

**SALT LAKE CITY  
PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building  
451 South State Street, Salt Lake City, Utah  
Wednesday, January 10, 2007**

Present for the Planning Commission meeting were Frank Algarin, Tim Chambless, Babs Delay, Peggy McDonough, Chairperson, Susie McHugh, Prescott Muir, Matthew Wirthlin, Vice Chair and Mary Woodhead. Commissioner Robert Forbis joined the meeting at 7:20 p.m.

Present from the Planning Division were Cheri Coffey, Deputy Planning Director; Doug Dansie, Senior Planner; Everett Joyce, Senior Planner; Joel Paterson, Planning Programs Supervisor, Cecily Zuck, Senior Secretary and Louis Zunguze, Director of Community Development.

Lynn Pace, Deputy City Attorney, Tim Harpst, Transportation Department Director and Alison McFarlane, Senior Advisor for Economic Development were also present.

A roll is being kept of all who attended the Planning Commission Meeting. Chairperson McDonough called the meeting to order at 5:49 p.m. Minutes are presented in agenda order and not necessarily as cases were heard by the Planning Commission. Audio recordings of Planning Commission meetings are retained in the Planning Staff Office for an indefinite period of time.

A field trip was held prior to the meeting. Planning Commissioners present were, Frank Algarin, Tim Chambless, Peggy McDonough, Susie McHugh, and Matthew Wirthlin. Salt Lake City Staff present were: Joel Paterson, Planning Programs Supervisor; and Doug Dansie, Senior Planner.

**Executive Session**

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

Chairperson McDonough noted that the first item on the amended agenda called for an Executive Session.

**Commissioner Chambless made a motion to adjourn to an Executive Session in an adjoining room. Commissioner Delay seconded the motion. All voted "Aye". The motion passed unanimously.**

Chairperson McDonough noted that the remainder of the meeting would continue at the conclusion of the Executive Session.

*The commissioners adjourned to another room for an Executive Session with Louis Zunguze, Director of Community Development and Lynn Pace, Deputy City Attorney. The Executive Session concluded at 6:12 p.m.*

**APPROVAL OF MINUTES from Wednesday, December 13, 2006.**

*(This item was heard at 8:12 p.m.)*

*Commissioner Woodhead noted some confusion over statements within the minutes which she did not remember authoring and asked for assistance in identifying who may have made the motions in question.*

*Cheri Coffey stated that Commissioner Woodhead could review Ms. Coffey's notes and that the Commission could then hear this item at the end of the public hearing portion of the meeting.*

*Chairperson McDonough therefore moved the approval of the minutes to the end of the public hearing portion of the meeting to give Commissioner Woodhead the opportunity to review Ms. Coffey's notes.*

**After reviewing the notes, Commissioner Woodhead made a motion to approve the minutes with the noted changes including statements attributed to her being corrected to identify Commissioner Scott as making those statements. Vice Chairperson Wirthlin seconded the motion. Commissioner Delay abstained from the vote. All others voted "Aye". The motion passed.**

**REPORT OF THE CHAIR AND VICE CHAIR.**

*(This item was heard at 6:15 p.m.)*

Chairperson McDonough welcomed Boy Scout Troop number 539 to the meeting.

**REPORT OF THE DIRECTOR.**

*(This item was heard at 6:15 p.m.)*

Louis Zunguze noted that a new Planning Director, George Shaw from Sandy City Planning, had been hired and will begin work with Salt Lake City on January 17, 2007.

Cheri Coffey noted that five of the six vacancies within the Planning Division have also been filled and that the new hires would be starting work with the City on Tuesday, January 16, 2007.

**UNFINISHED BUSINESS**

*(This item was heard at 6:17 p.m.)*

**a. Petition 410-777** — A request by RTTA, LLC for planned development approval for new construction within the Community Shopping (CS) Zoning District at approximately 137 N. Redwood Road. The applicant proposes to construct a retail service establishment / financial institution, a permitted use. The Planning Commission took action to deny this case on June 14, 2006. The Salt Lake City Land Use Appeals Board has remanded the case back to the Planning Commission to reconsider its motion regarding the conditions of denial. Specifically requested is to reconsider and identify that either anticipated detrimental effects of the proposed conditional use cannot be substantially mitigated with the imposition of reasonable conditions or approve the request with or without conditions of approval.

Chairperson McDonough noted that this petition was tabled at the December 13, 2006 meeting to allow commissioners time to review additional information including staff reports, memorandums given to the Planning Commission by the applicant's counsel and site drawings.

Commissioner Muir recused himself from this portion of the meeting.

Mr. Zunguze stated that new information had been given to the City regarding a purchase and sale agreement between NovaSource and the Nexos Development Company.

Chairperson McDonough recognized Everett Joyce as staff representative.

Everett Joyce gave a brief overview of the staff report memorandum to the Planning Commission noting that new site plans have been included, as was requested by the commissioners, to show how the property might be developed. Mr. Joyce brought the Commission's attention to attachment number three in the staff report which was focused on meeting Standards B and K, identifying possible solutions to mitigating the perceived negative impacts of this development. Mr. Joyce noted that the drawings in the site plan, while conceptual, indicated shared access to Gertie Avenue and Redwood Road as well as with the parcel to the south of the development, owned by Premium Oil. Mr. Joyce noted that the only consideration before the Commission was approval of the Check City development, not conceptual possibilities.

Chairperson McDonough opened the floor to questions from the commissioners.

Commissioner McHugh asked Mr. Joyce where in the Staff report it noted that staff was recommending approval of the property.

Mr. Joyce stated that it was in the conditions related to the Findings on page five of the staff report memorandum released on December 8, 2006.

There being no further questions from the Commissioners, Chairperson McDonough opened the floor to the applicant.

Bruce Baird, Counsel for the applicant, thanked staff for noting that all proposed conditions for approval had been met. Mr. Baird also informed the Commission that the property owner had entered into a sale agreement, but that the purchase of the property was not contingent upon the approval of this project.

Commissioner Woodhead asked Mr. Baird why they should approve this petition seeing as the property had been sold.

Mr. Baird noted that the deal had not closed as of yet, therefore, it was important to continue with the petition, and that the owner was requesting that the progress of this application continue in case the deal should fail.

Commissioner Wirthlin inquired if the intent to sell the property would make the Commission's decision premature or a waste of time.

Mr. Baird stated that the decision would not be premature. He noted that all conditions had been met and the petition should move forward.

Commissioner McHugh pointed out that there was now a legal contract on the table.

Mr. Baird noted that the contract was legally irrelevant.

Chairperson McDonough asked Mr. Pace if there was any legitimate reason for tabling the petition.

Mr. Pace noted that if all conditions have been met as indicated in the staff report, then there may be nothing to decide than yes or no. Mr. Pace then stated that if conditions have not been met, then the Commission must decide what conditions can be imposed to mitigate the adverse impacts.

Mr. Joyce noted that the conditions have not been met, but they are conditions that will be subject to the approval of the development prior to the issuance of a building permit.

Commissioner Woodhead asked Mr. Baird if the conditions listed in the staff report were agreed upon by the applicant.

Mr. Baird noted that conditions one and two are already met and number three, the cross-access easement, is a condition of approval and if development moved forward, it would be met by the applicant.

Mr. Pace stated that in terms of the decision making process, legally, according to standard number four of the Utah state standards for conditional use approval, the use shall be approved if conditions can be imposed to mitigate any perceived adverse impacts. Mr. Pace noted that based upon these conditions, the decision should be yes or no and why.

Commissioner McHugh noted that there is still the issue of the Master Plan and the surrounding property owners desire to not have piece-meal development on this parcel.

Mr. Baird stated that the staff report had proven that conditions of approval had been met to mitigate those impacts.

Commissioner McHugh stated that the Commission did not necessarily have to agree with staff.

Mr. Baird noted that if the Commission did not agree with staff, the Commission would need to give reasons as to why the impacts could not be substantially mitigated or how the applicant could mitigate the adverse impacts for approval.

Chairperson McDonough opened the floor to the public at 6:39 p.m.

Chairperson McDonough asked if there were any community council representatives present for comment.

David Spatafore, representing the Master Developer for the neighboring parcels, noted that his client was under contract to purchase this property and that his client intended to stay true to the Master Plan. Mr. Spatafore stated that there could be unintended consequences to approving this petition. Mr. Spatafore stated that his client would like to see the petition tabled for thirty days so that the sale of the property may move forward with no negative impacts.

Commissioner Woodhead inquired what the unintended consequences Mr. Spatafore alluded to might be.

Mr. Spatafore noted that there could be implications with future developments affected by the City's Master Plan and this development could create a precedent for other developments.

Vice Chairperson Wirthlin asked if there was any reason that they thought the development deal may fall through.

Mr. Spatafore stated that he didn't believe so.

Vice Chairperson Wirthlin inquired what benefit thirty days could give the Commission in making this decision.

Mr. Spatafore noted that the benefit to his employer would be that the sale would more than likely be final by then, but also stated that the sale may take longer than thirty days.

Commissioner Chambless inquired if Mr. Spatafore saw this new development as being consistent with the current Master Plan. He then stated that this motion has been tabled already, and wondered why the Commission should table the petition again.

Mr. Spatafore noted that he felt this new development would be consistent with the current Master Plan. Mr. Spatafore stated that there has been a number of discussions between the buyer and sellers, however, he did not feel that this was relevant to the petition.

Commissioner Chambless inquired if Mr. Spatafore felt that thirty days would be sufficient for the deal to close.

Mr. Spatafore said that thirty days should be a sufficient amount of time to close the deal.

Commissioner Delay stated that she understood why they would want thirty days to close the deal, but didn't feel Mr. Spatafore was magnanimous in his request. Commissioner Delay noted that she wondered if Mr. Spatafore didn't care for the conditions that would be imposed with approval.

Mr. Spatafore noted that the City Master Plan for this area called for Mixed Use with Office Space, and that is what his client intended to do. Mr. Spatafore admitted that he was not magnanimous, but was indeed looking at how other developments might be affected in the future.

Cindy Cromer noted that this petition was started in 2005 and it would be unconscionable to not act now on this petition.

Chairperson McDonough opened the floor to the applicant again.

Cary Dunn with NovaSource Development, the property owner, stated that if the buyer does not follow through, they intend to go forward with the development. Mr. Dunn noted that they began this process with staff in October of 2004. Mr. Dunn stated that they did not know of any specific site plan improvement that Mr. Spatafore would like NovaSource to change.

Vice Chairperson Wirthlin noted that the petition was decided upon, however, it was then appealed and remanded back to the Commission and that is part of the reason it has taken time for the process to proceed.

Commissioner McHugh noted that the development is not going forward at this point anyway because there is a deal on the table.

Mr. Dunn asked the Commission what harm there would be in making a decision at this point in time.

Commissioner McHugh noted that the development does not fit with the Master Plan and is piece meal development.

Mr. Dunn stated that if Commissioner McHugh did not agree with the development then it could be denied, but that a decision should be made in either case.

Seeing no one else wishing to speak, Chairperson McDonough closed the public hearing portion of this petition at 6:55 p.m.

Commissioner Woodhead inquired of Mr. Joyce what conditions in the staff report memorandum would be applicable if the sale of the property went through.

Mr. Joyce stated that in case of the sale going through, condition number two would no longer be applicable, only standard number one as listed in the staff report memorandum.

Vice Chairperson Wirthlin noted that he was not convinced that the Commission should make a motion at this time because it might be premature.

Commissioner Delay noted that according to the staff report memorandum the conditions had been met.

Commissioner Woodhead agreed with Commissioner Delay.

Chairperson McDonough reviewed with Mr. Joyce the conditions related to findings of standards B & K as listed on page five of the staff memorandum.

Vice Chairperson Wirthlin asked what detrimental impacts these conditions were attempting to mitigate.

Mr. Joyce noted that these conditions gave shared parking to other developments and allowed access to Redwood Road and Gertie Avenue.

Vice Chairperson Wirthlin asked in what way this development could impact the development of a community shopping center.

Mr. Joyce noted that a pad site development could prevent future development of shopping center anchors. Mr. Joyce stated that the conditions being set here in the staff memorandum are maximized to encourage the sort of development that would encourage a community shopping center. Mr. Joyce noted that there are often developments in the City that have pad sites on a lot with a larger development nearby.

Chairperson McDonough invited Alison McFarlane, Senior Economic Development Advisor for the City, forward to comment.

Ms. McFarlane noted that this is viewed as piecemeal development and is viewed as preventing larger developments farther down the road from this development. Ms. McFarlane stated that she does not see it as being in harmony with the larger development and not the best use.

Chairperson McDonough noted that there were two possible decisions on the table, to table the petition or to make a motion to approve the petition.

Cheri Coffey asked for clarification from Mr. Joyce as to why condition number two in the Memorandum was no longer relevant.

Mr. Joyce noted that this inquiry would relate to what Mr. Pace stated earlier regarding Utah State Code. Mr. Joyce stated that findings would have to be made to demonstrate that the impact on the future development could not be mitigated for condition number two. Mr. Joyce stated that adjacent property owners could not be required to be involved in any decision on the property and that condition number two relates to the concept of comprehensive development in the Community Shopping (CS) Zoning District.

Louis Zunguze requested clarification from City Counsel.

Mr. Pace said that he agreed with Mr. Joyce's statement; condition two would deal with redesign or relocation of the buildings before they were built. Mr. Pace noted that the concern was to make sure that in a CS zone the development of a pad site does not make it impossible to accomplish the purpose of the zone and that making a motion to approve this petition with these conditions would require that compatibility be met with surrounding property owners.

**Commissioner Wirthlin made a motion to approve petition 410-777- a request by RTTA, LLC for planned development approval for new construction within the Community Shopping (CS) Zoning District at approximately 137 N. Redwood Road subject to conditions one and two as listed on page five of the staff report memorandum dated December 8, 2006 having found that the detrimental effects caused by this development could be mitigated appropriately with conditions one and two:**

1. The applicant revise the development plans to include the balance of the subject property through a revision process that includes:
  - a. Working with owners and/or developers of adjacent properties to provide a site plan that appropriately interacts with surrounding properties.

- b. Developing an internal circulation system integrated with adjacent CS Zoning District properties including:
    - i. Cross over easements
    - ii. Shared parking, and
    - iii. Parcel access to Redwood Road
  - c. Development of a design solution that reflects potential closure of Gertie Avenue, Harold Street and Duder Street
2. Property owner and lessees agree to the redesign and or relocation of buildings and site elements in the future to ensure compatibility with the site layout and architectural design of an overall community shopping center proposal as approved by the Planning Commission.

**Commissioner Delay seconded the motion. A vote was taken. Commissioners Woodhead, Algarin, Delay and Vice Chairperson Wirthlin voted in favor of the motion. Commissioners McHugh and Chambless voted against the motion. The motion carries 4-2.**

**PUBLIC HEARINGS**

**a. Petition 410-06-32-** A request by Greg Pedroza for a planned development to construct 13 single family homes upon an approximately 1.33 acre site generally located at 345 Edith Avenue. The project will replace an existing apartment complex. The proposal includes a request to modify landscaped setbacks, allow for a private road, allow for homes that do not front on a dedicated street and allow modifications of lot sizes. The density remains consistent with the base zoning district.

*(This item was heard at 7:20 pm)*

Commissioner Forbis joined the meeting and Commissioner Muir rejoined the meeting at this time.

Chairperson McDonough recognized Doug Dansie as staff representative.

Mr. Dansie reviewed the petition. He noted that this is the petitioner's third proposal for the site. Mr. Dansie noted that a key detail of the site development proposal includes a great deal of exterior landscaping and reduces the number of housing units from twenty-five to thirteen. Mr. Dansie stated that Blair Street would now dead end at the end of the development, allowing greater access to the Fire Department. Mr. Dansie noted that staff recommended conceptual approval to be finalized with the subdivision approval.

Chairperson McDonough opened the floor to comments or questions from the Commissioners.

Commissioner Delay noted that the Planning Commission Subcommittee had met twice regarding this petition and that vast improvements had been made.

Chairperson McDonough opened the floor to the applicant.

The applicant was not present to comment.

Chairperson McDonough opened the floor to the Community Council Chair or representative and the public.

Seeing no one from the audience who wished to speak on the petition, the Chair closed the public portion of the petition at 7:23 p.m.

**Commissioner Delay made a motion to provide conceptual approval of petition 410-06-32 for a planned development so the petitioner may proceed with financing and the subdivision process subject to the two following conditions:**

- 1. The petitioner meet all other code requirements, including the provisions for on-site staging and refuse collection.

2. Final approval will occur with the adoption of an approved subdivision (which may also involve minor modifications to the planned development approval).

**The motion was seconded by Commissioner Chambless. All voted "Aye". The motion passed unanimously.**

Chairperson McDonough called for a five minute recess at this time.

**b. Petition 410-653-** A request by Westminster College to amend the original Planned Development approval, which was originally heard on January 14, 2004. The petition allowed, in part, the demolition of one home and the conversion one existing single-family home, located 1182 and 1184 Blaine Avenue, into an Alumni House and garden, which are intended to be integrated into the campus. The new proposal is to demolish both homes and construct a new Alumni House. The proposal has changed based upon the renovation costs of remodeling the original home. There was an associated petition (400-03-27) to rezone the parcels to I Institutional to accommodate the development of the Alumni House, which was finalized on October 25, 2006. Also, an associated petition (400-03-28) to close the rear alley, which was finalized on January 26, 2005.

*(This item was heard at 7:30 p.m.)*

Chairperson McDonough recognized Doug Dansie as staff representative.

Mr. Dansie noted that this was one element of a much bigger project including the Westminster College Wellness Center and rebuilding of the athletic complex. Mr. Dansie stated that in researching the renovation of one of the buildings the developers have noted that preserving the structure was neither practical nor economical. Mr. Dansie added that the new proposal consists of demolishing both homes on the site and constructing a new building on the site. Mr. Dansie noted that he received a letter of support from the Sugar House Community Council and one handwritten letter of opposition from a citizen, Kathleen Anderson, 1169 East Blaine Avenue.

Chairperson McDonough asked if there were any questions from the Commissioners.

Chairperson McDonough opened the floor to the applicants at 7:35 p.m.

Steve Morgan, executive Vice-President of Westminster College and Pablo Gotay, the architect, were present to answer any questions. Mr. Morgan stated that he felt the staff report explained the project well.

Commissioner Delay asked if she needed to recuse herself from the vote, being a past alumni president.

Commissioner Chambless stated he had no objection to Commissioner Delay being allowed to stay. The rest of the Commissioners agreed.

Chairperson McDonough opened the floor to the Community Council representative at 7:37 p.m.

Helen Peters, the Land Use and Zoning Chair of the Sugar House Community Council, noted that the Sugar House Community Council supported this project, adding that the Sugar House Community Council would appreciate seeing the Westminster Small Area Plan move forward.

Vice Chair Wirthlin asked Ms. Peters what concerns the Council had in the past regarding this petition.

Ms. Peters noted that the surrounding area was part of a Riparian Corridor and there were some concerns about the disruption of local wildlife. Ms. Peters stated that concerns also existed regarding the disruption which construction may cause for surrounding neighbors.

Chairperson McDonough invited the applicant back up for comment; however the applicant had no further comments.

Seeing no others wishing to comment, the Chair closed the public hearing and called for a motion.

**Commissioner Algarin made a motion to approve petition 410-653, for the Westminster College Alumni House with the following condition:**

1. A solid fence is placed along the west property line of 1182 East Blaine Avenue (Alumni House garden).

**Commissioner Forbis seconded the motion, All voted "Aye". The motion passed unanimously.**

**c. Petition 410-06-41 -A request by Property Reserve, Inc. for approval of a parking structure at approximately 125 East Social Hall Avenue that would exceed the maximum one hundred foot building height limit established by the D-1 Central Business District for properties located at mid block (21A.30.020.F).**

*(This item was heard at 7:42 p.m.)*

Chairperson McDonough recognized Joel Paterson as staff representative.

Mr. Paterson gave an overview of the petition. Mr. Paterson noted that the proposal for this development would allow for ten stories of parking above grade. He noted that there is an elevator tower which has been lowered from 124 feet to 116 feet in height and this would no longer exceed the height exception clause in the Zoning Ordinance. Mr. Paterson noted that the west façade includes an elevator tower also underneath the allowed 116 feet. He noted that the northern half of the West façade is approximately 106 feet in height and this is approximately six feet above the maximum allowed building height. Mr. Paterson stated that materials proposed for the parking structure included a combination of glass, brick and concrete and that the front ground floor façade meets all D-1 Urban Design Standards. Mr. Paterson noted that staff recommends the Planning Commission approve the height exception request subject to the conditions listed in the staff report.

Chairperson McDonough opened the floor to questions from the Commissioners.

Commissioner Forbis inquired how many parking stalls were confirmed in the staff report.

Mr. Paterson noted that it was 685 stalls.

Commissioner Muir asked if the inconsistency in the drawings (elevations versus the floor plans) would be rectified by the applicants.

Mr. Paterson stated that he would let the applicants address that concern.

Chairperson McDonough opened the floor to the applicant at 7:50 pm.

Bill Williams, Allen Sullivan, Grant Thomas and Mark Gibbons were present from Property Reserve, Inc. (PRI). Mr. Williams gave a visual presentation on the planned parking structure. Mr. Williams reviewed elevations and pedestrian entrances as well as the structure's orientation in relation to the Belvedere Condominiums building. Mr. Williams noted that the planned structure would attach to an existing building.

Chairperson McDonough opened the floor to questions from the Commissioners.

Commissioner Delay inquired if the existing parking structure for the Belvedere building would be incorporated into the new design.

Bill Williams noted that the Belvedere building parking structure will be demolished and a new garage will be put in its place.

Commissioner Delay inquired who would be parking in this building.

Bill Williams noted that residents of the Belvedere building would be allowed to park there, in addition to others from a nearby office building, and those wishing to visit retail spaces below.

Commissioner Delay asked what services would be incorporated into the retail space of the garage structure.

Mr. Williams indicated that PRI would like to see small retail businesses and services in these spaces.

Commissioner Delay inquired if there were any concerns about pedestrian business.

Mr. Williams indicated that the grocery store entrance would be facing the parking garage development and would have heavy pedestrian activity lending business to the small retail spaces.



Commissioner Forbis inquired how many stalls are in the existing parking structure.

Grant Thomas noted that there are approximately 300 parking spaces.

Commissioner Delay asked how many stalls were currently available to Belvedere residents.

Mr. Thomas noted that the Belvedere currently has 260 stalls available and stated that PRI felt this development would be an improvement.

Commissioner Forbis inquired how many stalls will be installed in the structure underneath the Harmon's Supermarket development.

Mr. Thomas stated that PRI is planning for at least 100 stalls underneath the Harmon's development.

Mr. Williams pointed out that the Belvedere has requested shielding the first few levels of the parking garage to eliminate the possibility of intruding car lights.

Chairperson McDonough opened the floor to a representative of the Community Council, there were no representatives present.

Chairperson McDonough opened the floor to the public.

Tyler Christensen, 111 Social Hall Avenue, was recognized as a representative of the Belvedere Management Committee and the Belvedere Home Owners Committee. He noted that the Committees approved of the proposal and felt it would assist the Belvedere. He noted that Social Hall Avenue has been a street plagued by blight for a number of years and this development would not only aid the Belvedere but provide a vibrant gateway to the City Creek Development.

Commissioner Woodhead inquired of the applicant where people would be parking during the construction process.

Mark Gibbons stated that there are stalls available on Regent Street and hourly parking spaces would also be available on Social Hall Avenue.

Mr. Thomas indicated that they intended to complete the construction process by May of 2008.

Seeing no further comment from the public, Chairperson McDonough closed the public hearing and requested a motion from the Commission.

**Commissioner Delay made a motion to approve petition 410-06-01 a conditional use request to allow the height for the parking structure to exceed the maximum height regulation based upon the findings of fact and subject to the following conditions:**

1. Substantial conformance with the plan reviewed by the Planning Commission; and
2. Compliance with all applicable City Code requirements and Department and Division Comments.

**Commissioner Forbis seconded the motion. All voted "Aye", The motion passed unanimously.**

#### **ISSUES ONLY HEARING**

The Planning Commission will continue to discuss and receive public comment regarding aspects of the City Creek Center development from West Temple to 200 East, and South Temple to 100 South, proposed by Property Reserve, Inc. and The Taubman Company.

*(This item was heard at 8:14 pm)*

Mark Gibbons, Bill Williams, Grant Thomas and Allen Sullivan from PRI were again present to address the Planning Commission.

PRI representatives gave a presentation to the Planning Commission addressing the concerns from the letter of January 9, 2007, from the Planning Commission, including Mid Block heights, Shadow studies, Block Apertures, Food Court, Traffic Analysis and Interim Parking Analysis.

Mr. Williams noted that any questions the Commissioners might have could be addressed during the presentation.

Mr. Williams gave the first portion of the presentation about Mid-Block heights and reviewed the heights of proposed buildings on Blocks 75 and 76. Mr. Williams noted that the reason for constructing these buildings in the mid-block area is that current construction on the corners of these buildings precludes the exceptional height opportunity for additional towers on the corners.

Commissioner Delay inquired how tall the LDS Church office building was in order to obtain some idea of Tower 2's relation to the proposed towers.

Mr. Williams noted that the LDS Church Office building was more than 420 feet in height, slightly taller than the highest proposed tower, Tower 2 at 415 feet. Mr. Williams noted that the justification for this was to provide additional residential units.

Mr. Williams noted that another skyline issue existed. Mr. Williams noted that Tower 2 has a very small footprint, providing some contrast in the downtown skyline.

Chairperson McDonough asked if this tower was slated for later development and if it would be part of the Planned Development Approval.

Mr. Williams noted that it would be part of the Planned Development Approval Application.

Commissioner Muir inquired about the overall economic model of the development. Commissioner Muir noted that there are several stores that are common to the suburbs; however, he did not see any retailers that would necessarily draw residents in from the suburbs. Commissioner Muir asked how the developers intended to make it economically viable and not a construction site for the next twenty years.

Mr. Williams noted that part of the plan depended upon internal residents within the space. Mr. Williams stated that it is a Mixed Use project intended to create a neighborhood in the center of downtown. Mr. Williams stated that part of the draw should be the integrated, mixed use model.

Mr. Williams stated that with the proposed height exceptions, there will be 223 additional residential units on site.

Mr. Williams went on to present PRI's Shadow Studies and Block Apertures to the Planning Commission. Vice Chairperson Wirthlin noted during the Block Aperture presentation that part of the reason to see the aperture figures was in order to visualize the walkability of the space.

Mr. Williams discussed some of the grade changes involved in the project.

Chairperson McDonough voiced her concern over a portion the streetscape and whether it would be vehicular or pedestrian.

Mr. Williams noted that it would be pedestrian.

Mr. Williams reviewed the Richards Street opening. Mr. Williams noted that the street would be pedestrian with an entrance to the Nordstrom's store.

Mr. Williams noted that many of the residential buildings would have entrances facing main streets in order for residents to have recognizable addresses for the general public.

Mr. Williams reviewed the proposed building apertures on State Street and 100 South, looking particularly at Tower 2, noting that between the top of Tower 2 and the Marriott Hotel there is sixty-eight feet and forty-eight feet of non-pedestrian space at the base of the buildings.

Chairperson McDonough asked how the grade change would be addressed when walking behind the Qwest building.

Mr. Williams noted that there is a dramatic grade change at this location and the intent is to put in an architectural feature there, a kind of "Spanish steps".

Commissioner Muir addressed his concern that the buildings would necessitate forty percent glass on the street front and what that might mean for the development.

Mr. Williams noted that they saw it as a positive detail of the development and that they would not function simply as display windows.

Mr. Williams stated that most streets within the pedestrian-only zone of the proposed development ranged between forty and sixty feet in width, and that the pedestrian-only zone consists of extensions of Social Hall Avenue, Regents Street and Richards Street.

Mr. Williams reviewed crosswalk access to the project.

Mr. Williams presented a conceptual drawing of what the weather covering over the Galleria might look like. Mr. Williams noted that the intention was to make this a retractable covering with the possibility for an open space for two-thirds of the year and enclosed space with climate control on a day with extreme weather conditions.

Chairperson McDonough asked what they meant by a removable cover and to what degree it would be removable.

Mr. Williams noted that PRI would like to make it completely removable, but at this point in the design process there are technical details that must be worked out, such as how transparent they wish to make the covering versus how removable they wish to make it.

Mr. Williams noted that between the Beneficial Life Tower and the Eagle Gate Building will be a main entrance to the Food Court.

Mr. Williams presented a conceptual architectural plot displaying what the food court will look like. He noted that it will be two levels, accessible by several entryways and will have seating for one thousand individuals.

Chairperson McDonough asked how many retailers would be in the development.

Mr. Williams stated it would be between ten and twelve vendors.

Chairperson McDonough voiced her concern with how the project would balance the Food Court Development with surrounding restaurant developments and how the center court development would balance with the surrounding development.

Mr. Williams noted that there will be restaurants with sit down service and outdoor dining on all sides of the development and they felt they could service the needs of everyone in this manner.

Mr. Thomas gave a presentation on the Traffic Analysis addressing pedestrian traffic, Trax analysis and the timing of lights.

Mr. Thomas reviewed the traffic distribution noting that fifty percent of the traffic will come from the South, fifteen percent from the East, twenty-five percent from the North and about ten percent from the West.

Mr. Thomas noted that pedestrian-vehicle conflicts would be reduced due to the elimination of five cross-overs at the sidewalks of the project and by modifying several center street ramps.

Mr. Thomas then reviewed a number of these ramps included in the Traffic Analysis.

Mr. Thomas reviewed the level of service at nine intersections, noting that seven out of nine intersections were acceptable, but the two intersections that were not acceptable are at North Temple and State Street and South Temple and State Street. Mr. Thomas added that the development would not make the intersection traffic at these points much worse, but not much could be done about them.

Traffic signing and striping was reviewed by Mr. Thomas.

Mr. Thomas gave information about Interim Parking, about the availability of parking spaces during the development, part of a shared parking study with the Transportation Division and Planning.

Mr. Thomas noted that all conditions for Interim Parking have been met.

The Commission voiced some confusion regarding how Shared Parking differs from Alternative Parking.

Mr. Zunguze asked that a staff representative come forward to explain this difference.

Doug Dansie, Senior Planner, came forward to explain the difference between Shared Parking and Alternative Parking. Mr. Dansie stated that Shared Parking is when two distinct land uses share the same parking lot, citing the classic example of Broadway Center which has an Office Building and a Theater. Mr. Dansie stated that these uses have different hours of use which requires a smaller number of parking spaces than would have otherwise been required.

Mr. Dansie stated that Alternative Parking is allowed when a property proves it is different and doesn't need as much off street parking, citing a nursing home as an example. In this example, residents do not need to drive and therefore less parking is required; with alternative parking, the applicant must prove that they are different from other facilities and therefore, they may take advantage of the Alternative Parking requirement.

Mr. Dansie also noted the example of the Delta Center. Mr. Dansie stated that strict zoning would have required a four or five thousand stall parking garage. Mr. Dansie stated that rather than see this happen, the Delta Center went through a process with the Board of Adjustment to circumvent the requirement strict zoning compliance would create.

Mr. Dansie stated that when the LDS Conference Center and Church Library were constructed, the Crossroads Plaza Parking Structure was not part of the church's holdings and therefore did not factor into the parking requirements. Mr. Dansie noted that the City Creek therefore had no problem in augmenting its parking to a great deal as minimum requirements are met for all three uses through the Shared Parking process.

Chairperson McDonough voiced her concern that there still may not be enough parking for everyone.

Mr. Dansie noted that yes, ideally, there may not be enough stalls, but legal requirements have been met.

Chairperson McDonough asked when the City may start thinking that this is too much parking.

Mr. Dansie noted that in 1995, the Zoning Ordinance instituted lower parking minimums as well as caps on total parking stalls to prevent overbuilding. Mr. Dansie also noted that in 1995, there was no Light rail system in place, and after this alternative system was in place, it was assumed that City Council would begin lowering these caps. Mr. Dansie stated that he believed one of the results of the new Downtown Master Plan may be that the necessity of lowering these caps will be realized.

Commissioner Forbis stated his concern that there may be too many parking stalls, citing an excess of twenty-five hundred stalls.

Dave Goeres, Transportation Consultant for PRI, noted that there will be a demand for all of the proposed parking spaces and that what is being met is the minimum requirements. Mr. Goeres noted that one of the requirements in the Zoning Ordinance states that one parking space is necessary for every five seats in the LDS Conference Center, a forty-three hundred seat facility; therefore there is a demand above the requirement that must be met.

Mr. Gibbons noted that there is an excess of stalls, but not near the magnitude of twenty-five hundred stalls and while the number Commissioner Forbis cited, is in excess of the minimum requirement of what the Zoning Ordinance requires and it is not an increase in how many stalls currently exist in that area.

Chairperson McDonough asked of staff when the City should begin to make a concerted effort to lower the current caps on parking and push towards alternative transportation use.

Tim Harpst, the City's Director of Transportation, noted that this change would be coming very soon. Mr. Harpst noted that as the downtown evolves there will be times that parking and parking demand changes, and that a plan is in the works to denote these uses as shared spaces as well as ensure that there is a substantial amount of off-street parking to augment demand. Mr. Harpst stated that they would soon be promoting a "park once" concept; if a citizen has to drive, they should be able to drive into town, park once and then do what they need Downtown utilizing alternative means of transit currently available.

Chairperson McDonough inquired when alternative transit may become the predominant means of travel into the downtown area.

Mr. Harpst noted that this change would be difficult to predict, but that a plan was in place for the next twenty-five to thirty years, phasing in new light rail lines and providing improved access and circulation throughout downtown.

Commissioner Chambless voiced his concern regarding a connection between the Gateway area and the City Creek development.

Mr. Harpst recognized that this was a concern of the Transportation Department as well as leaders in the downtown area. Mr. Harpst noted that the Transportation department is working with UTA now in order to formulate a plan to make alternative transportation available.

Commissioner Chambless noted that he was more concerned with walkability between the two areas.

Mr. Harpst noted that that could very well happen. He stated that the desire is to let people walk the downtown area with ease, and that one of the key concepts is to identify streets that are pedestrian oriented and of mixed use to allow an increased amount of comfort for all individuals. Mr. Harpst stated that they have also been meeting with UDOT on a weekly basis in crafting the Downtown Transportation Master Plan.

Chairperson McDonough noted that PRI had copies available to the Commissioners of the Parking Analysis study.

Chairperson McDonough inquired if there were any members of the public who wished to speak in regards to the City Creek Development at 9:46 p.m.

Allen Sullivan with PRI noted what he understood to be the next steps. Mr. Sullivan stated that his team planned to present a series of detailed design drawings regarding the mid-block height issues to the Planning Staff next week. Mr. Sullivan stated that it was anticipated that for PRI's part, the next Planning Commission meeting on January 24, 2007 was once again an issues-only hearing and that if there were any information needed by the Commission before then, they would be happy to supply it.

Commissioner Muir voiced his concern regarding deciding upon the mid-block height exception issues in a petition that also addresses other issues and that he would rather these issues be decided together than separately. Commissioner Muir also stated that he was interested in knowing how the Commission can assist the developers in their struggle waiting for language from City Council.

Mr. Zunguze noted that there was no perceived timeline for approval of this project; however, he stated that as far as the mid-block height exception issue is concerned, there is a vehicle in the Zoning Ordinance to deal with that issue. Mr. Zunguze noted that the Master Plan issue is a new domain and may require some guidance from City Council.

Commissioner Muir stated that he then understood that the mid-block height exception is a different level of exception in the Master Plan than the pedestrian sky bridge and its impact upon view corridors.

Chairperson McDonough stated that it was a case of a Conditional Use approval for the mid-block height exception versus an amendment in the Master Plan for the pedestrian sky bridge.

Chairperson McDonough noted that she was concerned about how the Planned Development may be reviewed as a whole when the Commission has to approve the development piece by piece.

Mr. Zunguze noted that the next element is to see how the façades of the mid-block structures will fit into the development and that so far the Commission had done an excellent job in visualizing the end product and acting upon the individual portions of the development. Mr. Zunguze also stated that City Council has expressed that they will move forward as fast as possible as soon as the language is available.

Chairperson McDonough asked when it might be possible that the Planning Commission move forward with the Planned Development Application.

Mr. Gibbons noted that his understanding was that the Planned Development Application has been submitted but that the issue now was making sure that all of the necessary information and adequate support for the Application was present.

Chairperson McDonough inquired of Planning Staff if a staff report was being formulated to address this Planned Development.

Mr. Zunguze stated that the staff met today to address these issues and discuss how to package the staff report. Mr. Zunguze added that if the Planning Commission felt comfortable with the site plan presented this evening, then that would be a major part necessary in order to move forward. Mr. Zunguze noted that additional detail regarding the street front façades is needed.

Commissioner Algarin noted his support of the site plan.

Commissioner Forbis stated that he would like some more clarification in terms of how the development will look from the street including the landscaping, water features and Main Street, noting that he would like to be able to visualize how the development will drive pedestrian interaction.

Chairperson McDonough noted that the conceptual approval of the Planned Development hinges upon the pedestrian sky bridge approval and the pedestrian corridor is wholeheartedly connected to that portion of the development. Chairperson McDonough stated that if the sky bridge cannot be integrated into the report at this time then it shouldn't be included in the conceptual approval.

Mr. Zunguze requested that the applicant bring forth as much information as possible to the next meeting so that this development can move significantly forward.

Mr. Gibbons stated that PRI could do a better job of linking all of the proposed elements together for a more complete presentation at the next Planning Commission Meeting.

Chairperson McDonough noted that the Commission would still like to see more information regarding walkability with a little more detail entailing how the development will anticipate paths throughout the development and throughout the surrounding area as well.

Commissioner Forbis stated that he wished to see more of a visual interpretation regarding how this development will have no real back side.

Mr. Gibbon noted that all services and delivery areas will be below grade in the development and therefore there will truly be no back side.

Chairperson McDonough stated that the Commission would like to see more detail about the mid-block structures including visual and physical connectivity to other parts of downtown as well as street elevations, and types of retail uses. Chairperson McDonough noted that there was a need for more information regarding the impact of this project on vistas and she wondered how people within the development will see the surrounding area outside of the development.

Mr. Gibbons note that the desire with this development is to create a space in which people can view the mountains or other surrounding landmarks.

Chairperson McDonough noted that the Commission would enjoy seeing how these views tie into the development.

Mr. Gibbons stated that PRI could come back with a landscaping plan and more detailed information regarding these views.

Mr. Williams noted that the presentation could be of a greater scale at the next meeting to give the Commission a better idea of how all the details relate within the scope of the development. Mr. Williams stated that there is a very detailed drawing of the South Temple frontage but that it is a very large drawing.

Chairperson McDonough asked the Commission if this Issues Only Hearing should be moved up in the January 24, 2007 agenda.

Commissioner Forbis indicated that he felt it would be much more productive for the Commission if the item were moved up.

**Vice Chair Wirthlin made a motion to move the Issues Only Hearing portion of the January 24, 2007 meeting forward on the agenda. Commissioner Forbis seconded the motion. All voted "Aye". The motion passed unanimously.**

There was no further business.

The meeting adjourned at 10:18 p.m.

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Cecily Zuck~ Senior Secretary