputy Planning Director; Doug Dansie, Senior Planner; and Tami Hansen, Senior Planning Commission Secretary.

A roll is being kept of all who attended the Planning Commission Meeting. Chairperson McDonough called the meeting to order at 5:45 p.m. Minutes are presented in agenda order and not necessarily as cases were heard by the Planning Commission. Audio recordings of Planning Commission meetings are retained in the Planning Staff Office for an indefinite period of time.

A field trip scheduled at 4:00 p.m. was canceled due to the postponement of Petition # 410-06-28.

Chairperson McDonough noted that Petition 410-06-28 had been postponed.

**APPROVAL OF MINUTES from Wednesday, January 24, 2007.**

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

**Commissioner De Lay made a motion to approve the January 24, 2007 minutes Commissioner Forbis seconded the motion. Commissioner Algarin abstained from the vote. All others voted "Aye".**

**REPORT OF THE DIRECTOR:**

*(This item was heard at 5:47 p.m.)*

George Shaw, Planning Director noted that on January 30, 2007 an Open House was held for the Northwest Quadrant and there was very good public attendance, approximately 70-80 people. He also noted that Monica Callahan, a historic preservation speaker, would be speaking on February 21, 2007 in Rm. 326 at 5:30 p.m.

Mr. Doug Wheelwright noted that the developer of the Parley's Ridge condominium project, Rick Plewe, inquired if the Commissioners would like a tour of the building. He noted that this would be arranged for the Commissioners during a field trip within the next month. He also noted that there had been request from two different property owners; one in the RMU and one in the MU Zones, to have private clubs treated the same as beer bars in those zoning districts. He noted that both of those petitions would be combined and moved forward.

**ISSUES ONLY HEARING—UNFINISHED BUSINESS**

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

Chairperson McDonough recognized Doug Dansie as staff representative.

Mr. Dansie noted that Property Reserve Inc. (PRI) was prepared to provide a short Power Point presentation to answer previous questions the Commissioners had on the City Creek Project from the January 24, 2007 meeting.

Chairperson McDonough invited the applicant to the table.

Mr. Bill Williams noted that there were four issues that the Planning Commission requested more detail about: First, the landscape strategy for the City Creek project; Second, the water source for the water features throughout the project; Third, the signage placement and presentation within the project; and Fourth, the landscape layout throughout the project.

Mr. Williams noted that a significant number of trees currently exist around the two blocks. These varieties of species would be incorporated into the City Creek Project and would include: London Plane, Flowering Pear, Honey Locust, Norway Maple, and Ginkgo. He noted that the developers would keep the existing healthy trees throughout the project, and plant new ones on the street level and not in above-grade planters.

The water source for the aquatic features would be re-circulated at various points and come from a capped well that is currently owned by The Church of Jesus Christ of Latter Day Saints.

Mr. Williams also noted that PRI has talked with the firm of Selbert and Perkins from Los Angeles about signage throughout the project, which would be presented later for review by the Commission, as well as the finer details of the landscape.

Chairperson McDonough opened up the public hearing portion of the meeting.

Cindy Cromer noted that she did not agree with the loop street at the corner of State Street and 100 South. She noted that the problem with both the ZCMI and the Crossroads Plaza mall was their disconnection with rest of Downtown Salt Lake Cit and she felt that the fundamental problem with the project was that the corridors to the south were not going to be infiltrated with activity, water features, and amenities. She would like to see a stronger connection to the rest of downtown, by building stronger links to the south.

Commissioner Forbis inquired if Ms. Cromer had expressed her concerns to the Chamber of Commerce and the Downtown Alliance.

Ms. Cromer noted that the Chamber of Commerce had been briefing the City Council. She noted that the time to have the discussion on how the City Creek Center project will be tied into the rest of Downtown is now.

Chairperson McDonough closed the public portion of the hearing.

Mr. Williams noted the developers would like to put a new façade on the Qwest building and landscape the street between Dillard's and the Qwest building to enhance both.

Mr. Gibbons noted that the developer was strongly encouraging a very vibrant entrance into Dillard's from the street between their building and the Qwest building. He noted that the street would be made wider than the existing Regents Street to the south. He also noted that as far as connecting to the City the "backside" of the project is below grade. There are no docks, and the project will not be closed to the city, but will be open, inviting and connected.

Chairperson McDonough closed the Issues Only portion of the hearing.

**PUBLIC HEARING:**

*(This item heard at 6:22 p.m.)*

Chairperson McDonough introduced Petition 410-06-38, a request by Property Reserve, Inc. as part of the City Creek Center development, for a Conditional Use approval to exceed the height regulations of 100 feet for mid-block buildings in the D-1 Central Business District. The buildings are generally located mid-block between West Temple and Main Streets on South Temple Street, mid-block between State and Main Streets on South Temple Street, and mid-block between West Temple and Main Streets on 100 South Street. This Petition includes a request for Conditional

Use approval to waive the maximum front yard setback requirement for portions of the structure located at, but not limited to, mid-block between Main and State Streets on South Temple Street

She recognized Doug Dansie as Staff Representative.

Mr. Dansie noted that Tower's 6 & 7 facing South Temple at the center of the block between West Temple Street and Main Street are proposed to be one hundred and twenty-five feet (125') which matches the height of the existing Temple View Center. Minor set-back waivers at the entry into the plaza are also being sought. On South Temple Street between Main and State Street, Tower 4 is proposed to be one hundred and eighty-five feet (185') and is proposed to be setback from the property line. Tower 2 on 100 South, in between the Marriott Hotel and the Crandall Building, which would be the tallest residential tower standing at four hundred and fifteen feet (415').

Mr. Dansie noted that Staff did recommend approval for the mid-block heights and noted that he wanted to modify the first condition that read, 1. *Substantial conformance with the plan reviewed by the Planning Commission*, to read the same and add, *with final approval by the Planning Director*, at the end of the condition.

Chairperson McDonough invited the applicant to the table.

Mr. Gibbons emphasized that the residential units serve as the life blood of revitalizing downtown. He noted that other cities have specified that having twenty-four hour residential activity downtown is more important to the vitality of the city than anything else.

Chairperson McDonough opened the public portion of the hearing.

John Crandall (Owner of the Crandall building) noted that he did submit an email to Staff that was included in the Staff Report. He has been in contact with the applicant since the beginning of the project and fully supports the development. He also noted that negotiations by himself and PRI had resulted in an agreement about parking for the Crandall building on Regents Street. They have also negotiated that the alleyway to the west of the building will be reconstructed to be able to fit a garbage truck down the alleyway, which currently is impossible.

Cindy Cromer noted that she had a concern in regards to the lifespan of the Conditional Use. She noted that Conditional Uses were only good for a year and if they were not exercised within that time frame the use would lapse.

Ms. Cromer also voiced a concern about Transfer of Development rights and how this could provide leadership in the area. For example the developers had brought forward a proposal that had an outstanding amount of open space in a Downtown area, also introducing an incredible amount of housing to the area, and leaving the First Security Bank building intact, and they should be given some kind of negotiable credit for this. She would like to see a more carefully articulated ordinance that spelled out what developers could receive for putting amenities on the table.

Chairperson McDonough closed the public portion of the hearing, and invited the applicant back to the table.

Commissioner De Lay inquired of Staff when the Conditional Use for the mid-block heights would expire.

Ms. Cheri Coffey noted that this specific petition was being processed as a Planned Development and there could be a series of phasing that could be approved through that.

Chairperson McDonough inquired if the approval conditions of a Planned Development would trump the restriction that would otherwise be placed on the Conditional Use.

Ms. Coffey noted that one thing about a one year conditional Use is that the Planning Commission has the authority to offer an extension.

Mr. Dansie noted that in the past they have dealt with Conditional Uses by proving the applicant had done substantial work, and if the process was not yet complete, then conditions had been met to allow an extension on the process.

Commissioner De Lay noted she would like to add additional Language to the Staff Recommendation to clarify that process.

Ms. Coffey noted that the Motion made by the Planning Commission could be very specific to that type of issue, but technically it already would be taken care of through the Planned Development process.

Commissioner De Lay noted she would like to see Staff review the Transfer of Development rights for the city, suggesting that any kind of land banking and trading would be a great idea.

Commissioner Forbis noted that there is a great deal of controversy on whether or not this market mechanism actually fulfills its role.

Commissioner Scott inquired if the City Fire Department knew that Tower 2 was going to be 415 feet high, and if they had any concerns about being able to provide safe evacuation if necessary.

Commissioner De Lay noted that after 9-11 it became evident that fire trucks can only reach about eight floors, and currently very specific fire and building codes had been set in place to deal with this.

Mr. Dansie noted that the City Fire Departments were aware that the proposed building would be 425 feet high. He noted that their concerns were more technical in dealing with water pressure to insure that fire code safety would be met.

Commissioner Muir noted that only one Conditional Use was affecting four different buildings, so as long as there was construction taking place on any of those buildings then the one year timeline would not be triggered. It is when construction stops on any portion of the Conditional Use that the one year period would start.

**Commissioner De Lay made a motion regarding Petition 410-06-38, based on the findings of fact and the testimony tonight, to approve the Conditional Use request to allow the proposed residential structures to exceed the one hundred foot (100') maximum building height for mid-block areas in the D-1 District to allow construction of the residential structures as presented, subject to:**

- 1. Substantial conformance with the plan reviewed by the Planning Commission, with final approval by the Planning Director.**
- 2. Compliance with all applicable City Code requirements and Department and Division comments.**

**Also, based on the findings of fact, the Planning Commission recommends allowance of an increased setback of approximately 30 feet for the building located mid-block between Main and State Streets on South Temple and also minor setbacks for the buildings located mid-block on South Temple between West Temple and Main Streets, subject to final review by the Planning Director to insure the space is activated, as presented in Staff Report.**

**Commissioner Forbis seconded the motion.**

**All in favor voted "aye" and the motion was passed unanimously.**

Commissioner Muir noted he would like to have a discussion about the ongoing necessity of the City Creek Center hearings.

Chairperson McDonough noted that there had been a substantial drop of public attendance to the Planning Commission Meetings. She noted that new information would merit resuming with City Creek Center discussion in future meetings.

Ms. Coffey noted that the skybridge and Master Plan amendment has been forwarded to the City Council.

Commissioner Scott noted that as information becomes available, the Commission would be interested in seeing the more specific plans of Nordstrom, Dillard's, and Macey's.

Commissioner Forbis noted he would like to also see renditions of the skybridge as PRI starts the final design process, before the City Council starts to finalize the language.

Chairperson McDonough noted she would like to wait on viewing skybridge designs so the Commission was not presuming that the City Council was going to approve the skybridge and Master Plan text changes. She noted that it could communicate to the public that the Commission was assuming that it was being approved.

Commissioner Woodhead noted that once the City Council took whatever action it was going to, and if they approved the text amendment the Commission adopted, it would be necessary and appropriate for the Commission to review skybridge designs, before the Commission voted.

**Chairperson McDonough took a vote of the Commissioners to suspend the Issues Only hearing portion of the City Creek Center project, until City Council had taken action.**

**Those in favor voted "aye" the vote passed unanimously.**

Chairperson McDonough noted that if the applicant felt there was additional information the Commission needed to see they could definitely arrange to come before the Planning Commission at any time in the future.

Mr. Gibbons noted that they were meeting weekly with Planning Staff and would arrange to do so if necessary.

Commissioner Muir noted that the Chamber of Commerce's position regarding the City Creek Center project was that after the Downtown rising efforts are closed in the next thirty days, it would invite a look at the Downtown Master Plan. The Chamber has purposely kept the City Creek Center project off the table because they did not want to influence the review process at all.

Commissioner Scott noted that she would like to invite the Chamber of Commerce, and the Downtown Alliance to future Planning Commission meetings to share with the Commission downtown plans and projects.

Commissioner Scott would also like to see some research done on the affects of Skybridges in other cities.

Ms. Coffey noted that Staff would get that information for the Commission.

There was no further business.

*(The meeting adjourned at 7:26 p.m.)*

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Tami Hansen, Planning Commission Senior Secretary