

ERIN MENDENHALL
Mayor



DEPARTMENT of COMMUNITY
and NEIGHBORHOODS
PLANNING DIVISION

July 15, 2021

Dusty Harris
Hine Acquisitions
136 South Main Street, Suite 850
Salt Lake City, UT 84101

Evan Haslam
Dwell Design Studio
360 West 300 South, Suite 102
Salt Lake City, UT 84101

RE: **Record of Decision for Petition PLNPCM2021-00024 – Design Review Petition for the 150 S Main Street Apartments for Additional Building Height**
Location: **136, 144 and 156 South Main Street**

Dear Dusty and Evan,

On July 14, 2021, the Salt Lake City Planning Commission granted Approval of your Design Review application PLNPCM2021-00024 for the 150 S Main Street Apartments development located at approximately 136, 144 and 156 South Main Street in the D-1 – Central Business District.

This Record of Decision is provided to you indicating the date action was taken, the decision of the Planning Commission including any approval conditions, the one-year time limit on the approval, the limitations on modifications to the plans, and the 10-day appeal period.

Project Description

The Planning Commission reviewed and approved the following project:

***Design Review for the 150 S Main Street Apartments** - Dwell Design Studio on behalf of Hines Acquisitions, LLC has requested Design Review approval for the 150 S Main Street Apartments to be located at approximately 144 South Main Street on the site of the currently vacant Utah Theatre, one adjacent parcel at 156 S. Main and a portion of the parcel at 136 S Main Street. The properties at 144 and 156 S Main are owned by the Redevelopment Agency of Salt Lake City while the parcel at 136 S Main is owned by Hines, the developer. All properties are located in the D-1 – Central Business District. The proposed project is for a 400-unit mixed-use residential apartment building that will include a mid-block walkway/plaza and a park amenity on the top of the parking structure in the rear. A total of 8,400 square feet of retail space will be included at the ground floor, fronting on Main Street. The proposed 31-story building will be approximately 368-feet tall with an additional 24-feet included for rooftop mechanical equipment and elevator overruns. The total height of the building will be approximately 392 feet. Mid-block buildings in excess of 100-feet tall in the D-1 zoning district may be approved through the Design Review process with Planning Commission approval. In addition, the Design Review process is also being requested to allow the residential lobby entrance to be set back 10-feet from Main Street, in excess of the requirement of a maximum of 5-feet.*

Conditions of Approval

The following conditions were applied to the approval of the proposal and delegated to City staff for verification during the Building Permit review:

1. Compliance with street tree requirements and streetscape improvements consistent with the recommendations of the Salt Lake City Urban Forester.
2. Compliance with sign & lighting requirements that meet the Salt Lake City Lighting Master Plan.
3. Signage must be provided for the mid-block plaza and park space indicating that they are open to the public.
4. Final approval of the mid-block plaza/walkway and park amenities in conformance with the standards for privately owned public spaces.

Please note: Approval is for the specific items discussed and identified in the staff report. All other applicable zoning regulations and requirements from other city departments still apply.

Review Process Standards and Findings of Fact

The Planning Commission made specific findings related to the standards of review for Design Review as stated in Chapter 21A.59 of the Zoning Ordinance. The decision was also based on the purpose of the zoning ordinance, the purpose of the zoning district where the project is located, the information contained in the staff report, the project details provided by you, testimony from the public, and the discussion of the Planning Commission. Copies of this information are available online here: <https://www.slc.gov/planning/planning-commission-agendas-minutes/>

Modifications to the Approved Plans

To obtain a building permit, all plans must be consistent with the plans reviewed and approved by the Planning Commission. Except where specifically modified by the Planning Commission as a condition of approval, modifications to the approved plans are limited by the following (see 21A.59.080 of the Zoning Ordinance):

Minor Modifications: The Planning Director may authorize minor modifications to approved design review applications as listed below.

1. *Dimensional requirements that are necessary in order to comply with adopted Building Codes, Fire Codes, or engineering standards. The modification is limited to the minimum amount necessary to comply with the applicable Building Code, Fire Codes, or engineering standard.*
2. *Minor changes to building materials provided the modification is limited to the dimension of the material, color of material, or texture of material. Changes to a different material shall not be considered a minor modification.*

Other Modifications: Any other modifications not listed above require a new application.

One Year Time Limit on Approval

No design review approval shall be valid for a period longer than **one year** from the date of approval unless a building permit is issued or a complete building plans and building permit applications have been submitted to the Division of Building Services and Licensing. An extension of one year may be granted by the entity that approved the application. Extension requests must be submitted in writing prior to the expiration of the design review approval.

10-Day Appeal Process

There is a 10-day appeal period in which any affected party can appeal the Planning Commission's decision. This appeal period is required in the City's Zoning Ordinance and allows time for any affected party to protest the decision, if they so choose. The appeal would be heard by the Appeals Hearing Officer. Any appeal, including the filing fee, must be submitted by close of business on **Monday, July 26, 2021**.

The summary of action for the Planning Commission meeting is located on the Planning Division's website at: <https://www.slc.gov/planning/public-meetings/planning-commission-agendas-minutes/>

Please feel free to contact me at (385) 226-3860 or by email at david.gellner@slcgov.com in relation to this letter if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Gellner", with a stylized flourish extending to the right.

David J. Gellner, MAG, AICP, Senior Planner
Salt Lake City Planning Division

CC File: PLNPCM2021-00024