

# PLANNING COMMISSION STAFF REPORT

City Creek Center  
Conditional Use Petition 410-07-44 and  
Planned Development Petition 410-06-38  
Generally located between West Temple and 200 East,  
from South Temple to 100 South  
January 9, 2008



Planning and Zoning Division  
Department of Community  
Development

**Applicant:** City Creek Reserve, Inc. (CCRI)

**Staff:**

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**Current Zone:** D-1  
Central Business District

**Master Plan**

**Designation:** Central Business District

**Council District:** District Four, Council Member Luke Garrott

**Acreage:** Approximately 25 acres

**Current Use:** Mixed-use –retail, office and residential uses

**Applicable Land Use Regulations:**

- 21A.30.020.D D-1 District General Regulations (Allows modification of maximum front yard setback)
- 21A.30.020.F Special Controls Over Mid Block Areas (allows

**REQUEST**

**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. The applicants will highlight the changes that have been made to the project since the last review by the Planning Commission. This presentation will also provide greater detail on the site plans, building elevations, landscape and streetscape improvements and new information on the preliminary design concepts for the proposed skybridge.

**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-five feet (265') 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 additional building height at other mid-block 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').

**PUBLIC NOTICE**

Notice of the January 9, 2008 public hearing was mailed on December 21, 2007 which satisfied the required fourteen day noticing provision for conditional uses and planned development requests.

**STAFF RECOMMENDATION**

Based on the comments, analysis and findings of fact outlined in this staff report, Staff recommends, subject to departmental requirements, that the Planning Commission:

1. Grant conceptual planned development approval for building footprints, up to the podium level of the proposed development and the locations of entrances to the proposed parking structures on Blocks 75 and 76 and to allow building permits to be issued for the below grade parking structures and Towers 1, 6 and 7, levels P4 thru street level on Block 76, and the associated mid-block ramp on West Temple prior to final Plan Development approval.
2. Grant approval of Petition 410-07-44 requesting additional building height to allow the proposed building located at approximately 50 East 100 South to be constructed to a height of approximately two hundred and sixty-five (265) feet and to allow a portion of the front façade to be setback approximately fifteen (15) feet from the front property line.

Staff requests the Planning Commission provide direction to staff regarding concerns the Main Street crosswalk interface, skybridge alternatives and the treatment of the ZCMI façade.

modification of building height)

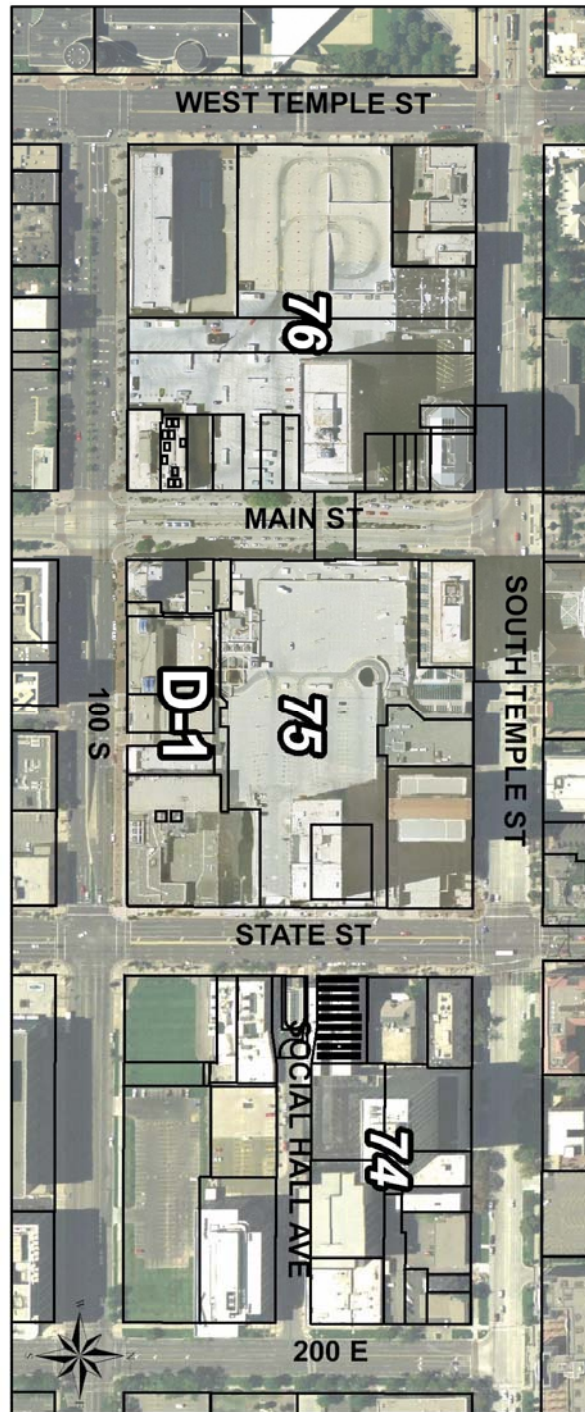
- 21A.54.080 Standards for Conditional Uses
- 21A.54.150 Planned Developments
- Commitment of public property for skybridge

**Attachments:**

- A. Ordinance 13 of 2007
- B. Planning Commission notes regarding Master Plan Amendments
- C. Department Comments
- D. The Grove
- E. Application Supplement (12/12/07)

**VICINITY MAP**

North  
→



## COMMENTS

### **Public Comments**

The Planning Division hosted a public open house on November 29, 2007 to allow the applicants to make a presentation on the changes that have been made to the project, introduce details regarding the conceptual design of the proposed skybridge and the new conditional use petition. Although only eight people signed the attendance role, approximately twenty to thirty people attended the open house. At this time, no written comments have been submitted from the open house. The following list is a summary of the public comments that were made at the open house.

- Confusion regarding UTA's request that the skybridge be enclosed when this was not required for the pedestrian bridge over East Campus Drive and the University TRAX line at the University of Utah was allowed to be open.
- Nordstrom façade on West Temple needs more openings – potentially small retail spaces incorporated into the façade.
- Realignment of Regent Street is a positive improvement.
- The project appears to be transparent (lots of glass at street-level) but would benefit from additional doors/entryways for pedestrians.
- Some retailers to the south of City Creek Center are opposed to the skybridge because it will not encourage pedestrians to walk north and south of the project.
- Emphasis seems to be on east-west alignment of retail along the galleria.
- Amount of retail space is a positive element.
- Eliminate the skybridge and use a grand staircase to encourage pedestrians on the second level to descend to Main Street.
- Skybridges seem more successful in much larger urban centers and not as successful in smaller urban centers such as Salt Lake City.
- Use of escalators and the skybridge is exciting and will be successful. Gateway was used as an example.
- Generally positive comments regarding the design of the facades and street-level.
- Will the project include space for small (local) retailers along the street frontages?
- Need to ensure that the housing actually contributes to 24-hour activity. Concern that new residents will be older and lack diversity.
- Keep galleria and other pedestrian access through the project open 24-hours.
- The proposed reduction in height of Tower 4 on South Temple isolates the building between two much taller buildings.
- Will "branding" or signage be allowed on the skybridge?
- Concern that an enclosed skybridge and galleria will discourage pedestrian activity on the adjacent public streets.

Prior to the most recent public open house noted above, the Planning Division hosted three other open houses focusing on various aspects of the proposed City Creek Center development. The first open house was held on November 1, 2006, where an overview of the entire project was presented by the applicants. Other open houses were held on February 6, and August 20, 2007,

to gather input on requests to modify the maximum mid-block building height and the maximum front yard setback standard for buildings on South Temple and 100 South.

### Planning Commission Hearings

The Planning Commission has held seven (7) issues only public hearings and four (4) public hearings where development decisions were made. The following table includes a summary of the hearing dates and actions taken by the Planning Commission:

ISSUES ONLY PUBLIC HEARINGS (No Decisions Made)	PUBLIC HEARINGS
<ul style="list-style-type: none"> <li>• October 25, 2006</li> <li>• November 11, 2006</li> <li>• December 13, 2006</li> <li>• January 10, 2007</li> <li>• January 24, 2007</li> <li>• February 14, 2007</li> <li>• December 12, 2007</li> </ul>	<ul style="list-style-type: none"> <li>• <b>November 29, 2006</b> <b>Petition 400-06-27</b> <u>Decision</u> – recommended partial street closures on South Temple, Social Hall Avenue, West Temple and 100 South</li> <li>• <b>Petition 400-06-38</b> <u>Decision</u> – recommended amendments to the Downtown Master Plan and the Urban Design Element</li> <li>• <b>January 10, 2007</b> <b>Petition 410-06-41</b> <u>Decision</u> – approved additional building height for parking structure on Social Hall Avenue</li> <li>• <b>February 14, 2007</b> <b>Petition 410-06-38</b> <u>Decision</u> – approved additional building height for towers on South Temple and 100 South and modified setback for tower on South Temple</li> <li>• <b>August 22, 2007</b> <b>Petition 410-06-38</b> <u>Decision</u> – Modified prior approval for additional building height for towers on South Temple and 100 South</li> </ul>

## City Department Comments

The applicants have been working closely with all City Departments and Divisions involved in development review since the project petitions were first submitted. Because of the size and complexity of the City Creek Center development, coordination meetings with the City (Community Development Department, Public Utilities Department, Transportation Division, Engineering Division, Planning Division, Development Services Division) and the applicants are held weekly and are on-going. As plans are developed and submitted for review, all comments and concerns are addressed in the coordination meetings. The following comments were submitted to the Planning Division following a recent coordination meeting. These comments reflect issues or concerns that must be addressed as part of the request for conceptual planned development approval.

**Transportation Division:** The Transportation Division has reviewed the traffic impact report submitted by the applicants and generally accepts its findings. The applicant must implement the necessary upgrades and changes to the transportation system that are recommended in the traffic impact report. Because of the elimination of the Dillard's anchor store and the addition of residential units, the applicant must submit a supplement to the initial traffic impact report. It is not anticipated that these changes will show an increase in the traffic impact generated by this development.

The Transportation Division is generally satisfied with the design of the in-street ramps providing access to the parking structures and the associated changes to traffic lanes and parking. Any changes to the design of the proposed ramps must be reviewed to ensure that the traffic lanes are not adversely impacted.

The Transportation Division has reviewed plans for the parking structure and indicates that some issues regarding ramp grades and transitions must be resolved to meet City standards.

**Public Utilities Department:** The Public Utilities Department has identified the following issues:

- Sewer capacity - early in the planning some preliminary sewage flow numbers were presented based on building square footages on whole blocks. From that study it appeared that sewer capacity would be less than the current demands. The Public Utilities Department will determine if there are capacity concerns as CCRI determines the location of towers and can calculate more detailed sewage flow numbers at more precise locations.
- The six-inch (6") water main in Social Hall Avenue must be replaced with a new twelve inch (12") line to meet current fire code requirements unless Social Hall is essentially abandoned as an access.
- The parking ramp in South Temple may have a conflict with the elevation of an existing sewer line. Final approval of buildings and new garage elevations should be subject to approval of the final ramp design elevations. The agreements for the ramps needs to

include language for expiration of the lease with the expiration of the use, and designated elevation limits. These two concepts are not in current SLC agreements.

- The City Creek Center water feature can utilize true City Creek water and this may have an impact on suggestions that native plants and Bonneville cutthroat trout be introduced to the water feature.
- The Public Utilities Department's greatest concern is the total discharge of storm water from the development to the storm water collection system. Both groundwater and storm water run-off will go into the existing storm drain pipes. There is limited additional capacity. There are some design trade-offs between dewatering rates, building depths and locations, and storm water detention. Some of these trade-offs might be expensive based on the value of the real estate.

**Engineering Division:** The Engineering Division reports no issues that would prevent the issuance of the requested building permits. However, the applicants must:

- Submit a "certificate of actual elevations" after the lowest foundation floor has been installed;
- Document any request for alteration of elevation of any existing sidewalk at the public right-of-way line. Any alteration of elevation within the public way must be reviewed and approved by the Engineering Division;
- Civil improvement plans are required for the proposed drive approach on 100 South that provides access to the parking structure.

## **STAFF ANALYSIS AND FINDINGS**

### **Project History**

Beginning in October 2006, the applicants have submitted several petitions relevant to the overall development of City Creek Center, including requests to:

- **Amend the Downtown Master Plan and the Urban Design Plan.**  
Status: The City Council amended the Planning Commission recommendation and adopted *Ordinance 13 of 2007*. Attachment A includes the language adopted by the City Council that details the extenuating circumstances and minimum requirements that must be met in order for the City Council to approve an exception to allow a skybridge. Attachment B includes the notes from the May 23, 2007 Planning Commission meeting where the Planning Commission detailed the information the Planned Development submittal should contain in order to appropriately determine whether or not the skybridge design complies with the standards adopted by the City Council. The applicants' response may be found in the three-ring binder under the tab titled "Sky Bridge Proposal," pages 1-9. The Application Supplement, included as Attachment E, contains additional information regarding the proposed skybridge. See page 3 of the introduction letter of the Supplement. The letter will direct Commissioners to Exhibits 4, 5, and 6 of the Supplement for additional information of alternatives to a skybridge, shadow study and comparisons of other local "bridges".

- **Approve partial street closures.**  
Status: The City Council has held a briefing and a public hearing on the proposed partial street closures but has not yet taken final action. CCRI has withdrawn the request for the proposed partial street closure to extend the Social Hall pedestrian tunnel. CCRI and Taubman presented the proposal for a skybridge at the December 12, 2007 Planning Commission meeting. The applicants are requesting feedback from the Commission regarding the proposed design and will request a recommendation from the Planning Commission to the City Council on the design of the skybridge and the proposed partial street closure over Main Street at a subsequent public hearing.
- **Grant planned development approval for the overall site and development plans.**  
Status: On January 9, 2008, the Planning Commission will consider granting conceptual planned development approval for building footprints, up to the podium level of the proposed development and the locations of entrances to the proposed parking structures on Blocks 75 and 76. If the proposed motion (see “Recommendation” on page 1 of this staff report), is adopted, the Planning Commission will be authorizing the issuance of building permits for the below grade parking structures and Towers 6 and 7, levels P4 thru street level on Block 76, and the associated mid-block ramp on West Temple. Final Plan Development approval will be considered by the Planning Commission at a subsequent public hearing.
- **Grant conditional use approval for additional building height at mid-block locations and to allow modification of maximum building setbacks.**  
Status: The Planning Commission has granted conditional use approval to allow several buildings to exceed the maximum building height requirements at certain mid-block locations and to modify the maximum setback requirement on certain buildings. At the public hearing on January 9, 2008, the Planning Commission will consider Petition 410-07-44, requesting additional building height and setback for a building located approximately at 50 East 100 South. This petition was considered during an Issues Only public hearing on December 12, 2007.

## Master Plan Discussion

The **Central Community Master Plan**, adopted in 2005, identifies the site of the City Creek Center as being part of the Central Business District on the Future Land Use Map. While the Central Community Master Plan refers to other master plans (listed below) for land use policy direction in this vicinity, this plan includes the following four fundamental goals (page 3):

- Livable communities and neighborhoods
- Vital and sustainable commerce
- Unique and active places
- Increased pedestrian mobility and accessibility.

The **Downtown Plan**, adopted in 1995, has a stated purpose of articulating the vision of Downtown by formulating public policies, identifying needed public facilities and involving the necessary public commitment to achieve the vision, goals and objectives. The Downtown

Master Plan includes the following goals that are relevant to the development of the City Creek Center:

- *Plan to develop a critical mass of political commitment, implementation strategies, public capital investment, private investment and people to establish Downtown as the growth center of the region (page 6).*
- *Establish Downtown as a well-planned, desirable and diverse activity center serving the needs of a sizable 24-hour population (page 8).*
- *Preserve and reuse our existing physical environment while providing for orderly transition of certain land uses and creating a new expectation of uncompromising quality for future Downtown developments (page 10).*
- *Promote the physical connection and compatibility of the built environment with the natural environment and maximize the opportunities created by Downtown's unique proximity to nature (page 11).*

The **Urban Design Element** was adopted in 1990, with the stated purpose of articulating the City's urban design policies. Relevant policy concepts identified in the Urban Design Element include:

- *Emphasize Salt Lake City's unique urban form (page 8).*
- *Maintain the City's Central Business District as the visually dominant center of the City form (page 8).*
- *Emphasize the important role of all development in establishing the City's urban form (page 11).*
- *Identify, preserve, and develop open space and natural features to provide a diversity of uses and locations and level of development (page 16).*
- *Preserve prominent view corridors and city vistas. Prominent land forms, buildings, and monuments should remain clearly visible as city landmarks. Special attention should be given to the design of buildings adjacent to prominent view corridors (page 22).*
- *Maintain a pedestrian-oriented environment at the ground floor of all buildings (page 49).*
- *Preserve the street wall along Main Street from South Temple to 500 South, and along 100 South, 200 South, 300 South and 400 South streets from West Temple to State Street (page 66).*
- *Require all new developments (public and private) to contribute to the City's open space needs (page 80).*
- *Decline to vacate streets, alleys and other public right-of-way unless it is demonstrated that the vacation will result in a public benefit (page 80).*
- *Encourage private development of open space features (page 87).*
- *Reinforce desired land use patterns by providing links among individual developments and the surrounding areas and improving pedestrian circulation (page 87).*
- *Emphasize street-level open space first, inner block pedestrian networks second, and below and above-grade networks third. Skyways should not take activity away from the street or detract from principal view (page 87).*

The **Transportation Master Plan (1996)** includes the following guiding principles which provide the basis upon which present and future transportation issues will be evaluated and decisions made:



- *Salt Lake City's transportation system will support and encourage the viability and quality of life of its residential and business neighborhoods.*
- *Salt Lake City will encourage a multi-modal transportation system.*
- *Dependence on the automobile as our primary mode of transportation will be reduced by emphasizing other modes. The transportation system will be designed to move people, not just automobiles.*
- *Salt Lake City will take a leading role in addressing regional land use issues affecting Salt Lake City and their link to transportation impacts along the Wasatch Front.*
- *Salt Lake City will consider the impact of various transportation modes on the environment and the community.*
- *Salt Lake City will develop funding mechanisms which are equitable and adequate to meet the capital and operational needs of the transportation system.*
- *Salt Lake City will educate citizens about transportation issues and impacts, and encourage public involvement in the decision-making processes (page 1).*

The Transportation Master Plan's Functional Street Classification map indicates that Main Street is a City-owned arterial and State Street is a State-owned arterial. South Temple (west of State Street), 100 South and West Temple streets are collector streets. The Rail Transit Corridors Map identifies Main Street and South Temple as light rail corridors.

## **Standards**

The project is subject to three sets of standards and additional information requested by the Planning Commission. The following analysis is broken into four sections: *1) Conditional Use, 2 Planned Development), 3) Skybridge policy and 4) Additional Planning Commission and Staff questions.*

The conditional use standards, discussed on pages 9 thru 12, apply to **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-five feet (265') 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 additional building height at other mid-block 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 planned development standards, discussed on pages 13 and 14, and the skybridge criteria, discussed on pages 14 and 15, apply to the overall **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.

The lists of additional questions raised by the Planning Commission and the Planning Staff, discussed on pages 16 thru 18, apply to the overall project.

1) *Conditional Use Standards 21A.54.080* [mid-block height and setback]

**A. The proposed development is one of the conditional uses specifically listed in this Title.**

**Discussion:** Section 21A.30.020.F.3 allows for the Planning Commission to grant a modification of the one hundred foot (100') maximum building height regulation for buildings at mid-block locations through the conditional use process subject to the requirements of Section 21A.54 of the Zoning Ordinance. Section 21A.30.020.D.2.a allows for the Planning Commission to grant a modification of the five foot (5') maximum building setback regulation for buildings through the conditional use process subject to the requirements of Section 21A.54 of the Zoning Ordinance.

**Finding:** The proposed land uses are allowed as a permitted use. The standards of the D-1 District allow for additional building height and modification of the maximum building setback through the conditional use process.

**B. The proposed development is in harmony with the general purposes and intent of this Title and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans.**

**Discussion:** The purpose of the Zoning Ordinance is to promote the health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of the City. In addition, the Zoning Ordinance is intended to lessen congestion in streets and roads, secure safety from fire or other dangers, provide adequate light and air, classify land uses and distribute land development and utilization, protect the tax base, secure economy in governmental expenditures; foster the City's industrial, business, and residential development, and protect the environment.

- **The Central Community Master Plan:** This property is located in the area covered by the Central Community Master Plan. The Future Land Use Map in the Plan designates the property as Central Business District. The Plan emphasizes creating livable neighborhoods, developing vital and sustainable commercial development, creating unique and active centers and gathering places and improving the pedestrian environment through quality urban design.
- **The Downtown Master Plan:** The Downtown Plan does not specifically mention these blocks but talks of a larger retail core that is centered on Main Street. The Plan also makes strong statements about the importance of housing in providing a 24-hour population in order to support all the services of downtown.
- **The Urban Design Element.** The Urban Design Element generally encourages the tallest buildings in Salt Lake to be located in the central core. The primary concern has been the creation of an interesting skyline, rather than a collection of square-topped buildings.

**Finding:** The Downtown Master Plan supports a mixed-use retail based development at this site. Staff finds that the proposed development is generally consistent with the

Central Community Master Plan, Downtown Master Plan, Urban Design Element and other applicable Master Plans if all applicable zoning regulations are adhered to. The mid-block height is acceptable because the corner lot is occupied by a historic building, the tower facilitates residential uses and the roofline is more elaborate than a square-box.

**C. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets.**

**Discussion:** The proposed overall access is from South Temple, 100 South, and Main Streets, which are all city arterials and State Street, which is a state highway. The Salt Lake City Transportation Division has reviewed a traffic study supplied by the petitioner. The Transportation Division has been in contact with the consultant who prepared the report and the consultant is clarifying some items in the report and making some corrections. The Transportation Division is generally satisfied with the report and the changes and upgrades to the transportation system where recommend. The recommendations of the Transportation Division will be required for approval of this petition.

**Finding:** The traffic study must be approved by the Transportation Division. The Transportation Division's findings and recommendations must be complied with to insure the streets are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets. The Transportation Division is generally satisfied with the recommendations of the traffic study and does not anticipate that the traffic impact associate with this project will significantly degrade level of service on adjacent streets.

**D. The internal circulation system of the proposed development is properly designed.**

**Discussion:** The development is required to meet the minimum construction standards adopted by the City. The Transportation Division must approve the internal circulation of the proposed project and they have submitted comments to the applicant relating to the internal circulation regulations (ramp slope, clearance height, etc.). The Building Services Division will review the construction drawings and inspect the project, if approved, to insure that it is properly designed.

**Finding:** The internal circulation has been reviewed by the Transportation Division. The Transportation Division has listed multiple requirements in their conditions of approval.

**E. Existing or proposed utility services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources.**

**Discussion:** The Public Utilities Department has reviewed the proposal and have required several items be addressed, mainly in terms of controlling storm water and

potential groundwater control. Additional information has been requested regarding sanitary sewer flow calculations and confirmation that the South Temple parking ramp does not conflict with the location of the existing sewer line. The Public Utilities Department has indicated that off-site improvements to the public utility system may be needed. This determination will be made when sufficient information has been submitted and reviewed.

**Finding:** Public Utilities approval is required as a condition of approval. Off-site improvements to the public utility system may be required.

**F. Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts.**

**Discussion:** The building at 50 East 100 South Street is part of an integrated mixed-use project that is designed to fit into the larger context of the Central Business District. All loading and service facilities will be located in the underground parking structures which will help to eliminate noise impacts. The Zoning Ordinance requires any lighting to be shielded to prevent direct rays of light from shining onto adjoining properties (21A.44.04 Lighting).

**Finding:** The developers have integrated the building into the larger context of the Central Business District. Elevations for the 100 South façade are still necessary to determine the pedestrian interface of the building. Appropriate buffering from light, noise and visual impacts has been incorporated in the design of the project.

**G. Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood.**

**Discussion:** The project is located in the downtown area, which has a variety of building styles as well as historic buildings. The developer has attempted to weave the proposed development into the existing downtown and has been sensitive to adjacent properties.

**Finding:** The proposed architecture and building materials are consistent with the Downtown. Elevations for the 100 South façade are still necessary to determine the pedestrian interface of the building.

**H. Landscaping is appropriate for the scale of the development.**

**Discussion:** Landscaping is not required in the D-1 zoning district, but through the public process the developer has strived to create a design that combines natural elements with an urban form. City ordinance sets standards for all required landscape areas. No Landscaping is required in the D-1 zoning district, except public way improvements. The Downtown plan has policies regarding streetscape paving and street lighting designed to make any project fit into the larger whole. This project should be part of a larger Downtown design. All lighting on the subject property should be screened and deflected away from the adjacent land uses.

**Finding:** The landscaping is appropriate. Public way improvement should be consistent with other public way improvements in the Downtown area.

**I. The proposed development preserves historical architectural and environmental features of the property.**

**Discussion:** The site is adjacent to the historic Deseret Building, located on the corner of 100 South and Main Streets; but the new structure does not negatively affect the historic structure. The Zoning Ordinance was designed to encourage tall buildings to be located on corners, but allow exceptions for mid-block height; particularly if there are historic buildings already located on the corners.

**Finding:** The proposal to modify the building's height and front yard setback does not negatively impact local historic resources or environment features of the site.

**J. Operating and delivery hours are compatible with adjacent land uses.**

**Discussion:** Because it is a mixed-use project there will be a variety of operating times. Salt Lake City Code section 9.28.040 prohibits certain noises, including power equipment, during the night time hours. All major loading and service functions are located underground within the parking structures.

**Finding:** The operating and delivery hour will be compatible with adjacent land uses if applicable city code requirements are adhered to.

**K. The proposed conditional use or, in the case of a planned development, the permitted and conditional uses contained therein, are compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.**

**Discussion:** The additional residential population will help insure ongoing activity on the site. The corner locations on 100 South are presently occupied by historical or other buildings that are not likely to be removed in the near future. Therefore in order to increase density on the site, additional height is necessary.

The surrounding neighborhood is urban. Efforts have been made to integrate the development into the larger community rather than have a "turned-in" isolated unit.

The structure must be compliant with other zoning regulations regarding setbacks.

**Finding:** The proposed conditional use is compatible with the neighborhood surrounding the site. The proposed structure and use should not have a material net cumulative adverse impact on the neighborhood or the City as a whole if the development meets the minimum standards of all applicable City Codes and the requirements of the various city departments. The proposed development should have a positive effect on surrounding land.

**L. The proposed development complies with all other applicable codes and ordinances.**

**Discussion:** The proposed development is required to meet the specific standards in the zoning ordinance and any other requirement that reduces the impact on the adjacent land uses.

**Finding:** The proposed development must meet all applicable City, County, State and Federal codes and ordinances prior to issuance of a building permit.

**2) Planned Development [21A.54.150]**

The purpose of a planned development is to provide flexibility in the ordinance to achieve the following objectives:

1. Creation of a more desirable environment than would be possible through strict application of other City land use regulations.
2. Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities.
3. Combination and coordination of architectural styles, building forms and building relationships.
4. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion.
5. Preservation of buildings, which are architecturally or historically significant or contribute to the character of the City.
6. Use of design, landscape or architectural features to create a pleasing environment.
7. Inclusion of special development amenities.
8. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.

**Discussion:** The proposed project is in conformity with objectives 1 through 4, 6 through 8 of Section 21A.54.150.

Item 5 - The project is preserving the historic ZCMI façade. The façade removal and storage has been approved by the Historic Landmark Commission [petition 470-06-49]. The Historical Landmark Commission must review the proposed reuse of the ZCMI façade for the Macy's storefront. A potential issue will be the use of spandrel glass in the historic façade. This is generally not considered an acceptable alternative. The proposed ground level treatment of the ZCMI façade is also under discussion. The former ZCMI store accommodated the grade change within the building; the current proposal is to accommodate a grade change of approximately four and one-half feet out side of the building but on private property. A stair and ramp system located behind the ZCMI façade is proposed to accommodate the grade change from the sidewalk elevation to the finished floor elevation of the first floor of Macy's. Staff does not deem this to be the best solution because it eliminates an outdoor depressed area that may collect debris and snow and it potentially provides customers with an overlook point as they enter the store. Staff is of the opinion that the floor level of Macy's (at the entrance on Main Street)

should better relate to the elevation of the sidewalk and accommodate any required grade change within the interior of the project.

**Finding:** The project generally meets the requirements of the Planned Development approval criteria; however more detail is needed regarding the final façade treatment.

#### **21A.54.150E - Other standards.**

Standards for Planned Development Approval include the following:

1. It must meet the minimum lot size.

**Discussion:** There is no minimum lot size requirement in the D-1 District.

**Finding:** The project meets the criteria.

2. Residential density may not be greater than the base zone.

**Discussion:** The D-1 District has no density limitations for residential uses. The project contains approximately 600 dwelling units. The additional dwelling units in the Central Business District will be beneficial to the vitality and success of the City.

**Finding:** The project meets this standard.

3. Reduced width streets must be properly engineered.

**Discussion:** The developer does not propose to narrow the public right-of-way adjacent to this project. In-street parking ramps are proposed on South Temple, West Temple and 100 South to provide access to parking. The Planning Commission has recommended that the City Council approve partial street closures for these ramps (the City Council has not yet acted on the proposed partial street closures). The final design of the parking ramps must be reviewed and approved by the Transportation Division to ensure that adequate space is retained for travel lanes. There is only one private street within the proposal. It has been informally named Restaurant Row and connects 100 South to State Street. It serves access both access to parking and drop off to the development. The proposed Restaurant Row has been designed with Salt Lake City Transportation Division input.

**Finding:** The street is appropriate in width.

4. The perimeter side and rear yard building setback shall be the greater of the required setbacks of the lot or adjoining lot unless modified by the Planning Commission.

**Discussion:** There are no minimum front, rear or side yards required in the D-1 Zoning District. There is a maximum front yard setback requirement to encourage urban development. This project request exceptions to the maximum setback in several areas but is in general conformity with the concept.

**Finding:** The project meets this standard.

5. The Planning Commission may increase or decrease the side or rear yard setback where there is a topographic change between lots.

**Discussion:** The D-1 zone does not require side or rear yard setbacks.

**Finding:** Not applicable.

### ***3) Skybridge Policy, as amended by the City Council***

The City Council, after recommendation by the Planning Commission, may authorize exceptions to the policy of prohibiting skywalks on Main Street, State Street, West Temple, South Temple, 100 South, 200 South, 300 South and 400 South, and allow for up to one skywalk per view corridor if they find justification based upon the following extenuating circumstances and minimum requirements:

- A. A unified development proposal which includes no less than 7.5 acres of retail/residential mixed use located on each of the two blocks on opposite sides of one of the streets listed above is submitted by the property owner / developer to the Planning Commission, and the unified development contains no other skywalk.
- B. All other reasonable alternatives for creating a successful at-grade link between opposite sides of the street have been evaluated and found not to be feasible due to:
  1. A safety concern or
  2. physical barrier or
  3. insufficient integration of both sides of the development via an at-grade link
- C. A finding is made that a compelling public interest exists through substantial demonstration of each of the following:
  1. The proposed development would contribute to the objective of creating an active, vibrant streetscape by connecting people easily from upper levels to the street level corridor and maximizing public movement through architectural elements such as elevators, escalators, or grand entrances.
  2. The skywalk would be designed such that impacts on an identified view corridor would be minimal.
  3. The proposed development utilizes urban design, architectural elements and visual connections including pedestrian linkages that actively enhance the project's relationship to surrounding blocks and economic development opportunities for those blocks.
- D. Application of street level urban design elements for an entire project that enhance a primary pedestrian focus, requiring components including but not limited to all of the following:
  1. Maximize permeable block faces through actions including but not limited to:
    - a) Landscaped project entrances on each block face that open the block with pedestrian corridors, and;
    - b) Maximize visual permeability into a store or by a legitimate display window, and
    - c) Maximize outward facing retail on all block faces.
  2. Enhanced pedestrian amenities on all block faces such as but not limited to shading devices, signage and seating.
  3. Uses on all external block faces that support pedestrian activity including but not limited to restaurants, residential, or retail uses comparable to internal commercial activity.

After recommendation from the Planning Commission, the City Council (as the land use authority) shall have final approval of a skywalk as part of the street vacation process authorized by State Code. The Council may choose, on an individual project basis, to add specific project



and skywalk related design or other urban planning policy elements, criteria or conditions as part of the related street vacation action.

## **Discussion**

The developers have answered many of the requirements. However the rationale for item B has been that the two blocks must function as a single shopping center: The developers argue that there is not enough space to do a viable one level shopping center and a two level shopping center requires a connection at the second level to keep it viable. Another alternative of a one level shopping center where each of the stores is multiple levels, with internal circulation, has been dismissed. Attached is an example of such a shopping center as it exists in Los Angeles [The Grove]. Also find attached a list of the tenants of the shopping center. If a single level center, with multiple level stores were built on one or both of the blocks, the need for a sky bridge may be minimized.

The developers have proposed enclosing the sky bridge. Staff notes that this is different than the rest of the project which is open or semi-open to the outdoors. The overall City Creek Center is designed as an open-air mall with a retractable roof over only portions of the development. The skybridge as now proposed would be the only part of the main mall corridor that is permanently enclosed. By permanently enclosing the skybridge, the visual impacts are inherently increased, even if it is made of glass. This brings into question the rationale for criteria C, listed above.

### ***4) Additional Planning Commission and Staff questions***

The developer has provided a supplemental packet; see Attachment E, to discuss the following items. The **response** indicates the heading and page number in the supplement that identifies the applicant's response to individual questions.

List One: Planning Commission follow-up items created from comments made during the December 12, 2007, Planning Commission meeting and beyond.

1. ADA requirements: More visuals were requested to illustrate how the development would meet these requirements, i.e. bypassing the grand staircase and general navigability for differently-abled individuals. The Commission also requested that CCRI seek the opinions of individuals with disabilities within the community.  
**Response:** Compliance with the Americans with disabilities act *Page 2*
2. Visuals were requested regarding the design of the proposed food court; how does it differ from a regular mall development?  
**Response:** Design of the Proposed Food Court; *Page 4*
3. Richards Street connection south of the Nordstrom Winter Court, what does it look like?  
**Response:** Richards Street Connection; *Page 4*

4. Address the lack of public involvement regarding the skybridge design process and the changes to the original proposal.  
**Response:** Process for Sky Bridge Design; *Page 2*
5. Examples or renderings of the water features contained within the proposed development.  
**Response:** Water Features act; *Page 4*
6. More information regarding how the development will ensure pedestrian safety, particularly for those who wish to cross on the first level of Main Street.  
**Response:** Main Street vitality *Page 4*, Pedestrian safety; *Page 2*
7. Requested a copy of the slide presented by CCRI illustrating the number of apertures accessing the exterior of the development, allowing pedestrian traffic easy access to other shops and developments within the downtown area.  
**Response:** Project Apertures and Block Porosity act; *Page 3*
8. Pet amenities; where potential pet comfort stations might be located, and consider that a small dog park area might be created within the development.  
**Response:** Pet Amenities; *Page 4*
9. Report and/or graphics with more detailed information regarding why the skybridge is a necessity.  
**Response:** Compliance with the Americans with disabilities act; *Page 2*
10. Create a shadow study for the skybridge as well as a photo overlay showing how the view corridors would really be affected.  
**Response:** Shadow Study; *Page 3*
11. Comparison of other ‘bridges’ in the city in regards to size and scale.  
**Response:** Comparison with other bridges; *Page 3*
12. Additional discussion on LEEDS certification and level of compliance.  
**Response:** Leed Certification; *Page 4*
13. Renderings of “green” roof tops, including plans for xeriscape and community gardens.  
**Response:** Rooftop and Gardens; *Page 4*
14. How much and what types of alternative energy resources are planned for the project.  
**Response:** Alternate Energy; *Page 4*

List Two: Planning Staff ‘unanswered’ items listed in the staff report dated December 5, 2007.

1. Additional architectural details on new building elevations, particularly on 100 South.  
**Response:** *The developer provided general building elevations of all street frontages; however, staff is primarily concerned with the ground level interface; particularly on the Nordstrom and 100 South facades.*
2. Additional architectural details on 2<sup>nd</sup> level retail.  
**Response:** Architectural detail on Second retail level; *Page 4*
3. Additional architectural details on building entrances/modules, leasable areas.  
**Response:** Detail on building entrances; *Page 4*
4. Discussion of center grand staircases in the Galleria on both sides of Main Street.  
**Response:** Compliance with the Americans with disabilities act; *Page 2*
5. Additional graphics/information on evaluation of ‘other reasonable alternatives’ to the bridge.  
**Response:** Sky Bridge alternatives; *Page 3*
6. Additional elevations depicting vitality of Main Street ground level and foot traffic.  
**Response:** Main street vitality; *Page 4*

## Discussion

**Main Street:** The developers have answered many of the questions raised regarding the project, and have done an excellent job of integrating the development in to the larger community and have been sensitive to adjacent blocks when aligning view corridors and entrances to the project. However, staff is of the opinion that improvements can be made to the Main Street interface. Even though the crosswalk location was fixed by the location of the TRAX station prior to any design, the treatment of building facades adjacent to the crosswalk does not reinforce the overall development. The east/west galleria does not align with the Main Street crosswalk, which inherently discourages its use (and encourages jaywalking or use of the skybridge).

The architecture along the Main Street façade makes no visual acknowledgement or response to the crosswalk. On the west side of the crosswalk the building elevation consists of an emergency exit and on the east side the facade is split between escalators and leasable space with no architectural significance. Because the main galleria does not align with the sidewalk, efforts must be made to compensate for the design. The developers have attempted to remediate this by providing outdoor dining and upgrading the public way, however the adjacent escalator diminishes retail space adjacent to the street and efforts to guide pedestrians to the crosswalk remains artificial. Attempts to compensate for the issue could come in two forms: increased use of the public way to guide pedestrians, such as running the creek parallel to the curb, or by modifying the actual structure and Main Street façade to encourage pedestrian activity towards the crosswalk. Staff would prefer a combination of both with a preference for the latter approach and would like to see the developer rethink the Main Street façade in its relationship to the

crosswalk so that the crosswalk is more integral to the design, beyond mere alteration of the public way. This may be accomplished by having actual doors and/or entries to individual retailers align with the crosswalk, have the architecture highlight the crosswalk, bring the escalators or staircase to the crosswalk (instead of, or in addition to, accessing the galleria) and/or other physical responses.

The porosity map submitted by the developer accurately portrays the access from east to west across Main Street at the second level; however the ground level does not have the same free flow access, which encourages the use of the second level skybridge.

**Grand Staircase:** Staff has suggested to the developer that a grand staircase within the entry to the galleria be developed to encourage people to move from ground level to the upper level of the mall. The developer has resisted this concept based upon the argument that it impedes retail space along the galleria and blocks views of City Creek. Staff feels that the current proposal of escalators adjacent to Main Street is understandable because of the desire to access the upper levels at Main Street; however the current design places a switch-back escalator behind the façade, eliminating the street frontage as usable retail space, which creates the precise retail blockage on Main Street that the developers are trying to avoid within the galleria. This underscores the idea that the mall is a typical retail corridor that turns its back to Main Street. It would arguably be better to activate the Main Street frontage by having store entries onto Main Street. The location of the escalators behind the facade also diminishes the importance of the access to the upper level and may discourage people on the upper level from accessing Main Street.

There are numerous other shopping malls around the country that employ a grand staircase concept. For example Horton Plaza in San Diego is built around a series of stair cases and ramps. The following is a description of Horton Plaza taken from Wikipedia:

*Horton Plaza was the \$140,000,000 centerpiece of a downtown redevelopment project run by [The Hahn Company](#), and is the first example of architect [Jon Jerde](#)'s so-called "experience architecture". When it opened in August [1985](#), it was a risky and radical departure from the standard paradigm of mall design. Its mismatched levels, long one-way ramps, sudden drop-offs, dramatic parapets, shadowy colonnades, cul-de-sacs, and brightly painted facades create an architectural experience in dramatic contrast to the conventional wisdom of mall management. Conventional malls are designed to reduce ambient sources of psychological arousal, so the customers' attention is directed towards merchandise. By making the mall an attraction in itself, Jerde stood this model on its head.*

*Horton Plaza was an instant financial success, with 25 million visitors in the first year. Twenty years after opening, it continues to generate the city's highest [sales per unit area](#), in the range of \$600 to \$700 per square foot (\$6500 to \$7500/m<sup>2</sup>). From an urban planning standpoint, Horton Plaza is a civic asset that generates pedestrian traffic and shares it with a number of contiguous destinations, paving the way for the revitalization of the Gaslamp District. According to its web site, the mall has been "hailed locally and nationally as an*

*overwhelming success since its opening in August 1985, winning dozens of awards in design, architecture and urban development."*

While the developers of City Creek Center have made great strides in opening up the mall and accommodating other uses, it never-the-less retains closer ties to a standard suburban mall model, which consists of a long corridor with anchors at each end, than it does to more urban mall forms, such as those found at Horton Plaza and many other locations (for example: along Michigan Avenue in Chicago).

**EXHIBIT A**  
**Ordinance 13 of 2007 Amending the Downtown**  
**Master Plan and the Urban Design Element**

## 1986 ORDINANCE INDEX

### SALT LAKE CITY ORDINANCE

No. 13 of 2007

(Amending the Salt Lake Downtown Master Plan and the Urban Design Element)

AN ORDINANCE AMENDING THE SALT LAKE CITY DOWNTOWN MASTER PLAN AND THE URBAN DESIGN ELEMENT PURSUANT TO PETITION NO. 400-06-37

WHEREAS, Utah Code Annotated Section 10-9a-404 outlines the process for adopting or amending the City general plan; and

WHEREAS, after public hearings before the Planning Commission and the City Council, the City Council has determined that the following amendments to the Salt Lake City Downtown Master Plan and the Urban Design Element are in the best interests of the City;

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

SECTION 1. The Salt Lake City Downtown Master Plan, as previously adopted by the City, includes a section discussing "View Corridors". That section, currently located on page 30 of the Plan, shall be and hereby is amended to read as follows:

View Corridors: Views from downtown to the mountains and major landmarks should also be preserved. Skywalk or other obstructions that would block view corridors are prohibited on Main Street, State Street, West Temple, South Temple, 100 South, 200 South, 300 South and 400 South, and are discouraged on other streets.

The City Council, after recommendation by the Planning Commission, may authorize exceptions to the policy of prohibiting skywalks on Main Street, State Street, West Temple, South Temple, 100 South, 200 South, 300 South and 400 South, and allow for up to one skywalk per view corridor if they find justification based upon the following extenuating circumstances and minimum requirements:

- A. A unified development proposal which includes no less than 7.5 acres of retail/residential mixed use located on each of the two blocks on opposite sides of one of the streets listed above is submitted by the property owner / developer to the Planning Commission, and the unified development contains no other skywalk
- B. All other reasonable alternatives for creating a successful at-grade link between opposite sides of the street have been evaluated and found not to be feasible due to:
  1. A safety concern or
  2. physical barrier or
  3. insufficient integration of both sides of the development via an at-grade link
- C. A finding is made that a compelling public interest exists through substantial demonstration of each of the following:

## 1986 ORDINANCE INDEX

1. The proposed development would contribute to the objective of creating an active, vibrant streetscape by connecting people easily from upper levels to the street level corridor and maximizing public movement through architectural elements such as elevators, escalators, or grand entrances.
  2. The skywalk would be designed such that impacts on an identified view corridor would be minimal.
  3. The proposed development utilizes urban design, architectural elements and visual connections including pedestrian linkages that actively enhance the project's relationship to surrounding blocks and economic development opportunities for those blocks.
- D. Application of street level urban design elements for an entire project that enhance a primary pedestrian focus, requiring components including but not limited to all of the following
1. Maximize permeable block faces through actions including but not limited to
    - a) Landscaped project entrances on each block face that open the block with pedestrian corridors, and;
    - b) Maximize visual permeability into a store or by a legitimate display window, and
    - c) Maximize outward facing retail on all block faces.
  2. Enhanced pedestrian amenities on all block faces such as but not limited to shading devices signage and seating.
  3. Uses on all external block faces that support pedestrian activity including but not limited to restaurants, residential, or retail uses comparable to internal commercial activity

After recommendation from the Planning Commission, the City Council (as the land use authority) shall have final approval of a skywalk as part of the street vacation process authorized by State Code. The Council may choose, on an individual project basis, to add specific project and skywalk related design or other urban planning policy elements, criteria or conditions as part of the related street vacation action.

SECTION 2. The Salt Lake City Urban Design Element, as previously adopted by the City, include: section identifying view corridors and discussing skybridges. Those sections, currently located on pages 20, 21, 22 and 87, shall be and hereby are amended to read as follows:

Page 20: Salt Lake City has many view corridors which influence both the urban form of the City and the development character of its districts and communities. The most prominent include the following (see Vista Protection Map). (Figure 8.)

- State Street corridor of the State Capitol Building and surrounding foothills
- Exchange Place terminating at the Post Office Building
- Main Street to the Daughters of the Utah Pioneers Museum
- 200 South East to the University of Utah Park Building
- 300 South terminating at the D&RGW Railroad Depot.
- South Temple from Union Pacific Depot to Federal Heights foothills
- First Avenue terminating at the LDS Temple Square
- West Temple Street.
- 100 South Street.
- 400 South Street.
- Ensign Peak.
- Oquirrh Vista.



## 1986 ORDINANCE INDEX

--Wasatch Foothills.

Page 21: The map entitled "Gateways and Vistas" shall be amended to designate West Temple Street, 100 South Street and 400 South Street as street view corridors.

Page 23: The use of skybridges should be carefully planned. Skybridges on streets identified as "major view corridors" should be prohibited, except as otherwise authorized in the Salt Lake City Downtown Master Plan.

Page 87: Emphasize street level open space first, inner block pedestrian networks second, and below and above grade networks third. Skyways should not take activity away from the street or detract from principal views except as otherwise authorized in the Salt Lake City Downtown Master Plan.

SECTION 3: Copies of the revised Downtown Master Plan and the Urban Design Element shall be maintained in the office of the Salt Lake City Planning Division.

SECTION 4. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this 17<sup>th</sup> day of April, 2007.

Bill No. 13 of 2007.  
Published: May 14, 2007.

**EXHIBIT B**  
**Planning Commission notes regarding Master Plan**  
**Amendments**

## Downtown Master Plan Amendment

Planning Division notes (in blue) at Planning Commission (May 23, 2007)

Concerning standards for sky bridge review

The City Council, after recommendation by the Planning Commission, may authorize exceptions to the policy of prohibiting skywalks on Main Street, State Street, West Temple, South Temple, 100 South, 200 South, 300 South and 400 South, and allow for up to one skywalk per view corridor if they find justification based upon the following extenuating circumstances and minimum requirements:

The Commission would like to see the Planned Development submittal for City Creek at the same time as the review of the sky bridge. The submittal should have sufficient detail in order to appropriately determine whether or not the bridge design complies with the required standards.

- E. A unified development proposal which includes no less than 7.5 acres of retail/residential mixed use located on each of the two blocks on opposite sides of one of the streets listed above is submitted by the property owner / developer to the Planning Commission and the unified development contains no other skywalk.
- F. All other reasonable alternatives for creating a successful at-grade link between opposite sides of the street have been evaluated and found not to be feasible due to:
  - 1. A safety concern or
  - 2. physical barrier or
  - 3. insufficient integration of both sides of the development via an at-grade link

'Other reasonable alternatives' should be shown graphically (plan views and/or elevations) so that other alternatives can be assessed. Verbal descriptions of alternatives will not be acceptable.

- G. A finding is made that a compelling public interest exists through substantial demonstration of each of the following:
  - 1. The proposed development would contribute to the objective of creating an active, vibrant streetscape by connecting people easily from upper levels to the street level corridor and maximizing public movement through architectural elements such as elevators, escalators, or grand entrances.

The design needs to show specifically how people on the 2<sup>nd</sup> level access the street level.

- 2. The skywalk would be designed such that impacts on an identified view corridor would be minimal.

A full bridge design needs to be submitted for review.

- 3. The proposed development utilizes urban design, architectural elements and visual connections including pedestrian linkages that actively enhance the project's relationship to surrounding blocks and economic development opportunities for those blocks.

There should be no back side of the project. Elevations, particularly building entrances need to be shown.

H. Application of street level urban design elements for an entire project that enhance a primary pedestrian focus, requiring components including but not limited to all of the following:

1. Maximize permeable block faces through actions including but not limited to:
  - a) Landscaped project entrances on each block face that open the block with pedestrian corridors, and;
  - b) Maximize visual permeability into a store or by a legitimate display window, and
  - c) Maximize outward facing retail on all block faces.

Building elevations should be shown of each block face.

2. Enhanced pedestrian amenities on all block faces such as but not limited to shading devices, signage and seating.
3. Uses on all external block faces that support pedestrian activity including but not limited to restaurants, residential, or retail uses comparable to internal commercial activity.

General information about the type of tenants on each street frontage and throughout the project would be helpful. There needs to be an indication as to where the restaurants, residential, and retail would be located in the project.

After recommendation from the Planning Commission, the City Council (as the land use authority) shall have final approval of a skywalk as part of the street vacation process authorized by State Code. The Council may choose, on an individual project basis, to add specific project and skywalk related design or other urban planning policy elements, criteria or conditions as part of the related street vacation action.

There is a significant grade change from east to west with an approximate drop of eight feet on West Temple. This grade change needs to be taken into consideration in the planned development application, specifically addressing the relationship to building facades and streets.

**EXHIBIT C**  
**Departmental Comments**

# Transportation Division

**From:** Young, Kevin  
**Sent:** Wednesday, December 19, 2007 4:39 PM  
**To:** Paterson, Joel  
**Subject:** City Creek Center  
Joel,

As a follow up to the Tuesday meeting regarding City Creek Center, Transportation has the following comments.

The traffic impact report for the project was submitted to and reviewed by our office. We are generally satisfied with the report and the changes and upgrades to the transportation system that were recommended. It will be the responsibility of the project developer to implement the necessary upgrade and changes to the transportation system. Because of recent changes with the elimination of the Dillard's anchor store and the addition of residential units, we have asked that a supplement to the initial traffic report be submitted. We don't anticipate that these changes will show an increase in the traffic impact from this development.

As I indicated in the meeting on Tuesday, we are generally satisfied with the in-street ramps and the associated changes to traffic lanes, parking, etc. There are a few locations where the dimensions between the ramp wall and the existing curb are as minimal as we can allow. If there are any changes to the ramp locations from what we have been shown, we would need to make sure they do not impact the required traffic lane widths.

Barry Walsh has provided comments on the parking structure drawings that were submitted for review. We are generally satisfied with the overall design, but there are still some details such as ramp grades, transitions, etc. that need to be addressed and resolved so they meet our standard requirements. I don't know if the issues are such that they need to be resolved before construction begins or if they can be worked out as construction work progresses. Of course the concern is that if construction work begins and the issues are not resolved the developer may say they cannot meet our requirements, but I don't think that will be the case.

Let me know if you need any additional information from Transportation.

Kevin

**Kevin J. Young, P.E.**  
**Transportation Planning Engineer**  
Salt Lake City Transportation Division  
349 South 200 East, Suite 450  
P.O. Box 145502  
Salt Lake City, Utah 84114-5502  
(801) 535-7108  
(801) 535-6019 Fax

# Public Utilities Department

**From:** Stewart, Brad

**Sent:** Thursday, January 03, 2008 12:21 PM

**To:** Paterson, Joel

**Cc:** Shaffer, Lisa; Shaw, George; Itchon, Edward; Garcia, Peggy; Cowles, Vicki

**Subject:** City Creek Center update

**Categories:** Program/Policy

Joel,

Thank you for calling a meeting recently to "circle the wagons" on the current status of the City Creek Center project and the coordination with various city departments. It was helpful to meet and will be helpful to collect our thoughts from time to time in the future, especially because of the nature of this project and how it does not fit under our standard review and approval processes.

Here are a few concerns from a Public Utilities perspective:

Sewer capacity - early in the planning some preliminary sewage flow numbers were presented based on building square footages on whole blocks. From that study it appeared that sewer capacity would be less than the current demands. As CCRI determines the location of towers and can calculate more detailed sewage flow numbers at more precise locations.

I am getting push back on upsizing a 6 inch water main in Social Hall Ave. Unless Social Hall is essentially abandoned as an access I don't see a scenario that would not require CCRI to replace the main with a new 12 inch to meet current fire code requirements.

I know that Bowen and Collins is working on ramps and interconnects to the garages. These are not yet reviewed and approved. There is one in South Temple that has a sewer elevation problem. I would think that building and new garage elevations might be subject to the final ramp design elevations. The agreements for the ramps needs to include language for expiration of the lease with the expiration of the use, and designated elevation limits. These two concepts are not in current SLC agreements.

The mall water feature can not get true city creek water. I think this is understood, but there is still talk of using native plants and Bonneville cut throat trout. Although it is not my call, I doubt native fish and plants would thrive under glass. I have suggested putting the plants and fish in a greenhouse somewhere and see which varieties do best in an unnatural environment. I mention this mainly because the "native" feel of the feature keeps the pressure to use actual city creek water (which is not available).

Public Utilities greatest concern, right now, is the total discharge off the blocks to the storm water collection system. Both groundwater and storm water run-off will go into the existing storm drain pipes. There is limited additional capacity. There are some design trade-offs between dewatering rates, building depths and locations, and storm water detention. Some of these trade-offs might be expensive based on the value of the real estate. Hopefully, the CCRI team will be ready to discuss this whole package of issues shortly.

Thank you for the opportunity to re-iterate some issues with the project. I'm okay waiting for some of these answers at future stages, but I feel obligated to mention these matters so they aren't forgotten.

Brad

# Engineering Division

**From:** Weiler, Scott  
**Sent:** Tuesday, December 18, 2007 2:26 PM  
**To:** Paterson, Joel  
**Cc:** Shaw, George; Shaffer, Lisa  
**Subject:** Block 76 Foundation Permit Work Package 2B

**Categories:** Program/Policy  
Joel,

SLC Engineering has no issues that would prevent SLC Building Services from issuing the referenced permit. Yesterday, I gave Lisa some language to include as a condition of the permit regarding the required "certificate of actual elevations" that must be submitted by the applicant after the lowest foundation floor has been installed.

If the developer desires to alter the elevation of any existing sidewalk at the public right-of-way line, the proposed alteration must be clearly called out on the plans and must be approved, prior to construction. Since I could find no evidence on these plans suggesting that the developer is proposing to alter the existing elevation at the public right-of-way line, no alterations are approved. Sheet A3.03 shows elevations on the 100 South sidewalk at the proposed drive approach to serve the parking structure. I will need to receive and review a civil improvement plan before this drive approach can be installed. The drive approach, as well as the other work that will occur in 100 South, will require a Permit to Work in the Public Way.

Let me know if you have any questions on this.  
Scott



**EXHIBIT D**  
**The Grove**















The Grove  
Los Angeles

**Department Store**[Nordstrom](#)**Women's Apparel**[Abercrombie & Fitch](#)[Anthropologie](#)[Arden B.](#)[Banana Republic](#)[Barneys New York CO-OP](#)[Chico's](#)[Forever 21](#)[Gap](#)[J. Crew](#)[Lucky Brand Dungarees](#)[M. Fredric](#)[Marciano](#)[Michael Kors,](#)[Michael Stars](#)[Nike](#)[Pacific Sunwear](#)[Quiksilver](#)[Theodore](#)[Tommy Bahama](#)[Victoria's Secret](#)**Men's Apparel**[Abercrombie & Fitch](#)[Banana Republic](#)[Barneys New York CO-OP](#)[Gap](#)[J. Crew](#)[Lucky Brand Dungarees](#)[M. Fredric](#)[Nike](#)[Pacific Sunwear](#)[Quiksilver](#)[Tommy Bahama](#)**Children's Apparel & Toys**[American Girl Place](#)[Anthropologie](#)[BabyGap](#)[GapKids](#)[J. Crew](#)[Janie and Jack](#)[Pottery Barn Kids](#)[Quiksilver Youth](#)**Books, Cards, & Gifts**[American Girl Place](#)[Anthropologie](#)[Barnes & Noble](#)**Jewelry & Accessories**[Barneys New York CO-OP](#)[Coach](#)[Michael Kors](#)[Tracy Allen Fine Jewelry](#)**Beauty & Personal Care**[Amadeus\\* Aveda Spa](#)[Fresh](#)[GapBody](#)[Kiehl's,](#)[L'Occitane](#)[Victoria's Secret](#)**Footwear**[Banana Republic](#)[Barneys New York CO-OP](#)[J. Crew](#)[Marciano](#)[Nike](#)[Pacific Sunwear](#)**Eyewear**[Davante](#)**Home Furnishings**[Anthropologie](#)[Crate & Barrel](#)[Lucy Zahran & Co](#)[Pottery Barn Kids](#)**Luggage & Handbags**[Coach](#)**Computers & Electronics**[Apple Store](#)[Palm](#)

**EXHIBIT E**  
**Application Supplement**  
**(12/12/07**

