

OCT 01 2004

AN WEYHER
DIRECTOR

SALT LAKE CITY CORPORATION
COMMUNITY AND ECONOMIC DEVELOPMENT

ROSS C. "ROCKY" ANDERSON
MAYOR

CITY COUNCIL TRANSMITTAL

TO: Rocky Fluhart, Chief Administrative Officer **Date:** October 1, 2004

FROM: Lee Martinez, Community Development Director

RE: Petition 400-04-35: A petition by the Salt Lake City Administration requesting to amend the text of the Zoning Ordinance to allow conference centers, convention centers with or without hotels, and exhibition halls as permitted land uses in the D-4 Downtown Secondary Central Business District.

Petition 400-04-36: A petition by Salt Lake County requesting a partial street closure and vacation along the north side of 100 South between 200 West and 300 West streets to accommodate a loading facility for the Salt Palace.

STAFF CONTACTS: Joel Paterson, Senior Planner (535-6141)
e-mail: joel.paterson@slcgov.com

Doug Dansie, Principal Planner (535-6182)
e-mail: doug.dansie@slcgov.com

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: None

DISCUSSION: Salt Lake County is seeking to expand the Salt Palace on the block between South Temple and 100 South from 200 West to 300 West to provide additional exhibition and meeting space needed for the Outdoor Retailer show and other clients. The City Council received a courtesy briefing on October 23, 2004. This document is the transmittal of the Planning Commission's recommendations on:

- Petition 400-04-35, a request to amend the text of the Zoning Ordinance to allow conference centers, convention centers with or without hotels, and exhibition halls as permitted land uses in the D-4 Downtown Secondary Central Business District. The City Council is scheduled to hold a public hearing for this petition on October 5, 2004.
- Petition 400-04-36 a request for a partial street closure on the north side of 100 South between 200 West and 300 West. The City Council is scheduled to hold a public hearing for this petition on October 12, 2004.

Transmittal of Petitions 400-04-35 and 400-04-36
Regarding the Proposed Expansion of the Salt Palace

451 SOUTH STATE STREET, ROOM 404, SALT LAKE CITY, UTAH 84111
TELEPHONE: 801-535-6230 FAX: 801-535-6005



ISSUE ORIGIN: Petition 400-04-35 was initiated by Mayor Anderson after it was discovered that the Table of Permitted and Conditional Uses for the Downtown Districts (21A.30.050) does not include conference centers, convention centers or exhibition halls as allowed uses in the D-4 District. It appears that this omission was an error because a land use like the Salt Palace is an appropriate use in the downtown area and is supported by both the Central Community Development Plan and the Downtown Master Plan.

Petition 400-04-36 was submitted by Salt Lake County because the conceptual design for the loading dock on 100 South indicates that a workable design allowing adequate maneuvering space may require that a portion of 100 South be closed and sold to the County.

MASTER PLAN CONSIDERATIONS: The adopted land use policy documents that guide new development in the area affected by the proposed Zoning Ordinance text amendment are the *Central Community Development Plan* that was adopted in 1974 and the *Downtown Master Plan* adopted in 1995. A new Central Community Master Plan is currently in the adoption process. A description of the pertinent information in each plan is provided below.

Central Community Development Plan (1974): The Central Community Land Use Map recommends future uses similar to hotels, motels and related visitor services. This Plan recognized that redevelopment may be necessary for implementation in this area.

Downtown Master Plan (1995): This Plan has a goal of establishing Downtown as a recognized destination for tourism and a convention center. The expansion of the Salt Palace is listed as one of seven major projects that would help to accomplish the goals and objectives of the Plan. The Plan envisions expansion of the Salt Palace to the west on the block between South Temple and 100 South from 200 West to 300 West. This plan also recognizes that future expansion of the Salt Palace may occur on the block to the south of the current expansion.

Central Community Master Plan (not yet adopted): The Future Land Use Map identifies the area proposed for this phase of Salt Palace expansion as part of the Central Business District (CBD). The intent of this district is to increase multiple land use activities within a dense urban area. The area should become a 24-hour center of activity, with increased use of mass transit. The CBD includes business and financial institutions, regional retail shopping and services, restaurants, high intensity employment uses, corporate headquarters, and high-density housing.

PUBLIC PROCESS: The public process followed during the review of this petition is described below:

- September 22, 2004: Public open house. Notice of the open house was mailed to all property owners within 500 feet of the proposed Salt Palace expansion, all community council chairs and to Downtown business organizations.

- September 23, 2004: Preliminary Briefing of the City Council.
- September 29, 2004: Planning Staff and Salt Lake County representatives held separate meetings with representatives of the Intermountain Buddhist Church and the Japanese Church of Christ.

Planning Commission Public Hearing. The Planning Commission unanimously voted to forward the following positive recommendations to the City Council on the following petitions:

- Petition 400-04-35 to amend 21A.30.050 Table of Permitted and Conditional Uses for the Downtown Districts to allow conference centers, convention centers with or without hotels, and exhibition halls as permitted land uses in the D-4 Downtown Secondary Central Business; and
- Petition 400-04-36 to close and vacate a portion of City-owned right-of-way on the north side of 100 South between 200 West and 300 West streets to accommodate an expanded loading dock for the Salt Palace subject to compliance with the final site plan which must be approved by the Planning Commission

RELEVANT ORDINANCES: This transmittal includes two ordinances in Exhibit 2:

- Exhibit 2a is the ordinance which amends 21A.30.050 Table of Permitted and Conditional Uses for the Downtown Districts to allow conference centers, convention centers with or without hotels, and exhibition halls as permitted land uses in the D-4 Downtown Secondary Central Business District. The City Council must determine that the proposed ordinance is consistent with City Code section 21A.50.050 Standards for General Amendments.
- Exhibit 2b is the ordinance for a partial street closure and vacation along the north side of 100 South between 200 West and 300 West streets to accommodate a loading facility for the Salt Palace. The City Council adopted the following policy considerations to guide the decision making process for requests to close and vacate City-owned street rights-of-way:
 - a. There should be sufficient public policy reasons that justify the sale and/or closure of a public street, and it should be sufficiently demonstrated by the petitioner that the sale and/or closure of the street will accomplish the stated public policy reasons.
 - b. The City Council should determine whether the stated public policy or policies outweigh alternatives to the sale or closure of the street.

The City Council must also consider the provisions of Salt Lake City Code section 2.58 which governs the sale of City-owned real property.

TABLE OF CONTENTS

- 1. CHRONOLOGY**
- 2. PROPOSED ORDINANCES**
 - a. Ordinance for Petition 400-04-35**
 - b. Ordinance for Petition 400-04-36**
- 3. CITY COUNCIL HEARING NOTICE**
- 4. MAILING LABELS**
- 5. PLANNING COMMISSION**
 - a. Hearing Notice and Postmark**
 - b. Staff Report**
 - c. Agendas/Minutes**
- 6. PUBLIC COMMENT**
- 7. ORIGINAL PETITION**

EXHIBIT 1

CHRONOLOGY

Transmittal of Petitions 400-04-35 and 400-04-36
Regarding the Proposed Expansion of the Salt Palace

CHRONOLOGY
PETITIONS 400-04-35 AND 400-04-36

September 9, 2004	Mayor Anderson initiated Petition 400-04-35
September 10, 2004	Salt Lake County submits Petition 400-04-35
September 14, 2004	Notice of the open house and Planning Commission public hearing mailed to property owners within 500 feet of the proposed expansion, community council chairs and Downtown business organizations.
September 22, 2004	Public open house
September 23, 2004	Preliminary briefing of the City Council
September 29, 2004	Planning Staff and Salt Lake County representatives held separate meetings with representatives of the Intermountain Buddhist Church and the Japanese Church of Christ. Planning Commission Public Hearing. The Planning Commission voted unanimously to forward positive recommendations to the City Council on Petitions 400-04-35 and 400-04-36.

EXHIBIT 2

PROPOSED ORDINANCES

Transmittal of Petitions 400-04-35 and 400-04-36
Regarding the Proposed Expansion of the Salt Palace

EXHIBIT 2a
PROPOSED ORDINANCE
FOR PETITION 400-04-35

Transmittal of Petitions 400-04-35 and 400-04-36
Regarding the Proposed Expansion of the Salt Palace

SALT LAKE CITY ORDINANCE
No. _____ of 2004

AN ORDINANCE AMENDING THE TABLE OF PERMITTED AND
CONDITIONAL USES IN DOWNTOWN ZONING DISTRICTS, PURSUANT TO
PETITION NO. 400-04-35.

WHEREAS, the Salt Lake City Zoning Code contains tables of permitted and
conditional uses for each zoning district; and

WHEREAS, although the existing Salt Palace Convention Center is located in the
Downtown D-4 zoning district, such uses are not currently listed as permitted uses in that
zone; and

WHEREAS, the City Council has determined that it is in the best interest of the
City to amend the Table of Permitted and Conditional Uses for downtown zoning
districts to allow for such uses;

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

SECTION 1. The Table of Permitted and Conditional Uses for the downtown
districts, located at Section 21A.30.050 of the Salt Lake City Code, shall be and hereby is
amended to read as set forth on Exhibit "A" attached hereto.

SECTION 2. Effective Date. This ordinance shall become effective on the date
of its first publication.

Passed by the City Council of Salt Lake City, Utah, this _____
day of _____, 2004.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2004.
Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 9-30-04
By [Signature]

*AMP.
Hammings
9/30/04*

EXHIBIT A.

21A.30.050 Table of Permitted and Conditional Uses for the Downtown Districts

LEGEND		PERMITTED AND CONDITIONAL USES, BY DISTRICT DOWNTOWN DISTRICTS			
C = Conditional Use P = Permitted Use					
Use		D-1	D-2	D-3	D-4
Miscellaneous					
<u>Conference centers</u>					<u>P</u>
<u>Convention centers with or without hotels</u>					<u>P</u>
<u>Exhibition halls</u>					<u>P</u>

EXHIBIT 2b
PROPOSED ORDINANCE
FOR PETITION 400-04-36

Transmittal of Petitions 400-04-35 and 400-04-36
Regarding the Proposed Expansion of the Salt Palace

SALT LAKE CITY ORDINANCE
No. _____ of 2004

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF 100
SOUTH BETWEEN 200 WEST AND 300 WEST PURSUANT TO PETITION NO.
400-04-36.

WHEREAS, the City Council finds after public hearings that the City's interest in the portion of the street described below is not necessary for use by the public as a street and that closure and abandonment of this portion of the street will not be adverse to the general public's interest; and

WHEREAS, the title to the closed and abandoned portion of the street shall remain with the City until sale for fair market value;

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

SECTION 1. Pursuant to Utah Code Annotated § 72-5-105, a portion of 100 South between 200 West and 300 West, which is the subject of Petition No. 400-04-36, and which is more particularly described on Exhibit "A" attached hereto, shall be, and the same hereby is, closed and abandoned and declared no longer to be needed or available for use as a street.

SECTION 2. Reservations and disclaimers. The above closure and abandonment is expressly made subject to all existing rights of way and easements of all public utilities of any and every description now located on and under or over the confines of this property, and also subject to the rights of entry thereon for the purposes of maintaining, altering, repairing, removing or rerouting said utilities, including the

City's water and sewer facilities. Said closure and abandonment is also subject to any existing rights of way or easements of private third parties.

SECTION 3. Conditions. This street closure and abandonment is conditioned upon the following:

A. Payment to the City of the fair market value of that portion of the street, or its equivalent, and title to the street shall remain with the City until sale for fair market value, or the receipt of equivalent value, in accordance with Salt Lake Code Chapter 2.58.

B. The Petitioner must comply with all of the requirements imposed by the Salt Lake City Planning Commission as part of the approval of the final site plan that will be considered as part of Petition No. 410-701.

SECTION 4. Effective Date. This ordinance shall become effective on the date of its first publication and shall be recorded with the Salt Lake County Recorder. The City Recorder is instructed not to publish or record this ordinance until the conditions identified above have been met, as certified by the Salt Lake City Property Manager and the Salt Lake City Planning Director.

SECTION 5. Time period. If the conditions identified above have not been met within one year after the adoption of this ordinance, this ordinance shall become null and void. The City Council may, for good cause shown, by resolution, extend the time period for satisfying the conditions identified above.

Passed by the City Council of Salt Lake City, Utah, this _____
day of _____, 2004.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2004.

Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 9-30-04
By [Signature]

*447
Flaming
9/30/04*

EXHIBIT A

The exhibit will contain the legal description of a portion of 100 South between 200 West and 300 West that is to be closed and abandoned as part of Petition 400-04-36. The legal description has yet to be drafted and will be finalized prior to final action by the City Council.

EXHIBIT 3

CITY COUNCIL HEARING NOTICE

Transmittal of Petitions 400-04-35 and 400-04-36
Regarding the Proposed Expansion of the Salt Palace

**THE CITY RECORDERS OFFICE HAS ALREADY
PROVIDED NOTICE FOR THE PUBLIC HEARINGS OF
PETITIONS 400-04-35 AND 400-04-36.**

**THE PUBLIC HEARING FOR PETITION 400-04-35 IS
SCHEDULED FOR OCTOBER 5, 2004.**

**THE PUBLIC HEARING FOR PETITION 400-04-36 IS
SCHEDULED FOR OCTOBER 12, 2004.**

EXHIBIT 4

MAILING LABELS

Transmittal of Petitions 400-04-35 and 400-04-36
Regarding the Proposed Expansion of the Salt Palace

**A PAPER COPY OF THE MAILING LABELS IS
ATTACHED. THE GUMMED MAILING LABELS HAVE
ALREADY BEEN SUBMITTED TO THE CITY
RECORDERS OFFICE.**

CORP OF PRES CH JC OF LDS
Sidwell No. 1501206002
50 E NORTHTEMPLE ST #2200
SALT LAKE CITY UT 84150

JAPANESE CHURCH OF CHRIST
Sidwell No. 1501205004
268 W 100 S
SALT LAKE CITY UT 84101

REDEVELOPMENT AGENCY OF
Sidwell No. 1501127015
301 W SOUTHTEMPLE ST
SALT LAKE CITY UT 84101

CORP OF PRES CH JC OF LDS
Sidwell No. 1501205019
50 E NORTHTEMPLE ST
SALT LAKE CITY UT 84150

INTERMOUNTAIN BUDDHIST CH
Sidwell No. 1501207004
211 W 100 S
SALT LAKE CITY UT 84101

PROPERTY RESERVE, INC
Sidwell No. 0836456035
PO BOX 511196
SALT LAKE CITY UT 84151

CORP OF PRES CH JC OF LDS
Sidwell No. 1501204033
50 E NORTHTEMPLE ST
SALT LAKE CITY UT 84150

HPTSLC CORP
Sidwell No. 1501204031
PO BOX 2700
FAIRFIELD NJ 07007

POST OFFICE PROPERTIES
Sidwell No. 1501204026
163 S MAIN ST
SALT LAKE CITY UT 84111

CORP OF PRES BISHOP CH OF
Sidwell No. 1501226001
50 E NORTHTEMPLE ST #2200
SALT LAKE CITY UT 84150

HOWA PROPERTIES, INC
Sidwell No. 1501204001
663 W 100 S
SALT LAKE CITY UT 84104

POST OFFICE PROPERTIES
Sidwell No. 1501204025
163 S MAIN ST
SALT LAKE CITY UT 84111

CORP OF PB OF CH JC OF LD
Sidwell No. 1501204020
50 E NORTHTEMPLE ST #2200
SALT LAKE CITY UT 84150

GATEWAY OFFICE CENTER LC
Sidwell No. 1501207003
180 S 300 W # 120
SALT LAKE CITY UT 84101

MULTI-ETHNIC HOUSING CORP
Sidwell No. 1501207024
756 S 200 E # A
SALT LAKE CITY UT 84111

CORP OF PB OF CH JC OF LD
Sidwell No. 1501204010
50 E NORTHTEMPLE ST #2200
SALT LAKE CITY UT 84150

DESERET TITLE HOLDING COR
Sidwell No. 0836478018
PO BOX 511196
SALT LAKE CITY UT 84151

MILLER, LARRY H
Sidwell No. 1501128020
301 W SOUTHTEMPLE ST
SALT LAKE CITY UT 84101

CORP OF PB OF CH JC OF LD
Sidwell No. 1501204009
50 E NORTHTEMPLE ST #2200
SALT LAKE CITY UT 84150

DESERET TITLE HOLDING COR
Sidwell No. 0836478009
PO BOX 511196
SALT LAKE CITY UT 84151

LA QUINTA INNS INC
Sidwell No. 1501129026
PO BOX 2636
SAN ANTONIO TX 78299

CORP OF PB OF CH JC OF LD
Sidwell No. 0836478007
50 E NORTHTEMPLE ST #2200
SALT LAKE CITY UT 84150

CORP OF PRES OF CH JC OF
Sidwell No. 1501206005
50 E NORTHTEMPLE ST
SALT LAKE CITY UT 84150

KSL BROADCAST HOUSE TRIAD
Sidwell No. 0836457001
55 N 300 W
SALT LAKE CITY UT 84103

CORP OF PB OF CH JC OF LD
Sidwell No. 0836455006
50 E NORTHTEMPLE ST
SALT LAKE CITY UT 84150

CORP OF PRES OF CH JC OF
Sidwell No. 1501205017
50 E NORTHTEMPLE ST
SALT LAKE CITY UT 84150

JAPANESE CHURCH OF CHRIST
Sidwell No. 1501207005
268 W 100 S
SALT LAKE CITY UT 84101

CORP OF PB OF CH JC OF LD
Sidwell No. 0836455005
50 E NORTHTEMPLE ST
SALT LAKE CITY UT 84150

CORP OF PRES CH JC OF LDS
Sidwell No. 1501206003
50 E NORTHTEMPLE ST #2200
SALT LAKE CITY UT 84150

JAPANESE CHURCH OF CHRIST
Sidwell No. 1501205024
268 W 100 S
SALT LAKE CITY UT 84101



SALT LAKE COUNTY
Sidwell No. 1501204034
2001 S STATE ST # N4500
SALT LAKE CITY UT 84190

STRUVE, PRESTON D &
Sidwell No. 1501205003
276 W 100 S
SALT LAKE CITY UT 84101

SALT LAKE COUNTY
Sidwell No. 1501204029
2001 S STATE ST # N4500
SALT LAKE CITY UT 84190

STATE OF UTAH
Sidwell No. 0836455006
450 N STATE OFFICE BLDG
SALT LAKE CITY UT 84114

SALT LAKE COUNTY
Sidwell No. 1501204028
2001 S STATE ST # N4500
SALT LAKE CITY UT 84190

SALT LAKE COUNTY
Sidwell No. 1501226005
2001 S STATE ST # N4500
SALT LAKE CITY UT 84190

SALT LAKE COUNTY
Sidwell No. 1501204024
2001 S STATE ST # N4500
SALT LAKE CITY UT 84190

SALT LAKE COUNTY
Sidwell No. 1501226004
2001 S STATE ST # N4500
SALT LAKE CITY UT 84190

SALT LAKE BUDDHIST CHURCH
Sidwell No. 1501207007
211 W 100 S
SALT LAKE CITY UT 84101

SALT LAKE COUNTY
Sidwell No. 1501226003
2001 S STATE ST # N4500
SALT LAKE CITY UT 84190

SALT LAKE BUDDHIST
Sidwell No. 1501207006
211 W 100 S
SALT LAKE CITY UT 84101

SALT LAKE COUNTY
Sidwell No. 1501226002
2001 S STATE ST # N4500
SALT LAKE CITY UT 84190

ROYAL WOOD ASSOCIATES
Sidwell No. 1501207026
230 W 200 S # 2115
SALT LAKE CITY UT 84101

SALT LAKE COUNTY
Sidwell No. 1501206006
2001 S STATE ST # N4500
SALT LAKE CITY UT 84190

ROYAL WOOD ASSOCIATES
Sidwell No. 1501207002
230 W 200 S # 2115
SALT LAKE CITY UT 84101

SALT LAKE COUNTY
Sidwell No. 1501205025
2001 S STATE ST # N4500
SALT LAKE CITY UT 84190

ROYAL WOOD ASSOCIATES
Sidwell No. 1501207001
230 W 200 S # 2115
SALT LAKE CITY UT 84101

SALT LAKE COUNTY
Sidwell No. 1501205018
2001 S STATE ST # N4500
SALT LAKE CITY UT 84190

REDEVELOPMENT AGENCY OF
Sidwell No. 1501128020
301 W SOUTH TEMPLE ST
SALT LAKE CITY UT 84101

SALT LAKE COUNTY
Sidwell No. 1501205010
2001 S STATE ST # N4500
SALT LAKE CITY UT 84190

SWEET, JOHATHAN; TR
Sidwell No. 1501207023
126 S 200 W
SALT LAKE CITY UT 84101

Downtown Alliance
Bob Farrington, Director
175 East 400 South #600
Salt Lake City, Utah 84111

Salt Lake Chamber of Commerce
175 East 400 South, Suite #600
Salt Lake City, Utah 84111

East Valley Chamber of Commerce
2299 S Highland Drive
Salt Lake City, Utah 84106

Hispanic Chamber of Commerce
PO Box 1805
Salt Lake City, UT 84110

Vest Pocket Business Coalition
PO Box 521357
Salt Lake City, Utah 84152-1357

Sugar House Merchants Association
C/O Barbara Green
Smith-Crown
2000 South 1100 East
Salt Lake City, Utah 84106

Westside Alliance
C/O Neighborhood Housing Services
Maria Garcia
622 West 500 North
Salt Lake City, Utah 84116

Downtown Retail
Merchants Association
Attn: Carol Dibble
9 East Exchange Pl Ste 900
Salt Lake City, UT 84111-2741

Joel Paterson
2450 E Cambridge Ave
SLC UT 84109

Peter Corroon
GREATER AVENUES
445 East 200 South, Suite 306
Salt Lake City, Utah 84111

Brian Watkins
LIBERTY WELLS
1744 So. 600 East
Salt Lake City, UT 84105

Dave Mortensen
ARCADIA HEIGHTS/BENCHMARK
2278 Signal Point Circle
Salt Lake City, Utah 84109

Shawn McMillen
H ROCK
1855 South 2600 East
Salt Lake City, Utah 84108

Doug Foxley
ST. MARY'S
1449 Devonshire Dr.
Salt Lake City, Utah 84108

Beth Bowman
WASATCH HOLLOW
1445 E. Harrison Ave.
Salt Lake City, Utah 84105

Penny Archibald-Stone
EAST CENTRAL
1169 Sunnyside Avenue
Salt Lake City, Utah 84102

Mike Harman
POPLAR GROVE
1044 W. 300 S
Salt Lake City, Utah 84104

Helen Peters
SUGAR HOUSE
2803 Beverly Street
Salt Lake City, Utah 84106

Peter Von Sivers
CAPITOL HILL
223 West 400 North
Salt Lake City, Utah 84103

Jeff Davis
PEOPLES FREEWAY
1407 South Richards Street
Salt Lake City, Utah 84115

Ellen Reddick
BONNEVILLE HILLS
2177 Roosevelt Ave
Salt Lake City, Utah 84108

Mike Zuhl
INDIAN HILLS
2676 Comanche Dr.
Salt Lake City, Utah 84108

Larry Spendlove
SUNNYSIDE EAST ASSOC.
2114 E. Hubbard Avenue
Salt Lake City, UT 84108

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ROSE PARK
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Salt Lake City, Utah 84116

Boris Kurz
EAST LIBERTY PARK
1203 South 900 East.
Salt Lake City, Utah 84105

Jilene Whitby
STATE FAIRPARK
846 W 400 N.
Salt Lake City, Utah 84116

Randy Sorenson
GLENDALE
1184 S Redwood Drive
Salt Lake City, Utah 84104

Thomas Mutter
CENTRAL CITY
P.O. Box 2073
Salt Lake City, Utah 84101

Bill Davis
RIO GRAND
329 Harrison Avenue
Salt Lake City, UT 84115

FOOTHILL/SUNNYSIDE
Vacant

Paul Tayler
OAK HILLS
1165 Oakhills Way
Salt Lake City, Utah 84108

Tim Dee
SUNSET OAKS
1575 Devonshire Dr.
Salt Lake City, Utah 84108

Tom Bonacci
YALECREST
1024 South 1500 East
Salt Lake City, Utah 84105

Angie Vorher
JORDAN MEADOWS
1988 Sir James Dr.
Salt Lake City, Utah 84116

Kadee Nielson
WESTPOINTE
1410 N. Baroness Place.
Salt Lake City, Utah 84116

Joe Patterson
451 S. State St. Rm 406
SLC, UT 84111

EXHIBIT 5

PLANNING COMMISSION

Transmittal of Petitions 400-04-35 and 400-04-36
Regarding the Proposed Expansion of the Salt Palace

EXHIBIT 5a

HEARING NOTICE AND POSTMARK

Transmittal of Petitions 400-04-35 and 400-04-36
Regarding the Proposed Expansion of the Salt Palace

NOTE: The field trip is scheduled to leave at 4:00 p.m.

**AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, September 29, 2004, at 5:45 p.m.**

The Planning Commission will be having dinner at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting will be open to the public.

1. REPORT OF THE CHAIR AND VICE CHAIR

2. REPORT OF THE DIRECTOR

3. PUBLIC HEARINGS

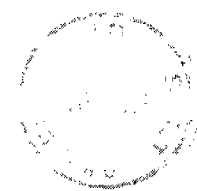
- a. **PUBLIC HEARING** – Petition No. 400-04-35, by the Salt Lake City Administration, requesting to amend the text of the Salt Lake City Zoning Ordinance to allow conference centers, convention centers with or without hotels, and exhibition halls as permitted land uses in the "D-4" Downtown Secondary Central Business District. (Staff – Joel Paterson at 535-6141 or joel.paterson@slcgov.com and Doug Dansie at 535-6182 or doug.dansie@slcgov.com)
- b. **PUBLIC HEARING** – Petition No. 400-04-36, by the Salt Lake County Administration, requesting a partial street closure and vacation along the north side of 100 South between 200 West and 300 West streets to accommodate a loading facility for the Salt Palace. (Staff – Joel Paterson at 535-6141 or joel.paterson@slcgov.com and Doug Dansie at 535-6182 or doug.dansie@slcgov.com)
- c. **PUBLIC HEARING** – Petition No. 410-701, by the Salt Lake County Administration, requesting conditional use approval to allow modifications to the "D-4" zoning requirements to accommodate the expansion of the Salt Palace on the block between South Temple and 100 South from 200 West to 300 West. The property is located within the D-4 Downtown Secondary Central Business District. The Petitioner is requesting modifications of the following D-4 requirements:
 - 1. The front yard setback;
 - 2. Restrictions on parking lots and structures located in block corner and mid-block areas;
 - 3. Requirements for retail goods/service establishments, offices and/or restaurants on the ground floor of parking structures adjacent to the front or corner side yard;
 - 4. Requirements for the first floor elevation facing a street to include at least 40% glass; and
 - 5. Maximum building height.(Staff – Joel Paterson at 535-6141 or joel.paterson@slcgov.com and Doug Dansie at 535-6182 or doug.dansie@slcgov.com)

4. UNFINISHED BUSINESS

Salt Lake City Corporation complies with all ADA guidelines. If you are planning to attend the public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City 48 hours in advance of the meeting and we will try to provide whatever assistance may be required. Please call 535-7757 for assistance.

**PLEASE TURN OFF CELL PHONES AND PAGERS BEFORE THE MEETING BEGINS. AT YOUR
REQUEST A SECURITY ESCORT WILL BE PROVIDED TO ACCOMPANY YOU TO YOUR CAR AFTER
THE MEETING. THANK YOU.**

Joe Peterson
451 S. 4th St.



Salt Lake City Planning Division
451 South State Street
Salt Lake City, Utah 84111

1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. Speakers will be called by the Chair.
4. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
5. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
6. A time limit may be placed on speakers to ensure everyone has a chance to comment. The Chair will make that determination upon reviewing the number of people wishing to speak.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. Meeting notices are made available 14 days in advance. If persons wish to submit written comments, they should be directed to the Planning Division at least 7 days in advance to enable Planning Commissioners to consider those written comments. Comments should be sent to:

Salt Lake City Planning Director
451 South State Street, Room 406
SLC, UT 84111

Note: We comply with all ADA guidelines. Assistive listening devices & interpreter services provided upon 24 hour advance request.

NOTICE OF HEARING

A. LOUIS ZUNGUZE
PLANNING DIRECTOR

BRENT B. WILDE
DEPUTY PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP
DEPUTY PLANNING DIRECTOR

SALT LAKE CITY CORPORATION

COMMUNITY DEVELOPMENT
PLANNING AND ZONING DIVISION

ROSS C. ANDERSON
MAYOR

September 13, 2004

NOTICE OF OPEN HOUSE

The Salt Lake City Mayor Rocky Anderson has initiated **Petition 400-04-35**, requesting to alter the zoning text to allow for convention centers in the Downtown D-4 zoning district. Salt Lake County has initiated **Petition 410-701**, requesting a planned development and conditional use modifications to accommodate the Salt Palace expansion, and **Petition 400-04-36**, requesting to close and vacate a portion of the 100 South Street right-of-way between 200 and 300 West Streets.

The Planning Staff would like to receive your input regarding the revised ordinance language and proposed planned development.

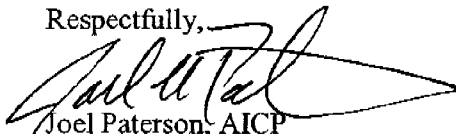
The Planning Staff will hold an open house to discuss those changes on:

Wednesday, September 22, 2004
Salt Lake City County Building
451 South State Street
Room 542
Between the hours of 4:30 and 6:00 P.M.

Since it is very difficult for us to inform all interested parties about this request, we would appreciate you discussing this matter with your neighbors and informing them of the open house.

If you have any questions on this issue, please call Joel Paterson (535-6141) or email joel.paterson@ci.slc.ut.us.

Respectfully,


Joel Paterson, AICP
Principal Planner

We comply with all ADA guidelines.
Assistive listening devices and interpreter services provided upon 24-hour advance request.

451 SOUTH STATE STREET, ROOM 406, SALT LAKE CITY, UTAH 84111

TELEPHONE: 801-535-7757 FAX: 801-535-6174

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PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
PLANNING DIVISION 451 SOUTH STATE STREET, ROOM 4 SALT LAKE CITY UT 84111	P5356184L-07	09/14/04

ACCOUNT NAME	
PLANNING DIVISION	
TELEPHONE	INVOICE NUMBER
801-535-6184	TL8202KF751
SCHEDULE	
START 09/14/04 END 09/14/04	
CUST. REF. NO.	
CAPTION	
SALT LAKE CITY PLANNING COMMIS	
SIZE	
45 LINES 1.00 COLUMN	
TIMES	RATE
1	1.68
MISC. CHARGES	AD CHARGES
.00	80.60
TOTAL COST	
80.60	

Salt Lake City Planning Commission Public Hearing

On September 27, 2004, the Salt Lake City Planning Commission will hold a public hearing to consider petition number 400-64-35, initiated by the Salt Lake City Mayor Ross C. Anderson, requesting to amend the Salt Lake City Zoning Ordinance to allow conference centers, convention centers with or without hotels, and exhibition halls as permitted land uses in the D-4 Downtown Secondary Central Business District.

The public hearing of the Planning Commission is at 5:45 p.m. in Room 226, City and County Building, 451 South State Street, Salt Lake City, Utah.

Accessible parking and entry are located on the east side of this building. Hearing impaired individuals who wish to attend this meeting should contact our TDD service number 801-535-6021 at least four days in advance, so that an interpreter can be provided. For further information regarding this matter, call Doug Donsie at 801-535-6182 or Joel Peterson at (801) 535-6141.

8202KF75

AFFIDAVIT OF PUBLICATION

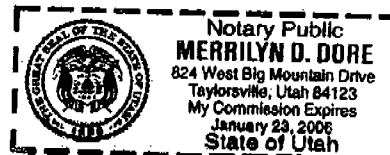
AS NEWSPAPER AGENCY CORPORATION LEGAL BOOKKEEPER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF SALT LAKE CITY PLANNING COMMIS FOR PLANNING DIVISION WAS PUBLISHED BY THE NEWSPAPER AGENCY CORPORATION, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH.

PUBLISHED ON START 09/14/04 END 09/14/04

SIGNATURE

Merrilyn D. Dore

DATE 09/14/04



THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
PLEASE PAY FROM BILLING STATEMENT.

EXHIBIT 5b

STAFF REPORT

Transmittal of Petitions 400-04-35 and 400-04-36
Regarding the Proposed Expansion of the Salt Palace

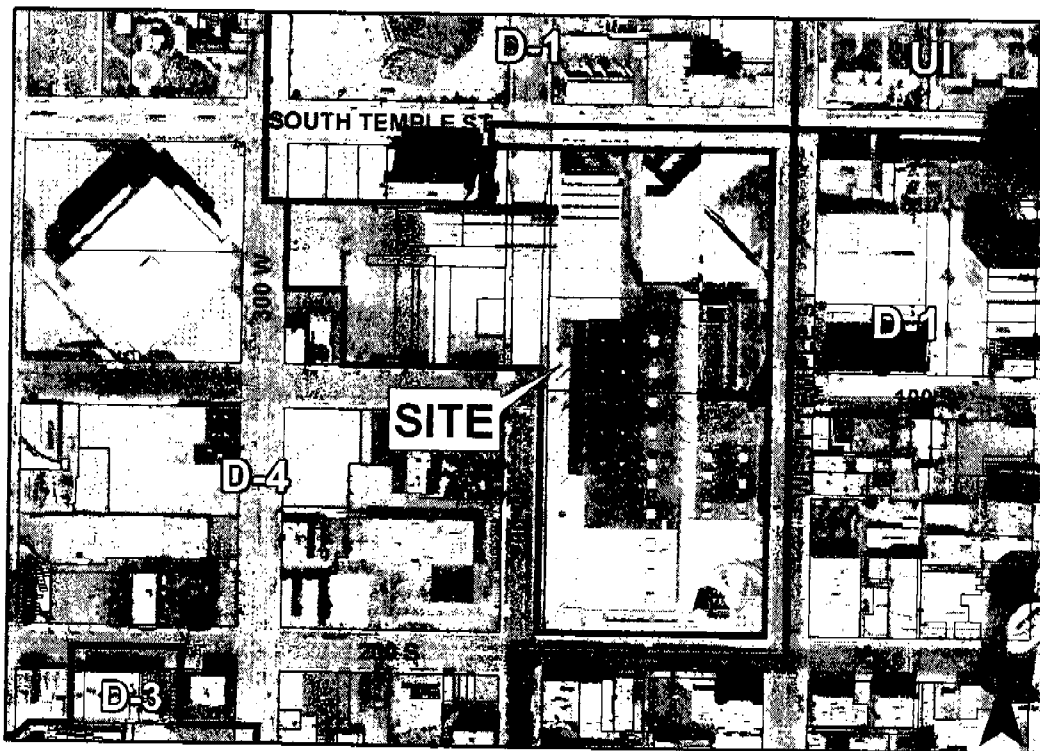
DATE: September 24, 2004

TO: Salt Lake City Planning Commission

FROM: Joel G. Paterson, AICP
Senior Planner
Telephone: 535-6141
E-mail: joel.paterson@slcgov.com

Doug Dansie
Principal Planner
Telephone: 535-6182
E-mail: doug.dansie@slcgov.com

RE: Staff Report for the September 29, 2004 Planning Commission Meeting



CASE NUMBERS:

400-04-35: Zoning Ordinance text amendment
400-04-36: Partial street closure of 100 South
410-701: Conditional use requests

APPLICANT:

Petition 400-04-35: Salt Lake City
Petition 400-04-36: Salt Lake County
Petition 410-701: Salt Lake County

STATUS OF APPLICANT:

Petition 400-04-35: The petitioner is Mayor Anderson of Salt Lake City
Petitions 400-04-35 and 410-701: The petitioner, Salt Lake County, is the owner of the Salt Palace

PROJECT LOCATION:

The expansion of the Salt Palace will occur on the Block between South Temple and 100 South from 200 West to 300 West streets

COUNCIL DISTRICT:

District 4, Council member Nancy Saxton

PROJECT DESCRIPTION: The Salt Palace expansion project is required to retain the Outdoor Retailer's convention in Salt Lake City. The Outdoor Retailers sponsor two conventions at the Salt Palace each year and have agreed to continue meeting at the Salt Palace for five years subject to Salt Lake County's ability to complete the expansion of the Salt Palace by 2006. The project will occur in two phases. Phase 1 includes the construction of the parking structure prior to the Outdoor Retailer's summer convention in 2005. Phase 2 includes the construction of the exhibit and meeting space which must be complete prior to the Outdoor Retailer's convention in August 2006.

To meet this time schedule Salt Lake County released on August 30, 2004, a Request for Proposals in an effort to select a design/build team for the Salt Palace Expansion. The conceptual site plan and time schedule is included as Attachment 2. The proposed expansion will include:

- 145,000 square feet of exhibit space
- 72,400 square feet of meeting space
- Entrance element on 300 West
- 403 space one-level parking structure
- Loading dock on 100 South

It must be noted that the site plan included in this report is conceptual and will evolve once the County hires a design team in early October, 2004.

During initial discussions between Salt Lake City and Salt Lake County regarding the proposed expansion, it was discovered that the Table of Permitted and Conditional Uses for the Downtown Districts (21A.30.050) does not include conference centers, convention centers or exhibition halls as allowed uses in the D-4 District. It appears that this omission was an error because a land use like the Salt Palace is an appropriate use in the downtown area.

REQUESTED ACTION: The Planning Commission will consider the following petitions on September 29, 2004:

Petition 400-04-35 is a request to amend the text of the Salt Lake City Zoning Ordinance to allow conference centers, convention centers with or without hotels, and exhibition halls as permitted land uses in the D-4 District.

Comment: This petition is required to list conference centers, convention centers and exhibition halls as permitted uses in the D-4 District. These land uses were omitted from the Downtown districts when the Zoning Ordinance was rewritten in 1995. The City Council is the final decision-making authority on all Zoning Ordinance text amendments.

Petition 400-04-36 is a request by Salt Lake County for partial street closure and vacation of City-owned right-of-way on the north side of 100 South between 200 West and 300 West streets to accommodate an expanded loading dock for the Salt Palace.

Comment: The proposed expansion of the Salt Palace will require the loading dock on 100 South between 200 West and 300 West to be move further south and expanded to the west. The conceptual site plan indicates that this partial street closure may be required for the expanded dock facility. However, it is possible that the final site plan may accommodate the loading dock on-site and will not require a street closure. Street closure petitions require that the Planning Commission declare the subject property surplus and make a recommendation to the City Council which is the final decision-making authority on such a petition.

Petition 410-701 is a request by Salt Lake County for conditional use approval to allow modifications to the D-4 District urban design requirements to accommodate the expansion of the Salt Palace. The Petitioner is requesting modifications of the following D-4 urban design requirements:

1. The front yard setback. The D-4 District has no minimum setback requirement for front and corner side yards, however, the maximum setback is five feet. The conceptual plans indicate that the entry feature on 300 West may include a plaza with a greater setback.
2. Restrictions on parking lots and structures located in block corner and mid-block areas. The conceptual plans indicate that the parking structure will extend to the front property line on 300 West.

3. Requirements for retail goods/service establishments, offices and/or restaurants on the ground floor of parking structures adjacent to the front or corner side yard. The conceptual plans indicate that the parking structure will extend to the front property line on 300 West.
4. Requirements for the first floor elevation facing a street to include at least 40% glass. It is difficult to determine from the conceptual site plan how the elevation on 300 West will be designed.
5. Maximum building height. Preliminary design concepts indicate that the building height may exceed 75 feet in some areas.

Comment: The Planning Commission is the final decision-making authority on Conditional Use requests. Staff recommends that the Planning Commission table consideration of this petition until more detailed plans are available. Staff will work with the Petitioner and the design team to encourage compliance with as many of the D-4 urban design regulations as possible. When final plans are completed, staff expects that a number of the conditional use requests listed above will not be required.

APPLICABLE LAND USE REGULATIONS:

Section 21A.30.045

D-4 Downtown Secondary Central Business District

Purpose: The purpose of the D-4 Secondary Central Business District is to foster an environment consistent with the area's function as a housing, entertainment, cultural, business, and retail section of the City. Inherent in this purpose is the need for careful review of proposed development in order to achieve established objectives for urban design, pedestrian amenities and land use control, particularly in relation to retail commercial uses.

Section 21A.30.050

Table of Permitted and Conditional Uses for the Downtown Districts

Purpose: The downtown districts are intended to provide use, bulk, urban design and other controls and regulations appropriate to the commercial core of the City and adjacent areas in order to enhance employment opportunities; to encourage the efficient use of land; to enhance property values; to improve the design quality of downtown areas; to create a unique downtown center which fosters the arts, entertainment, financial, office, retail and governmental activities; to provide safety and security; encourage permitted residential uses within the downtown area; and to help implement adopted plans.

Section 21A.50.050

Standards for General Amendments

Purpose: The purpose of this chapter is to provide standards and procedures for making amendments to the text of this title and to the zoning map. This amendment process is not intended to relieve particular hardships nor to confer special privileges or rights upon any person, but only to make

adjustments necessary in light of changed conditions or changes in public policy.

Section 21A.54

Conditional Uses

Purpose: A conditional use is a use which has potential adverse impacts upon the immediate neighborhood and the city as a whole. It requires a careful review of its location, design, configuration and special impact to determine the desirability of allowing it on a particular site. Whether it is appropriate in a particular location requires a weighing, in each case, of the public need and benefit against the local impact, taking into account the applicant's proposals for ameliorating any adverse impacts through special site planning, development techniques and contributions to the provision of public improvements, rights of way and services.

Section 2.58

City-owned Real Property

Purpose: Real property of the city and any legal interest therein shall not be sold, traded, leased or otherwise conveyed or encumbered until notice of the pendency of such a proposal has been delivered to the office of the city council.

SURROUNDING ZONING DISTRICTS:

North	D-1 Central Business District
South	D-4 Downtown Secondary Central Business District
East	D-4 District
West	D-4 District

SURROUNDING LAND USES:	North	The Prime Hotel, 215 West South Temple Surface Parking, 279 West South Temple
	South	Salt Lake Buddhist Church 211 West 100 South Japanese Church of Christ, 268 West 100 South Residential, 276 West 100 South Multi-Ethnic Housing 120 South 200 West
	West	Surface Parking, 115 South 300 West
	East	Delta Center, 301 West South Temple Salt Palace, 100 South West Temple

MASTER PLAN SPECIFICATIONS: The adopted land use policy documents that guide new development in the area affected by the proposed Zoning Ordinance text amendment are the *Central Community Development Plan* that was adopted in 1974 and the *Downtown Master Plan* adopted in 1995. A new master plan for this community is currently in the adoption process. A description of the pertinent information in both plans is provided below.

Central Community Development Plan (1974): The Central Community Land Use Map recommends future uses similar to hotels, motels and related visitor services. This Plan recognized that redevelopment may be necessary for implementation in this area.

Downtown Master Plan (1995): This Plan has a goal of establishing Downtown as a recognized destination for tourism and a convention center. The expansion of the Salt Palace is listed as one of seven major projects that would help to accomplish the goals and objectives of the Plan. The Plan envisions expansion of the Salt Palace to the west along South Temple to 300 West.

Central Community Master Plan (not yet adopted): The Future Land Use Map identifies the area proposed for this phase of Salt Palace expansion as part of the Central Business District (CBD). The intent of this district is to increase multiple land use activities within a dense urban area. The area should become a 24-hour center of activity, with increased use of mass transit. The CBD includes business and financial institutions, regional retail shopping and services, restaurants, high intensity employment uses, corporate headquarters, and high-density housing.

COMMENTS, ANALYSIS AND FINDINGS:

1. **COMMENTS:** Staff requested comments from applicable agencies. Staff received comments from the following:

- a. **Transportation:** The Division of Transportation's review comments and recommendations are as follows:

The Division of Transportation would like a clarification of the required parking for this expansion. The site plan indicates the existing 600+ parking space surface parking lot is to be removed and replaced with a 400+ space parking structure. Are the existing 600+ parking spaces required as part of the parking requirements for the existing Salt Palace or are the 400+ parking spaces enough to cover the parking requirements for the existing Salt Palace plus the expansion?

The concept of a partial closure and street vacation of the north side of 100 South is probably feasible, but we would need to receive more specific information regarding the extent of the closure (width and length of closure and resulting street configuration) before a recommendation in support could be given. A 450+ foot section of rolled gutter to allow truck access to the proposed loading docks along 100 South would not be acceptable. Truck maneuvering must be done on-

site, i.e. trucks pull into the site when arriving and pull out onto the street when leaving, and separated from the sidewalk by a fence or other physical barrier.

Proposed changes to 100 South may impact the 100 South 200 West intersection to the point that a northbound to westbound left turn phase will need to be added to the existing traffic signal to either provide adequate sight distance and/or accommodate the additional truck traffic northbound-to-westbound. Whether this modification is needed will be determined after the extent of the changes to 100 South is known. Any work that impacts elements of the public way, such as sidewalks, street illumination lights, traffic signals, ADA ramps, etc. must be completed as part of this initial phase of the Salt Palace expansion project. This work cannot be left for future phases of the Salt Palace expansion project.

As this project develops, detailed plans that meet city standards regarding on-site maneuvering, driveway access, bike rack locations, ADA stalls, street lighting, grade transitions, etc. will need to be submitted for our review.

Any proposed modifications to the street along 300 West for roadway changes and driveways will need to be reviewed and approved by UDOT.

- b. **Public Utilities:** Salt Lake City Public Utilities has reviewed the above-referenced petitions and offer the following comments:

Petition 400-04-35: Public Utilities has no issues with this petition request.

Petition 400-04-36: Within the north half of the 100 South road right-of-way Public Utilities owns, operates and maintains an eight-inch sanitary sewer main, a twelve-inch PVC water main and a local storm drainage system. According to our records the sanitary sewer main provides service to the existing Salt Palace and to neighboring properties near 300 West. The twelve-inch water main provides service and fire protection connections to these same properties and helps create a grided water system for this downtown area. The drainage system appears to primarily handle drainage flows from the Salt Palace property. The preservation of, and/or the possibility to relocate or vacate any or all of these facilities is completely dependant on the service needs of the proposed Salt Palace and the neighboring properties, and Public Utilities ability to access, operate and maintain these facilities. Until such time as to when detailed plans are engineered, reviewed and approved with these issues assessed, an easement the width of the existing 100 South right-of-way must be reserved for these facilities. Typical easement language with the standard construction and use restrictions should be included within the easement.

Petition 410-701:

General Requirements: All design and construction must conform to State, County, City and Public Utilities standards and ordinances. Design

and construction must conform to Salt Lake City Public Utilities General Notes.

All environmental issues must be approved by the appropriate governing agency prior to Public Utilities approval. The developer must provide written documentation to Public Utilities showing these conditions have been met.

Fire Department approval will be required prior to Public Utilities approval. Fire flow requirements, hydrant spacing and access issues will need to be resolved with the fire department.

This proposed expansion property should be combined the existing Salt Palace property to avoid the need for utility easements and related maintenance agreements.

Sanitary Sewer and Water: Utility Plans must be submitted to Public Utilities for review and approval for this proposed construction. The anticipated water and fire needs and sanitary sewer discharges of this proposed expansion must be provided to Public Utilities. From this information Public Utilities will assess existing utility infrastructure capacities and determine if there is a need for any utility infrastructure improvements. Offsite sanitary sewer improvements may be required if the existing downstream sewer system is not able to handle expected discharges meeting Public Utilities' 75% maximum pipe capacity criteria. All water, fire and sewer service connections must meet Public Utilities standards and requirements. According to our records numerous existing sewer and water service laterals are connected to this proposed expansion property location. As determined by Public Utilities unused water laterals must be disconnected at the main and unused sanitary sewer laterals must be capped at property line per Public Utilities requirements.

Storm Water Design and Construction: A Grading and Drainage Plan must be submitted to Public Utilities for review and approval for this proposed construction. This development will be restricted to a maximum surface storm water discharge rate of 0.2 cfs per acre. No retention facilities will be allowed.

High groundwater is typical in this area and a stamped geotechnical report must be submitted to Public Utilities identifying the typical and expected highest groundwater elevation for this area. All building pads, docks, paved areas, storm grates and on-site storm water detention areas should be above the highest expected groundwater elevation. Pumped groundwater discharges from this property will be highly discouraged. If pumped discharges are necessary to accommodate proposed construction, then an engineered assessment of expected groundwater discharge rates must be submitted for review and approval. Upsizing of downstream

storm drain pipes may be required to provide additional capacity to handle proposed groundwater discharges.

Proposed ditch sections or detention facilities must have 3:1 or flatter side slopes with minimum two-foot bottom. Concrete roll gutters are recommended at the bottom of ditch facilities. Bubble-up inlets or sumps used as control structures in detention areas will be discouraged. Temporary and permanent erosion control within detention areas or ditches must be detailed. The developer must comply with UPDES Construction Storm Water Permits. At a minimum, silt fence must be provided along open drainage ways, hay bales must protect any existing grates or inlets and the City's clean-wheel ordinance must be followed. A copy the proposed Storm Water Pollution Prevention Plan required for the UPDES permit must be submitted to Public Utilities for review and approval. An engineered stamped drainage report is required showing all the above-mentioned requirements have been met.

Agreements and Fees: Utility mainline extension and service connection agreements must be entered into between the developer and Public Utilities for all approved water, fire, sewer and storm drain mains and services. The agreements will outline developer and Public Utilities' responsibilities related to construction, maintenance and warranty of the utility mains and services. Based on an approved engineer's estimate, work for all public water, sewer and storm drain mains must be bonded. All mainline extension agreements must be executed and bonds received by Public Utilities prior to full construction plan set approval and plat sign-off from our department. Prior to full plan set approval and plat recordation all water, fire, sewer, drainage and connection impact and inspection fees must be paid in full. A \$343 per quarter acre drainage impact fee will be assessed for all new hard surface introduced by this proposed construction.

- c. **Engineering:** These petitions are being reviewed by the Development Review Team, of which the Engineering Division is a member. Based on the initial review of preliminary site plans, there may be some issues with sidewalk conflict caused by the proposed loading dock. The Transportation Division will review these issues and any other street issues as DRT reviews more detailed plans.
- d. **Police:** Based upon supplied information the Police Department has no concerns from a CPTED perspective with the subject petitions.
- e. **Fire:** The Fire Department recommends approval of the subject petitions. The preliminary site plans appear to provide required access and fire protection and will be reviewed and approved by the Fire Department as final plans are submitted.

- f. Property Management:** The Property Management Division has no objection to Petition 400-04-36 requesting to close and vacate a portion of 100 South. In compliance with City policy, the Property Management Division recommends that if the street is closed and vacated, the property be sold to the Petitioner at fair-market value. It is the Petitioner's responsibility to arrange and pay for an appraisal report. The Property Management Division has a list of approved appraisers.

2. ANALYSIS AND FINDINGS

PETITION 400-04-35: ZONING ORDINANCE TEXT AMENDMENT

A decision to amend the text of the Zoning Ordinance as requested by Petition 400-04-35 is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment, the Planning Commission and the City Council must consider the following factors:

21A.50.050 Standards for General Amendments

- A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.**

Discussion: The Downtown Master Plan has a goal of establishing Downtown as a recognized destination for tourism and a convention center. The expansion of the Salt Palace is listed as a one of seven major projects that would help to accomplish the goals and objectives of the Plan. The Plan envisions expansion of the Salt Palace to the west along South Temple to 300 West. The proposed Zoning Ordinance text amendment to allow conference centers, convention centers with or without hotels, and exhibition halls as permitted land uses in the D-4 District appears to be consistent with the relevant City master plans.

Findings: The proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.

- B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.**

Discussion: The proposed text amendment would allow development of conference centers, convention centers with or without hotels, and exhibition halls in the D-4 District. These land uses are appropriate within the D-4 District and surrounding Central Business District. The architectural design of the expansion will be harmonious with the character of the existing Salt Palace and other developments in the vicinity such as the Prime Hotel and the Delta Center. The proposed expansion of the Salt Palace may have an impact on abutting properties such as that owned by the Japanese Church of Christ at 268 West 100 South.

Findings: The proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.

C. The extent to which the proposed amendment will adversely affect adjacent properties.

Discussion: The proposed text amendment will allow development of land uses that are appropriate for, and expected in, the Central Business District. The proposed amendment will not adversely affect adjacent properties, with the possible exception of the Japanese Church of Christ.

Findings: The proposed text amendment will allow development of land uses that are consistent with other land uses already allowed and/or existing in the D-4 district. The design of the proposed Salt Palace expansion may adversely affect the Japanese Church of Christ.

D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.

Discussion: The area encompassed by the D-4 District includes two overlay zoning districts; the Groundwater Source Protection Overlay and the Delta Center Sign Overlay districts. The proposed amendment of the D-4 District will have not affect on the regulations or administration of these overlay districts.

Findings: The proposed amendment is consistent with the provisions of the Groundwater Source Protection and Delta Center Sign overlay zoning districts.

E. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

Discussion: Various City Departments have reviewed the conceptual plans for the Salt Palace expansion project. The comments indicate that public facilities and services may be adequate to serve the Salt Palace. The proposed plans must be advanced before the Public Utilities Department can assess the actual impact that the project may have on sanitary sewer, storm sewer, water lines in the vicinity of the project.

Findings: No City Departments objected to the proposed Zoning Ordinance text amendment. However, final design plans must be reviewed by all relevant City Departments to determine if any off-site improvements are necessary to adequately service the proposed development.

PETITION 400-04-36: STREET CLOSURE AND VACATION

The City Council adopted the following policy considerations to guide the decision making process for requests to close and vacate City-owned street rights-of-way.

- A. There should be sufficient public policy reasons that justify the sale and/or closure of a public street, and it should be sufficiently demonstrated by the petitioner that the sale and/or closure of the street will accomplish the stated public policy reasons.**

Discussion: The Downtown Master Plan recognizes that the Salt Palace "has proved to be a great asset to the community in the past and to assure continued viability it should be updated and expanded." This street closure is being requested to accommodate an expansion designed to keep the Salt Palace competitive in the national convention market. Although the exact extent of the street closure is not well defined at this time, Salt Lake County does not expect the street closure to reduce the number of vehicular travel lanes on 100 South. Expansion of the loading dock may require the elimination of the angled parking on the north side of 100 South and the street closure would be limited to the area now used for parking.

Finding: Based on the policy of the Downtown Master Plan to accommodate the expansion of the Salt Palace, there is sufficient public policy to justify the sale and closure of a portion of the 100 South street right-of-way.

- B. The City Council should determine whether the stated public policy or policies outweigh alternatives to the sale or closure of the street.**

Discussion: As design of this project advances, it may be determined that a partial street closure is not required to accommodate the proposed expansion of the Salt Palace. However, because of the very demanding time line of this project, Staff recommends that the Planning Commission forward a positive recommendation to the City Council regarding the proposed street closure subject to compliance with the final site plan which will be considered by the Planning Commission as part of Petition 410-701. A City Council public hearing is scheduled for this petition on October 12, 2004.

Finding: Other alternatives may allow the expansion of the Salt Palace without a partial street closure on 100 South. However, this will not be known until the site design process is completed. To meet the time line imposed by the Outdoor Retailers it is important that this petition be forwarded to the City Council as soon as possible. Final approval to close a portion of the 100 South right-of-way for the Salt Palace expansion must be conditioned upon compliance with the final site plan that will be considered by the Planning Commission as part of Petition 410-701.

RECOMMENDATION: Based on the analysis and the findings presented in this report, the Staff recommends that the Planning Commission forward a positive recommendation to the City Council to:

1. Approve Petition 400-04-35 to amend 21A.30.050 Table of Permitted and Conditional Uses for the Downtown Districts to allow **conference centers, convention centers with or without hotels, and exhibition halls** as permitted land uses in the D-4 Downtown Secondary Central Business District.
2. Approve Petition 400-04-36 to close and vacate a portion of City-owned right-of-way on the north side of 100 South between 200 West and 300 West streets to accommodate an expanded loading dock for the Salt Palace. This recommendation is subject to compliance with the final site plan that will be considered by the Planning Commission as part of Petition 410-701. Furthermore, Staff recommends that this excess right-of-way be declared surplus property so the ownership may be transferred for fair-market value to the Petitioner.

The Staff recommends that the Planning Commission table consideration of Petition 410-701 requesting conditional use approval to modify certain urban design standards found in the D-4 District pending submission of more detailed site plans.

Attachments:

1. Departmental Comments
2. Site Plans

ATTACHMENT 1

DEPARTMENTAL COMMENTS

Planning Commission Staff Report
Salt Palace Expansion Petitions

ROCKY J. FLUHART
CHIEF ADMINISTRATIVE OFFICER

SALT LAKE CITY CORPORATION
DEPARTMENT OF MANAGEMENT SERVICES
PURCHASING, CONTRACTS AND PROPERTY MANAGEMENT DIVISION

ROSS C. ANDERSON
MAYOR

INTEROFFICE MEMORANDUM
Property Management
Room 225

22 Spetember 2004

TO: Joel Patterson
Planning

FROM: Linda Cordova *Lpc*
Property Manager

REF: Petition 400-04-36 by Salt Lake County Requesting a Partial Street Closure

Property Management has reviewed the referenced petition and has no objection to the petition. In view of the assemblage for its commercial use and in compliance with City Policy, it is my recommendation that the street be closed and sold at fair market value. It is the petitioners' responsibility to get and pay for an appraisal report. Please have them contact Property Management for a list of approved appraisers.

In terms of Petition 400-04-35 and 400-701 Property Management has no objection.

Thank you.

From: Young, Kevin
Sent: Tuesday, September 21, 2004 2:32 PM
To: Paterson, Joel; Walsh, Barry
Cc: Young, Kevin; Haight, Gordon; Weiler, Scott; Smith, Craig; Brown, Ken; Stewart, Brad; Cordova, Linda
Subject: FW: Request for review - Petitions regarding the Salt Palace Expansion
September 21, 2004

Joel Paterson
Planning Division
451 South State Street, Rm. 406
Salt Lake City, Utah 84111

Re: Petitions 400-04-35, 400-04-36, and 410-701 for Proposed Expansion of the Salt Palace.

Dear Joel:

The Division of Transportation's review comments and recommendations are as follows:

We would like a clarification of the required parking for this expansion. The site plan indicates the existing 600+ parking space surface parking lot is to be removed and replaced with a 400+ space parking structure. Are the existing 600+ parking spaces required as part of the parking requirements for the existing Salt Palace or are the 400+ parking spaces enough to cover the parking requirements for the existing Salt Palace plus the expansion?

The concept of a partial closure and street vacation of the north side of 100 South is probably feasible, but we would need to receive more specific information regarding the extent of the closure (width and length of closure and resulting street configuration) before a recommendation in support could be given. A 450+ foot section of rolled gutter to allow truck access to the proposed loading docks along 100 South would not be acceptable. Truck maneuvering must be done on-site, i.e. trucks pull into the site when arriving and pull out onto the street when leaving, and separated from the sidewalk by a fence or other physical barrier.

Proposed changes to 100 South may impact the 100 South 200 West intersection to the point that a northbound to westbound left turn phase will need to be added to the existing traffic signal to either provide adequate sight distance and/or accommodate the additional truck traffic northbound-to-westbound. Whether this modification is needed will be determined after the extent of the changes to 100 South is known. Any work that impacts elements of the public way, such as sidewalks, street illumination lights, traffic signals, ADA ramps, etc. must be completed as part of this initial phase of the Salt Palace

expansion project. This work cannot be left for future phases of the Salt Palace expansion project.

As this project develops, detailed plans that meet city standards regarding on-site maneuvering, driveway access, bike rack locations, ADA stalls, street lighting, grade transitions, etc. will need to be submitted for our review.

Any proposed modifications to the street along 300 West for roadway changes and driveways will need to be reviewed and approved by UDOT.

Please feel free to call me, at 535-6630 if you have any further questions.

Sincerely,

Barry D. Walsh.
Transportation Engineer Assoc.

cc: Kevin J. Young, P.E.
Gordon Haight, P.E.
Scott Weiler, Engineering
Craig Smith, Engineering
Ken Brown, Permits
Brad Stewart, Utilities
Linda Cordova, Property Management
File

September 20, 2004

Joel G. Paterson
Salt Lake City Planning
451 South State Street
Salt Lake City, Utah 84111

RE: **Petitions 400-04-35, 400-04-36 and 410-710 for Proposed Expansion of the Salt Palace; Located between 200 and 300 West near 100 South**

Dear Joel,

Salt Lake City Public Utilities has reviewed the above-referenced petitions and offer the following comments:

Petition 400-04-35:

Public Utilities has no issues with this petition request

Petition 400-04-36:

Within the north half of the 100 South road right-of-way Public Utilities owns, operates and maintains an eight-inch sanitary sewer main, a twelve-inch PVC water main and a local storm drainage system. According to our records the sanitary sewer main provides service to the existing Salt Palace and to neighboring properties near 300 West. The twelve-inch water main provides service and fire protection connections to these same properties and helps create a grided water system for this downtown area. The drainage system appears to primarily handle drainage flows from the Salt Palace property. The preservation of, and/or the possibility to relocate or vacate any or all of these facilities is completely dependant on the service needs of the proposed Salt Palace and the neighboring properties, and Public Utilities ability to access, operate and maintain these facilities. Until such time as to when detailed plans are engineered, reviewed and approved with these issues assessed, an easement the width of the existing 100 South right-of-way must be reserved for these facilities. Typical easement language with the standard construction and use restrictions should be included within the easement.

Petition 410-701:

General Requirements:

All design and construction must conform to State, County, City and Public Utilities standards and ordinances. Design and construction must conform to Salt Lake City Public Utilities General Notes.

All environmental issues must be approved by the appropriate governing agency prior to Public Utilities approval. The developer must provide written documentation to Public Utilities showing these conditions have been met.

Fire Department approval will be required prior to Public Utilities approval. Fire flow requirements, hydrant spacing and access issues will need to be resolved with the fire department.

This proposed expansion property should be combined the existing Salt Palace property to avoid the need for utility easements and related maintenance agreements.

Sanitary Sewer and Water:

Utility Plans must be submitted to Public Utilities for review and approval for this proposed construction. The anticipated water and fire needs and sanitary sewer discharges of this proposed expansion must be provided to Public Utilities. From this information Public Utilities will assess existing utility infrastructure capacities and determine if there is a need for any utility infrastructure improvements. Offsite sanitary sewer improvements may be required if the existing downstream sewer system is not able to handle expected discharges meeting Public Utilities' 75% maximum pipe capacity criteria. All water, fire and sewer service connections must meet Public Utilities standards and requirements. According to our records numerous existing sewer and water service laterals are connected to this proposed expansion property location. As determined by Public Utilities unused water laterals must be disconnected at the main and unused sanitary sewer laterals must be capped at property line per Public Utilities requirements.

Storm Water Design and Construction:

A Grading and Drainage Plan must be submitted to Public Utilities for review and approval for this proposed construction. This development will be restricted to a maximum surface storm water discharge rate of 0.2 cfs per acre. No retention facilities will be allowed.

High groundwater is typical in this area and a stamped geotechnical report must be submitted to Public Utilities identifying the typical and expected highest groundwater elevation for this area. All building pads, docks, paved areas, storm grates and on-site storm water detention areas should be above the highest expected groundwater elevation. Pumped groundwater discharges from this property will be highly discouraged. If pumped discharges are necessary to accommodate proposed construction, then an engineered assessment of expected groundwater discharge rates must be submitted for review and approval. Upsizing of downstream storm drain pipes may be required to provide additional capacity to handle proposed groundwater discharges.

September 20, 2004

Page 3

Proposed ditch sections or detention facilities must have 3:1 or flatter side slopes with minimum two-foot bottom. Concrete roll gutters are recommended at the bottom of ditch facilities. Bubble-up inlets or sumps used as control structures in detention areas will be discouraged. Temporary and permanent erosion control within detention areas or ditches must be detailed. The developer must comply with UPDES Construction Storm Water Permits. At a minimum, silt fence must be provided along open drainage ways, hay bales must protect any existing grates or inlets and the City's clean-wheel ordinance must be followed. A copy the proposed Storm Water Pollution Prevention Plan required for the UPDES permit must be submitted to Public Utilities for review and approval. An engineered stamped drainage report is required showing all the above-mentioned requirements have been met.

Agreements and Fees:

Utility mainline extension and service connection agreements must be entered into between the developer and Public Utilities for all approved water, fire, sewer and storm drain mains and services. The agreements will outline developer and Public Utilities' responsibilities related to construction, maintenance and warranty of the utility mains and services. Based on an approved engineer's estimate, work for all public water, sewer and storm drain mains must be bonded. All mainline extension agreements must be executed and bonds received by Public Utilities prior to full construction plan set approval and plat sign-off from our department. Prior to full plan set approval and plat recordation all water, fire, sewer, drainage and connection impact and inspection fees must be paid in full. A \$343 per quarter acre drainage impact fee will be assessed for all new hard surface introduced by this proposed construction.

Public Utilities can approve this petition if the above-mentioned issues are addressed. If you should need further assistance with this matter, please contact Brad Stewart at 483-6733 or Jeff Snelling at 483-6889.

Sincerely,

LeRoy W. Hooton, Jr.
Director

Cc:file

pg\jn\LWH

From: Graham, Rick
Sent: Wednesday, September 15, 2004 1:17 PM
To: Paterson, Joel
Subject: FW: Request for review - Petitions regarding the Salt Palace Expansion

Categories: Program/Policy

Please see comments provided by Rick Johnston relative to the Salt Palace Expansion project.
Thank you for inviting our input.

From: Johnston, Richard
Sent: Wednesday, September 15, 2004 12:54 PM
To: Peterson, Max; Graham, Rick
Cc: Smith, Craig
Subject: RE: Request for review - Petitions regarding the Salt Palace Expansion

These petitions are being reviewed with the DRT, of which Craig is a member. Based on first look at their preliminary site plans, they don't look to be narrowing 100 South, but there may be some issues with sidewalk conflict with a proposed loading dock. Craig, and Barry from Transportation, will be looking at those issues and any other street issues as DRT reviews more detailed plans.
RICK

From: Peterson, Max
Sent: Wednesday, September 15, 2004 8:00 AM
To: Johnston, Richard
Subject: FW: Request for review - Petitions regarding the Salt Palace Expansion

Rick, Please review and prepare response to Rick Graham as requested.

Max

From: Graham, Rick
Sent: Tuesday, September 14, 2004 6:02 PM
To: Peterson, Max; Griffiths, Gary; Valente, Art
Subject: FW: Request for review - Petitions regarding the Salt Palace Expansion

Do you see any issues in this that affect PS? Let me know.

From: Larson, Bradley
Sent: Tuesday, September 21, 2004 4:15 PM
To: Paterson, Joel
Subject: Petitions 400-04-35, 400-04-36, 410-701 For Proposed Expansion of the Salt Palace
Joel,

Please consider this note as Fire Department approval for the above referenced requests. The required access and fire protection features by Code, are being implemented in the design process and will be reviewed and approved by the Fire Department.

Please feel free to contact me should you have any questions or need further assistance.

Thank you.

Brad Larson
Deputy Fire Marshal

FROM: SMITH, JR
SENT: WEDNESDAY, SEPTEMBER 15, 2004 4:09 PM
TO: PATERSON, JOEL
SUBJECT: PETITION 400-04-35, 400-04-36, 410-701

CATEGORIES: PROGRAM/POLICY

JOEL,

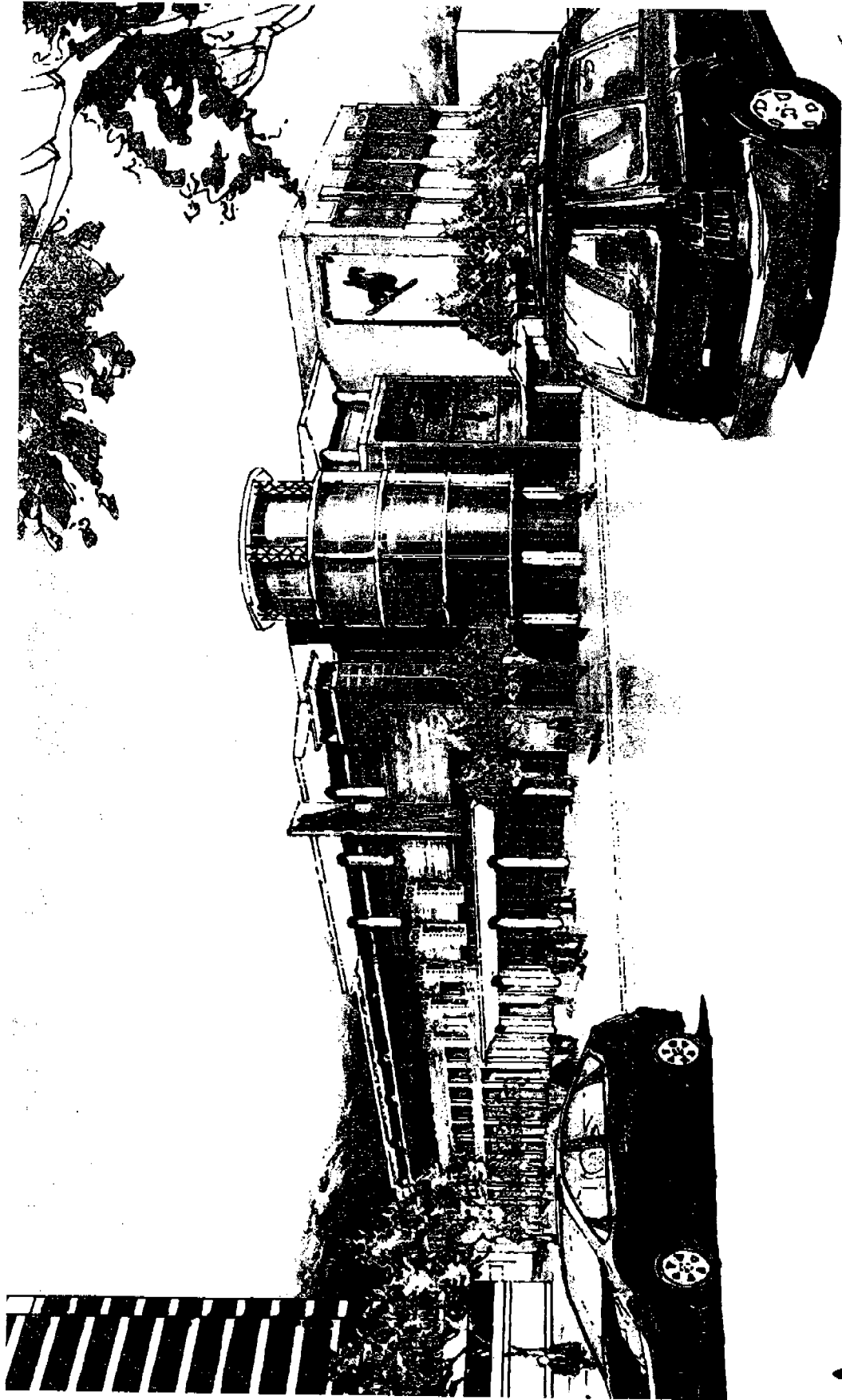
BASED UPON SUPPLIED INFORMATION I HAVE NO CONCERNS FROM A CPTED
PERSPECTIVE WITH THE ABOVE PETITIONS.

J.R. SMITH
C.A.T. DISTRICT 4/5

ATTACHMENT 2

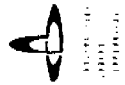
SITE PLANS

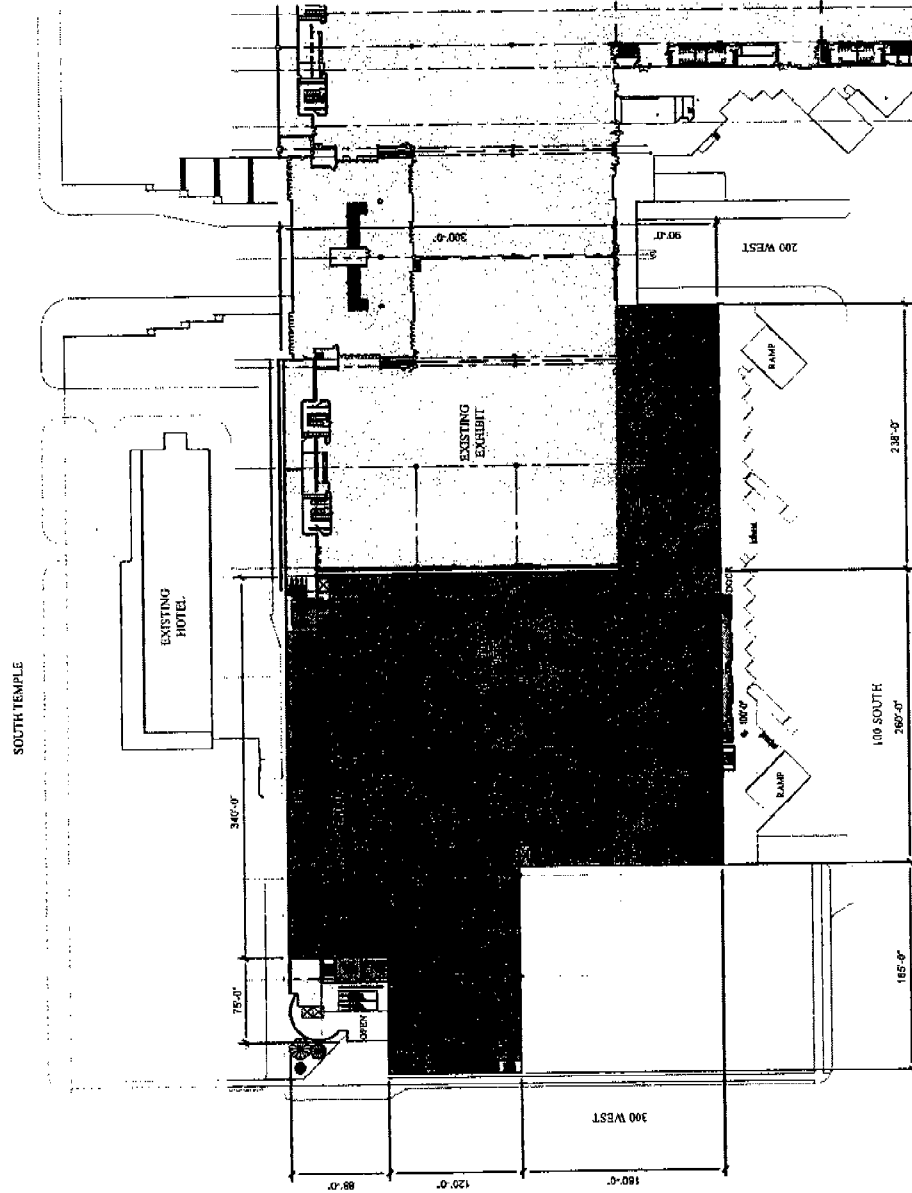
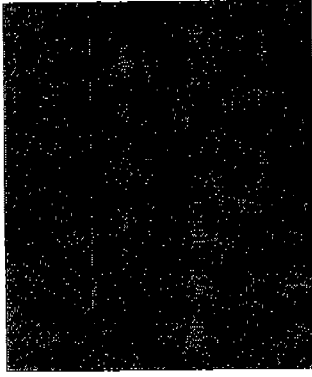
Planning Commission Staff Report
Salt Palace Expansion Petitions



PERSPECTIVE

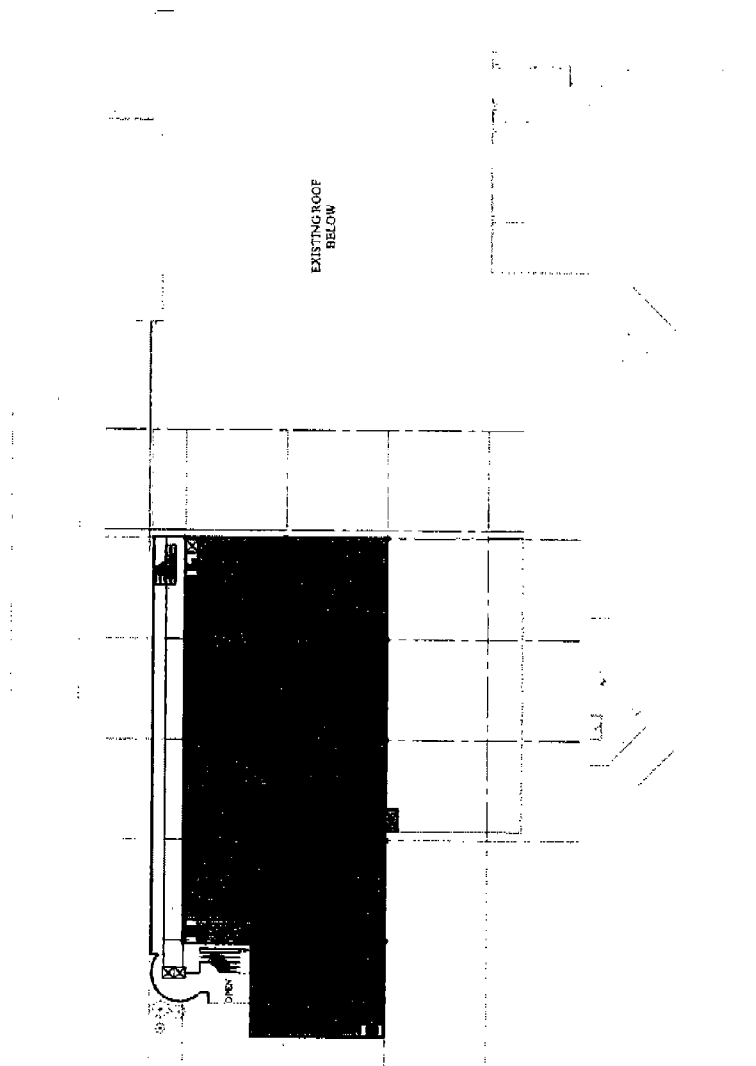
Salt Palace Convention Center
West Expansion Concept Study





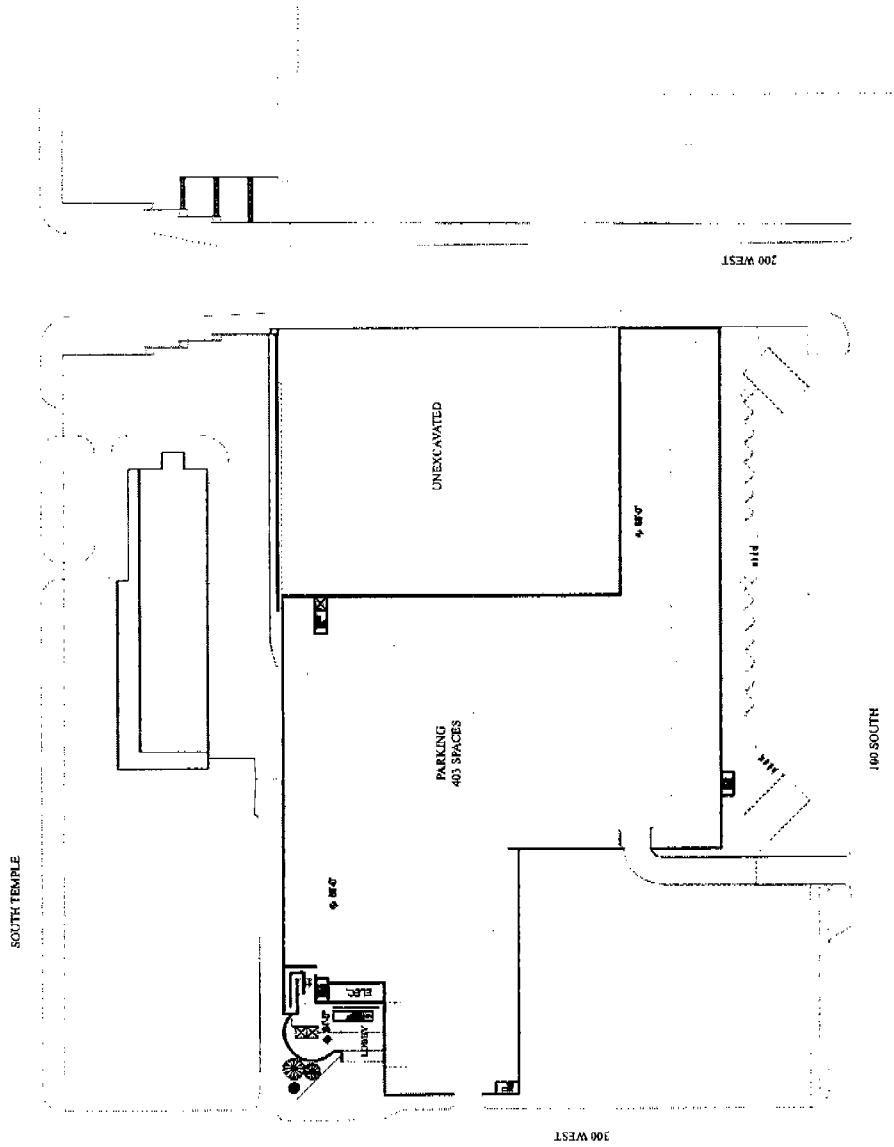
LEVEL 1

Salt Palace Convention Center
West Expansion Concept Study



LEVEL 2

Salt Palace Convention Center
West Expansion Concept Study



LOWER LEVEL

Salt Palace Convention Center *West Expansion Concept Study*

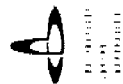


EXHIBIT 5c

AGENDAS / MINUTES

Transmittal of Petitions 400-04-35 and 400-04-36
Regarding the Proposed Expansion of the Salt Palace

**SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, September 29, 2004, 5:45 pm**

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Present from the Planning Commission were Chair, Prescott Muir, Tim Chambless, Bip Daniels, Babs De Lay, John Diamond, Craig Galli, Laurie Noda, and Kathy Scott. Peggy McDonough and Jennifer Seelig were excused.

Present from the City Staff were Community Development Director Lee Martinez; Planning Director Louis Zunguze; Deputy Planning Director Doug Wheelwright, Senior Planner Joel Paterson, Principal Planner Doug Dansie; Planning Commission Secretary Kathy Castro; Transportation Engineer Kevin Young; and Deputy City Attorney Lynn Pace.

A roll is being kept of all who attended the Planning Commission Meeting. Chair Muir called the meeting to order at 5:46 p.m. Minutes are presented in agenda order and not necessarily as cases were heard by the Planning Commission. Tapes of the meeting will be retained in the Planning Office for a period of one year, after which they will be erased.

REPORT OF THE CHAIR AND VICE CHAIR

Commissioner Chambless noted that the Planning Commission and City Council Chairs and Vice Chairs will meet October 5, 2004.

Chair Muir noted that the North Salt Lake City Boundary Adjustment Subcommittee met earlier today, which he felt went well in terms of clarifying the role of the Planning Commission in light of all of the associated issues. Chair Muir said that the Planning Commission has a narrow perspective and he hoped that the staff report would set out those parameters. He stated that the public hearing for that petition is envisioned for the second meeting in October of this year.

REPORT OF THE DIRECTOR

This item was heard at 8:05 p.m.

Mr. Zunguze referred to the North Salt Lake City boundary adjustment proposal. He reiterated that the Subcommittee for that proposal met earlier today.

Mr. Zunguze noted that the Planning Commission will vote on a Chair and Vice Chair at their next meeting.

Initiated Petition

Mr. Zunguze requested that the Planning Commission initiate a petition to modify the current definition of Open Space, to identify the various categories of open space, which the City has.

Chair Muir so initiated.

Chair Muir referred to the Salt Palace expansion, and asked what the Planning Staff's role is in assisting the Applicant in resolving the issues that the community has raised.

Mr. Zunguze stated that there are some resources that can be obtained through the Community Development Division and the RDA. He stated that he will facilitate discussion between the Mayor's Office and the Community Development Office regarding the concerns raised.

Mr. Zunguze indicated that future Planning Commission meetings will be transmitted live via the internet, and asked if they approve of that.

Chair Muir felt that that would be just another vehicle for the public process. He indicated that he is in agreement with that option. The Commission agreed.

PUBLIC HEARINGS

Petition No. 400-04-35, by the Salt Lake City Administration, requesting to amend the text of the Salt Lake City Zoning Ordinance to allow conference centers, convention centers with or without hotels, and exhibition halls as permitted land uses in the "D-4" Downtown Secondary Central Business District.

Petition No. 400-04-36, by the Salt Lake County Administration, requesting a partial street closure and vacation along the north side of 100 South between 200 West and 300 West streets to accommodate a loading facility for the Salt Palace.

Petition No. 410-701, by the Salt Lake County Administration, requesting conditional use approval to allow modifications to the "D-4" zoning requirements to accommodate the expansion of the Salt Palace on the block between South Temple and 100 South from 200 West to 300 West. The property is located within the "D-4" Downtown Secondary Central Business District. The Petitioner is requesting modifications of the following "D-4" requirements:

- 1. The front yard setback;**
- 2. Restrictions on parking lots and structures located in block corner and mid-block areas;**
- 3. Requirements for retail goods/service establishments, offices and/or restaurants on the ground floor of parking structures adjacent to the front or corner side yard;**
- 4. Requirements for the first floor elevation facing a street to include at least 40% glass; and**
- 5. Maximum building height.**

This item was heard at 5:47 p.m.

Senior Planner Joel Paterson said that with the Commission's support, the above petitions will be presented concurrently.

Mr. Paterson presented the petitions as written in the staff report. He stated that the Salt Palace expansion project is required to retain the Outdoor Retailer's convention in Salt Lake City. The Outdoor Retailers sponsor two conventions at the Salt Palace each year and have agreed to continue meeting at the Salt Palace for five years subject to Salt Lake County's

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ability to complete the expansion of the Salt Palace by 2006. The project will occur in two phases. Phase 1 includes the construction of the parking structure prior to the Outdoor Retailer's summer convention in 2005. Phase 2 includes the construction of the exhibit and meeting space which must be complete prior to the Outdoor Retailer's convention in August 2006.

Mr. Paterson noted that during initial discussions between Salt Lake City and Salt Lake County regarding the proposed expansion, it was discovered that the Table of Permitted and Conditional Uses for the Downtown Districts (21A.30.050) does not include conference centers, convention centers or exhibition halls as allowed uses in the "D-4" District. It appears that this omission was an error because a land use like the Salt Palace is an appropriate use in the Downtown Area.

Mr. Paterson stated that the second petition proposed this evening is a request by Salt Lake County for partial street closure and vacation of City-owned right-of-way on the north side of 100 South between 200 West and 300 West streets to accommodate an expanded loading dock for the Salt Palace. Mr. Paterson identified the areas for the loading docks, and the area of the proposed expansion on an aerial map.

Mr. Paterson noted that due to time constraints, the City Council has scheduled the proposed street closure petition for a public hearing on October 12, 2004. Staff is recommending that the Planning Commission forward a positive recommendation to the City Council regarding the street closure subject to final site design. Mr. Paterson indicated that as the site designs advance, it will become evident if the partial street closure will be necessary, which City Council can condition upon the site plans.

Mr. Paterson identified the proposed partial street closure and stated that if the partial street closure is approved it would not affect the vehicular travel on 100 South, none of the four travel lanes are proposed for elimination. He stated that the design of the loading docks along 100 South is very conceptual at this point.

Mr. Dansie noted that a portion of 200 West was vacated years ago to accommodate the Salt Palace loading docks. He said that the result of that vacation was the loss of a parking lane.

Mr. Diamond asked for clarification as to what portion of 100 South will be vacated.

Mr. Paterson replied that at most, the vacation would extend south to include the area of angled parking which is currently on the north side of 100 South.

Mr. Paterson stated that Staff is recommending that the Planning Commission table consideration of Petition No. 410-701, a request for conditional use approval to modify certain urban design standards found in the "D-4" Zoning District pending submission of more detailed site plans. He stated that as the designs advance Staff is hopeful that the requested modifications of the urban design standards will not be necessary.

Mr. Paterson reiterated that based on the analysis and the findings presented in the staff report, Staff recommends that the Planning Commission forward a positive recommendation to the City Council to:

1. Approve Petition No. 400-04-35, a request to amend 21A.30.050 Table of Permitted and Conditional Uses for the Downtown Districts to allow **conference centers, convention**

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centers with or without hotels, and exhibition halls as permitted land uses in the "D-4" Downtown Secondary Central Business District.

2. Approve Petition No. 400-04-36, a request to close and vacate a portion of City-owned right-of-way on the north side of 100 South between 200 West and 300 West streets to accommodate an expanded loading dock for the Salt Palace. This recommendation is subject to compliance with the final site plan that will be considered by the Planning Commission as part of Petition No. 410-701. Furthermore, Staff recommends that this excess right-of-way be declared surplus property so the ownership may be transferred for fair-market value to the Petitioner.

Mr. Paterson introduced Mr. Kent Ament, Construction Manager for the project and Ms. Allyson Jackson, Manager of the Salt Palace.

Commissioner De Lay referred to the requested modification of the maximum building height of 75-feet. She noted that portions of the Salt Palace are currently higher than 75-feet and asked the Applicant to clarify their request.

Mr. Ament replied that the old exhibition hall is lower than the new hall; the modification of the height requirement is requested with the intent to tie the two exhibition halls together.

Commissioner Chambless asked when the original footprint of the Salt Palace was established.

Mr. Ament replied that the original foot print for this site was built in 1969.

Commissioner Chambless asked regarding the notification requirement for this petition.

Mr. Paterson replied that Staff requested that the Applicant provide the mailing labels for all of the property owners within 500-feet of the site. Staff sent out two notices, one of the public open house which was held on September 22nd, as well as the public notice for the hearing this evening. Mr. Paterson noted that four people attended the open house, two from the Japanese Church of Christ, and two were adjacent business owners. He noted that Staff contacted the Japanese Church of Christ and the neighboring Buddhist Church to discuss their concerns with the Salt Palace.

Commissioner De Lay asked how the proposed expansion is going to affect the two churches located adjacent to the Salt Palace. She specifically mentioned concern with the loading ramps and the noise from the trucks associated with that. Commissioner De Lay asked if there is any other possible location for the loading ramps.

Ms. Jackson replied that the proposed location for the loading ramps is the only possibility. She noted that 200 West currently extends under the Salt Palace, and the area for the current loading docks is the primary facility. Ms. Jackson stated that the traffic congestion will not be very different from the current situation, with the exception of the two Outdoor Retailer exhibits, which take place in the winter and the summer.

Commissioner De Lay noted that the intent behind the expansion of the Salt Palace is that exhibits such as the Outdoor Retailers will be scheduled more often. She said that with the increase of exhibits there will be an increase of traffic congestion in that area. Commissioner De Lay asked if there is another possible location for the loading docks. She stated that the

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proposed street closure is located in part of the remaining neighborhood of "Japan Town", which is a historic neighborhood in need of preservation. Commissioner De Lay said that she understands the need for the expansion; however, how can it fit into the existing community with the least amount of impact.

Ms. Jackson replied that they have met with the Churches earlier today and discussed the dates that the Churches have festivals in the street. She said that the Salt Palace does not have anything scheduled that would interfere with the Church festivals. Ms. Jackson stated that after construction the road will be back as it is with the exception of the angled parking which may be replaced with parallel parking. Ms. Jackson replied that the only other option for the loading docks is if the adjacent Prime Hotel moved, which would leave the north side of the Salt Palace open. She noted that 300 West is a State Highway and indicated that it is difficult to get any approval to modify that road.

Commissioner De Lay asked what the Applicant is proposing in the event that there is a conflict.

Ms. Jackson replied that if there is a conflict between the Salt Palace and the Churches the Salt Palace would be aware of it years in advance, and could discuss it with the churches.

Commissioner De Lay asked if 200 West was an option for the loading docks.

Mr. Ament replied that they tried to get approval from the City to build on to the structure at 200 West years ago and were denied. He stated that 200 West may be an option for church activities, but it is not a possibility for loading docks.

Commissioner De Lay restated that there are two historic churches which are naturally sensitive to noise. She asked how the Applicant is going to control noise from the trucks.

Ms. Jackson replied that the trucks are not allowed to idle in the loading area, and once the portion of the street is closed the trailers will be disconnected from the trucks and left in the loading area.

Commissioner Daniels referred to the four days which the church communities have events scheduled. He clarified that there is not a conflict with any of the dates at this point.

Ms. Jackson replied that that is correct; through the construction of the expansion, the Salt Palace does not anticipate a problem.

Commissioner Daniels referred to the mess in and around the site left after conventions, concerts, and such. He asked how the Applicant plans to mitigate that so that the churches do not have to deal with that issue.

Ms. Jackson replied that the concerts take place at the Delta Center; however, if the Salt Palace facilities are used, they have night crews who patrol the area and clean up after events. She said that they are very sensitive to the surrounding neighbors and it is very clean.

Commissioner Scott asked for clarifications regarding the number of parking stalls that will be constructed with the expansion.

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Mr. Ament replied that the current 420 stalls will be replaced with 403 stalls and perhaps a few more.

Commissioner Scott asked if conventions usually meet on Sunday mornings.

Ms. Jackson replied that it depends if the convention is an association meeting or a corporate meeting. Associations, which the Salt Palace deals the most with, usually run Saturday through Monday, or Tuesday. Corporate meetings run Monday through Friday.

Commissioner Scott asked if the Applicant has typically had an issue with parking.

Ms. Jackson replied that usually people fly into Salt Lake City for the conventions, stay in local hotels and walk. She added that there are very few events where the available parking is totally utilized.

Commissioner Scott asked if the 403 parking stalls is the required amount of parking based on the size of the structure.

Mr. Ament replied that the Salt Palace is close to the required amount; however, they have to do a total count which would include the street parking.

Commissioner Scott asked if the Applicant has entered into any shared parking agreements.

Ms. Jackson replied that the Salt Palace sells parking passes with the condition that February is not available for parking, and the passes only allow parking in the garage on West Temple.

Commissioner Noda asked how likely the street closure is. She said that she is concerned to some extent as to the impact of the street closure on both churches. Commissioner Noda felt that the loading docks may be intrusive and there will be a significant noise increase.

Mr. Ament said that they are looking at several different options in working with the Transportation and Planning Divisions. He said in the worst case the lane of street parking will be removed. Mr. Ament stated that the City is not going to give the street to the Salt Palace and they do not have the money to purchase the street at this point. He indicated that they are exploring different options.

Chair Muir said that he understands the benefits of the Outdoor Retailers Convention. Chair Muir said that he felt that the immediate needs of that convention will be met; however, it is continually expanding. He asked if the Applicant has done a twenty year master plan and looked at how phases one and two fit into that plan.

Mr. Ament replied that they have done a master plan in 1997 and the proposal this evening was envisioned at that time.

Chair Muir said that if the Planning Commission tables the conditional use request this evening, he would hope that through the development process that the Applicant would share their long term plan with the various groups that are involved. He said that a serious concern is the possibility for pedestrian corridors that will link Main Street and Gateway. He

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specifically mentioned South Temple and 200 South as critical corridors, and asked the Applicant to be sensitive to that.

Commissioner De Lay asked for clarification as to the building demolition noted in the time line of the staff report.

Mr. Ament replied that that is referring to a stair tower on the existing building, which has to come down to allow for the new construction.

Commissioner Chambless asked if there have been any discussion between the hotel owners and the County regarding the possibility of the County purchasing the hotel and incorporating that property into the Salt Palace plan.

Ms. Jackson stated that they utilize the hotel space, it is necessary for the convention attendees.

Mr. Ament added that the hotel would be expensive to purchase, he noted that it is located on a very small foot print.

Commissioner Scott asked what is envisioned for the street scape in front of the Japanese Church of Christ if the street closure is approved.

Mr. Dansie replied that in the past there has been a combination of angled parking and parallel parking to meet the needs of the surrounding community. He referred to 200 South in front of Shaggy's where the curb does not run in a straight line. The City did not vacate the street; however, there is both parallel and angled parking on the street. He added that the City also vacated portions of 100 South at the Gateway.

Mr. Paterson asked that the Commission consider declaring the street surplus property as part of the street closure process.

Chair Muir opened the public hearing.

Chair Muir noted for the public record that the Planning Commission received written comments from Ms. Jan Aramaki, a member of the Japanese Church of Christ, in opposition of the expansion of the Salt Palace. She specifically noted concern with respect to the loading docks.

Chair Muir also noted that the Planning Commission received written comments from Reverend Pat Alexander, Interim Head of Staff of the Japanese Church of Christ, in opposition of the expansion of the Salt Palace.

Reverend Pat Alexander, Interim Head of Staff of the Japanese Church of Christ, addressed the Commission in opposition of the proposal. She specifically noted that regardless of how the expansion is done there will be significant negative impacts such as: the loss of visibility, increased noise, increased traffic of trucks, and the increased traffic of unwanted people in an area where there are many children. Reverend Alexander noted that the church is often the main facility for funerals. She stated that their main concern is how the Salt Palace can work to mitigate those negative effects. She stated that the church is looking forward to working with the City, Planning Commission, and Salt Palace to make sure that everyone's

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needs are met. Reverend Alexander stated that the congregation needs space for their activities, access to that space; safety; and the opportunity to be spiritual, cultural, and artistic at their facility.

Chair Muir stated that the church's input is welcome while the issues are being sorted out.

Mr. Steven Fukumitsu, a member of the Japanese Church of Christ, addressed the Commission in opposition of the proposal. He noted that the church is very diverse and they welcome all who participate. He noted that the Church assists the community with the homeless and underprivileged. Mr. Fukumitsu indicated that his main concerns are regarding the possible loss of parking. He added that the quality of the church space is an issue; specifically referring to the concern as to whether or not the Applicant will be required to put in additional landscaping to buffer the church space.

Mr. Floyd Mori, National President of the Japanese Americans Citizens League, addressed the Commission in opposition of the proposal. He said that throughout the nation he has seen the disappearance of ethnic communities in large cities. Mr. Mori said that in the past 100 South was the center of "J Town" (Japan Town). He felt that the only remnants of "J Town" are the two churches. He said that there is a need to be sensitive to that remaining community. Mr. Mori felt that the Applicant is going about this backward in terms of prudent planning. He felt that with respect to long term planning for the community, the needs of the culture as well as the economic needs need to be balanced.

Commissioner De Lay asked Mr. Mori how he suggests that the Salt Palace expands.

Mr. Mori referred to the parking lot on South Temple just west of the hotel and suggested that the County or City acquire that property and move the loading docks there. He offered another alternative that the City or County help move the Japanese Church of Christ to another location.

Mr. Raymond Uno, a member of the community, addressed the Commission in opposition of the proposal. He stated that in 1967 when the Salt Palace was first built he and others were under the impression that it would be constructed on 2100 South. Mr. Uno said that the Japanese Community has been the recipient of a lot of broken promises, which he felt is the ultimate cause of the disbursement of the Japanese Community. Mr. Uno said that the Japanese Community does not have any other place to congregate and many people have worked hard to preserve the area. He felt that if the Salt Palace expands then all of the efforts to preserve the area will be in vain.

Chair Muir asked if it would help if the community and the County were made aware of the need for those that are going to benefit financially from the expansion to facilitate the recreation of a Japanese Historic District. He felt that the community needs to collectively recognize that that is part of the cost of expanding the Salt Palace facility.

Mr. Uno noted that in some communities if people are displaced, funds have been provided to help them relocate. He said that that is what the Japanese Community needs.

Commissioner Chambless noted that he has known Mr. Uno as Judge Uno and asked if this were a case before Judge Uno how he would handle it.

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Mr. Uno replied that he would try to get enough money together to purchase a piece of property for the two churches to share.

Ms. Anita Tsuchiya, a member of the community addressed the Commission in opposition of the petition. She referred to the two churches, saying that they are essential to the Japanese Community. She said that she appreciated the concern shown by the Commission that there is a place for the Japanese Americans. She asked that the Applicant consider the impact that the expansion may have on the Japanese Community.

Mr. Ken Pollard, an Architect with Pace Pollard Architects, addressed the Commission saying that he was asked by Mr. Kubota and Mr. Hashimoto to look at the Japanese Church of Christ for a master plan. He stated that they have been asking the Salt Palace as to what is their future plan. He said that the information presented this evening is the first they have heard of the Salt Palace expansion. He indicated concern, saying that the Applicant has misled the community as to their intentions for the site.

Mr. Al Kubota, a member of the community addressed the Commission in opposition of the proposal. He reiterated concerns with the parking issues associated with the loading docks on 200 West. He said that the trucks park in the street and are left overnight. Mr. Kubota said that there currently is traffic congestion and parking problems and to allow the expansion of the Salt Palace will create more problems.

Dr. Shig Matsukawa, a member of the Japanese Church of Christ, addressed the Commission saying that he agreed with many of the comment already expressed. He said that he is aware that the main issue is regarding money. He asked if the community is making the dollar sign more important than the sign of the cross. He asked that the Commission find another alternative.

Mr. Taka Kida addressed the Commission saying that the Japanese Church of Christ was erected in 1924.

Ms. Brenda Koga, a member of the Buddhist Church, addressed the Commission. She felt that speaking in opposition of the proposal is a mute point because she felt that the decision has already been made. She felt that the Japanese Community has been gradually pushed out of the Salt Lake City Community. Ms. Koga indicated that she felt that the best alternative is to help the churches find another location. She asked that the Commission consider the churches' plight. She agreed with the idea that the two groups join with the Applicant in a collaborative effort as the project progresses. She said that as she sees it the project is already with the works.

Chair Muir stated that the decision has not been made at this point. The Planning Staff analyzes the information and comes back to the Commission with a recommendation. He noted that the City Council will ultimately make the decision on the rezone and street closure requests. The conditional use is within the purview of the Commission for approval or denial. He stated that the issues presented by the public this evening are of great concern to the Commission. He stated that the common dilemma that Planning Commissions and City Councils face in cities that are growing is that the agendas within communities are different.

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Commissioner Galli asked if there is a consensus that the community is opposed to any modification of the Salt Palace, or is there a design that the community could live with? The Community doesn't feel that there is not a collaborative process that they have a voice in.

Ms. Koga replied that she did not feel that they are opposed to any expansion. She asked that the City and County take into consideration the church activities and work with them in a collaborative effort to find a common solution.

Commissioner Galli asked specifically what would the community like to be included in.

Ms. Koga specifically noted that the parking is an issue as well as the lack of information as to when the street will not be accessible to the churches.

Chair Muir noted that Ms. Jane Sakashita submitted written comments in opposition of the proposal. She specifically noted the lack of parking, indicating that she did not support the elimination of parking stalls.

Chair Muir noted that Ms. Suzanne Hata submitted written comments in opposition of the proposal; she specifically noted that the Rio Grade and Peoples Freeway Community Councils were unaware of the public hearing this evening. She indicated that the Rio Grande Community Council is very concerned regarding the loss of any street parking.

Mr. Paterson stated that as part of the notification for the open house and the public hearing, all of the Community Council Chairs were sent notice.

Chair Muir asked if it is typically the obligation for the Applicant to take the petition before the Community Councils.

Mr. Paterson replied that when there are multiple community councils or if there is a time crunch the City will hold an open house. He stated that Staff has found that often there is a better representation of the adjacent property owners around the development site at open houses.

Chair Muir noted that Mr. Kenneth Nodzu submitted written comments in opposition of the proposal.

Ms. Silvana Watanabe, Governor of the Intermountain District Council for the JUCL, and a member of the Buddhist Church addressed the Commission. She specifically mentioned concern as a parent. She asked that the community be preserved to allow her to teach her children about her culture and humanity. Ms. Watanabe stated that the events that take place at the churches are ongoing and hard to plan for in advance.

Ms. Diane Akiama, a member of the Salt Lake Buddhist Temple, addressed the Commission saying that the Temple has tried to raise money up to one-million dollars to relocate, and that has not been enough. She stated that there are people who drive from all over the valley, which why the Temple needs to be in a central location. She also noted that the parking is imperative because it is a commuter church. Ms. Akiama noted that to move two churches is going to be quite expensive due to the cost of property Downtown.

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Chair Muir noted that there was an attempt to move the Buddhist Temple to the Bridges Project but it did not work out. He asked regarding the expected cost of that if it were to go through.

Ms. Akiama replied that the cost was estimated to be about 2.1 million dollars.

Chair Muir said that no one is recognizing that there is a need to create a sense of neighborhood and community in order to attract people back into the City. He said that there is a need to find a collaborative solution.

Ms. Akiama reemphasized the need for parking, especially for funerals and such activities that one can not plan for. She noted that the Buddhist Church is a facility that is used by people Statewide.

Ms. Laura Olsen, a member of the Japanese Church of Christ, addressed the Commission in opposition of the proposal. She said that she did not support a move of the church; the current location is sacred to many of the members. Ms. Olsen stated that the main issue is the loss of the 9 feet of parking associated with the street closure. She asked that the Applicant present a plan that does not remove any of the current parking.

Mr. Floyd Mori readdressed the Commission clarifying that the Japanese Community has never been involved in the planning process for the Salt Palace since it was first constructed.

Chair Muir noted that the Community Councils have a responsibility to inform those in their boundaries.

Commissioner Chambless stated that he worked for Mayor Wilson in 1977 – 1979. He said that his recollection is that the functioning community councils were not established until the late 1970's. He clarified that the community councils did not exist at the time of the Salt Palace construction.

Mr. Wheelwright agreed and added that the public notification requirement was not as rigid as it is until 1995. He stated that the original Salt Palace was an RDA project, and at that time they had condemnation power.

Commissioner Chambless clarified that perhaps the process was enacted unilaterally.

Mr. Al Kubota readdressed the Commission saying that he the public notice was postmarked September 14, 2004 which he felt was not sufficient notice.

Mr. Roger Tabari, a member of the community, addressed the Commission saying that without reviewing an elevation it seems that the church is stuck with the working end of the Salt Palace. He said that as an art professional, he believed that there are creative solutions to many problems, and sometimes problems are an opportunity. Mr. Tabari noted that in the Japanese Community there are several talented professionals. He suggested that those people be invited to contribute to the collaborative effort to find a workable solution for all involved.

Ms. Lorraine Crouse, a member of the Japanese Church of Christ, addressed the Commission in opposition to the proposal. She said that she did not agree that moving the

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Church is a good solution, it is sacred ground. Ms. Crouse said that the space between the Salt Palace and the Gateway is prime property for building the ethnic groups. She felt that if "J Town" disappears it would be a blow to all cultures.

Chair Muir closed the public hearing.

Mr. Ament replied to the public comments by saying that this process is just starting, the plans are very conceptual. He said that he was not involved in the process until a couple of weeks ago. The Applicant has every intention to involve the Japanese Community in the process. He said that they will mitigate impacts as much as possible and make it as painless as possible for the community. Mr. Ament said that the time frame for the project is very tight. He noted that they will be back before the Commission with the final design of the site.

Commissioner Daniels asked if the Japanese Community professions and artists will be welcomed in the design discussions.

Mr. Ament stated that he welcomes those members and the input that they may have.

Commissioner De Lay said that she has good faith in Mr. Ament in working with the community and respecting the cultural needs.

Commissioner Noda asked if the County would be willing to give parking to the churches.

Mr. Ament replied that he thought there is an opportunity for that, and it is something that he intends to discuss further with the County.

Commissioner Noda asked if the Applicant is willing to construct a screening wall in front of the loading docks.

Mr. Ament stated that is something that they are working through. He stated that City Staff is in favor of the wall; however, the functionality of it may be a challenge.

Commissioner De Lay stated that it seems that the County is taking and not giving in this deal. She asked how the Salt Palace expansion will add to the neighborhood.

Chair Muir stated that the expansion will be a tremendous economic engine for Downtown. It may not benefit the immediate property owners, although, all property values will probably be increase in the neighborhood. There is no doubt that the Outdoor Retailers will bring an increase to the Downtown economy and the State economy. Chair Muir felt that the issue is a need to leverage the expansion to solve some of these issues, to accommodate the expansion of the Salt Palace as well as the adjacent community's needs.

Mr. Ament agreed that the economic benefits to the City, County, and State will be tremendous.

Commissioner Chambless asked regarding the window of construction if the proposals are not approved this evening.

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Mr. Ament stated that he is not so concerned with the design of the docks this evening; however, the permits to start the process need to be available. If the Planning Commission delays this evening the excavation permits would be delayed.

Chair Muir stated that the Commission needs to review that final site plan in total rather than incrementally.

Mr. Lee Martinez, Community Development Director, addressed the Commission saying that on behalf of the City every avenue will be exhausted to respect the Japanese Community. He stated he will work closely with the Applicant to solve outstanding issues. He noted that he is well aware of the time frame. Mr. Martinez stated that he is committed to finding a collaborative solution with the Japanese Community.

Chair Muir closed the public hearing.

Commissioner Noda reiterated that both churches are vital to the community. She stated that there was vibrancy in "J Town" that has slowly disappeared. She said that she looks forward to the County working with the community. She noted that when "J Town" was thriving there was retail on the street level as well as restaurants and bakeries, she wondered if that could be incorporated into the plan.

Chair Muir asked if this site is located in the RDA District.

Chair Muir suggested that perhaps the RDA is the vehicle to get a consultant to sort out the issue of whether the relocation of the churches is the better alternative. He felt that the resources of the City need to be utilized to find a solution.

Commissioner Galli felt that the proposal is an example of piecemeal reactive planning. He noted that all of the participants seem willing to work together, and perhaps there is a solution in approving the conditional use provided that there is a process to develop a preliminary plan, which would involve the community. He noted that there has been conflicting testimony regarding the parking, which needs to be resolved. He also noted that there needs to be an increase in the notification to the churches regarding events and such at the Salt Palace. Commissioner Galli asked regarding the Planning Commission's jurisdiction of approving the conditional use request.

Mr. Zunguze said that typically this process is used to allow the Applicant to get a sense of the issues. Mr. Zunguze stated that with respect to the proposed project, he recommends that the Planning Commission modify the Staff recommendation relating to the conditional use, to approve the preliminary concept. He said that that would do two things; one, it would allow the County and City to engaged the community in a dialogue regarding the issues and design of the site as the project advances; two, it would allow the Applicant to move forward with their permitting process.

Commissioner De Lay stated that she had an issue with the street closure request more than the other two petitions. She reiterated her concerns with the preservation of the Japanese Community. She indicated that she does not have an issue with the conditional use request or the rezone request; however, she does not support the street closure. Commissioner De Lay stated that the City either needs to move the church to another location or the City needs to protect it as it is.

Commissioner Scott stated that there are loading docks currently along 200 West, and she felt that new well designed docks will improve the area.

Commissioner Noda agreed with Commissioner De Lay that the main issue is the street closure; she felt that some design features to mitigate those parking issue need to be developed.

Mr. Zunguze noted that the Commission does not have the authority to approve or deny petitions 1 and 2; they will ultimately be reviewed by the City Council for a final decision. He stated that the key element for the Planning Commission is the conditional use petition. Mr. Zunguze stated that from an emphasis standpoint, the Commission needs to focus on the design elements of the conditional use petition which will eventually decide whether or not the street is closed.

Chair Muir clarified that regardless of the Commission's findings for items 1 and 2 they will march forward to the City Council.

Motion for Petition No. 400-04-35, 400-04-36, & 410-701

Commissioner Galli made a motion based in the findings and recommendations noted in the staff report, that the Planning Commission forward a favorable recommendation to the City Council regarding Petition No. 400-04-35, to amend 21A.30.050 Table of Permitted and Conditional Uses for the Downtown Districts to allow **conference centers, convention centers with or without hotels, and exhibition halls** as permitted land uses in the "D-4" Downtown Secondary Central Business District; and

Forward a favorable recommendation to the City Council regarding Petition No. 400-04-36, to close and vacate and **declare surplus**, a portion of City-owned right-of-way on the north side of 100 South between 200 West and 300 West streets to accommodate an expanded loading dock for the Salt Palace.

As well as approve the preliminary concept plan for Petition No. 410-701 with the following condition:

1. **That the Applicant submit to the Planning Division a process and plan by which the effected community will have a direct input on the design of the aesthetics of the structure; input on the parking assessment and potential mitigation measures if there is a reduction in parking stalls that impact the two churches; a long range process that they will commit to better communication with the community that is most impacted regarding their religious or cultural events sensitive to their calendaring of events; and that there be a heightened evaluation of safety due to the increased traffic.**

Chair Muir noted that the Petition No. 400-04-36 needs to note that the property shall be declared surplus.

Commissioner Daniels seconded the motion.

Mr. Zunguze summarized the motion saying that the Planning Commission is providing preliminary concept approval of the plan presented this evening. The Commission is

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withholding final approval subject to the Applicant going through mitigation efforts with the community. The Applicant will bring the final detailed plan which shows the mitigation efforts for those issues that have been presented tonight.

Chair Muir asked if the final approval will come back before the Planning Commission.

Mr. Zunguze clarified that with respect to the conditional use approval, Planning Staff can not waive certain design requirements that are part of the Planning Commission's authority.

Commissioner Galli stated that his condition was a preliminary concept plan approval to guide the petitioner in their design.

Chair Muir clarified that the condition as proposed is to send a message to the petitioner to work towards solving those issues before a final approval.

Commissioner De Lay stated that the City is impacted by the economics of this project; however, in planning and master planning in the future we need to look to preserve the culture of the community. She noted that that is a defining factor which gives Salt Lake City its character.

Chair Muir agreed and stated that the diversity is an important part of the City.

Commissioner De Lay asked if there are historic site issues associated with this project.

Mr. Paterson stated that the Salt Palace site is not a historic site.

Mr. Pace noted that the motion before the Commission would enable the petitioner to take out an excavation permit and begin work on the site. It will require the petitioner coming back to the Commission for final design and development approval of the conditional use permit. He stated that as he understands the motion, there will be an assessment of impacts and a proposed mitigation of those impacts; however, the final decision as to those issues rests with the Planning Commission. Mr. Pace stated that it would be inappropriate to delegate that to a private group.

The Commission agreed with that clarification.

Commissioner Chambless, Commissioner Daniels, Commissioner De Lay, Commissioner Galli, Commissioner Noda, and Commissioner Scott voted "Aye". Prescott Muir as Chair did not vote. All voted in favor, and therefore the motion passed.

UNFINISHED BUSINESS

There being no other unfinished business to discuss, the Planning Commission meeting adjourned at 8:12 p.m.

SALT LAKE CITY PLANNING COMMISSION

PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of Salt Lake City, Utah will hold a regular public meeting on Wednesday, September 29, 2004, at 5:45 p.m. at 451 South State Street, Room 326. The Agenda is as follows:

AGENDA FOR THE

SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, September 29, 2004, at 5:45 p.m.

The Planning Commission will be having dinner at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting will be open to the public.

1. REPORT OF THE CHAIR AND VICE CHAIR

2. REPORT OF THE DIRECTOR

3. PUBLIC HEARINGS

- a. **PUBLIC HEARING** – Petition No. 400-04-35, by the Salt Lake City Administration, requesting to amend the text of the Salt Lake City Zoning Ordinance to allow conference centers, convention centers with or without hotels, and exhibition halls as permitted land uses in the "D-4" Downtown Secondary Central Business District. (Staff – Joel Paterson at 535-6141 or joel.paterson@slcgov.com and Doug Dansie at 535-6182 or doug.dansie@slcgov.com)
- b. **PUBLIC HEARING** – Petition No. 400-04-36, by the Salt Lake County Administration, requesting a partial street closure and vacation along the north side of 100 South between 200 West and 300 West streets to accommodate a loading facility for the Salt Palace. (Staff – Joel Paterson at 535-6141 or joel.paterson@slcgov.com and Doug Dansie at 535-6182 or doug.dansie@slcgov.com)
- c. **PUBLIC HEARING** – Petition No. 410-701, by the Salt Lake County Administration, requesting conditional use approval to allow modifications to the "D-4" zoning requirements to accommodate the expansion of the Salt Palace on the block between South Temple and 100 South from 200 West to 300 West. The property is located within the D-4 Downtown Secondary Central Business District. The Petitioner is requesting modifications of the following D-4 requirements:
 1. The front yard setback;
 2. Restrictions on parking lots and structures located in block corner and mid-block areas;
 3. Requirements for retail goods/service establishments, offices and/or restaurants on the ground floor of parking structures adjacent to the front or corner side yard;
 4. Requirements for the first floor elevation facing a street to include at least 40% glass; and
 5. Maximum building height.(Staff – Joel Paterson at 535-6141 or joel.paterson@slcgov.com and Doug Dansie at 535-6182 or doug.dansie@slcgov.com)

4. UNFINISHED BUSINESS

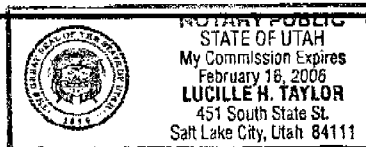
Salt Lake City Corporation complies with all ADA guidelines. If you are planning to attend the public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City 48 hours in advance of the meeting and we will try to provide whatever assistance may be required. Please call 535-7757 for assistance.

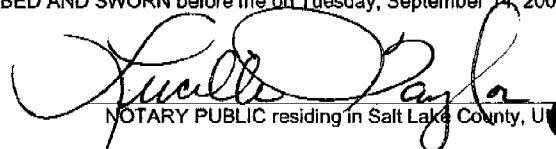
On Tuesday, September 14, 2004, I personally posted copies of the foregoing notice within the City and County Building at 451 S. State Street at the following locations: Planning Division, Room 406; City Council Bulletin Board, Room 315; Community Affairs, Room 345. A copy of the agenda has also been faxed to all Salt Lake City Public Libraries.—

Signed: 

SUBSCRIBED AND SWORN before me on Tuesday, September 14, 2004:

STATE OF UTAH)
COUNTY OF SALT LAKE)




NOTARY PUBLIC residing in Salt Lake County, UT

PLEASE TURN OFF CELL PHONES AND PAGERS BEFORE THE MEETING BEGINS. AT YOUR REQUEST A SECURITY ESCORT WILL BE PROVIDED TO ACCOMPANY YOU TO YOUR CAR AFTER THE MEETING. THANK YOU.

EXHIBIT 6

PUBLIC COMMENT

Transmittal of Petitions 400-04-35 and 400-04-36
Regarding the Proposed Expansion of the Salt Palace

September 29, 2004

Salt Lake City Planning Commission
451 S. State Street, Room 406
Salt Lake City, Utah 84111

Dear Planning Commission Members,

Tonight the Planning Commission will hold a public hearing regarding Petition 400-04-36 request by the Salt Lake County Administration, for a partial street closure and vacation along the north side of 100 South between 200 West and 300 West Streets to accommodate a loading facility the Salt Palace. With much regrets, I have a conflict tonight, therefore I will not be able to attend. However, I wanted to take this opportunity to voice my strong opposition to the partial street closure.

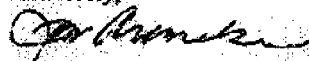
I am a member of the Japanese Church of Christ (JCC). The JCC has been at our current location since 1918. We take pride in being a long time community member of the downtown area Salt Lake City, along with our neighbors to the east, the Salt Lake Buddhist Temple. With the Del Center, the hotel, and the Salt Palace surrounding both churches, we currently face challenges to meet the parking needs of our congregation and visitors. Although we are a small church, our membership continues to grow.

You may be aware that before the Salt Palace was constructed, many Japanese owned businesses were once part of the downtown area. When the Salt Palace was built, it forced the businesses to either close their doors or disperse around the valley. Once many of those businesses found other locations, few of them succeeded. The JCC and the Buddhist Temple are what remain of the once downtown Japanese cultural area. It is evident to me that if additional parking is taken away on 100 South, again we will suffer the impacts.

Both churches hold cultural annual events — the Buddhist Temple holds their annual Obo Festival which takes place directly on 100 South and their fall Buddhist Bazaar, and the JCC holds their annual Aki Matsuri "Fall" Festival. This is our opportunity to share our cultural traditions with our neighbors from around the valley. The taking away of the additional parking will impact these long-time traditions.

There are many congregational members who worry for the future of our churches. If additional parking is taken away and additional impacts are felt by both churches, it will no doubt be detrimental to us. It is important for our churches' futures that this partial road closure does not get approved. Planning staff's paperwork states: "However, it is possible that the final site plan may accommodate the loading dock on-site and will not require a street closure." I am hopeful that an alternative plan can be explored to alleviate any additional impacts on both churches. Thank you for your consideration.

Sincerely,



Jan Aramaki
925 S. Valley View Dr.

9/29/2004

Castro, Kathy

From: bill-patalexander@att.net
Sent: Tuesday, September 28, 2004 12:30 PM
To: Castro, Kathy
Subject: Petition No. 400-04-36 Imact on Japanese Church of Christ

Dear Kathy,

Thank you very much for your concern about the impact of Petition No. 400-46-04 on the Japanese Church of Christ and your help in communicating our concern to the entire Planning Commission.

. Thank you for disseminating the attached letter it to Planning Commission members. I regret that circumstances prevented the church governing board from learning about the hearing until yesterday, but I appreciate the opportunity to present the concerns of the church. I plan to attend tomorrow's meeting and look forward to meeting you.

Thank you again.

Sincerely,

Rev. Pat Alexander, Interim Head of Staff, Japanese Church of Christ

9/28/2004

The Salt Lake City Planning Commission
c/o Kathy Castro
451 S. State Street, Salt Lake City, UT 84111

Dear Planning Commission Members:

As the Interim Head of Staff of the Japanese Church of Christ, I need to inform you that, if Petition No.400-04-35 is passed and the Salt Place is granted permission to partially close and vacate the north half of 100 South between 200 and 300 West for truck parking, the impact on this historic congregation will be destructive in the extreme.

First, the church would lose its visibility on 100 South. Trucks parked on the north half of 100 South would effectively conceal the front of the building, the church sign and the main entrance.

Second, congregation members and the rest of community would lose physical access to the church facilities via the driveway on 100 South.

Third, since many Salt Palace events take place over a weekend, noise and exhaust fumes from truck traffic would interfere with regular Sunday worship services.

Fourth, increased truck traffic immediately in front of the church would increase the risk of accident and injury to persons using the church facility.

Finally, losing close-in, on-street parking in front of the sanctuary would create a hardship for worshippers.

Given these consequences, it is clear that closing the north half of 100 South to accommodate a loading facility for the Salt Palace would snuff out ability of the Japanese Church of Christ to serve the community.

We strongly urge the Planning Commission to realize the extremely harmful impact on the church if Petition No. 400-04-36 is granted and to work with us and other neighbors on 100 South to find an alternative plan to meet the needs of all concerned.

With other church leaders I look forward to participating in the public hearing on this issue on Wednesday, September 29th. If Commission members have any questions, either now or in the future, please feel free to contact me at 373-3251 (church) or 295-4524 (home), and I will be very happy to talk with you.

On behalf of the Japanese Church of Christ, thank you very much for your consideration, cooperation and help in this very important matter.

Yours sincerely,

The Rev. Patricia C. Alexander, Interim Head of Staff
Japanese Church of Christ.

EXHIBIT 7

ORIGINAL PETITION

Transmittal of Petitions 400-04-35 and 400-04-36
Regarding the Proposed Expansion of the Salt Palace

REMARKS

Petition No. 400-04-36

By Salt Lake County

Is requesting Salt Palace partial
street closure at 100 South
between West Temple and 200 West.

Paul

Date Filed _____

Address _____

ROSS C. "ROCKY" ANDERSON
MAYOR

SALT LAKE CITY CORPORATION

OFFICE OF THE MAYOR

M E M O R A N D U M

TO: LOUIS ZUNGUZE, PLANNING DIRECTOR
FROM: ROSS, C. ANDERSON, MAYOR *RCA*
SUBJECT: INITIATION OF A NEW PETITION TO AMEND THE TEXT OF THE
D-4 DOWNTOWN SECONDARY CENTRAL BUSINESS DISTRICT
DATE: SEPTEMBER 9, 2004

The purpose of this memorandum is to initiate a petition to amend the Salt Lake City Zoning Ordinance to allow the following land uses in the D-4 Downtown Secondary Central Business District: conference center, convention center with or without hotels, and exhibition hall. These land use categories were inadvertently excluded from the D-4 District land use chart when the district was originally approved. This omission creates undue hardships for a land use such as the Salt Palace which is appropriately located within the D-4 District but, under the current ordinance, is a non-conforming use. Please instruct your staff to process this Zoning Ordinance text amendment in an expeditious manner.

451 SOUTH STATE STREET, ROOM 406, SALT LAKE CITY, UTAH 84111

TELEPHONE: 801-535-7704 FAX: 801-535-6331

www.slcgov.com



RECYCLED PAPER