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# M E M O R A N D U M

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**DATE:** December 2, 2005  
**TO:** City Council Members  
**FROM:** Russell Weeks  
**RE:** Petition No. 400-05-21: Request by The Boyer Company to change the Gateway Master Plan and to declare that property purchased for transportation purposes is no longer needed for that purpose.  
**CC:** Cindy Gust-Jenson, Rocky Fluhart, Alison McFarlane, DJ Baxter, Louis Zunguze, David Oka, Alexander Ikefuna, Tim Harpst, Gary Mumford, Valda Tarbet, Doug Dansie, Jennifer Bruno, Janice Jardine

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This memorandum pertains to issues involved in Petition No. 400-05-21, a request by The Boyer Company to amend the *Gateway Master Plan*. The *Gateway Master Plan* includes the *Gateway Specific Plan*. The petition also seeks the City Council to declare that property purchased for transportation purposes is no longer needed for that purpose.

The City Council held a briefing on the petition on November 15. The petition is scheduled for a public hearing December 6.

Much of the information in this memorandum was prepared in advance of the November 15 briefing. Information new to the memorandum is in the Key Points section. This memorandum contains a number of attachments including items cited in the memorandum, graphics courtesy of The Boyer Company, and various maps provided to help orient readers.

## OPTIONS

- Adopt the proposed ordinance pursuant to Petition No. 400-05-21.
- Deny Petition No. 400-05-21.
- Either continue or close the December 6 public hearing on Petition No. 400-05-21 and delay making a formal decision until the City Council makes a decision on whether to support one or two station locations for the proposed light-rail line that would connect the Intermodal Hub at 600 West 200 South to the Delta Center Trax station. (This option would require waiting for the Salt Lake City Planning Commission to make a recommendation on whether it supports one or two light-rail stations. The Commission held a public hearing on the issue November 30. )

## MOTIONS

### PERTAINING TO THE PUBLIC HEARING

- I move that the City Council close the public hearing.

- I move that the City Council close the public hearing with the understanding that the Council will make a final decision on this matter at the same time it makes a decision on whether to support locating one station or two stations on the proposed light-rail line that would connect the Intermodal Hub at 600 West 200 South to the Delta Center Trax station.
- I move that the City Council continue the public hearing with the understanding that the Council will accept more comment and make a final decision on this matter at the same time it makes a decision on whether to support locating one station or two stations on the proposed light-rail line that would connect the Intermodal Hub at 600 West 200 South to the Delta Center Trax station.

#### **PERTAINING TO PETITION NO. 400-05-21**

- I move that the City Council adopt an ordinance amending the *Gateway Master Plan* and declaring property purchased for transportation purposes is no longer needed for that purpose pursuant to Petition No. 400-05-21.
- I move that the City Council deny Petition No. 400-05-21.

#### **KEY POINTS**

#### **GENERAL ISSUES**

- The City Council made clear at the November 15 briefing that the issue before the Council is the proposed amendment to the *Gateway Master Plan*. The Council made clear that any disposition of property remains under the purview of the Administration.
- The petition seeks to amend the *Gateway Master Plan* because the petitioner would like to acquire two publicly owned land parcels to finish a southern approach to the Gateway Mall on the west side of Rio Grande Street (440 West) near the intersection of 200 South Street. A Planning Commission decision August 10 restricted the petitioner to using one parcel.
- A decision on Petition No. 400-05-21 may have a ripple effect on other issues involving the future development of the area described in the *Gateway Master Plan*, including the widening of 500 West Street north of 200 South Street as called for in the *Master Plan*.
- Another issue is the potential placement of light-rail stations between the Intermodal Hub at 600 West 200 South and the Delta Center light-rail station at South Temple and 400 West Street. The Planning Commission voted 6-2 on November 30 to recommend that two light-rail stations be built between the Intermodal Hub and the Delta Center station. One station would be located west of the intersection of 500 West 200 South. The other would be located on 400 West Street between 100 South and 200 South streets.
- The Planning Commission also recommended that a left-hand turn from northbound 400 West into The Boyer Co.'s parking structure near the intersection of 400 West 200 South should be "disallowed" because of the turn lane's effect of reducing the streetscape and curb line near the Dakota Lofts condominiums, according to the Planning Division.
- According to the Administration, if a light rail station were built east of a widened intersection of 500 West 200 South, as outlined in the *Gateway Master Plan*, the station would shorten the left-turn bay for autos making left turns from 200 South Street to 400 West Street. The station also would not line up with the pedestrian crosswalks on Rio Grande Street. If a station were built with its west end near the existing intersection of 500 West 200 South, it would preclude the widening of 500 West Street as outlined in the *Master Plan*.

- The Planning Commission recommends denial of Petition No. 400-05-21. The recommendation is supported by the Administration.
- The same night it adopted a motion to recommend denial of Petition No. 400-05-21, the Planning Commission adopted a motion to approve another petition by The Boyer Company for a planned development for the southern approach to the Gateway Mall. The Planning Commission set a number of conditions for the development to meet. One condition limited the size of development to “the site presently owned by The Boyer Company and the RDA.”<sup>i</sup>
- The Administration appears to support the idea of developing a public utilities master plan for the Gateway District – one of the original goals of *The Gateway Master Plan*.

### **SPECIFIC TO THE PARCEL**

- The land the petition seeks to have declared surplus is *next to* but not *in* the 500 West Street right of way. The parcel is between land owned by the Salt Lake Redevelopment Agency and land owned by PacifiCorp. The PacifiCorp parcel contains an electrical substation. (Please see attached aerial view titled Map No. 1 – Parcel B.)
- Another parcel owned by PacifiCorp is the last parcel between South Temple and 400 South streets that protrudes into the planned right of way proposed in the *Gateway Master Plan*. The PacifiCorp parcel currently prohibits expansion of 500 West Street in that area to the width prescribed in the *Gateway Master Plan*. (Please see attached aerial view titled Map No. 1 – Parcel C.)
- If the City parcel between the electrical substation and the Redevelopment Agency is deemed no longer necessary for transportation purposes and ultimately is sold, the chance that PacifiCorp would reconfigure the electrical substation to allow the widening of 500 West Street at that location would be eliminated, according to the Administration and PacifiCorp. It should be noted that The Boyer Company disputes that.
- PacifiCorp indicates that it has no interest in reconfiguring the electrical substation unless Salt Lake City or another party pays to reconfigure it. PacifiCorp also has “no issue” with The Boyer Company assuming control of the City’s southern parcel – as long as the city understands that the electrical substation would not be reconfigured toward the south.”<sup>ii</sup>
- After the November 15 briefing the Administration met with PacifiCorp representatives to determine how far 500 West Street might be widened to the east under the current configuration of the electrical substation. The street apparently could be widened in that location by – at most – another 15 feet.
- Because of the potential effect of selling the parcel south of the electrical substation would have on widening 500 West Street between 100 South and 200 South streets, the Planning Division has “routed the petition through the street closure process.”<sup>iii</sup>

### **ISSUES/QUESTIONS FOR CONSIDERATION**

- What decision best serves Salt Lake City’s interests long-term?
- How specifically should a master plan be followed?
- Depending on the kind of development the petitioner plans, if the City Council approves the petition and adopts the ordinance, and the petitioner then acquires the land parcel, the petitioner might have to return to the Planning Commission for approval of a development on a larger footprint than the one allowed in the Planning Commission’s August 10 meeting.

- Should a decision that would affect the 500 West Street right of way be made in conjunction with a decision on the location of a light-rail station or stations between the Intermodal Hub and the Delta Center station?
- The *Gateway Master Plan* contains *Utilities Objective 4*, which reads, “Electric Power: Develop a public utilities master plan for the Gateway District.” *Objective 4* contains *Policy 4.5*, which reads, “Develop design standards that will require electrical substations to blend in with the surrounding neighborhoods and be sight obscuring.” Should the City consider working with PacifiCorp to develop a utilities master plan that includes design standards for electrical substations?

## **DISCUSSION/BACKGROUND**

The petition before the City Council is a petition to amend the *Gateway Master Plan* and to declare that property “purchased for transportation purposes” is no longer needed for that purpose, according to a proposed ordinance contained in the Administration transmittal. It should be noted that declaring a property surplus falls within the purview of the Planning Commission’s authority.

The property described in the proposed ordinance is a vacant quarter-acre parcel north of a half-acre parcel owned by the Salt Lake City Redevelopment Agency near 200 South Street. The quarter-acre parcel also is south of a PacifiCorp electrical substation. Salt Lake City originally obtained the parcel to trade to PacifiCorp for a parcel PacifiCorp owns between 100 South and 200 South streets east of 500 West Street as it currently is configured. The PacifiCorp parcel also is largely vacant and is the last piece of land between South Temple and 400 South streets that protrudes into the 500 West Street right of way proposed by the *Gateway Master Plan*.

## **THE PAST**

The *Gateway Master Plan*, adopted in August 1998, calls for 500 West Street to become a boulevard and “greenway” containing linear parks from 900 South Street to South Temple Street. According to the *Master Plan* the linear parks were designed to meet two goals. First the greenway would “provide an area for enjoyment for all people within the Gateway.”<sup>iv</sup> The second goal is contained in a May 12, 1998, City Council motion in which the Council approved the location of the Intermodal Hub at 600 West 200 South. The motion reads in part:

that future regional commuter rail alignments along 500 West and 200 South streets be preserved for enhanced regional commuter rail operations and that public utilities in those corridor be located to minimize obstructions; that the *Gateway Master Plan* and the design of the facility at 600 West and 200 South streets be flexible to accommodate future regional commuter rail technologies; that, to maximize present and future regional commuter rail connection, pedestrian corridors between the Union Pacific Depot and 500 West Street, and the Rio Grande Depot and the 600 West intermodal facility be preserved and enhanced within future development plans ...

Given the two goals, Salt Lake City obtained parcels of land east of 500 West Street between South Temple and 400 South streets to expand the 500 West right of way from 132 feet wide to 198 feet wide. Transactions to do that included trading property on 100 South Street that allowed the Gateway Mall developer to narrow that street in exchange for the City widening 500 West Street.<sup>v</sup> PacifiCorp’s property east of its electrical substation appears to be the sole piece of

privately owned property that extends into the planned right of way for 500 West Street between 400 South and South Temple streets.

PacifiCorp's property could be used in the future to expand the electrical substation. However, Salt Lake City acquired a quarter-acre parcel south of the substation because in the late 1990s the City and the utility discussed reconfiguring the substation toward the south to allow the substation to expand that way. The discussions produced a signed agreement between PacifiCorp and Salt Lake City. In addition, the City's Municipal Building Authority issued bonds to help pay for reorienting the substation and other construction associated with the 500 West Street park blocks contained in the *Gateway Master Plan*.

However, a third party to the agreement, the Utah Department of Transportation, which originally had taken part in the discussions, decided not to sign the agreement. Meantime, a new City Administration was elected and declined to sign a revised agreement between the City and the utility.

Currently, the parcel acquired to trade to PacifiCorp for the utility's property that extends into the planned right of way remains available for that purpose.

With the change in the City's administration the actual construction of the 500 West park blocks was moved back while the new administration reviewed options associated with the Gateway Mall project. Construction of the blocks then continued after discussions with the Gateway project developer and a determination that the Municipal Building Authority bond issued for, among other things, building the park blocks had to be used to build the linear parks. Construction of the park blocks between North Temple Street and 200 South Street began in July 2000 and ended in December 2001.

From July through November 2001, the City Council as the Redevelopment Agency Board of Directors discussed how to use the remaining bond funds earmarked for the park blocks. Issues included whether to reconfigure the PacifiCorp substation, whether to screen the substation from the public, and whether to extend the park blocks south of 200 South Street. The Redevelopment Agency staff presented six options for extending the park blocks south of 200 South.

At a July 12, 2001, Board meeting, the four Board members present split between a preference for an option titled Option No. 3 and either Option No. 2 or No. 3. (Please see attached drawings titled Options Nos. 1-3.) Three of the four members also indicated that "while they would have preferred that the substation be reconfigured, given the current construction and cost, the reconfiguration should not be considered as part of the project completion."<sup>vi</sup>

At an August 16, 2001, Board meeting, Board members adopted a motion 5-1 to have RDA staff to proceed with construction drawings for Option No. 2. The Board Chair at the time cast the dissenting vote. During discussion the Chair contended that "although the power station is not going to be reconfigured or moved at this time ... the Agency should consider maintaining the option by limiting development on the Agency-owned parcel on the corner of 500 West and 200 South."<sup>vii</sup>

On November 1, 2001 a quorum of the RDA Board toured the park block project north of 200 South Street. At the RDA Board meeting on November 15 the Board voted to reconsider its August 2001 decision to proceed with construction drawings for Option No. 2. The Board voted 5-2 to proceed with construction drawings for Option No. 1.<sup>viii</sup>

At the Board's December 2001 meeting the Board adopted Resolution 542.06. The resolution approved the Redevelopment Agency's purchase of two Municipal Building Authority parcels to help pay for extending the park blocks south of 200 South Street. The parcels were the quarter-acre block that is part of the 500 West right of way and the quarter-acre parcel south of the PacifiCorp substation. The parcels also were next to a half-acre parcel the RDA owned between 500 West and Rio Grande streets. The resolution reads in part, "Whereas, the Board of Directors has decided to complete the 500 West Park Block Project between 200 and 400 South Streets; and ... Whereas the parcels are no longer necessary for the construction of the 500 West Park Block Project north of 200 South Street" the board authorized the purchase of the two quarter-acre parcels from the Municipal Building Authority.<sup>ix</sup>

On April 25, 2002, the Salt Lake City Property Management Division filed Petition No. 400-02-12. The petition requested that the City close a portion of the 500 West Street right of way and declare land north of 200 South Street as surplus. On November 7, 2002, the Planning Commission held a public hearing on the petition and voted to recommend to the City Council that the petition be denied.

Meanwhile, the Administration held internal discussions pertaining to the construction of the Intermodal Hub at 600 West 200 South streets, the construction of a light-rail line linking the hub to the existing light-rail line and the location of light-rail stations on the line linking the hub and the existing line. The Administration decided to retain all available options for building the line and locating the stations.

Given that decision, the Administration supported the *Gateway Master Plan* in retaining a 198-foot-wide right of way along 500 West Street. Part of that support included -- in August 2004 -- postponing a decision on whether to sell the two quarter-acre parcels managed by the Municipal Building Authority to the Redevelopment Agency. The Administration later paid the Redevelopment Agency about \$490,000 for the expenses that the RDA Board authorized in December 2001 to acquire the two quarter-acre parcels. The two parcels continue to be managed by the City. However, the Redevelopment Agency still holds the half-acre parcel between 200 South Street and the quarter-acre parcel south of the PacifiCorp electrical substation.

Construction of the park blocks from 200 South Street to 400 South Street started in April 2003 and finished that December, according to the Engineering Division.

In spring 2005 the City Property Management Office requested that the Planning Commission review its November 7, 2002, decision to recommend that the City Council deny Petition No. 400-02-12. The Planning Commission then assigned the issue to a subcommittee. The Commission discussed the petition at its April 13 meeting.<sup>x</sup> Then at its May 25 meeting the Planning Commission adopted a motion to forward its original recommendation to deny Petition No. 400-02-12.<sup>xi</sup>

## **THE PRESENT**

On June 16, 2005, The Boyer Company filed the current petition (No. 400-05-21) seeking to amend the *Gateway Master Plan*. It should be noted that the petition does not seek to have the quarter-acre parcel that is part of the City's 500 West Street right of way declared surplus. However, the petition seeks to have "a portion of land adjacent to the 500 West right of way" (the quarter acre south of the PacifiCorp property) declared surplus and disposed "through a sale," according to the Administration transmittal letter.

An ordinance prepared for City Council consideration proposes to amend the Gateway Master Plan and declare “property purchased for transportation purposes no longer needed for that purpose.” As mentioned previously, the Administration routed Petition No. 400-05-21 through the street closure process – which the City Council would review – because the quarter-acre land parcel south of PacifiCorp’s electrical substation “was purchased for transportation purposes.”<sup>xii</sup>

The Planning Commission held a public hearing on the petition at its August 10 meeting. At the same meeting the Commission considered Petition No. 410-739 also filed by The Boyer Company. Petition No. 410-739 involved a proposal for a planned unit development for a retail office building on Rio Grande Street (440 West) frontage, a half-acre parcel owned by the Salt Lake City Redevelopment Agency and the City-managed quarter-acre parcel south of the PacifiCorp electrical substation.<sup>xiii</sup>

The Planning Commission dealt with both petitions at the same time. It should be noted that information about Petition No. No. 410-739 is presented as information only as it relates to Petition No. 400-05-21. The Planning Commission is the final arbiter of issues such as planned unit developments. The City Council is the final arbiter of master plan amendments.

On Petition No. 400-05-21, the Commission adopted two motions. The first motion was to “forward a negative recommendation regarding amending the Gateway Master Plan to reflect any policy change regarding the 500 West park.” The second motion was to “not declare the public property adjacent to the power substation ... located near 200 South and 500 West as surplus.”<sup>xiv</sup> The Commission adopted the motions unanimously.

On Petition No. 410-739 the Commission adopted a motion that:

- Noted the Commission’s decision on Petition No. 400-05-21.
- Approved conceptually the proposed development for a retail office building “with all the following and all the conditions noted below:”
  1. The building is limited to the site presently owned by the Boyer Company and the RDA. The parcel owned by the Municipal Building Authority is not included.
  2. The design has an urban approach that maximizes building coverage of the site, keeping any surface parking or loading behind the building – not along street frontage.
  3. The roofline of the building be lowered to 75 feet or, as an alternative, at least 50% of the roofline be non-flat in order to qualify for the 90-foot height limit.
  4. The massing of the structure and the building design does not treat the corner of 500 West at 200 South as a subordinate corner (when compared to the corner of Rio Grande and 200 South).
  5. The site plan and elevations are adequate for review by the Permits Office and Transportation.
  6. The petitioner investigate the possibility of upgrading the underground connection between this site and the existing parking structure from pedestrian only to auto and pedestrian to allow for parking beneath the office structure.

To recap, the Planning Commission’s motion included limiting the proposed development to property The Boyer Company owns along Rio Grande Street and the half-acre parcel managed by the Redevelopment Agency. It also included requiring that the massing of the proposed building not treat the corner of 500 West at 200 South Street as a subordinate corner compared to the corner of Rio Grande and 200 South streets.

## **PACIFICORP'S POSITION**

A large part of the issues involved in Petition No. 400-05-21 hinges on PacifiCorp's plans for its electrical substation north of 200 South Street between 500 West and Rio Grande streets. PacifiCorp's response to a City Council staff inquiry about its interest in the quarter-acre parcel south of its electrical substation included the following information.

- PacifiCorp would not turn the substation at its own expense.
- PacifiCorp would turn the substation if someone else – Salt Lake City or another party – paid PacifiCorp to do it.
- PacifiCorp has no interest in the property south of the substation – unless Salt Lake City at some point decides to move forward with turning the substation.

As mentioned previously, PacifiCorp and the City at one time negotiated and signed an agreement to help turn the electrical substation toward the south. However, the Utah Department of Transportation, which also was involved in the negotiations, decided to not sign the agreement. A second agreement was prepared, but the City at that time declined to sign it.

As late as July 2000 there remained about \$1.94 million in Municipal Building Authority bonds that could have been used to reconfigure the electrical substation toward the south so the substation would not intrude into the 500 West right of way and to complete the 500 West Street linear parks to the intersection of 200 South Street.<sup>xv</sup> However, as mentioned previously, the money was used to extend the park blocks south to 400 South Street. A more recent estimate projects the cost of reconfiguring the substation at about \$2.9 million.<sup>xvi</sup>

## **THE BOYER COMPANY POINTS**

In a discussion with City Council staff The Boyer Company made the following points:

1. The company would like to build a structure or structures that would finish out the company's property on the west side of Rio Grande Street to 200 South. Currently, retail space closest to the vacant parcels north of 200 South and the substation has experienced turnover. The structures would shelter the existing retail space and reinforce the street wall on the west side of Rio Grande Street. (Please see attached graphics courtesy of The Boyer Company.)
2. The current street alignment of the 500 West Street intersection works well for north-south automobile and pedestrian traffic.
3. The Boyer Company has no interest in obtaining the City's quarter-acre parcel located in the 500 West Street right of way.
4. The company suggests that the City parcel could be landscaped to mask the substation or to match landscaping and amenities south of the intersection on the east side of 500 West or both. What party would be responsible for landscaping the area and maintaining it would have to be determined, but The Boyer Company might be willing to consider participating in landscaping.
5. On Rio Grande Street's west side the planned office building would be built in a way that would mask the electrical substation from the public and building tenants. Building the structure with mechanical systems, stairwells and elevators facing the substation would allow the company to build spaces with views on the other three sides.
6. Turning the face of the building toward 200 South would require losing marketable space with views or having the substation become one of the views.



7. According to The Boyer Company, given the potential for technological improvements in distributing electricity, one can't conclusively make the assumption that a City sale of the quarter-acre parcel south of PacifiCorp's substation would preclude expanding the 500 South Street right of way in the future. Future electrical components of the substation might be smaller and might lessen the need to expand the substation's footprint, perhaps lessening PacifiCorp's need for the quarter-acre parcel it owns in the 500 West Street right of way. (It should be noted that the Administration contends that PacifiCorp substantially will increase its electrical capacity throughout the Gateway area and will not lessen the footprint of the existing electrical substation.)

## MASS TRANSIT ISSUES

Besides issues involving amending *The Gateway Master Plan*, the petition may have an effect on the location of light-rail stations between the Intermodal Hub at 600 West and 200 South streets.

The Administration supports locating two stations on the line – one west of the intersection of 500 West 200 South and the other on 400 West Street north of the intersection of 200 South Street. According to the Administration, the reason for two stations would be to encourage residential growth (possibly some commercial growth) in the Gateway area defined by the *Gateway Master Plan* and on the block bordered by 100 South, 300 West, 200 South and 400 West streets. It should be noted that that block also contains an electrical substation. It also should be noted that the *Gateway Master Plan* projected a residential community of about 15,000 people in the Gateway's entire 650 acres. The current Administration has revised that figure higher and contends that two stations on the line between the Intermodal Hub and the Delta Center would foster and serve future growth in the west downtown.

The Utah Transit Authority, while indicating that UTA was "very supportive of Salt Lake City's goals of economic development and activities around stations" also indicated that "at this point in time we don't see any evidence now or in the future for adding any value to the system by having two stations." UTA's preference for locating a single station would be to place it on 200 South Street. However, UTA said it has no strong preference for an exact location on 200 South Street.

A decision on Petition No. 400-05-21 potentially could affect two issues – the location of a light-rail station on 200 South Street and the Gateway area's future economic development.

According to the Administration, placing a light-rail station west of the intersection of 500 West 200 South would have no effect on whether 500 West Street is widened in the future. Locating the station west of the intersection would retain the widest variety of options for the future development of public infrastructure, according to the Administration. Placing the station west of the intersection also would allow a longer "bay" for autos making left turns from 200 South Street to 400 West Street.

According to the Administration, if a station were built east of a widened intersection of 500 West 200 South, as outlined in the *Gateway Master Plan*, the station would shorten the left-turn bay for autos making left turns from 200 South Street to 400 West Street. The station also would not line up with the pedestrian crosswalks on Rio Grande Street. If a station were built with its west end near the existing intersection of 500 West 200 South, it would preclude the widening of 500 West Street as outlined in the *Master Plan*.

It should be noted that autos driving north and south on Rio Grande Street could not cross 200 South no matter where a station is located because, according to the Administration, it is not practical to put a traffic signal at the intersection of 200 South and Rio Grande Street (440 West) to help direct auto movements.

According to the Administration, placing a light-rail station west of the intersection also would foster economic development because the block immediately north of 200 South between 500 West and 600 West streets is largely owned by a single entity and is largely vacant. Placing a light-rail station west of the intersection of 500 West 200 South would be a public infrastructure improvement that could lead to the redevelopment of the block, according to the Administration.

### **THE MASTER PLAN**

The following are items from the *Gateway Master Plan* that may be pertinent to City Council consideration of Petition No. 400-05-21.

### **GUIDING PRINCIPLES**

- Create a hierarchy and network of streets and open spaces that provide a structure and framework for the development of neighborhoods. (*Creating an Urban Neighborhood*, Page 3.)
- Maintain, enhance, and create connections to neighborhoods surrounding the Gateway District, neighborhoods within the Gateway District, and downtown Salt Lake City. (*ibid.*)

### **PUBLIC TRANSIT**

- Mass transit – light rail vehicle and buses – greatly improve access and mobility in Gateway. There is a direct connection between land use patterns and public transportation systems. Public transit can encourage development and redevelopment, and development patterns and densities can benefit transit ridership. (*Creating an Urban Neighborhood*, Page 22.)
- Other open space element is also critical to Gateway. They are part of the streetscape linear park system ... (*Creating an Urban Neighborhood*, Page 23.)

### **URBAN DESIGN**

Streets should be landscaped and have inviting sidewalks for pedestrians. Streets that should be improved first are: 400 and 500 West Streets (Segment north of 400 South), and 200 South (Between I-15 and 400 West). (*Creating an Urban Neighborhood*, Page 25.)

### **THE GATEWAY SPECIFIC PLAN**

The most important decision relating to the Gateway District lies with the consolidation of the railroad tracks. ... consolidation of railroad tracks will result in the removal of tracks on 400 and 500 West streets which makes shortening the viaducts on 400, 500, and 600 South streets possible. The benefit of shortening the viaducts is increase access to properties, opening the District up to visibility, and increased opportunity for new development and redevelopment. (Page 13.)

**LAND USE OBJECTIVE 3** – Encourage transit oriented development. **Policy 3.2** – Promote mixed-use development adjacent to the light rail stations. (Page 20.) **Policy 3.3** – Encourage high density residential uses. (Page 20.)

**LAND USE OBJECTIVE 4** – Provide for the development of a diverse mixture of uses that complement downtown, encourage a variety of housing opportunities, and facilitate the enhancement and revitalization of the Gateway District. The principal objective and opportunity presented by the redevelopment of the Gateway District is the creation of mixed-use office, residential and commercial uses oriented to mass transit. (Page 20.)

**LAND USE OBJECTIVE 7** – Strengthen the character and livability of the District by developing a system of public recreation facilities, open space, pedestrian ways, and water ways. **Policy 7.2** – Reinforce existing and locate new open spaces and recreation facilities that provide an identity and focus to the residents of the Gateway District and surrounding neighborhoods. **Policy 7.4** – Design parks, public spaces, and streets that will provide a safe, secure, and attractive environment for users, pedestrians, and bicyclists. (Page 23.)

**HOUSING OBJECTIVE 2** – Create attractive neighborhood environments that will reinforce the sense of community. **Policy 2.1** – Provide parks and community facilities in location that are accessible to pedestrians and residents, and which lend structure and identity to the neighborhood. (Page 26.)

**HOUSING OBJECTIVE 4** – Provide on-site common areas and private and/or non-traditional open space facilities to meet the needs of residents. **Policy 4.2** – Develop family friendly areas with both traditional and non-traditional play equipment and features (e.g. small open spaces such as ... larger open spaces that can be used for community gatherings and festivals). (Page 27.)

**COMMUNITY FACILITIES OBJECTIVE 1** – Parks and Open spaces: Provide a system of parks, recreational facilities, and open spaces that serve the needs of residents and employees. **Policy 1.2** – Establish plazas, parks, or urban non-traditional open spaces in association with important civic buildings or community gathering spaces. (Page 31.)

**COMMUNITY FACILITIES OBJECTIVE 4** – Establish a greenway on 500 West that will provide an area for enjoyment for all people within the Gateway. **Policy 4.2** – Encourage features that connect the greenway to the Rio Grande and Union Pacific depots. **Policy 4.3** – Acquire additional land on the east side of the 500 West right of way to accommodate the development of the greenway. (Page 32.)

**TRANSPORTATION OBJECTIVE 1** – Public Transit: Reinforce downtown as the regional transportation hub with light rail, commuter rail, inter-city and local bus service. **Policy 1.3** – Reserve adequate right of way on 500 West Street that allows for future underground transit corridor. (Page 35.)

**TRANSPORTATION OBJECTIVE 4** – Collector Roadway System: Complete the collector street system in a fashion that relieves congestion and serves residents in the Gateway District. **Policy 4.1** – Provide for east-west traffic distribution and access from 200, 800, and 900 South. **Policy 4.4** – Maintain 500 West Street as a north-south through street. (Page 36.)

**TRANSPORTATION OBJECTIVE 5** – Local Roadway System: Complete the local street system in a manner that is pedestrian-friendly and encourages slower traffic speeds. Policy 5.4 – Establish a new boulevard along 500 West which connects to neighborhoods to the north and south of the Gateway District. (Page 37.)

**URBAN DESIGN OBJECTIVE 3** – Design 500 West as a “greenway” through the Gateway District. **Policy 3.1** – Create a linear greenway which runs down the center of 500 West from North Temple to 900 South, as a landmark and physical element which will connect the neighborhoods in the Gateway District. Design the 500 West greenway to accommodate recreational activities and festivals. (Page 43.)

**UTILITIES OBJECTIVE 4** – Electric Power: Develop a public utilities master plan for the Gateway District. **Policy 4.5** – Develop design standards that will require electrical substations to blend in with the surrounding neighborhoods and be sight obscuring. (Page 49.)

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<sup>i</sup> Administration Transmittal – Planning Commission meeting minutes, August 10.

<sup>ii</sup> E-mail reply to City Council staff by PacifiCorp spokesperson.

<sup>iii</sup> Planning Division report to Planning Commission dated August 5, Page 4, second paragraph, Analysis and Findings.

<sup>iv</sup> Gateway Specific Plan, Page 32, Objective No. 4 and Page 37, Policy 5.4. – establish a new boulevard along 500 West which connects to neighborhoods to the north and south of the Gateway District.

<sup>v</sup> RDA director e-mail January 8, 1999. (Attached.)

<sup>vi</sup> July 16, 2001 memorandum from RDA staff. (Attached.)

<sup>vii</sup> RDA Board meeting minutes, August 16, 2001. (Attached.)

<sup>viii</sup> RDA Board meeting minutes, November 15, 2001. (Attached.)

<sup>ix</sup> RDA Board Resolution No. 542.06 (Attached.)

<sup>x</sup> Planning Commission Minutes April 13, 2005 (Attached.)

<sup>xi</sup> Planning Commission Minutes May 25, 2005 (Attached.)

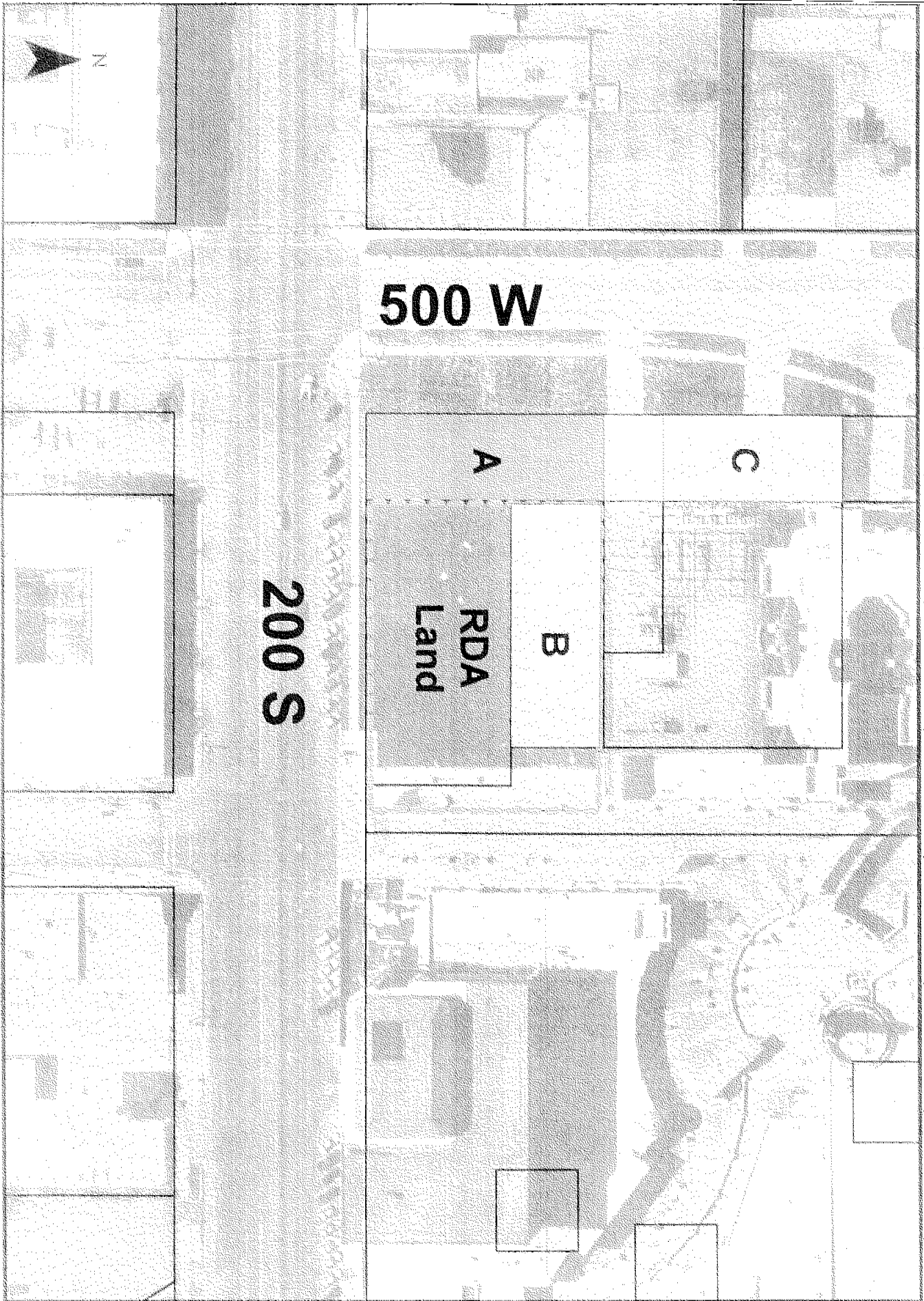
<sup>xii</sup> Planning Division report to Planning Commission dated August 5, Page 4, second paragraph, Analysis and Findings.

<sup>xiii</sup> Administration Transmittal – Planning Commission Meeting Minutes, August 10.

<sup>xiv</sup> Administration Transmittal – Planning Commission Meeting Minutes, August 10.

<sup>xv</sup> Alice Steiner, former RDA Executive Director, July 8, 2000 letter to Council Members. (Attached.)

<sup>xvi</sup> RDA letter to City planner, July 8, 2005. (Attached.)





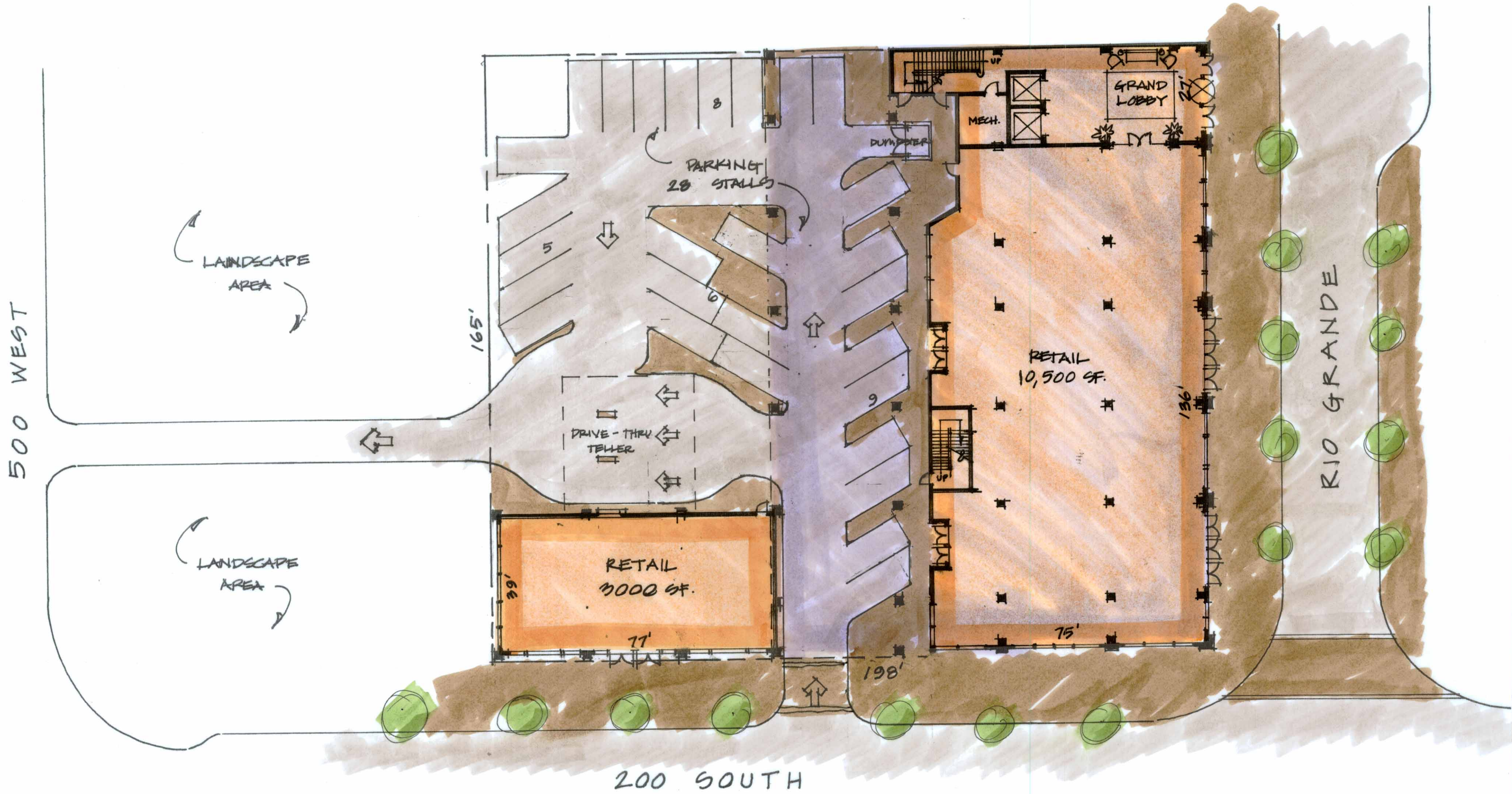
GATEWAY OFFICE BUILDING - SCHEMATIC ELEVATION - SOUTH

SALT LAKE CITY, UTAH

SCALE: 1"=10'

DATE: 15 JUNE 2005

BABCOCK  
DESIGN  
GROUP



GATEWAY OFFICE BUILDING - SCHEMATIC FLOOR PLAN - MAIN LEVEL

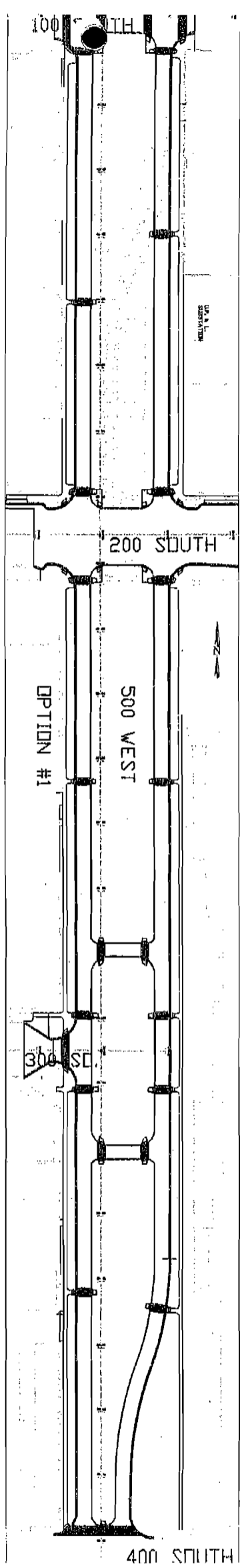
SALT LAKE CITY, UTAH

SCALE: 1"=20'



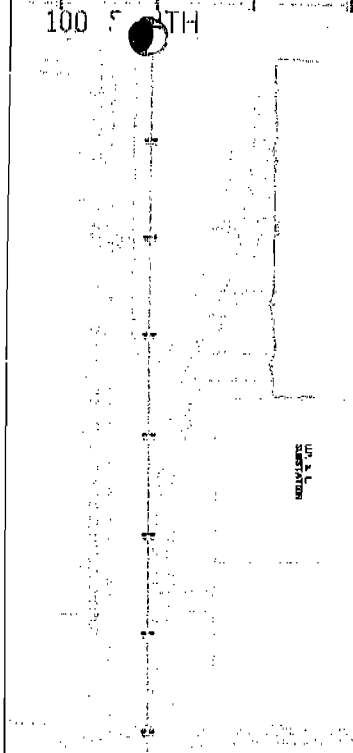
DATE: 15 JUNE 2005

BABCOCK  
DESIGN  
GROUP





100 SOUTH

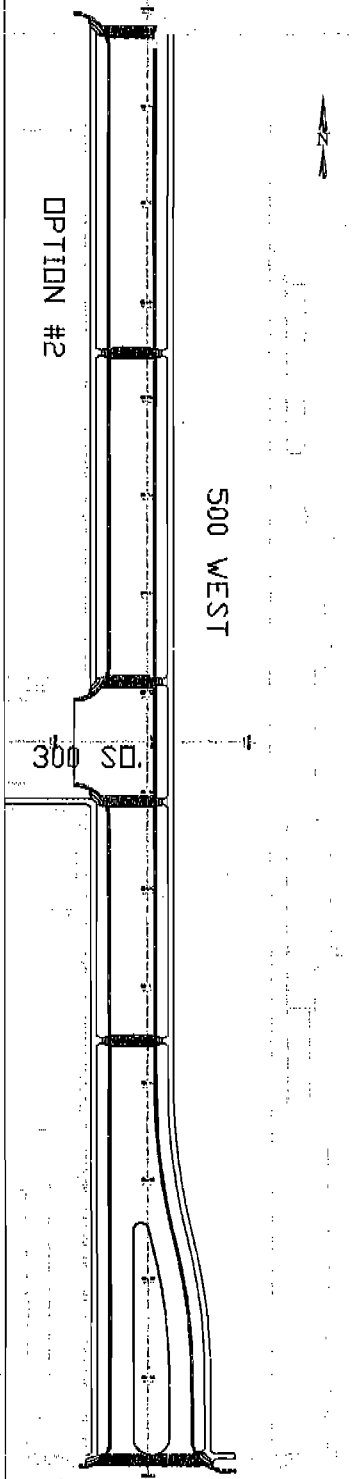


200 SOUTH

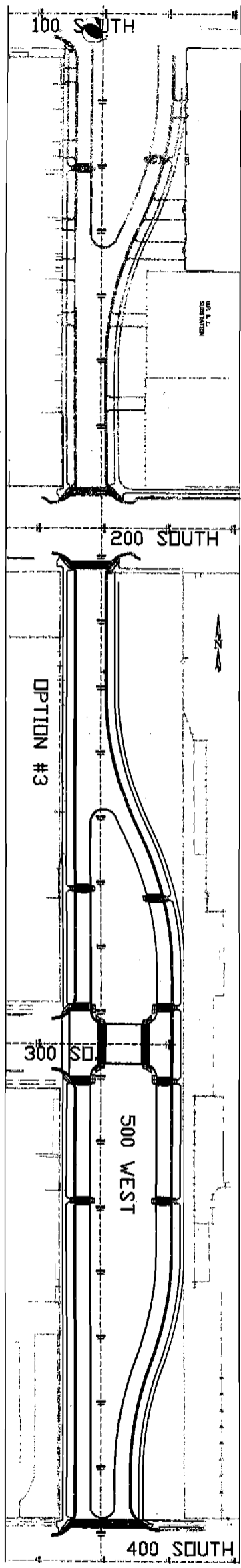
OPTION #2

500 WEST

300 SOUTH



400 SOUTH



**Weeks, Russell**

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**From:** Christensen, Carlton  
**Sent:** Monday, October 27, 2003 7:06 AM  
**To:** Gust-Jenson, Cindy  
**Cc:** Weeks, Russell  
**Subject:** Memo from Alice  
**Categories:** Program/Policy

I don't imagine this has much bearing on anything, but in cleaning up some old files, I found an explanation from Alice, that I thought you might find interesting on how it turned out some years later:

UP Memo-Pending Actions  
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**From:** Steiner, Alice  
**Sent:** Friday, January 08, 1999 3:37 PM  
**To:** Christensen, Carlton; Gust-Jenson, Cindy; Jardine, Janice; Weeks, Russell; Christensen, Keith; Jolley, Bryce; Milner, Joanne; Seed, Deeda; Thompson, Roger; Reid, Stuart; Wright, Bill; Peterson, Max; Deedee Corradini at CCMail; Cordova, Linda; Niermeyer, Jeff; Stewart, Brad; #City Council Members at CC4Mail  
**Subject:** What actions are still needed on the UP Land deal?

## RDA Board members:

I understand from Bill and Cindy that a question came up at Tuesday's City Council meeting about what further approvals are needed on the UP Land deal. Most of this is covered in the RDA Agreement, but I will do a quick summary and add any pieces which I know about and which are not in the RDA deal.

## CITY COUNCIL APPROVALS:

**Reduction of width of 100 South Street:** This has been addressed by the Planning Commission and now requires City Council action. It is obliquely referred to in the RDA deal in that the purchase price which the RDA pays for the 60' needed to expand the 500 West right of way from 132' to 192' is reduced if Boyer is able to acquire some of 100 South Street from the City. This occurs because we trade a square foot of land on 500 West for a square foot of land on 100 South Street. Boyer paid the same price for the land adjacent to 100 South per square foot as they paid for the land adjacent to 500 West, and the standard procedure is to use the "over the fence" value of the adjacent private land, so I felt it was a fair value trade. The RDA deal is not predicated on the 100 South land trade going through. If the City decides not to narrow 100 South, we would simply pay for all of the additional 60' with no off-set due to the narrowing.

Approval of \$200,000 in design money for 500 West in the February

Budget opening: This was discussed with the City Council in November. The matching RDA contribution to the Housing Trust Fund was approved as part of the original RDA 1998-99 budget.

Construction cost of 500 West and 100 South: At some point, the City Council will be asked to budget money for the City's portion of the construction cost of 500 West (North Temple to 200 South) and 100 South Street. A CIP request for this has been made. Additionally, the RDA and City have been seeking federal funding for some of the costs. The City could also consider financing via an RDA or City bond issue to spread the City's cost over a number of years. I am not yet certain how or when these discussions will occur, but anticipate that they will be hot topic in the Spring. We are currently awaiting the outcome of the Council's CIP report before re-introducing this topic. In the RDA deal, if the City does not budget the funds for its portion of the street costs by the end of 1999, Boyer can choose to walk.

SID for sidewalk, curb and gutter, etc: At some time, the City Council will be asked to approve an SID for the sidewalk, curb and gutter work on either side of 500 West and 100 South Streets. I don't anticipate that this issue will be raised until the City funding of its portion of the street has been sorted out. From what I can tell from the SID schedule, the Council is required to take several actions on each SID. Additionally, if the RDA is going to offer to reduce the cost to the abutting property owners as we have done in the CBD, the City would have to loan the money to the RDA to make this happen. This would require some sort of Council action, maybe a budget approval.

SID for public improvements on private land: This is a new issue. Boyer would like to discuss the possibility of the City issuing an SID to finance Rio Grande Street, the plaza, perhaps some portion of the U

July 8, 2000

Mr. Carlton Christensen  
Chairperson  
Salt Lake City Council  
City & County Building  
Salt Lake City, Utah 84111

Dear Carlton,

When I left the RDA, there were approximately \$1,940,000 of unused funds, plus interest, to be rebudgeted in the MBA 500 West Park bond issue. These excess bond funds exist because the City chose to reduce the scope of the park project, eliminating the reconfiguration of the substation and the park from 150 south to 400 south. It occurs to me that the unused funds are sufficient to complete the park all the way to 200 South Street and to reconfigure the Utah Power substation so that it is not an intrusion into the parkway. The original budget for the MBA Bond issue included this use of the funds. While the scope of the 500 West SID was altered, I do not recall the MBA Board, the City Council, or the RDA Board specifically approving a change in the use of the MBA bond proceeds. Perhaps going back to some of the original uses of the funds is a better option than looking for alternative uses.

In addition, there are sufficient excess bond funds for the MBA to pick up the cost of the right of way acquired from 150 south to 200 south, thus freeing up funds in the Main Street cost savings account for burying the transmission lines from the substation to 205 south.<sup>1</sup> A decision was made not to bury the power lines from the substation to 205 south when it was discovered that when and if the substation were ever reconfigured, the buried power lines would have to be relocated. Thus, the substation reconfiguration and the burial of the power lines to 205 south can be treated as a package.

I believe this use of the funds is a good idea because the entrance to the 500 West Park from 200 South Street is the primary entrance. Having an overhead served substation and a transmission line power pole at this entrance will definitely detract from the investment being made in the park. The unsightly substation is also a deterrent to non-industrial uses locating in the neighborhood.

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<sup>1</sup>The MBA bond can be used for land acquisition for the 500 West park, construction of the park, and to reconfigure the substation. The MBA Bond cannot be used to bury power lines. The Main Street cost savings can be used for any purpose, including burying power lines.

Mr. Carlton Christensen  
July 8, 2000  
Page Two

I am enclosing pictures of a substation in Seattle which is served by underground transmission lines. The underground connection permits the height of the substation to be dramatically lowered. The substation can then be more effectively screened with a nice wall and street trees. (The budget mentioned above does not include a wall, although Utah Power had committed at one time to spend up to \$225,000 on a screening wall.)

There are two other alternatives for using the remainder of the MBA Bond proceeds: (1) The MBA could pay the RDA's land acquisition debt to Gateway Associates thus freeing up future tax increment for investment in the Depot District. (2) The bonds could be defeased, meaning that the bond proceeds would be invested at a rate no greater than the interest rate on the bonds and the unused funds plus interest would be used to pay back a portion of the bond debt as it became due. This would reduce the use of the RDA-SARR funds for debt service, but the reduction would be less than proportional due to the necessity of covering the bond issuance costs and capitalized interest in the debt service to be paid by the RDA-SARR. It is advantageous to the City to maximize the use of SARR funds by using the bond proceeds rather than defeasing the bonds since a significant portion of the SARR funding comes from the property taxing entities other than the City. (Note that the School District has been held harmless.)

In short, the MBA has issued a bond for the purpose of building a park in 500 West Street and reconfiguring the Utah Power substation that would otherwise intrude on that park. The City has decided to change the scope of the project, but this change in scope has been so dramatic that it has resulted in excess bond proceeds which can only be used for limited purposes. I suggest that the best use of the excess bond proceeds would be to reconfigure the substation and to pay for land acquisition for the park from 150 south to 200 south, as envisioned at the time of the bond issue. At no additional cost, the City could then pay to bury the transmission lines from the substation to 205 south. This would enable that portion of the 500 West Park which is being built to achieve the vision and the goal originally established: creating a neighborhood amenity for future housing developments in the downtown area.

Best regards,



cc: Salt Lake City Council Members w/enclosures  
✓Russell Weeks, City Council Staff w/enclosures

MINUTES OF THE  
541ST MEETING OF THE  
BOARD OF DIRECTORS OF THE  
REDEVELOPMENT AGENCY OF SALT LAKE CITY  
Thursday November 15, 2001  
451 South State Street, Room 326  
Salt Lake City, UT  
5:30 p.m.

1. Roll Call. The following members of the Board of Directors of the Redevelopment Agency of Salt Lake City were present:

Nancy Saxton, Chairperson  
Van Blair Turner, Vice Chairperson  
Tom Rogan, Director  
Dave Buhler, Director  
Carlton Christensen, Director  
Keith Christensen, Director  
Roger Thompson, Director

Also Present:

Ross. C. Anderson, Chief Administrative Officer  
Rocky Fluhart, Salt Lake City Management Services  
Richard J. Turpin, Acting Director  
Valda Tarbet, Deputy Director

Others Attending:

David J. Oka, Executive Director Candidate  
Danny Walz, Senior Project Manager  
John Billings, Project Manager  
Jill Wilkerson-Smith, Property Administrator  
Crayola Berger, Office Facilitator  
Russell Weeks, Salt Lake City Council Office  
Jay Magure, Chief of Staff  
Bruce Bingham, Hamilton Partners  
Johann Jacobs, Ballet West  
Steven Goldsmith, Planning Director  
Robyn Nelson, Executive Director Utah Arts Festival  
Kenneth W. Ament, Technical Director Utah Arts Festival  
Rebecca Walsh, Salt Lake Tribune

2. Briefing by the Staff.

Rogan suggested a mailing to "occupants" to reach the large number of individuals who are renting in the area. Mr. Walz indicated an "occupant" mailing list would be added.

#### H. 863 South 200 West RFP Update

The Board had no questions or comments on the information.

#### I. 500 West Park Block Design Discussion

Chairperson Saxton stated she had asked that the Board revisit this item. On November 1 she arranged a tour so the Board could see the completed park blocks to help visualize the design that had been approved for the 200 to 400 South blocks. She reviewed that the Option #2 design, which was approved by the Board, has a narrow median with the majority of open space being located behind the Rio Grande Depot. She stated she preferred Option #1 because it was more consistent with the completed park blocks, provides more parking, and is less expensive.

Vice Chairperson Turner stated that after touring the area he had a better feel for the scope of the park blocks. He said he had changed his opinion. He indicated he understands the importance of providing additional parking, even if it is only a dozen stalls. He said he felt the completed park blocks are beautiful and that the new blocks should be consistent with the existing blocks.

Mr. Goldsmith stated the Administration is concerned with safety. He felt social interaction in a 100' X 1,200 strip of green space in the middle of two fairly fast moving lanes of traffic was an issue. He felt the City could better maximize the return on their investment by taking advantage of the area west of the Rio Grande Depot as an open space.

Mr. Fluhart said he felt the issue was whether the Board felt the space would be better utilized as a large area between two lanes of traffic or as an area on the side. He questioned if the public would traverse the traffic lanes to utilize the space.

Director C. Christensen said he was pleasantly surprised with the completed park blocks. He said he felt large events could be accommodated by closing a street. He added that even though he had voted for the other option he would change his vote to Option #1.

Director Rogan asked a question with regard to internal procedure. He asked if Board members had been polled to assure that at least four members were willing to revisit the item. Chairperson Saxton stated that she invited the Board to take the tour prior to the opening of the Gateway. After the tour, she asked if the Board was willing to revisit this item. Four Board members had agreed.

Director Rogan stated he was asked if he wanted to take the tour, which he could not as he was out of town, but no mention was made of revisiting the issue. Director Rogan said that for future reference it would be helpful if such intent would be stated more explicitly. Chairperson Saxton apologized if she had not made her intent clear.



Director C. Christensen made a motion to reconsider the action taken by the Board in August and approve design Option #1 to complete the 500 West Park blocks. Vice Chairperson Turner seconded the motion. Upon roll call, Chairperson Saxton declared the motion approved with Directors Rogan and K. Christensen voting nay. Chairperson Saxton asked Ms. Tarbet to contact the Engineering Division immediately to inform them of the change in the design.

7. Redevelopment Business/ New Business.

A. Arts Festival request for financial assistance for Downtown relocation.

Acting Director Turpin stated that the Arts Festival was requesting \$100,000 to be allocated in two annual \$50,000 increments. He stated that Ms. Robyn Nelson and Mr. Kenneth Ament with the Arts Festival were present to answer any questions.

Director Buhler asked why the Festival hadn't moved to the Gallivan Center rather than the Fair Park. Ms. Nelson thanked the Board for their consideration and stated that the main reason they had not moved to the Gallivan Center was the construction in the area at the time.

Director Buhler indicated it was his understanding that the festival intended to move to the Gallivan Center only until the library plaza is completed. He asked if the Gallivan Center had been considered as a permanent site. Mr. Ament said he felt the Gallivan Center was too small for the event. Director Buhler asked if the petitioners were aware that decisions have not yet been made on the library block open space. While many hope it will be green space, it may not be. Mr. Ament said he was familiar with the situation and in the event the Library block green space was limited the Arts Festival felt there would be adequate space on the east side of the library plus Washington Square to hold the Festival.

Acting Director Turpin noted the Agency's grant would be limited for use on the Gallivan Center.

Director Rogan stated he felt this item should be a city matter, not an RDA matter.

Director C. Christensen asked if the commitment to the Fair Park had been completed. Ms. Nelson said that there is only an option left on the Fair Park contract. She added that during the two years the festival has been in the Fair Park, the staff there has been very gracious and wonderful to work with, however the festival has lost 35% of their attendance.

Directors C. Christensen and K. Christensen stated they did not feel this was an RDA matter. Vice Chairperson Turner and Chairperson Saxton agreed.

Director K. Christensen made a motion to deny the request for assistance for downtown relocation of the Arts Festival and encouraged the petitioners to re-submit the request to the City Council. Director Rogan seconded the motion. Upon roll call, Chairperson Saxton declared the motion approved unanimously.

B. Discussion of Agency By-Laws

MINUTES OF THE  
536th MEETING OF THE  
BOARD OF DIRECTORS OF THE  
REDEVELOPMENT AGENCY OF SALT LAKE CITY  
Thursday August 16, 2001  
451 South State Street, Room 326  
Salt Lake City, UT  
5:40 p.m.

1. Roll Call. The following members of the Board of Directors of the Redevelopment Agency of Salt Lake City were present:

Nancy Saxton, Chairperson  
Van Blair Turner, Vice Chairperson  
Tom Rogan, Director  
Carlton Christensen, Director  
Keith Christensen, Director  
Roger Thompson, Director

Absent was:

Dave Buhler, Director

Also Present:

Rocky Fluhart, Salt Lake City Management Services  
Richard J. Turpin, Acting Director  
Valda Tarbet, Acting Deputy Director

Others Attending:

Danny Walz, Senior Project Manager  
John Billings, Project Manager  
Stephanie Wallace, EPA Brownfields Showcase Coordinator  
Jill Wilkerson-Smith, Property Administrator  
Crayola Berger, Office Facilitator  
Russell Weeks, Salt Lake City Council Office  
Allison Gregerson-Wehyer, Director Community and Economic Development  
Jessica Norie, Artspace  
Maggie St. Clair, Artspace  
Julie Skibine, Artspace  
Dan Pollard, PPA Architects  
Derek Payne, PMA  
Prescott Muir, PMA  
Denise Begue, Utah Opera

## 2. Design Review of Multi-Cultural Forum Tenant Improvements

Ms. Tarbet reminded the Board the Participation Agreement includes terms for the RDA to assist in paying for tenant improvements for the Multi-Cultural Forum. As part of the agreement, the Board retained the right to approve the design of the improvements. She introduced Jessica Noire and Dereck Payne of Prescott Muir Architects. Mr. Payne presented the design utilizing renderings.

Director C. Christensen made a motion to approve the design. Director K. Christensen seconded the motion. Upon roll call, Chairperson Saxton declared the motion unanimously approved.

### F. 500 West Park Block Design Discussion.

Chairperson Saxton stated this item had been reviewed at the last Board meeting and staff had been directed to return with more specific designs and cost estimates. Ms. Tarbet reviewed four options utilizing renderings and said she had included the cost estimates for the options in the Board packets.

Mr. Fluhart asked to speak to the alternatives for use of the funds proposed for this project. He said the Administration sees the need to improve this street, but also sees many other needs within the community. He said the staff report outlined potential projects the Administration is considering. The projects were not presented in any order of priority and the Administration is not making any type of recommendation, however they wanted the Board to know they are actively engaged in reviewing these projects and hope to get the Board's concurrence in allocating up to \$1,000,000 to fund these alternatives. With respect to the money the RDA is reimbursing the city for investments made on Main Street, he stated the Administrations highest priority for the expenditure of those funds would be to encourage retail development on the West side of Salt Lake City. He asked the Board to give serious consideration to the Administrations request.

Mr. Fluhart stated that if the Board chooses to move forward with one of the suggested 500 West options, the Administration prefers #2. He said the Administration is concerned that if the open or green space is built in the middle of the street, people will be less likely to use it because it is more difficult access and people may be uncomfortable engaging in sports or other recreational activities.

Director Thompson spoke in favor of option #2. He said he felt this area needed to be connected with 4<sup>th</sup> South and this will provide continuity and an entrance to the Boyer and Bridges projects.

Director K. Christensen said he agreed with the concept of using funds to encourage retail development, but felt retailers might not be willing to begin such development until

the streets are upgraded. He said he supported option #2, because he felt this street improvement could help encourage development and further activity.

Director Rogan stated that from an urban design perspective, he preferred option #2. With regard to the left over funds, he felt it was important for the Board to have cohesive and coherent plans in order to address the needs of the west side prior to committing the funds. Director Rogan suggested that the funds be earmarked for improvements on 200 South from the freeway east to 300 West. He said he felt one of the motivations for the Gateway project was to create activity between the east and wide side and that it was time to start making some of these improvements east and west.

Director C. Christensen stated his preference was option #2. He mentioned that there had been discussions of keeping the 500 West corridor open for future transit development. He felt option 2 does this more effectively. He expressed concern with making improvements to 200 South at this time and felt that decision would be dependent on if a light rail spur goes into the Intermodal hub.

Vice Chairperson Turner spoke in favor of option #2. He reminded the Board of the 500 housing units in the Boyer project that are scheduled for completion later this year. This project along with the Bridges Project plus other new projects will add a tremendous amount of traffic in this area. He said that in addition to the street, he would also like to provide as much green space as possible behind the depot to allow for more outdoor activities in the area.

Director C. Christensen stated that if the City moves forward with option #2, he would like to see that contact is made with Travelers Aid to see if open space the families in the shelter could be created west of the Homeless Shelter.

Ms. Tarbet stated that if the Board is agreeable to proceeding with one of the options staff would propose forming a committee with the State of Utah, Travelers Aid, Bridges Projects, and the other properties around the development to make sure it all fits together.

Chairperson Saxton spoke in favor of Option #1. She pointed out that option #1 is less expensive and provides more parking than option #2. She said she felt option #1 was a better fit artistically and provides better continuity of the park blocks currently under construction. She also felt that the configuration of option #1 might encourage people to drive slower. Chairperson Saxton also stated that although the power station is not going to be reconfigured or moved at this time, she felt the Agency should consider maintaining the option by limiting development on the Agency-owned parcel on the corner of 500 West and 200 South.

Chairperson Saxton asked Ms. Tarbet to review the time frame for use of the funds. Ms. Tarbet stated that the MBA bond monies must be spent by November 2002 and that staff needed direction to proceed with construction drawings to get the project designed and built within this time frame.

Director C. Christensen made a motion to instruct staff to proceed with construction drawings for option #2. Vice Chairperson Turner seconded the motion. Upon roll call, Chairperson Saxton declared the motion adopted with Chairperson Saxton voting nay.

#### G. Commercial Node Sub-committee Update.

Mr. Walz stated the recommendation of the sub-committee was to proceed with a Request For Qualification process to identify an architect to help with the community-based design process and develop a reuse plan for the 500 North 300 West commercial node property. The sub-committee also recommended that a committee made up of members of RAC, the community, and appropriate City Departments be formed to help define and refine ideas for the re-use plan.

Director Rogan said he felt the Agency needs someone who knows how to work with the community and understands urban design. He said he was concerned that if we specify it must be an architectural firm, we may be eliminating other individuals or groups that may be more qualified to work with the community. Ms. Walz indicated the RFQ states only that the firm must have at least one architect on staff. It can be a design or other type of consulting firm.

Director Rogan asked who was to receive the RFQ. Mr. Walz stated the list consists of architectural firms in the area as well as the preservation architects supplied by the Planning Division. Director Rogan asked if any input on suggested firms had been received from the Planning staff. Mr. Walz said there was not. Director Rogan said he had asked for such input and would like to make sure that any firms Planning suggests or recommends are included in the mailing.

Mr. Goldsmith of the Planning Department was contacted and a meeting scheduled for Monday August 20 to get his input. The mailing will be sent out after the meeting.

#### H. Living Planet Aquarium Update.

Ms. Tarbet said the sub-committee had met and developed a list of questions to be answered as part of the feasibility study. She stated the Aquarium was currently interviewing consultants to do the study.

#### I. Consideration and Approval of Design Review Committee Recommendation of the AlphaGraphics Sixth Design Submission for the Brooks Arcade Project (Lighting Package).

Acting Director Turpin introduced Mr. Greg Brimhall from GSBS and provided the Board a recommended motion from the DRC. He reviewed the motion which accepts the lighting package as presented with the proviso that the developer has a CPTED (Crime Prevention through Environmental Design) review of the lighting plan to show it meets their requirements. Acting Director Turpin said he understood this process has been started. He stated that the developer also needed to get permission from the adjacent

Cindy

# MEMORANDUM

**To:** Rocky Fluhart, Richard J. Turpin, Rick Graham, Tim Harpst, Max Peterson, Leroy Hooten, Stephen Goldsmith, Dan Mule', Gordon Hoskins

**From:** Valda E. Tarbet *Valda*

**Subject:** 500 West Park Blocks - 200 to 400 South

**Date:** July 16, 2001

At the July 12 meeting, the RDA Board of Directors was presented design and financing options for completion of the 500 West Park Blocks between 200 and 400 South. I have attached a copy of the briefing memo which includes design options, cost estimates, and funding sources. The Board asked that staff prepare for them a couple of design options given a total budget allocation of approximately \$3,000,000.

In order to help us narrow the focus of the design, I asked the Board to give feedback on the concepts presented. It is important to note that only four of the seven City Council members were present at the meeting. In general, they indicated the following:

Substation Reconfiguration. Three Board members indicated that while they would have preferred that the substation be reconfigured, but given the current construction and the cost, the reconfiguration should not be considered as part of the project completion.

Substation Screening. The Board did feel that it was important to screen the substation from the street frontage. We had originally talked about a brick wall with a planting area in front of the wall. This ended up being quite expensive. We will need to work with Utah Power to come up with improvements which are acceptable to them and not cost prohibitive for the project.

Electrical Duct Bank from the Substation to 400 South. Board members did feel that it was important to maintain the option to place overhead electrical lines underground. They unanimously agreed that building the duct bank should be done.

Parking. Board members were less directive on the parking issue. All of them seemed to feel that parallel parking on each side of the street was a good idea. Some members thought that the mid-street parking was okay but others would like to see it minimized rather than maximized. The majority of Board members at the meeting did not support the concept of a parking lot immediately west of the homeless shelter.

Planning Rationale. The Board asked that the Planning Department look at the proposed design concepts in light of the Gateway Master Plan and provide an analysis of the

design's compliance with the long term goals for the Gateway District. If the designs do not comply, Planning should provide a discussion of what parts of the Master Plan need to be amended and the process to accomplish this amendment.

The Board also asked, given the Master Plan, what other types of development could occur behind the Rio Grande Depot. Some members of the Board recently heard a presentation by the Utah Cultural Center (Utah State Historical Society, Archives, and Arts Council) to construct an archive and arts storage underground immediately west of the Depot. I think their question is whether or not this development or something similar would be acceptable under the current Master Plan.

Option Preference. Realizing that there were only four Board members present at the meeting, two Board members preferred the concept presented in Option #3 and one Board member liked either Option #2 and #3. The reasons for their preference included 1) Option #3 did a better job of traffic calming; and 2) it is the most similar to the original design of the park blocks.

Financing. The sources of monies identified are a combination of Municipal Building Authority (MBA) funds, Special Improvement Districts, Class "C" Road, and CIP funds. The major timing constraint on this project is that the MBA Bond Issue needs to be expended by November 2002. Given this is the largest portion of the available funding, we will all need to work together to fast track this project.

Development Timetable. The following timetable is backwards, but gives a sense of what we need to accomplish in a relatively short time:

Construction Completed	<b>November, 2002</b>
Construction Started	
Construction Bids Received	
Release Construction Drawings for Bid	
90% Construction Documents & Cost Estimates	
City Council Budget Opening	
50% Construction Documents & Cost Estimates	
MBA Budget Opening	
SID Creation or Extension	
Public Utilities Budget	
RDA Land Acquisition from MBA	
Determine State of Utah Participation	
Conceptual Design Review by City Council	
Conceptual Design Development & Cost Estimates	
Planning Division Review of Master Plan	

Rocky Fluhart, Richard J. Turpin, Rick Graham, Tim Harpst, Max Peterson, Leroy Hooten, Stephen Goldsmith,  
Dan Mule', Gordon Hoskins

Page 3

July 16, 2001

Rocky Fluhart has asked Rick Graham to oversee the project. In order to get the project underway, I would like to propose that we meet on Thursday, July 19 at 1:30 p.m. in Room 418 of the City and County Building. During the initial meeting we will need to designate the staff to work on the project, expand and complete the timetable. It would be helpful if you bring the person who will be working on the project.

If you have questions or concerns, please call me at 535-7241.

CC: Ross C. Anderson, Cindy Gust-Jenson



December 7, 2001

Item: 7.A.

TO: Nancy Saxton, Chairperson

FROM: Valda E. Tarbet, Deputy Director *Valda E. Tarbet*

RE: CONSIDERATION AND ADOPTION OF RESOLUTION NO. 542.06,  
"RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
REDEVELOPMENT AGENCY OF SALT LAKE CITY APPROVING THE  
ACQUISITION OF TWO PARCELS OF PROPERTY LOCATED AT  
APPROXIMATELY 500 WEST AND 200 SOUTH FROM THE MUNICIPAL  
BUILDING AUTHORITY."

RECOMMENDATION: Adopt the resolution.

FUNDING:	PIF	22044 Gateway Electrical	\$ 23,963
	PIF	23045 RR Planning	298
	PIF	23042 Gateway Invest.	199,804
	PIF	23051 Enviro Insurance	634
	PIF	23052 W&M Acquisition	60,077
	PIF	23048 Electrical Infra	50,000
	PIF	23051 Intermodal Hub	40,730
	PIF	23053 DD Land Acquisition	87,887
	PIF	26041 Interest Expense	<u>27,201</u>
		Total	\$490,594

BACKGROUND: As part of the McDonald land acquisition completed in December 1999 and in order to allow for the reconfiguration of the Utah Power & Light substation, the Municipal Building Authority took title to two 1/4 acre parcels on the corner of 500 West and 200 South.

ISSUES: In order to provide adequate funds for the completion of the 500 West Park Blocks between 200 and 400 South, the Agency needs to acquire the parcels from the Municipal Building Authority. The 1/2 acre is adjacent to existing property owned by the Agency. The proposed price is a reimbursement for the costs incurred at the time of the acquisition.

Staff is recommending that we use this opportunity to clear the remaining balances in a number of accounts within the Program Income Fund.

ATTACHMENTS: Resolution No. 542.06

RESOLUTION OF THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF SALT LAKE CITY APPROVING THE ACQUISITION OF TWO PARCELS OF PROPERTY LOCATED AT APPROXIMATELY 500 WEST AND 200 SOUTH FROM THE MUNICIPAL BUILDING AUTHORITY

WHEREAS, the Redevelopment Agency of Salt Lake City ("Agency") was created to transact the business and exercise the powers provided for in the Utah Neighborhood Development Act; and

WHEREAS, the Board of Directors of the Agency and the Salt Lake City Council adopted the Depot District Redevelopment Plan on October 15, 1998; and

WHEREAS, the Board of Directors has decided to complete the 500 West Park Block Project between 200 and 400 South Streets; and

WHEREAS, as part of the McDonald Land Acquisition the Municipal Building Authority purchased two parcels of property; and

WHEREAS, the parcels are no longer necessary for the construction of the 500 West Park Block Project north of 200 South Street.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF SALT LAKE CITY, that the Board does hereby authorize the acquisition of approximately 1/2 acre of property located at 500 West and 200 South currently owned by the Municipal Building Authority at a price not to exceed \$490,594.

Passed by the Board of Directors of the Redevelopment Agency of Salt Lake City, this 13<sup>th</sup> day of December, 2001

\_\_\_\_\_  
Nancy Saxton, Chairperson

ATTEST:

\_\_\_\_\_  
David Oka, Executive Director

Transmitted to the Chief Administrative Officer on \_\_\_\_\_ . Chief Administrative Officer's action \_\_\_\_\_ Approved \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
Ross C. Anderson  
Chief Administrative Officer

ATTEST:

\_\_\_\_\_  
David Oka,  
Executive Director

Approved as to form:  
\_\_\_\_\_

**SALT LAKE CITY PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building  
451 South State Street, Salt Lake City, Utah  
Wednesday, April 13, 2005**

Present from the Planning Commission were Chairperson Tim Chambless, Vice Chairperson Laurie Noda, and Commissioners Jennifer Seelig, Babs De Lay, John Diamond, Craig Galli, and Kathy Scott. Commissioners Prescott Muir and Peggy McDonough were not in attendance.

Present from the Planning Division Staff were Community Development Director Louis Zunguze, Deputy Community Development Director Brent Wilde, Deputy Planning Director Doug Wheelwright, Zoning Administrator Kevin LoPiccolo, Senior Planner Elizabeth Giraud, Principal Planner Doug Dansie, Associate Planner Janice Lew, and Planning Commission Secretary Andrea Curtis.

A roll is being kept of all who attended the Planning Commission Meeting. Chairperson Chambless called the meeting to order at 5:45 p.m. Minutes are presented in agenda order and not necessarily as cases were heard by the Planning Commission. Tapes of the meeting will be retained in the Planning Office for a period of one year, after which they will be erased.

Planning Commission Members voting during the meeting are as follows: Commissioner Noda, Commissioner De Lay, Commissioner Galli, Commissioner Scott, Commissioner Seelig, and Commissioner Diamond. Commissioner Chambless, as Chairperson, did not vote.

**APPROVAL OF MINUTES FOR WEDNESDAY, MARCH 23, 2005**

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

Commissioner Scott moved for the Planning Commission to approve the minutes as written. Commissioner Diamond seconded the motion. The motion passed unanimously, 6-0. As Chairperson, Commissioner Chambless did not vote.

**REPORT OF THE CHAIR AND VICE CHAIR**

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

Chairperson Chambless and Vice Chairperson Noda concurred that there was nothing to report at this time.

**REPORT OF THE PLANNING DIRECTOR**

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

Community Development Director Louis Zunguze inquired if the Commissioners had reviewed the changes to the Transit Oriented Development (TOD) ordinance made to align it with the Walkable Communities ordinance and wished to reopen hearings on the ordinance or to move forward with the changes as proposed. The Commissioners agreed that rehearing the item would not be necessary and confirmed the ordinance should continue forward with the changes as noted.

Director Zunguze proposed two work sessions to review the impact of the TRAX Light Rail Extension proposal. He explained that the meetings would occur during the lunch hour and would cover the issues involved and clarify the positions of the competing interests in order to enable the Commission to provide an informed, clear recommendation to the City Council. Commissioner De Lay confirmed with Director Zunguze that the presentation would be that provided by the Mayor's office to the neighborhoods and expressed her conviction that it would be highly valuable to the Commissioners; she noted that she previously attended one such presentation and that it provided a quality overview of the various projects and their impacts on each other. The other Commissioners expressed interest in and approval of the proposal. Director Zunguze confirmed that he would arrange for the scheduling of the two work sessions.

Director Zunguze reviewed the difficulties regarding height of buildings that the current ordinance creates, noting

that one section refers to height of buildings measured in feet while another uses height measured in stories. He requested that the Commission initiate a petition to review the ordinance and revise it to reflect height measurements in feet only. Commissioner Diamond questioned whether the verbiage provided in the Director's memo and included in the Commissioners' packet is the current language or the proposed language. Director Zunguze confirmed the memo contains the current language, which refers to both feet and stories. Commissioner De Lay moved to initiate said petition to change height specifications to measurements of feet rather than stories; Commissioner Noda seconded the motion. The motion passed unanimously 6-0.

Director Zunguze stated that the Commission previously reviewed and approved Petition 410-712 by Victor Kimball, a conditional use for a car rental agency in the D-2 district. He noted that at the time of the Commission's review, the plan included a driveway off from State Street. Following discussions with UDOT and the revelation that the same property owner has interest in an adjoining property, UDOT required that the entrance to the two parcels be consolidated to a single entrance. This necessitates a shift of the entrance from the location previously approved to the location of the new property. The move minimizes curb cuts on State Street, improving safety. Director Zunguze asked for permission to approve the change administratively rather than require the Commission to rehear the matter. Senior Planner Giraud referred the Commissioners to the site plans attached to the memo provided in their meeting packet. Director Zunguze explained the first plan shows the original approved plan; the second plan shows the consolidation of the parcels and the proposed new entrance. Commissioner Diamond asked that discussion of the matter be postponed until Staff's presentation of the related petitions during the Public Hearings. Director Zunguze concurred.

Director Zunguze referred to a petition approved two years ago to declare as surplus property a portion of 500 West at 200 South. He noted 500 West is dedicated to serve as a boulevard through to the neighborhood areas to the north. Developments happening around the Gateway area necessitate further discussion of the petition. He invited Principal Planner Doug Dansie to explain the details.

Mr. Dansie explained that the visionary plan for the Gateway open space area began in 1993. During that process the City went through an experience of projecting aerial maps of other successful developments onto the 500 West area between 600 North and 900 South. He showed maps of the Guadalupe River Park in San Jose, California, the Mall in Washington, D.C., and Boston Commons and Commonwealth Avenue superimposed onto the project area. He stated that eventually the Boston Commonwealth Avenue inspired the concept for a grand boulevard approximately 5 blocks long with a parkway running through the middle, providing a more substantive park than the landscaped center medians on 600 East and 800 East. The master plan design for the neighborhood indicates this parkway spine along 500 West. The project was approved, bought, paid for, designed, and ready to build in 1999. However, upon a change of City administration, a review of the Intermodal Transit hub location was requested. As a result, only the northern portion of the development was built as scheduled. The area from North Temple to 200 South was developed, with a slight jog around the power substation. The initial project included financing to reconfigure the power substation including burying the overhead lines underground.

After the first half of the development was completed, a review of the Intermodal Transit hub confirmed the location, funding was appropriated to finish the last two blocks of the development between 200 and 400 South. However, instead of a linear block 100 feet long, the intermediary area is disrupted, creating awkward spaces. Mr. Dansie referred to the maps provided and noted the areas where the street was widened by 66 feet on the east side to accommodate the center park near the UP substation. The City purchased two parcels, one to ensure the necessary park width and the other to be traded to Utah Power & Light for the parcel where their substation is located, jutting into the right of way. UP&L in turn would reconfigure their substation on the exchanged lot. This would ensure the continuation of the linear parkway through the entire length of the development area.

Mr. Dansie referred Commissioners to the Gateway site plans provided for them this evening. He stated that Boyer is proposing to construct an office building on this site and noted the design has a grocery store on the ground level and associated surface parking. The design requires using the parcel originally intended to trade with UP&L, eliminating that option and making the current non-linear parkway final. Referring to the site plans, Mr. Dansie specified that Parcel A will be kept by the City, Parcel C belongs to UP&L, and Parcel B belongs to the City, with the original intention being to exchange Parcel B for Parcel C. Boyer also wants to purchase Parcel C to build the office building. The accompanying parcel site plan illustrates the office/retail building to the north-south orientation along Rio Grande with surface parking along 500 West. That parking will accommodate the grocery store. The orientation of the building is designed to take advantage of the views for the office renters. If the orientation were east-west, the building footprint itself could exist on the existing Redevelopment Agency (RDA) land; Boyer wants the extra land for the surface parking.

Chairperson Chambless queried the completion time frame. Mr. Dansie indicated that if the City decides to vacate the land, the issue would have to be reheard and then transmitted to City Council. The City Council must ultimately decide if the parcel of land will be sold. Boyer hopes to build the office/retail building with the next 18 months.

Commissioner De Lay noted that this proposal has been discussed in the Planned Development Subcommittee. Commissioner Diamond noted that during those discussions, several comments were made about the layout and design of the project, particularly addressing the south side of the property; he asked if those concerns had been addressed. Mr. Dansie responded they have not since the primary issue is whether the parcel should be kept as an option for the park plots or sold. If it is decided to keep the park plots, Boyer would need to design a new scheme. Commissioner Diamond asked that Mr. Dansie explain for those Commissioners not on the Subcommittee how the park would be developed if the land is swapped. Mr. Dansie stated that if the parcel is sold off, the parkway would stay as it exists now with irregular shaping and a bowed road. If the parcel is kept and developed as per the original plan, the power substation could reorient, thus allowing the 200 South 500 West intersection to be made more like the 100 South 500 West intersection and the park space itself would be maintained.

Commissioner Diamond asked if discussions had been held with UP&L regarding vacating the parcel and relocating their substation, noting that no clear timeline for such a move had been established. Mr. Dansie responded that much of the money originally appropriated to move the substation and bury the power lines has been spent and is no longer available. One position on the proposed development would be to acknowledge the original intent was good but since it is no longer financed, the substation will remain. The other side supports examining options that would allow completion of the original intent. Mr. Dansie acknowledged that no discussions of financing have been held; discussions about the feasibility of selling Parcel B concluded with UP&L stating that if Parcel B is sold, UP&L will need to retain ownership of Parcel B needed to complete the street right-of-way.

Commissioner Diamond explained that Boyer's building design puts the core of the building (elevators, stairs, restrooms, etc.) on the north end, essentially eliminating any development on that end. He indicated this design was specifically created because of the location of the UP&L substation. If the Planning Commission encourages moving the substation, the building no longer responds to the openness that would be created to the north of the building. He noted that without understanding of UP&L's intentions, it will be difficult for the Commission to make an effective decision.

Commissioner De Lay asked who owns the long section north of Parcel C. Mr. Dansie responded that the area indicated is part of the road right-of-way and is considered part of 500 West. Commissioner De Lay confirmed that the original goal was to have a long parkway, as Parcels A and C would become part of it under the original design.

Commissioner Galli indicated that considered under long-range planning, the long parkway should be discussed not as an option but rather as a viable plan that the City is able and ready to implement. He indicated his support of the parkway idea and noted it is part of the Master Plan and was an idea that received consensus. He stated the need to have a specific plan for moving forward to complete the original plan, rather than considering it as a nebulous future option. He noted that funding concerns about relocating the UP&L substation should be addressed prior to making decisions about the proposed construction, which would limit future options. He requested that a timeline and funding proposal be created to demonstrate the viability of the original plan and to provide assurances of its completion. He noted it is difficult to protect the parkway without a specific plan for implementation of the projects required to complete it.

Mr. Dansie reiterated that the Planning Commission decision in 2002 was to protect these parcels and conserve the original design. However, without a concrete plan for implementation, developers will continue to see the land as unused and available. Mr. Dansie requested a definitive decision about which option the Planning Commission would like to pursue.

Commissioner Diamond asked for clarification of a statement in the original proposal. Mr. Dansie explained that Parcel B was originally proposed to be traded for Parcel C; that is why Parcel B was acquired. Parcel B is the parcel the RDA wants to acquire to sell to the Boyer Company. Commissioner Diamond queried if the City has control of the necessary properties to enact the trade, if desired. Mr. Dansie confirmed that Parcel A and B are under the control of the Municipal Building Authority; the land noted as "RDA land" is owned by them. Parcel C is owned by UP&L, who agreed to the planned swap in the original proposal.

- c. Review the definition of "Automobile" in the Salt Lake City Zoning Ordinance:  
(This item was heard at 6:10 P.M.)

Mr. Zunguze referred to the memorandum from the Mayor requesting that the Planning Commission initiate a petition to review the definition of "automobile" found in Section 21A.62.060 of the Salt Lake City Zoning Ordinance, specifically considering the removal of the words "motor scooters" and "motorized bicycles" from the existing definition. He said that the way automobiles are currently defined is creating problems and need to be revised.

Chairperson Chambless asked if there were any questions of staff. After a short discussion, Chairperson Chambless stated that he would entertain a motion or further discussion.

Motion to initiation a petition to determine the definition of "automobile" in the Salt Lake City Zoning Ordinance:

**Commissioner De Lay moved that the Planning Commission initiate a petition to review the definition of "automobile" in the Salt Lake City Zoning Ordinance. Commissioner Scott seconded the motion. Commissioner De Lay, Commissioner Diamond, Commissioner Galli, Commissioner McDonough, Commissioner Muir, Commissioner Noda, Commissioner Scott, and Commissioner Seelig unanimously voted "Aye". Chairperson Chambless did not vote. The motion passed.**

- f. Review regulations pertaining to tents:  
(This item was heard at 6:12 P.M.)

Mr. Zunguze referred to the memorandum from the Mayor requesting that the Planning Commission initiate a petition to comprehensively review all applicable regulations in the Zoning Ordinance that address the permitting of tents in both residential and commercial districts across the city.

Chairperson Chambless asked if there were questions of staff. Hearing none, Chairperson Chambless stated that he would entertain a motion or further discussion.

Motion for the creation of a petition to review regulations pertaining to tents:

**Commissioner De Lay moved that the Planning Commission initiate a petition to review regulations pertaining to the permitting of tents in residential and commercial districts. Commissioner De Lay, Commissioner Diamond, Commissioner Galli, Commissioner McDonough, Commissioner Muir, Commissioner Noda, Commissioner Scott, and Commissioner Seelig unanimously voted "Aye". Chairperson Chambless did not vote. The motion passed.**

- g. Initiate a petition directing the Planning and Transportation Divisions to amend the 1996 Transportation Master Plan and the Major Street Plan:  
(This item was heard at 6:13 P.M.)

Mr. Zunguze referred to a memorandum authored by Deputy Planning Director, Doug Wheelwright, requesting that the Planning Commission initiate a petition, directing the Planning and Transportation Divisions to amend the 1996 Transportation Master Plan and the Major Street Plan.

Chairperson Chambless asked if there were any questions for staff. Hearing none, Chairperson Chambless stated that he would entertain a motion or further discussion.

Motion to initiate a petition to amend the Master Plan and Major Street Plan:

**Commissioner Diamond moved to initiate a petition to amend the 1996 Transportation Master Plan and the Major Street Plan. It was seconded by Commissioner Noda. Commissioner De Lay, Commissioner Diamond, Commissioner Galli, Commissioner McDonough, Commissioner Muir, Commissioner Noda, Commissioner Scott, and Commissioner Seelig unanimously voted "Aye". Chairperson Chambless did not vote. The motion passed.**

- h. Discussion regarding the transmittal of Petition No. 400-02-12 to vacate a parcel of land at 500 West near 200 South:  
(This item was heard at 6:15 P.M.)

Mr. Zunguze reported that the Planning Commission acted upon Petition No. 400-02-12 in 2002 and

**SALT LAKE CITY  
PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building  
451 South State Street, Salt Lake City, Utah  
Wednesday, May 25, 2005**

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

Present from the Planning Division Staff were Louis Zunguze, Planning Director, Doug Wheelwright, Deputy Planning Director, Cheri Coffey, Deputy Planning Director, Joel Paterson, Planning Programs Supervisor, Elizabeth Giraud, Senior Planner, Doug Dansie, Principal Planner, Everett Joyce, Principal Planner, and Shirley Jensen, Secretary. Brent Wilde, Deputy Director of the Department of Community Development, was also in attendance.

A roll is being kept of all who attended the Planning Commission Meeting. Chairperson Chambless called the meeting to order at 5:45 p.m. Minutes are presented in agenda order and not necessarily as cases were heard by the Planning Commission. Tapes of the meeting will be retained in the Planning Office for a period of one year, after which they will be erased.

**APPROVAL OF MINUTES FOR WEDNESDAY, May 11, 2005**

*(This item was heard at 5:49 P.M.)*

Commissioner De Lay moved that the Planning Commission approve the minutes, as revised. Commissioner Seelig seconded the motion. Commissioner De Lay, Commissioner Diamond, Commissioner Galli, Commissioner McDonough, Commissioner Muir, Commissioner Noda, Commissioner Scott, and Commissioner Seelig unanimously voted "Aye". Chairperson Chambless did not vote. The motion passed.

(The revisions were reflected in the ratified minutes on Pages 5 and 6.)

**REPORT OF THE CHAIR AND VICE CHAIR**

*(This item was heard at 5:51 P.M.)*

Commissioner Noda reported that she and Commissioner Seelig attended the Planning Division Budget Hearings, which took place at the City Council meeting on Tuesday, May 24, 2005. She felt that the City Council had a favorable interest in the some of the provisions of the budget. Commissioner Noda believed that it would be in the best interest of the Planning Commission to attend some of the City Council meetings in the future.

**REPORT OF THE PLANNING DIRECTOR**

*(This item was heard at 5:52 P.M.)*

Mr. Zunguze introduced Ms. Shirley Jensen as the new Planning Commission Secretary. He stated that the Planning Commission lost the services of Andrea Curtis to another office in the City, and was grateful that Ms. Jensen stepped "up to the plate" to take her place.

Mr. Zunguze thanked the Commissioners who were present during the budget hearings at the City Council meeting. He reported that the support of the Planning Commission had a factor on how the Planning Division's budget was received.

Mr. Zunguze reported on the following matters:

- a. Discussion of the letter sent to the Planning Commission from the City Council relative to future master plans:

*(This item was heard at 5:58 P.M.)*

Mr. Zunguze referred to his memorandum, which stated that in March, 2005, the Planning Commission and City Council held a joint meeting to discuss the need for establishing a standardized format for community master plans. A copy of the memorandum was filed with the minutes of this meeting. He

c. Review the definition of "Automobile" in the Salt Lake City Zoning Ordinance:

*(This item was heard at 6:10 P.M.)*

Mr. Zunguze referred to the memorandum from the Mayor requesting that the Planning Commission initiate a petition to review the definition of "automobile" found in Section 21A.62.060 of the Salt Lake City Zoning Ordinance, specifically considering the removal of the words "motor scooters" and "motorized bicycles" from the existing definition. He said that the way automobiles are currently defined is creating problems and need to be revised.

Chairperson Chambless asked if there were any questions of staff. After a short discussion, Chairperson Chambless stated that he would entertain a motion or further discussion.

Motion to initiation a petition to determine the definition of "automobile" in the Salt Lake City Zoning Ordinance:

**Commissioner De Lay moved that the Planning Commission initiate a petition to review the definition of "automobile" in the Salt Lake City Zoning Ordinance. Commissioner Scott seconded the motion. Commissioner De Lay, Commissioner Diamond, Commissioner Galli, Commissioner McDonough, Commissioner Muir, Commissioner Noda, Commissioner Scott, and Commissioner Seelig unanimously voted "Aye". Chairperson Chambless did not vote. The motion passed.**

f. Review regulations pertaining to tents:

*(This item was heard at 6:12 P.M.)*

Mr. Zunguze referred to the memorandum from the Mayor requesting that the Planning Commission initiate a petition to comprehensively review all applicable regulations in the Zoning Ordinance that address the permitting of tents in both residential and commercial districts across the city.

Chairperson Chambless asked if there were questions of staff. Hearing none, Chairperson Chambless stated that he would entertain a motion or further discussion.

Motion for the creation of a petition to review regulations pertaining to tents:

**Commissioner De Lay moved that the Planning Commission initiate a petition to review regulations pertaining to the permitting of tents in residential and commercial districts. Commissioner De Lay, Commissioner Diamond, Commissioner Galli, Commissioner McDonough, Commissioner Muir, Commissioner Noda, Commissioner Scott, and Commissioner Seelig unanimously voted "Aye". Chairperson Chambless did not vote. The motion passed.**

g. Initiate a petition directing the Planning and Transportation Divisions to amend the 1996 Transportation Master Plan and the Major Street Plan:

*(This item was heard at 6:13 P.M.)*

Mr. Zunguze referred to a memorandum authored by Deputy Planning Director, Doug Wheelwright, requesting that the Planning Commission initiate a petition, directing the Planning and Transportation Divisions to amend the 1996 Transportation Master Plan and the Major Street Plan.

Chairperson Chambless asked if there were any questions for staff. Hearing none, Chairperson Chambless stated that he would entertain a motion or further discussion.

Motion to initiate a petition to amend the Master Plan and Major Street Plan:

**Commissioner Diamond moved to initiate a petition to amend the 1996 Transportation Master Plan and the Major Street Plan. It was seconded by Commissioner Noda. Commissioner De Lay, Commissioner Diamond, Commissioner Galli, Commissioner McDonough, Commissioner Muir, Commissioner Noda, Commissioner Scott, and Commissioner Seelig unanimously voted "Aye". Chairperson Chambless did not vote. The motion passed.**

h. Discussion regarding the transmittal of Petition No. 400-02-12 to vacate a parcel of land at 500 West near 200 South:

*(This item was heard at 6:15 P.M.)*

Mr. Zunguze reported that the Planning Commission acted upon Petition No. 400-02-12 in 2002 and



when considering the request to reopen the case, the Planning Commission asked staff that substantial information be provided. He noted that there have been subcommittee meetings held and many discussions with the Boyer Company and the Redevelopment Agency (RDA) who are both major players in this matter. Mr. Zunguze suggested that the Planning Commission give an opportunity to the representatives from the Boyer Company and the RDA to say a few words in support of their respective positions. He noted that the question was whether the Planning Commission would stand by its previous decision or reopen the discussion and take into account the new information that is on the table at this time.

Chairperson Chambless pointed out that this matter was before the Planning Commission on April 8, 2005 where a recommendation was made and asked what changes had taken place. In response, Mr. Zunguze said that the changes were in the packet of information, as well as what the petitioners may share with the Commissioners at this meeting. In the interest of time, Commissioner Muir asked that the petitioner and staff contain their remarks to any new information.

Planner Doug Dansie stated that it was his understanding, from that April meeting, that the Planning Commission needed to have more time to study the issues before a decision was rendered. He referred to his memorandum, as well as the packet of information. Mr. Dansie pointed out the letter from Mr. Jake Boyer of the Boyer Company outlining his issues and the drawings of the proposed development for the larger sites, which the Planning Commission Planned Development Subcommittee had reviewed, but the full Commission had not.

Mr. Dansie used a briefing board to describe the project. The following is a brief outline of the matter at hand: 500 West would become the Grand Boulevard, as outlined in the original master plan for the Gateway area. The street right-of-way was increased. RDA owns the property facing 200 South and the Boyer Company owns the surrounding land. Utah Power and Light (UP&L) has a substation on 500 West. Right now the power substation protrudes into the street. The land north of the RDA parcel would be swapped with the land on which the power substation is located. If the land is not swapped, a small section of 500 West between 400 South and North Temple would remain where private land pokes out into the right-of-way.

Mr. Dansie stated that the argument for selling is that the power substation has already been constructed and would be too expensive to revamp so the "parkway" is not a viable alternative any more. He said that the land was more viable for a grocery store.

Mr. Dansie said that the argument for not selling is that eventually something would be done with the power lines because those big transmission lines would have to be buried if a tall building was constructed next to them. He indicated that the parcel owned by the RDA is still large enough to build on. Mr. Dansie pointed out that selling the parcel would require an amendment to the master plan.

The discussion continued. There were many opinions and circumstances expressed by members of the Commission, such as consideration of underground cables, which would be technically possible but very costly, the reconfiguration of the substation, and the fact that the RDA no longer depended on the sale of the two properties to develop two blocks to the south.

Commissioner Diamond asked Mr. Zunguze to enlighten the Commission as to the conversations with the RDA and UP&L. Mr. Zunguze said that the conversations have centered on cost issues and the numbers keep escalating.

In answer to a question, Mr. Dansie said that technology could advance and transformers could become smaller in the future, but the flip side of that is as development occurs the need for more energy would be greater.

Commissioner Diamond inquired if it was possible for the City to grant an easement, which would allow UP&L to build a vault to house electrical equipment below grade, and then the master plan would not have to be amended. Mr. Dansie said that could be possible but if vaults were built underneath the sidewalks, it would be difficult to plant trees along the boulevard.

Commissioner McDonough stated that she believed upholding the master plan is part of the responsibility of the Planning Commission and she was not willing to gamble on the likelihood of that scenario happening.

Chairperson Chambless asked if there were any questions for staff. Hearing none, Chairperson Chambless stated that he would entertain a motion or further discussion.

Motion regarding the transmittal of Petition No. 400-02-12 to vacate a parcel of land at 500 West near 200 South:

**Commissioner Scott moved that the Planning Commission forward the original transmittal of Petition 400-02-12, of April 8, 2005 that is recommending denial to the City Council.**

**Commissioner McDonough seconded the motion. Commissioner De Lay, Commissioner Diamond, Commissioner Galli, Commissioner McDonough, Commissioner Muir, Commissioner Noda, Commissioner Scott, and Commissioner Seelig unanimously voted "Aye". Chairperson Chambless did not vote. The motion passed.**

Chairperson Chambless indicated that all the reported items by the Planning Director were not listed on the agenda for this meeting.

#### **PUBLIC NOTICE AGENDA - Salt Lake City Property Conveyance Matters.**

Chairperson Chambless said that there were five matters on the Public Notice Agenda and called the Commissioner's attention to matters No. b. and c. A copy of "Property Conveyance Matters" was filed with the minute of this meeting.

- b. Stephen M. Rosenberg and Salt Lake City Public Utilities Department - Mr. Rosenberg is requesting the approval of an equal area exchange to relocate by approximately 20 feet, the City's existing easement for the Jordan and Salt Lake City Canal, which bisects the old Dairy Queen restaurant property at 1247 South 1100 East. The actual canal pipe will remain in its current location, with just the easement being shifted in location to facilitate the redevelopment of the property, which is zoned Neighborhood Commercial CN. Public Utilities staff intends to approve the re-configuration of the easement; and
- c. Rebecca McConnell and Salt Lake City Public Utilities Department - Ms. McConnell is requesting that Public Utilities approve a standard revocable permit to allow her to landscape and use as part of her yard, a portion of the Jordan and Salt Lake City Canal property, located at 6776 South 700 East Street in Midvale City. Public Utilities staff intends to approve the revocable permit.

Mr. Zunguze referred to the correspondence from the Mayor's Open Space Committee recommending that the Planning Commission not take action on these two items of property conveyance matters without further review. He noted that the matter will return to the Planning Commission after a logical solution is determined.

Chairperson Chambless said that a motion was not required for Public Conveyance Matter on the Public Notice Agenda. He inquired if there were any objections to the removal of Nos. b and c.

Commissioner Scott said that she had no objections but she asked if persons who enter into some type of a revocable permit agreement using acreage, such as the Salt Lake City Canal property, have to file the agreement with the Recorder's office so it would not become a "messy" legal issue.

Chairperson Chambless invited a representative from the Salt Lake City Public Utilities Department to address this issue.

Ms. Karryn Greenleaf from the Salt Lake City Public Utilities Department stated that the City has a process that everyone who signs the agreement has the agreement recorded on the title against the property at the Salt Lake County Recorders Office.

Chairperson Chambless inquired if there was anyone from the public who wished to speak on these matters. Seeing none, Commissioner Chambless asked if there were additional questions of staff. There was none.

Mr. Zunguze excused himself and left the meeting at 6:35 P.M.

#### **PUBLIC HEARINGS**

July 8, 2005

Mr. Doug Dansie  
Salt Lake City Planning Division  
406 City and County Building  
451 South State Street  
Salt Lake City, Utah 84111

RE: Petition 400-05-21: Amendment to Gateway Master Plan and Declaration of Surplus Property on 500 West at 200 South.

Dear Doug:

Earlier this year, staff from the Salt Lake City Planning Division, the Mayor's Office and RDA met with representatives from the Boyer Company and Utah Power and Light to come up with ways to meet the intent of the Gateway Master Plan for the 500 West Park Blocks while at the same time allowing development to occur on the property located on 200 South. The idea that was agreed upon was that Utah Power would do everything possible to create the "illusion" of the park blocks. This would include pulling the fence line for the substation as far to the east as possible, working with the Agency and City to build a new, more attractive fence and improving the landscaping west of the substation so that it would blend with the existing park block improvements.

After reviewing this idea with the operations division, Utah Power has indicated that they can move the fence line approximately five feet to the east. They also indicated that they do not intend to install the third transformer at this substation. The costs to install a new masonry or panel type wall, replace the two driveways needed to access the equipment and landscape the area west of the substation would be between \$85,000 and \$110,000.

The Gateway Master Plan and Gateway Specific Plan have a clear goal of creating green space for the residents and commercial tenants in the district including the 500 West Park Blocks. It also includes other goals which the proposed project would accomplish such as:

- Integration of office and commercial developments
  - Objective 1: Strengthen the Downtown Central Business District as the region's principal employment center.
  - Objective 2: Provide for a mixture of small and medium commercial tenants representing a variety of uses.

- Urban Design
  - Objective 2: Minimize the negative visual appearance of new and existing automobile parking lots, storage yards, loading and truck staging areas.
  - Objective 4: Improve the appearance of major vehicular entries to the City.
- Utilities
  - Objective 4: Electric Power, Policy 4.5 - Develop design standards that will require electrical substations to blend in with the surrounding neighborhoods and be sight obscuring.

While I understand that the Planning Commission does not consider the cost associated with implementing the master plan goals, we also asked Utah Power to provide updated costs to accomplish the rotation of the 500 West substation and to bury the transmission lines. Based on current costs, the rotation of the substation would cost approximately \$2,900,000. This cost estimate was subject to the property availability and cost; permitting issues; geotechnical conditions; environmental issues; changes in the scope required by the City; delays or additional work required by the City; cost escalation due to union labor agreements and changes in costs of materials.

The Agency is continuing to work with Utah Power to bury the 138kv transmission lines along 500 West. This project is independent of the substation and surplus property discussion. The conduit for the transmission line burial was installed as part of the 500 West Park Block project. By completing this \$2,000,000 project the profile of the 500 West substation can be lower than exists today. The RDA Board allocated funds in both the 2004/2005 and 2005/2006 fiscal years for this purpose. It is the Agency's intention to continue to work with Utah Power in accomplishing this goal of the Master Plan regardless of the surplus land decision.

In order to implement the master plan goals for the 500 West Park Blocks, funds would also need to be allocated to reconfigure the roadway and median improvements which were built in 2000 and 2001. Salt Lake City Engineering has estimated the costs associated with straightening the drive lanes and landscaping the median area would be in excess of \$1,000,000.

The Agency staff feels that declaring the parcels owned by the Municipal Building Authority as surplus is an appropriate decision given:

1. Utah Power and Light's willingness to work with the City to help create the illusion of the park blocks.
2. Utah Power and Light's intention not to install the third transformer in the 500 West substation.
3. The willingness of The Boyer Company to develop a quality project on this important corner which accomplish goals included in the Gateway Master Plan.

Mr. Doug Dansie  
July 8, 2005  
Page 3

If you need any further information concerning the information provided by Utah Power and Light or the Agency's intention to bury the transmission lines, please call me at 535-7241.

Best regards,

*Valda E. Tarbet*

Valda E. Tarbet  
Deputy Director

A. LOUIS ZUNGUZE  
DIRECTOR

BRENT B. WILDE  
DEPUTY DIRECTOR

# SALT LAKE CITY CORPORATION

DEPT. OF COMMUNITY DEVELOPMENT  
OFFICE OF THE DIRECTOR

ROSS C. "ROCKY" ANDERSON  
MAYOR

## COUNCIL TRANSMITTAL

**TO:** Rocky Fluhart, Management Services Director *RF* **DATE:** October 4, 2005

**FROM:** Louis Zunguze, Community Development Director *by Brent Wilde*

**RE:** **Petition 400-05-21** – Request by the Boyer Company to alter the Gateway Master Plan and to declare a portion of land adjacent to the 500 West right-of-way surplus and to dispose of it through a sale

**STAFF CONTACT:** Doug Dansie, Principal Planner, 535-6182

**RECOMMENDATION:** That the City Council schedule a briefing and a public hearing.

**DOCUMENT TYPE:** The Planning Commission recommendation was negative; therefore no ordinance is required to implement that recommendation. (In the event that the City Council chooses to override the Planning Commission recommendation, an ordinance has been provided that would alter the Gateway Master Plan.)

**BUDGET IMPACT:** Sale of the land would generate income.

### DISCUSSION:

#### *Issue Origin:*

The current petition 400-05-21 was initiated by the Boyer Company requesting that Salt Lake City alter the Gateway Master Plan and declare a portion of land adjacent to the 500 West right-of-way surplus and dispose of it through a sale. The Boyer Company wishes to purchase the land, in order to combine with other land to develop an office and retail structure.

**Previous petition 400-02-12:** The Salt Lake City Property Management Division, represented by Linda Cordova, Property Manager, requested that Salt Lake City close a portion of the 500 West right-of-way, and declare surplus adjacent land, north of 200 South in order to recoup the funding used to develop the 500 West park Blocks (from 200 to 400 South). All Street closures must be approved by the City Council. One of the parcels was specifically purchased to widen 500 West. The other parcel was specifically purchased to trade with PacifiCorp, to realign the power substation, to widen 500 West. While this portion of the right-of-way has never been used for street purposes, it was

originally purchased specifically for a widened 500 West Street, as outlined in the Gateway Master Plan.

***Analysis:***

The proposal is to accept 500 West as it is presently built and to amend the Gateway Master Plan to eliminate references to the continuous 500 West park blocks. This would allow for the sale of a parcel of land that was originally purchased by the City to accommodate 500 West widening.

The land proposed for sale was originally purchased as part of the property intended to widen 500 West in order to construct a linear park. The original 500 West right-of-way was 132 feet wide. The new right of way is 198 feet wide (from South Temple to 400 South), except where adjacent to the UP&L power substation near 200 South. A linear park is within the center of the street. The parcel of land in question is located immediately south of the power substation, which protrudes into the right-of-way, and was to provide for the reconfiguration of the power substation. The substation was to be reoriented to the south and the right-of way was to be "straightened out." However, when the street was constructed, the substation issue was not resolved. Therefore, the street was reconfigured at the 200 South intersection by narrowing the park blocks. The applicant contends that because of this configuration and the increased costs to reconfigure the substation, the opportunity to do so has been lost.

The Planning Commission decision to recommend against the land sale and the amendment of the Master Plan was based on long-term planning policy, not the financial viability of power substation reconfiguration. The Commission determined that the long-term goal of the City remains the reconfiguration of the substation and realignment of the street at a future date; therefore, they recommended denial of the petition.

The policy discussion the Council needs to have is whether they intend to abandon the park block concept as outlined in Master Plans or to maintain the option of completing the park blocks as originally envisioned at a later date. If the right-of-way is sold and the concept of a widened 500 West abandoned, the Master Plan must be adjusted accordingly, which also requires Council action.

***Master Plan:*** Sale of this land would permanently eliminate the long-term potential for reconfiguration of the power substation. The sale would also permanently eliminate the potential to complete the park as outlined in the Gateway Master Plan. The sale would also impact long-term flexibility regarding the potential for underground rail or other transportation corridors.

The proposed land sale conflicts with the Gateway Master Plan and the Gateway Specific Plan. Approval of the petition to close the street right-of-way would require amendments to these adopted Master Plans. The Planning Commission recommends against changing the Master Plan.

***Public Process:***

Although surplus property requests are not legally required to be presented to the community council, in this case the proposal was presented to the Peoples Freeway and Rio Grande Community Councils.

The Peoples Freeway Community Council reviewed the concept on August 7, 2002. General opposition to the sale of the site was expressed because of its long-term impact on the 500 West linear park and reconfiguration of the power substation. The Council voted to oppose the sale. (No letter was provided by the Community Council.)

The concept was presented to the Rio Grande Community Council on July 17, 2002. General concern was expressed regarding the disposal of the land and its impact on long-term alternatives. The Council voted to oppose the sale (letter attached).

An open house was held for the public on July 12, 2005. No one attended to speak to the matter.

At their August 10, 2005, meeting, the Planning Commission voted to forward a negative recommendation to the City Council regarding the amendment of the Gateway Master Plan to reflect any policy change regarding the 500 West park. The Planning Commission recommends the City Council **not** declare as surplus the public property adjacent to the power substation (parcel number 15-01-176-009), located near 200 South and 500 West.

***Relevant Ordinances:*** Salt Lake City Code, Section 2.58 and Utah Code, Title 10-9-305 Streets may be closed and disposed of by the City after following proper procedure as outlined in Section 2.58 of City Code. The Planning Commission reviews the request and decides whether the property should be declared surplus. The Mayor, or his designee, will be responsible for the actual sale. The City Council has final approval of all street closures.




**COMMUNITY AND ECONOMIC DEVELOPMENT  
COUNCIL SUBMITTAL CHECKLIST**

**Petition 400-05-21;** a request by the Boyer Company to alter the Gateway Master Plan and to declare a portion of land adjacent to the 500 West right-of-way surplus and to dispose of it through a sale.

Date: 9/16/05

Supervisor Approval: 

Division Director Approval: 

Contact Person: Doug Dansie

Phone No. 535-6182

- Initiated by
- City Council
  - Property Owner
  - Board / Commission
  - Mayor
  - Other

Contact Person

Jake Boyer

**Completed Check List attached:**

- Alley Vacation
- Planning / Zoning
- Federal Funding
- Condominium Conversion
- Plat Amendment
- Other

**Public Process:**

- Community Council (s)
- Public Hearings
- Planning Commission
- Historic Landmark Commission
- HAAB review
- Board of Adjustment
- City Kiosk
- Open House
- Other

- City Web Site
- Flyers
- Formal Notice
- Newspaper Advertisement
- City Television Station
- On location Sign
- City Newsletter
- Administrative Hearing

**Compatible with ordinance:** Streets may be closed and disposed of by the City after following proper procedure as outlined in Section 2.58 of City Code.

**Modifications to Ordinance:** NA

**Approvals/ Input from Other Departments / Divisions**

<u>Division</u>	<u>Contact Person</u>
<input type="checkbox"/> Airport:	
<input checked="" type="checkbox"/> Attorney:	<u>Lynn Pace</u>
<input type="checkbox"/> Business Licensing:	
<input checked="" type="checkbox"/> Engineering:	<u>Craig Smith</u>
<input checked="" type="checkbox"/> Fire:	<u>Brad Larson</u>
<input type="checkbox"/> HAND:	
<input type="checkbox"/> Management Services:	
<input type="checkbox"/> Mayor:	
<input type="checkbox"/> Parks:	
<input checked="" type="checkbox"/> Permits / Zoning:	<u>Ken Brown</u>
<input checked="" type="checkbox"/> Police:	<u>J.R. Smith</u>
<input type="checkbox"/> Property Management:	
<input type="checkbox"/> Public Services:	
<input checked="" type="checkbox"/> Public Utilities:	<u>Brad Stewart</u>
<input checked="" type="checkbox"/> Transportation:	<u>Barry Walsh</u>
<input type="checkbox"/> Zoning Enforcement:	
<input type="checkbox"/> RDA:	

## CONTENTS

1. Chronology
2. Proposed Ordinance
3. City Council Public Hearing
  - Notice
  - Mailing list
4. Planning Commission Hearing
  - Original Notice and Postmark
  - Staff report August 10, 2005  
(Minutes from previous petition 400-02-12 are included in staff report)
  - Minutes August 10, 2005
5. Original Petition

## Chronology

- June 16, 2005 The Boyer Company, requested to alter the Gateway Master Plan and to declare a portion of land adjacent to the 500 West right-of-way surplus and to dispose of it through a sale.
- June –July 2005 Requested department input.
- July 12, 2005 An Open House was held to solicit community input.
- July 27, 2005 Notices sent to adjacent property owners
- July 27, 2005 Notice printed in both major daily newspapers.
- August 10, 2005 The Salt Lake City Planning Commission held a public hearing and voted to forward a negative recommendation to the City Council regarding amending the **GATEWAY MASTER PLAN** to reflect any policy change regarding the 500 West park. The Planning Commission recommends the City Council **not** declare as surplus the public property adjacent to the power substation (parcel number 15-01-176-009), located near 200 South and 500 West.

### Chronology for previous petition 400-02-12

- April 25, 2002 The Salt Lake City Property Management Division, represented by Linda Cordova, Property Manager, requested that Salt Lake City close a portion of the 500 West right-of-way, north of 200 South, and also declare adjacent land as surplus.
- June –August 2002 Requested department input (Engineering, Fire, Police, Property Management, Public Utilities, Transportation, Redevelopment Agency)
- July 17, 2002 The concept was presented to the Rio Grande Community Council. General concern was expressed regarding the disposal of the land and its impact on long-term alternatives. The Council voted to oppose the sale.
- August 7, 2002 The Peoples Freeway Community Council reviewed the concept. General concern was expressed that the site should not be sold because of its long-term impact on the 500 West Park and reconfiguration of the power substation. The Council voted to oppose the sale.

October 23, 2002	Notices sent to adjacent property owners
October 24, 2002	Notice printed in both major daily newspapers.
November 7, 2002	The Salt Lake City Planning Commission held a public hearing and recommended that the City Council <b>not</b> declare public property adjacent to the power substation (parcel number 15-01-176-009) as surplus, nor close a portion of the 500 West right-of-way (parcel number 15-01-176-008) located near 200 South and 500 West.
May 25, 2005	The Planning Commission chose not to reconsider the issue
August 10, 2005	Linda Cordova, real Property Manager, withdrew the petition.

## **2. Proposed Ordinance**

This transmittal reflects the Planning Commission action. The Planning Commission recommended denial of the petition. An ordinance is not necessary to support a negative recommendation.

However, in the event that the City Council chooses to override the Planning Commission recommendation, an ordinance has been provided that would alter the Gateway Master Plan.

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2005  
(Amending the Gateway Master Plan and Declaring Property Purchased for Transportation  
Purposes No Longer Needed For That Purpose)

AN ORDINANCE AMENDING THE GATEWAY MASTER PLAN AND  
DECLARING PROPERTY PURCHASED FOR TRANSPORTATION PURPOSES NO  
LONGER NEEDED FOR THAT PURPOSE, PURSUANT TO PETITION NO. 400-05-21.

WHEREAS, the City Council finds that the Gateway Master Plan should be amended to eliminate references to the Park Blocks adjacent to the power substation generally located between 150 South and 200 South on the east side of 500 West.

WHEREAS, the City previously acquired property generally located between 150 South and 200 South on the east side of 500 West (the “property”) anticipating that it would be needed for transportation purposes; and

WHEREAS, the City Council deems the property no longer needed for transportation purposes; and

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

SECTION 1. Amendment of Master Plan: The Gateway Master Plan, as previously adopted by the Salt Lake City Council, shall be, and hereby is amended to eliminate references to the Park Blocks adjacent to the power substation generally located between 150 South and 200 South on the east side of 500 West.

SECTION 2. Declaration of Property No Longer Needed for Transportation Purpose:  
The property located between 150 South and 200 South on the east side of 500 West, which is the subject of Petition No. 400-05-21, and which is more particularly described on Exhibit “A” attached hereto, is no longer needed for transportation purpose.



SECTION 3. Effective Date: This Ordinance shall become effective on the date of its first publication and shall be recorded with the Salt Lake County Recorder.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date September 28, 2005  
By Melanie Pfeif

(SEAL)

Bill No. \_\_\_\_\_ of 2005.  
Published: \_\_\_\_\_.

Attachment A

Beginning at a point which is N 89° 58' 15" E 59.77 feet along the south lot line and North 100.58 feet from the southwest corner of Lot 2, Block 65, Plat "A", Salt Lake City Survey; Thence North 64.46 Feet to the north line of said Lot 2; Thence N 89° 58' 18" E 171.26 feet; Thence S 0° 0' 36" E 64.55 feet; Thence West 171.27 feet to the point of beginning.  
Contains 11,047 SQ. FT. or .25 Acre

Sidwell Number: 15-01-176-009

DD  
1/25/05

**3. City Council Public Hearing  
Notice  
Mailing List**

## **NOTICE OF PUBLIC HEARING**

The Salt Lake City Council is currently reviewing **Petition 400-05-21**, a request by the Boyer Company, to alter the Gateway Master Plans ('Creating an Urban Neighborhood' and Gateway Specific Plan) and to declare a portion of land adjacent to the 500 West right-of-way surplus and to dispose of it through a sale.

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, the Planning staff may present information on the petition and anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

**DATE:**

**TIME:**

**PLACE:** Room 315  
City and County Building  
451 South State Street  
Salt Lake City, Utah


If you have any questions relating to this proposal, please attend the meeting or call Doug Dansie at 535-6182 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. If you are the owner of a rental property, please inform you tenants of this hearing. We comply with all ADA guidelines. Assistive listening devices and interpreter services provided upon 24 hour advance request.

**ORGANIZATIONS:**

Updated: 4/1/2005 sj

ATTN: CAROL DIBBLEE  
DOWNTOWN MERCHANTS ASSN.  
10 W. BROADWAY, SUITE #420  
P.O. BOX  
SALT LAKE CITY, UT 84101

SUGAR HOUSE MERCHANTS ASSN.  
c/o BARBARA GREEN  
SMITH-CROWN  
2000 SOUTH 1100 EAST  
SALT LAKE CITY, UT 84106

 [www.avery.com](http://www.avery.com)  
**1-800-GO-AVERY**  
DOWNTOWN ALLIANCE  
BOB FARRINGTON, DIRECTOR  
175 EAST 400 SOUTH, #100  
SALT LAKE CITY, UT 84111

HISPANIC CHAMBER OF  
COMMERCE  
P.O. BOX 1805  
SALT LAKE CITY, UT 84110

WESTSIDE ALLIANCE  
c/o NEIGHBORHOOD HOUSING SVS.  
MARIA GARCIA  
622 WEST 500 NORTH  
SALT LAKE CITY, UT 84116

 **AVERY® 5960<sup>MC</sup>**  
S.L. CHAMBER OF COMMERCE  
175 EAST 400 SOUTH, SUITE #100  
SALT LAKE CITY, UT 84111

VEST POCKET BUSINESS  
COALITION  
P.O. BOX 521357  
SALT LAKE CITY, UT 84152-1357



Gerald Jr. Rubacky  
380 W 200 S # 308  
Salt Lake City, UT 84101

Kenneth A. Wolkoff  
380 W 200 S # 307  
Salt Lake City, UT 84101

Elizabeth A.. Downer  
380 W 200 S # 306  
Salt Lake City, UT 84101

Gordon Hill  
380 W 200 S # 401  
Salt Lake City, UT 84101

Ronald K. Johnson  
380 W 200 S # 402  
Salt Lake City, UT 84101

Elke B. Kriegbaum  
564 W 3100 S  
Bountiful, UT 84010

Ryan L. Gothard  
380 W 200 S # 404  
Salt Lake City, UT 84101

Karen M. Vetter  
Po Box 2370  
Park City, UT 84060

Maryann Ashworth  
380 W 200 S # 406  
Salt Lake City, UT 84101

Jacob J. Nuttall  
380 W 200 S # 405  
Salt Lake City, UT 84101

Katherine M. Gill  
380 W 200 S # 409  
Salt Lake City, UT 84101

Stuart E. Williams  
380 W 200 S # 501  
Salt Lake City, UT 84101

Andrew Gettig  
380 W 200 S # 502  
Salt Lake City, UT 84101

Ann G. Macquoid  
2552 Monitor Dr  
Park City, UT 84060

Byron E Grote  
2274 S 1300 E # G8  
Salt Lake City, UT 84106

Barbara G. Zimonja  
3173 E Carrigan Canyon Dr  
Salt Lake City, UT 84109

Charles B. Copeland  
380 W 200 S # 601  
Salt Lake City, UT 84101

Stefan D. Wilson  
380 W 200 S # 509  
Salt Lake City, UT 84101

Henry J. Louis  
380 W 200 S # 508  
Salt Lake City, UT 84101

Maureen N. Winston  
104 Cypress Ave  
Kentfield, CA 94904

Adam H. Marty  
1151 E Gilmer Dr  
Salt Lake City, UT 84105

Linda Wolcott  
380 W 200 S # 506  
Salt Lake City, UT 84101

Earl R. & Lori M. Wilson  
2526 Lark Spur Dr  
Park City, UT 84060

Ttt Investment Company Llc  
380 W 200 S  
Salt Lake City, UT 84101

309 West Lc  
375 W. 200 S. # 100  
Salt Lake City, UT 84101

Roman Catholic Bishop Of  
27 N 'C' St  
Salt Lake City, UT 84103

The Homeless Shelter  
Committee Inc.  
210 S Rio Grande St  
Salt Lake City, UT 84101

Salt Lake City Corporation  
451 S State St # 245  
Salt Lake City, UT 84111

Bridge Projects Lp  
329 W Pierpont Ave  
Salt Lake City, UT 84101

Philip G. Mccarthey  
610 E SOUTH TEMPLE ST.  
#200  
SALT LAKE CITY, UT 84102

Jane F Mccarthey Fmly Ltd Ptr  
136 S 500 W  
SALT LAKE CITY, UT 84101

Tomahawk Properties, Llc  
1455 E TOMAHAWK DR.  
SALT LAKE CITY, UT 84103

Haws A. Marble  
457 E 300 S  
SALT LAKE CITY, UT 84111

Oregon Short Line Railroad Co  
1700 FARNAM ST #10TH FL-  
S  
OMAHA, NE 68102

The Denver & Rio Grande  
West  
1700 FARNHAM ST # 10<sup>TH</sup>  
FL  
OMAHA, NE 68102

Western Pacific Railroad  
1700 FARNAM ST #10TH FL-  
S  
OMAHA, NE 68102

Utah Power & Light Co  
700 NE MULTNOMAH ST  
#700  
PORTLAND, OR 97232

V J Environmental ,  
Enterprises Corp  
155 N 500 W  
SALT LAKE CITY, UT 84116

Sihnet Inv. L.C.  
48 W MARKET ST # 250  
SALT LAKE CITY, UT 84101

Triad Cntr West Pkg Facility  
1 EMBARCADERO CTR  
#2050  
SAN FRANCISCO, CA 94111

Property Reserve Inc.  
10 E SOUTHTEMPLE ST  
#1500  
SALT LAKE CITY, UT 84133

Redevelopment Agency Of  
Salt Lake  
301 W SOUTHTEMPLE ST  
SALT LAKE CITY, UT 84101

Ramola Bengtzen  
377 W 100 S  
SALT LAKE CITY, UT 84101

Utah Power & Light Co.  
700 NE MULTNOMAH ST  
#700  
PORTLAND, OR 97232

Utah Paper Box Co.  
340 W 200 S  
SALT LAKE CITY, UT 84101

Dakota Lofts Condominium ,  
Association  
PO BOX 171014  
SALT LAKE CITY, UT 84117

Dorn Associates, Ltd  
50 W BROADWAY ST # 1210  
SALT LAKE CITY, UT 84101

Robert Feldott  
380 W 200 S # 201  
SALT LAKE CITY, UT 84101

Kelly C. Favero  
380 W 200 S # 202  
Salt Lake City, UT 84101

Gary L. Stewart  
380 W 200 S # 301  
Salt Lake City, UT 84101

David W. Morgenstein  
2242 Leavenworth St  
San Francisco, CA 94133

Loqui Properties, Llc  
380 W 200 S # 204  
SALT LAKE CITY, UT 84101

Lynn Gleave  
1417 E 700 S  
Provo, UT 84606

Jenny B C Thomas  
380 W 200 S # 302  
Salt Lake City, UT 84101

John Steven Ziegler  
380 W 200 S # 303  
Salt Lake City, UT 84101

Krystal L Sisson  
20490 Paradise Ln  
Topanga, CA 90290

Matthew J Smith  
380 W 200 S # 305  
Salt Lake City, UT 84101

Linda Wolcott  
2726 E Wasatch Dr # 7  
Salt Lake City, UT 84108

- 4. Planning Commission Hearing**
  - a. Original Notice and Postmark**
  - b. Staff report**
  - c. Minutes**



21 11T 8410J

NOTE: The meeting 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, August 10, 2005, at 5:45 P.M.

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

1. **APPROVAL OF MINUTES** from Wednesday, July 13, 2005
2. **REPORT OF THE CHAIR AND VICE CHAIR**
3. **REPORT OF THE DIRECTOR**
4. **PUBLIC NOTICE AGENDA – NONE**
5. **PUBLIC HEARINGS**
  - a. **Petition No. 400-05-10**, a request by the Salt Lake City Planning Commission for zoning map and master plan amendments to correct the zoning designation of four properties in the 9<sup>th</sup> and 9<sup>th</sup> area. The petition includes the following addresses: approximately **916 South 900 East, 909 South 900 East, 932 East 900 South, and 919 South Lincoln Street**. The properties are zoned R-1/5000, Single Family Residential, or R-1/5000 and CB, Community Business. The purpose of the petition is to correct zoning map errors resulting from the 1995 Zoning Rewrite by changing the zoning designations of the subject parcels to CB, only. (Staff - Sarah Carroll at 535-6260 or sarah.carroll@slcgov.com).
  - b. **Petition No. 410-754**, by Dr. Nancy C. Larsen requesting conditional use approval to utilize an existing retail building, located at approximately **1441 South 1100 East Street**, for the operation of a veterinary clinic that specializes in feline health. The property is zoned RB Residential Business. Veterinary Clinics may be allowed as a conditional use in this zone. (Staff - Marilyn Lewis at 535-6409 or marilyn.lewis@ci.sl.c.ut.us)
  - \*c. **Petition No. 410-751**, by the Boyer Company for a planned development for a retail/office building located at approximately **40 North 500 West** (between 500 West and Rio Grande), and conditional use approval to modify building materials, setbacks, minimum height and modification to the 500 West residential requirement. (Staff - Doug Dansie at 535-6182 or doug.dansie@ci.sl.c.ut.us)
  - d. **Petition No. 400-05-21**, by the Boyer Company requesting approval to amend the Gateway Master Plans (Creating an Urban Neighborhood and the Gateway Specific Plan) regarding the **500 West right-of-way** and declare a portion of the land adjacent to the 500 West right-of-way, at approximately 175 South 500 West, surplus and sell to the applicant for development of retail / office uses. (Staff - Doug Dansie at 535-6182 or doug.dansie@ci.sl.c.ut.us)
  - e. **Petition No. 410-739**, by the Boyer Company for a planned development for a retail/office building located at approximately **200 South and 500 West** (Northeast corner -between 500 West and Rio Grande), and conditional use approval to modify building materials, setbacks, minimum height and modification to the 500 West residential requirement. (Staff - Doug Dansie at 535-6182 or doug.dansie@ci.sl.c.ut.us)
  - f. **Petition 410-752**, by Rick J. Klein, for condition use approval to construct an 11-stall off-site parking facility accessory to permitted uses located behind approximately **809 and 817 South 1000 East**. The proposed site is located in the RMF-30 (Low Density Multifamily Residential) district. (Staff - Neil Olsen at 535-7932 or neil.olsen@slcgov.com).

**6. UNFINISHED BUSINESS**

For information on public or written comments and ADA accommodations, please see the reverse side of the agenda.

**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.**



## 030 Lost and Found

FOUND BIRD Parakeet. Around 1300 West 11200 S. South Jordan. Call to describe. 801-699-3516

## NEW TODAY

LOST CAT, Cosmo is a 4 year old female, green eye, short hair, tabby gray upper body and white under body, last seen on July 23rd near 600 S. 300 W., Downtown Salt Lake. Reward. 801-272-0350



## 035 Legal Services

### NOTICE

Readers should be advised not all persons advertising in this section are attorneys licensed by the Utah Supreme Court. If you have any doubt as to whether a person is a member of the Utah State Bar, please call the Bar at 531-9077.

## RULON T. BURTON & ASSOCIATES

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Justin Burton  
Managing Attorney

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**284-0252**

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The Bankruptcy Center  
Whitcomb, Barrett & Hogen  
Bring this ad for a  
**\$100 DISCOUNT**

ATTORNEY MALPRACTICE/  
Medical Malpractice. Contingent fee. Rex Bushman  
533-8020 for Discussion.

AUTO accidents w/serious  
injury, under Insured remedies, settlement/trial  
Rex Bushman 533-8020

BANKRUPTCY & DIVORCE  
Atty's beat any price. Free  
consult. Pymt. plans avail.  
604-4600-Strinson Guelker

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Job offers that mislead have no place in these columns.

Job offers through commercial employment agencies will be found in these columns. These companies are in private enterprise and the reader should be advised that a fee is involved when the applicant is placed/paid by the applicant or the hiring company. Please request information regarding the fee on every interview.

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## 008 Reunions

TO PLACE YOUR AD IN THE REUNIONS CLASSIFICATION CALL 237-2000 TODAY!

## 010 Special Notices

SALT LAKE CITY MASTER PLAN AMENDMENT PUBLIC HEARING

On August 10, 2005, at 5:45 PM, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations to the City Council regarding Petition 400-05-21. A request by The Boyer Company, to amend the Gateway Master Plans ('Creating an Urban Neighborhood and Gateway Specific Plan) and declare a portion of land adjacent to the 500 West right-of-way, surplus and to dispose of it through a sale.

The public hearing will be held in room 326 of the City County Building, 451 South State Street, Salt Lake City, UT. For more information or for special arrangements, call Doug Danste at 535-6182.

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NOTICE of Closure  
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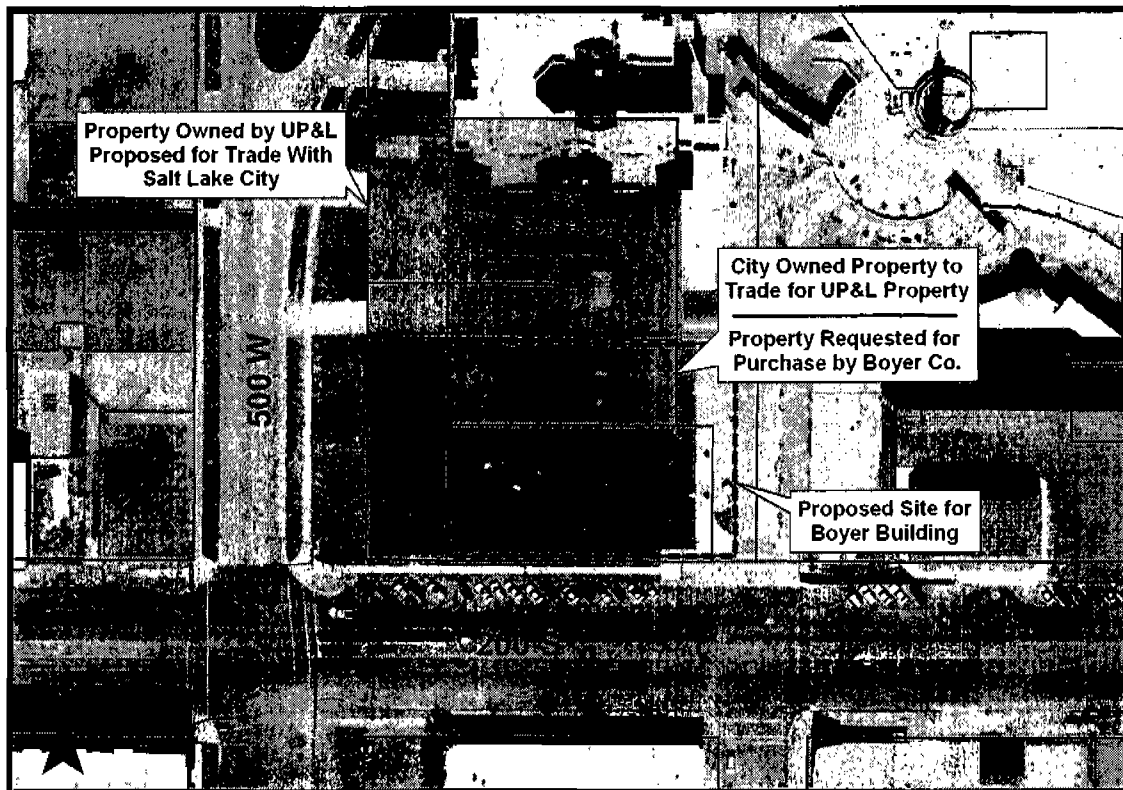
**b. Staff report**

**DATE:** August 5, 2005

**TO:** Salt Lake City Planning Commission

**FROM:** Doug Dansie, Principal Planner

**RE: STAFF REPORT FOR AUGUST 10, 2005 MEETING**



**CASE#:** Petition 400-05-21

**APPLICANT:** Boyer Company

**STATUS OF APPLICANT:** Existing and Potential Land Owner

**PROJECT LOCATION:** The master plan amendment affects the general Gateway Area, focused on the 500 West parkway.

The specific site in question is near the intersection of 200 South and 500 West.

**PROJECT/PROPERTY SIZE:** The Parcel proposed for sale/trade is Sidwell Number 15-01-176-009, approximately 0.25 acres.  
(The Redevelopment Agency owns the adjacent parcel 15-01-176-010, which is approximately .46 acres and the Boyer Company owns additional land, Sidwell 15-01-185-004, as part of the larger Gateway mixed-use complex).

**COUNCIL DISTRICT:** District Four, Nancy Saxton

**REQUESTED ACTION:** A request by the Boyer Company, to alter the Gateway Master Plan and to declare a portion of land adjacent to the 500 West right-of-way surplus and to dispose of it through a sale.

**PROPOSED USE(S):** The purpose of this petition is to declare land previously designated for the 500 West right-of-way, through the process of land trade to accommodate power substation reconfiguration, as surplus. The land would be sold to allow for office/retail development.

**APPLICABLE LAND USE REGULATIONS:** The land is zoned Gateway Mixed-Use. Master Plans are required and amendments are allowed by Utah State law Chapter 9a. Land may be declared surplus and disposed of by the City after following proper procedure as outlined in Section 2.58 of Salt Lake City Code.

**SURROUNDING ZONING DISTRICTS:**

**North** – G-MU (mixed-use).  
**South** - G-MU (mixed-use).  
**East** - G-MU (mixed-use).  
**West** - G-MU (mixed-use).

**SURROUNDING LAND  
USES:**

**North** – UP&L Power substation.  
**South** – Vacant/Homeless shelter.  
**East** - Retail sales.  
**West** – Mixed-uses.

**MASTER PLAN SPECIFICATIONS:** The Gateway Master Plan calls for the creation of a boulevard street along 500 West. The Capitol Hill Master Plan calls for the extension of 500 West to the north, as a commuter route.

**SUBJECT PROPERTY HISTORY:** A previous request petition 400-02-12, by Linda Cordova Salt Lake City real Property Manager was denied by the Planning Commission on November 7, 2002 and withdrawn prior to forwarding to the City Council. The previous proposal was largely driven by financial considerations that are no longer applicable (the proceeds from the sale were to be used to make the Redevelopment Agency and Municipal Building Authority whole – those funds have been covered by other means)  
The land is presently vacant.

**ACCESS:** 500 West

**PROJECT DESCRIPTION:** The proposal is to modify the Gateway Master Plan and to declare land previously designated for the 500 West right-of-way, through the process of power substation reconfiguration, as surplus. The land would be sold to allow for office/retail development.

**COMMENTS, ANALYSIS AND FINDINGS:**

**1. COMMENTS**

Comments from City departments and Community Council(s):

**a) Transportation** stated that the land sale would not impact the existing street

- configuration. Street improvements are needed along 200 South.
- b) **Engineering** did not have any comments.
  - c) **Permits** did not have any comments.
  - d) **Public Utilities** did not have any comments.
  - e) **Police** did not have any comments.
  - f) **RDA** expressed support for the master plan change and the associated declaration of surplus property. A letter outlining their support is attached.
  - g) **Fire** expressed no objection.
  - h) **Building Services** did not have any comments.
  - i) **Community Councils:** The Planning Staff held an open house on July 12, 2005. All Community Council Chairs were notified. There were 4 people in attendance.

**Community Council** comments on the previous petition:

Although surplus property requests are not legally required to be presented to the community council, the previous proposal to sell the property was presented to the Peoples Freeway and Rio Grande Community Councils. The Peoples Freeway Community Council reviewed the previous petition 400-02-12 on August 7, 2002. General concern was expressed that the site should not be sold because of its long-term impact on the 500 West Park and reconfiguration of the power substation. The Peoples Freeway Council voted to oppose the sale.

The previous petition 400-02-12 was presented to the Rio Grande Community Council on July 17, 2002. General concern was expressed regarding the disposal of the land and its impact on long-term alternatives. The Community Council voted to oppose the sale.

## **ANALYSIS AND FINDINGS**

### **Issues that are being generated by this proposal.**

Since the request is a modification of the Master Plan and a declaration of surplus property, the Planning Commission must review the proposal with a view towards forwarding a recommendation to the City Council.

Land may be declared surplus and disposed of by the city after following proper procedure as outlined in Section 2.58 of City Code. The Planning Commission reviews the request and decides whether the property should be declared surplus. The mayor, or his designee, will be responsible for the actual sale. If a City Council member requests, an administrative hearing will be held prior to the disposition of non-street right-of-way land. However, the City Council reviews all street closures. Because this portion of land adjacent to the 500 West right-of-way was purchased for transportation purposes, it is being routed through the street closure process.

The land proposed for sale was originally purchased as part of the property to widen 500 West to construct a linear park. The original 500 West right-of-way was 132 feet wide. The new right of way is 198 feet wide (from South Temple to 900 South). A linear park is within the center of the street. The parcel of land in discussion was originally purchased to provide for the reconfiguration of a power substation that protrudes into the

right-of-way. The substation was to be reoriented to the south and the right-of way was to be "straightened out."

## **DISCUSSION / FINDINGS OF FACT**

### **Master Plan**

#### **Gateway Master Plan**

The **GATEWAY MASTER PLAN** envisioned a new mixed-use residential area focused along the 500 West corridor. The GMU zoning district was written to require housing along 500 West. The intent was to use the parkway as the open space for the residential area. The **GATEWAY MASTER PLAN** (including the **SPECIFIC PLAN**) was supported by the Planning Commission July 9, 1998 and adopted by the City Council on August 11, 1998. Policies of the plan include:

*"Reserve the broadened right-of-way and protect subsurface rights for possible future commuter rail alignment on 500 West." (Page 9) "500 West becomes a pedestrian-friendly boulevard with a median park, wide sidewalks and street furniture." (Page 9 illustration)*

*"The 500 West right-of-way (both above and below ground) should be preserved, free of utilities, to accommodate a potential future subterranean commuter rail system." (Page 26)*

The following concepts are from the **GATEWAY SPECIFIC PLAN**:

#### **Housing**

Objective 3 *"Maximize housing opportunities for residents who desire an urban neighborhood environment." (Page 26)*

*Policy 3.4 "Encourage housing next to amenities or open spaces"*

Objective 4 *"Provide on-site common areas and private open space and/or non-traditional open space facilities to meet the need of residents." (Page 27)*

*Policy 4.1 "Promote urban design features that will create a neighborhood atmosphere."*

#### **Community facilities**

Objective 4 *"Parks and Open Spaces: Establish a greenway on 500 West that will provide an area for enjoyment for all people within the Gateway." (Page 32)*

*Policy 4.3 "Acquire additional land on the east side of the 500 West right-of-way to accommodate the development of the greenway."*

#### **Transportation**

Objective 1 *"Public Transit: Reinforce downtown as the regional transportation hub with light rail, commuter rail, inter city and local bus service." (Page 35)*

*Policy 1.3 "Reserve adequate right-of-way on 500 West that allows for a future underground transit corridor."*

Objective 4 *"Collector Roadway System: Complete the collector street system in a fashion that relieves congestion and serves residents in the Gateway District." (Page 36)*



*Policy 4.4 “Maintain 500 West as a north–south through street.”*

*Objective 5 “Local Roadway System: Complete the local street system in a manner that is pedestrian-friendly and encourages slower traffic speeds.” (Page 37)*

*Policy 5.4 “Establish a new Boulevard along 500 West which connects to neighborhoods to the north and south of the Gateway District.”*

Illustration: Greenway proposed for 500 West Street. (Page 38)

### **Urban Design**

Objective 3 “Design 500 West as a “greenway” through the Gateway District.” (Page 42)

*Policy 3.1 “Create a linear greenway which runs down the center of 500 West from North Temple to 900 South, as a landmark and physical element which will connect the neighborhoods in the Gateway District. Design the 500 West greenway to accommodate recreational activities and festivals.”*

*Policy 3.3 “Bury the utility lines along 500 West. Design the utility corridor in a manner that will allow for a future underground transit system.”*

*Policy 3.4 “Require a pedestrian corridor from 500 West to 300 West between 100 South and North Temple.”*

### **Finding:**

Sale of this land would permanently eliminate the long term potential for reconfiguration of the power substation. The sale would also permanently eliminate the potential to complete the park as outlined in the **GATEWAY MASTER PLAN**. The sale would also impact long-term flexibility regarding the potential for underground rail or other transportation corridors.

The proposed land sale conflicts with the **GATEWAY MASTER PLAN** and the **GATEWAY SPECIFIC PLAN**.

### **Capitol Hill Master Plan**

The **CAPITOL HILL MASTER PLAN** calls for the extension of 500 West to Beck Street as an alternative thoroughfare to 300 and 400 West. While this proposal does not negate or prohibit that potential, it does affect the directness of the route, by eliminating the potential for a straight street.

### **Finding:**

The proposed land sale does not prohibit, but impacts the extension of 500 West as proposed by the **CAPITOL HILL MASTER PLAN**

## Street Closure Policy

### **Salt Lake City Council Policy Guidelines for Street Closures:**

(Because this portion of land adjacent to the 500 West right-of-way was purchased for transportation purposes, it is being routed through the street closure process.)

1. It is the policy of the City Council to close public streets and sell the underlying property. The Council does not close streets when the action would deny all access to other property.

**Finding:** The proposal would not deny access to any other nearby parcels.

2. The general policy when closing a street is to obtain fair market value for the land, whether the abutting property is residential or commercial.

**Finding:** The property would be transferred to the Redevelopment Agency to sell as a development site.

3. 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 would accomplish the stated public policy reasons.

**Finding:** Closing the subject property is contrary to the Master Plan policies for the area, as identified in the Gateway Master Plan and the Gateway Specific Plan. A sale of the street would necessitate a change in adopted policy.

4. The City Council should determine whether the stated public policy reasons outweigh alternatives to the closure of the street.

**Finding:** Public policy does not support the closure. Any closure should be accompanied by a corresponding amendment of the master plan.

## Department Review

A memorandum was sent to various Salt Lake City Departments and Agencies requesting their input regarding the proposed land sale.

The Redevelopment Agency raised the following general issues (the full text of their letter is attached):

- 1) The possibility exists to create the illusion of the park block while maintaining the existing substation.

*The present potential to move the fence east is only about 5 feet. Whereas the 500 West right-of-way is presently 66 feet east of the existing fence line. While the potential for better screening of the substation exists, 5 feet will not provide any sort of illusion.*

- 2) It is not likely that the substation will be relocated or reconfigured at any time in the near future.

*While costs have dramatically risen because of decisions to only partially construct the parkway, the maintenance of the corridor allows the substation to be reconfigured at such time that it does become financially feasible.*

*Because master planning entails long range visioning it is insightful to know that it took over 30 years for City Creek Park to move from concept to reality.*

- 3) There are valid master plan reasons to support the sale of the land and the associated project.

The Redevelopment Agency indicates that the Gateway Master plan states the following:

Objective 1: Strengthen the Downtown Central Business District as the regions principal employment center.

Objective 2: Provide for a mixture of small and medium commercial tenants representing a variety of uses.

*Urban design*

Objective 2: Minimize the negative visual appearance of new and existing automobile parking lots, storage yards, loading and truck staging areas

Objective 4: Improve the appearance of major vehicular entries to the City  
*Utilities*

Objective 4: Electric Power policy 4.5; develop design standards that will require electrical substations to blend with the surrounding neighborhoods and be sight obscuring.

*Planning staff would contend that those standards actually support not selling the property. Development of the site, without the purchase of the Municipal Building Authority parcel, is still viable. This meets objectives one and two. Staff would argue that selling the Municipal Building Authority parcel merely accommodates a surface parking lot, which is not consistent with the Urban Design objectives. Failure to provide for substation reconfiguration is in conflict with the Utilities objective.*

- 4) Moving the substation is cost prohibitive. *Obviously the cost would have been lower if the substation had been reconfigured when the original park blocks were constructed. That was a missed opportunity, however the door is not shut and other actions may affect the ultimate price of consolidating the park blocks.*
- 5) The Boyer Company is willing to construct a quality project on the site. *While it is true that the Boyer Company wishes to build on the site, including both the RDA land and the land proposed for surplus. It is also true that nothing is preventing the Boyer Company from building on the existing RDA controlled portion of the proposed building site, without the additional sale. The RDA presently owns an approximately one-half acre site, which is a large enough footprint to construct an office building. The Boyer Company already proposes*

*to construct an underground pedestrian tunnel to their existing parking. Expanding that tunnel for auto traffic would also allow for underground parking under the office building on the RDA site. The items that the proposed office project gains by including the additional land are: surface parking and the ability to turn the building from an east/west orientation to a north/south format (which is purported to have better views). Planning Staff contends that a quality project could be built on the existing site without the land sale.*

*The surface parking is proposed to accommodate retail (presumably a grocery store) however there is no guarantee that a grocery will be the retail, this is not the only potential site for a grocery store and other retail in the area has underground and/or on-street parking.*

**Finding:** Other departments and divisions provided no technical or policy opposition to the closure and sale. The proposed declaration of surplus property would not have a negative affect on the City's ability to deliver emergency services because the portion of land was never constructed as part of the street, therefore there are generally no utility or service corridors crossing it. Staff does not agree with comments from the RDA. Although in the short term there appears to be no use for the property, selling the property will eliminate the possibility for many of the **GATEWAY MASTER PLAN** policies and recommendations from coming to fruition in the future.

## **RECOMMENDATION:**

The staff finds the following:

1. The land sale is inconsistent with the **GATEWAY MASTER PLAN**.
2. The proposal harms long-term implementation strategies outlined in the **GATEWAY MASTER PLAN** (any sale of property should be conditioned upon amendment to the master plan).
3. There is no technical (Utilities, Transportation, etc.) reason to prohibit the sale.
4. The applicable departments have reviewed and find no objection to the sale of the property.
5. Sale of the land is not necessary for development – existing parcels may be developed without the land sale
6. The parkway concept proposed by the **GATEWAY MASTER PLAN** is still valid.

Based upon the analysis and findings, staff recommends the Planning Commission forward a negative recommendation regarding amending the **GATEWAY MASTER PLAN** to reflect any policy change regarding the 500 West park.

The staff also recommends that the Planning Commission **not** declare as surplus the public property adjacent to the power substation (parcel number 15-01-176-009), located near 200 South and 500 West.

Doug Dansie  
Community Planner

**Attachments: Exhibit 1 – Minutes from previous petition 400-02-12. Exhibit 2 - Site photos. Exhibit 3 – Other Division Recommendations.**

**SALT LAKE CITY PLANNING COMMISSION MEETING  
In Room 126 of the City & County Building  
451 South State Street, Salt Lake City, Utah  
Thursday, November 7, 2002, 5:30p.m.**

Present from the Planning Commission were Chair Jeff Jonas, Kay (berger) Arnold, Tim Chambless, Robert "Bip" Daniels, John Diamond, Arla Funk, Peggy McDonough, Prescott Muir, Laurie Noda, Jennifer Seelig.

Present from the Planning Staff were Acting Planning Director Brent Wilde, Deputy Planning Director Doug Wheelwright, Planning Program Supervisor Cheri Coffey, and Planners Joel Paterson, Jackie Gasparik, and Greg Mikolash.

A roll is being kept of all who attended the Planning Commission meeting. Mr. Jonas called the meeting to order at 5:42 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.

**PUBLIC HEARINGS**

**PUBLIC HEARING - Petition No. 400-02-12, by Linda Cordova, Salt Lake City Property Manager, requesting the City to declare a portion of the 500 West right-of-way, and adjacent land, surplus and to dispose of it through a future sale. The land disposal and sale, if approved, will also require an amendment to the Gateway Land Use and Development Master Plan and Gateway Specific Plan. The site is located on the Northeast corner of 500 West and 200 South, near the Utah Power & Light power substation.**

Cheri Coffey reviewed the petition in the Staff report. She explained that the master plan was originally developed with the idea of reconfiguring the substation. The substation is built in the right-of-way, and the northern portion of the north parcel was purchased with the intent of reconfiguring the substation, with the south parcel proposed for widening the street right-of-way. The southern parcel is before the Planning Commission for a street closure, and the northern parcel is requested to be declared surplus. Ms. Coffey stated that, although these matters are not required to be taken to Community Councils, the Peoples Freeway and Rio Grande Community Councils reviewed this petition. Both

opposed the sale because they felt it would limit implementation of the master plan in the future. The master plan calls for the Gateway to have housing along 500 West, and the park blocks are the open space amenity for that housing. Ms. Coffey noted that the master plan specifically calls for preserving the right-of-way for the park blocks and for future subterranean commuter rail. It states that the City should acquire additional land on the east side of 500 West to accommodate development of the greenway and reserve adequate right-of-way to allow for a future underground transit corridor. Ms. Coffey noted that one purpose of the greenway is to accommodate festivals and activities on the corridor. She explained that the staff report outlines four items the City Council considers when looking at a street closure, and the Staff did not believe this request would meet items 3 and 4. Closing the subject property is contrary to the master plan, so the sale of the street would require a master plan amendment. Ms. Coffey reported that the applicable City departments reviewed this petition and there were no technical objections to the sale of the street or the surplus property. The RDA comments and Staff responses are included in the staff report. The Staff finds that the street closure is inconsistent with the Gateway master plan, the proposal harms long-term implementation strategies of the master plan, there is no technical reason to prohibit the sale, and the applicable departments have no objection to the sale. The Staff recommended that the Planning Commission not declare the public property adjacent to the power substation or the portion of the 500 West right-of-way as surplus and not transmit a favorable recommendation to the City Council to close a portion of the street. However, if the Planning Commission wishes to forward a favorable recommendation, the motion should include amending the Gateway Master Plan.

Mr. Chambless asked how many Community Council members opposed the petition. Ms. Coffey stated that she did not have that information from the Peoples Freeway Council and referred to a letter from the Rio Grande Community Council indicating that the vote was unanimous in opposition.

Chair Jonas opened the public hearing.

Dan Mule, Salt Lake City Treasurer, stated that he has an interest from a bonding standpoint through the municipal building authority. He asked if it would be possible to get back the money paid for the two parcels. When the RDA purchased the McDonald properties for the purpose of reconfiguring the substation, it immediately deeded the properties to the Municipal Building Authority. When it was determined that they were

not needed for the project but that the RDA needed to bury the transmission lines in the area, the Municipal Building Authority paid bond proceeds to the RDA of nearly \$500,000. The City Council and RDA Board approved in their budget last year reimbursement of the \$500,000 to the Municipal Building Authority. He was unsure how a decision made by the Planning Commission this evening would impact reimbursing that money.

Chair Jonas did not believe the reimbursement of money should impact the Planning Commission's decision. Mr. Mule remarked that the RDA cannot reimburse the money until Linda Cordova provides them with a deed to the property, and Ms. Cordova cannot provide the deed until the property is declared surplus.

Mr. Wilde explained that the Staff went to the City Attorney to see if this was something the Planning Commission needed to address. He was told that the Planning Commission needs to address this sale the same as any other. However, the City Council will make the final decision due to the financial issues involved. The Planning Commission need only advance a recommendation as to whether these properties should be retained. Chair Jonas clarified that the Planning Commission only addresses land use issues and not financial issues.

Ms. Funk asked if it would be possible to make a recommendation to sell part of the property so they could retain the right-of-way. Mr. Wilde explained that, in order to free up the right-of-way, the substation portion would have to be relocated. Ms. Coffey stated that she did not believe they could sell off part of the property and still reconfigure the substation in the future.

Chair Jonas closed the public hearing.

Ms. Funk felt the property should be retained and that they should not do anything to cut off options for the future. One reason this was reconfigured was to save money, and she favored denying the request.

#### Motion for Petition No. 400-02-12

Arla Funk moved that Petition No. 400-02-12 for a street closure and declaration of surplus property at 500 West and 200 South be denied based on the findings of fact



outlined in the staff report and that the best land use for this parcel would be as initially planned, which was to move the substation and widen the median on 500 West. Chair Jonas noted that the Planning Commission is only being asked to make a recommendation. Ms. Funk clarified that the Planning Commission needs to declare surplus property and make a recommendation to the Mayor not to close a portion of 500 West.

Ms. Funk rephrased her motion.

In the matter of Petition 400-02-12, Arla Funk moved that the Planning Commission forward a recommendation to the Mayor to deny the request that the property adjacent to the power substation on 500 West be declared surplus. Robert "Bip" Daniels seconded the motion. Ms. Arnold, Mr. Chambless, Mr. Diamond, Ms. Funk, Ms. McDonough, Mr. Muir, Ms. Noda, and Ms. Seelig voted "Aye." Jeff Jonas, as chair, did not vote. The motion carried.

In the matter of Petition 400-02-12, Arla Funk moved to forward a recommendation to the City Council not to close a portion of 500 West with the findings of fact outlined in the staff report. Jennifer Seelig seconded the motion.

#### Findings of Fact

1. The proposal would not deny access to any other nearby parcel.
2. The property would be transferred to the Redevelopment Agency to sell as a development site. Part of the purpose of the sale is to generate revenue to construct the 200 South to 400 South portion of the 500 West blocks.
3. Closing the subject property is contrary to the Master Plan policies for the areas, as identified in the Gateway Master Plan and the Gateway Specific Plan. A sale of the street would necessitate a change in adopted policy.
4. Public policy does not support the closure. Any closure should be accompanied by a corresponding amendment of the master plan.

Ms. Arnold, Mr. Chambless, Mr. Diamond, Ms. Funk, Ms. McDonough, Mr. Muir, Ms. Noda, and Ms. Seelig voted "Aye." Jeff Jonas, as chair, did not vote. The motion carried.

Mr. Wilde clarified that the first motion was a recommendation to the Mayor, so the Planning Commission is not the final decision maker. The second motion is a recommendation to the City Council.

**SALT LAKE CITY  
PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building  
451 South State Street, Salt Lake City, Utah  
Wednesday, May 25, 2005**

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

Present from the Planning Division Staff were Louis Zunguze, Planning Director, Doug Wheelwright, Deputy Planning Director, Cheri Coffey, Deputy Planning Director, Elizabeth Giraud, Senior Planner, Joel Paterson, Senior Planner, Doug Dansie, Principal Planner, Everett Joyce, Principal Planner, and Shirley Jensen, Secretary. Brent Wilde, Deputy Director of the Department of Community Development, was also in attendance.

Discussion regarding the transmittal of Petition No. 400-02-12 to vacate a parcel of land at 500 West near 200 South:

*(This item was heard at 6:15 P.M.)*

Mr. Zunguze reported that the Planning Commission acted upon Petition No. 400-02-12 in 2002 and when considering the request to reopen the case, the Planning Commission asked staff that substantial information be provided. He noted that there have been subcommittee meetings held and many discussions with the Boyer Company and the Redevelopment Agency (RDA) who are both major players in this matter. Mr. Zunguze suggested that the Planning Commission give an opportunity to the representatives from the Boyer Company and the RDA to say a few words in support of their respective positions. He noted that the question was whether the Planning Commission would stand by its previous decision or reopen the discussion and take into account the new information that is on the table at this time.

Chairperson Chambless pointed out that this matter was before the Planning Commission on April 8, 2005 where a recommendation was made and asked what changes had taken place. In response, Mr. Zunguze said that the changes were in the packet of information, as well as what the petitioners may share with the Commissioners at this meeting. In the interest of time, Commissioner Muir asked that the petitioner and staff contain their remarks to any new information.

Planner Doug Dansie stated that it was his understanding, from that April meeting, that the Planning Commission needed to have more time to study the issues before a decision was rendered. He referred to his memorandum, as well as the packet of information. Mr. Dansie pointed out the letter from Mr. Jake Boyer of the Boyer Company outlining his issues and the drawings of the proposed development for the larger sites, which the Planning Commission Planned Development Subcommittee had reviewed, but the full Commission had not.

Mr. Dansie used a briefing board to describe the project. The following is a brief outline of the matter at hand: 500 West would become the Grand Boulevard, as outlined in the original master plan for the Gateway area. The street right-of-way was increased. RDA owns the property facing 200 South and the Boyer Company owns the surrounding land. Utah Power and Light (UP&L) has a substation on 500 West. Right now the power substation protrudes into the street. The land north of the RDA parcel would be swapped with the land on which the power substation is located. If the land is not swapped, a small section of 500 West between 400 South and North Temple would remain where private land pokes out into the right-of-way.

Mr. Dansie stated that the argument for selling is that the power substation has already been constructed and would be too expensive to revamp so the "parkway" is not a viable alternative any more. He said that the land was more viable for a grocery store.

Mr. Dansie said that the argument for not selling is that eventually something would be done with the power lines because those big transmission lines would have to be buried if a tall building was constructed next to them. He indicated that the parcel owned by the RDA is still large enough to build on. Mr. Dansie pointed out that selling the parcel would require an amendment to the master plan.

The discussion continued. There were many opinions and circumstances expressed by members of the Commission, such as consideration of underground cables, which would be technically possible but very costly, the reconfiguration of the substation, and the fact that the RDA no longer depended on the sale of the two properties to develop two blocks to the south.

Commissioner Diamond asked Mr. Zunguze to enlighten the Commission as to the conversations with the RDA and UP&L. Mr. Zunguze said that the conversations have centered on cost issues and the numbers keep escalating.

In answer to a question, Mr. Dansie said that technology could advance and transformers could become smaller in the future, but the flip side of that is as development occurs the need for more energy would be greater.

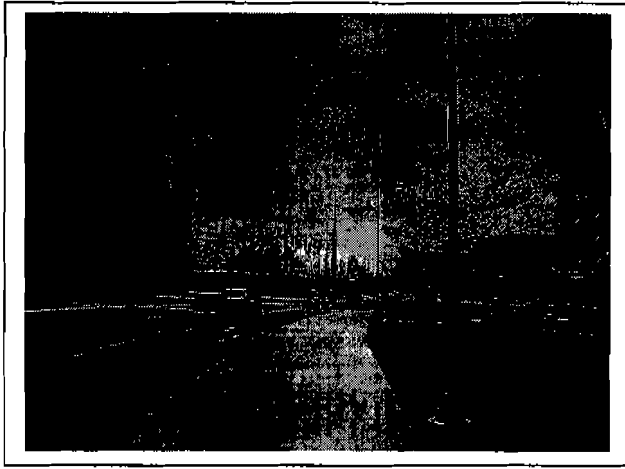
Commissioner Diamond inquired if it was possible for the City to grant an easement, which would allow UP&L to build a vault or something below grade, and then the master plan would not have to be amended. Mr. Dansie said that could be possible but if vaults were built underneath the sidewalks, it would be difficult to plant trees along the boulevard.

Commissioner McDonough stated that she believed upholding the master plan is part of the responsibility of the Planning Commission and she was not willing to gamble on the likelihood of that scenario happening.

Chairperson Chambless asked if there were any questions for staff. Hearing none, Chairperson Chambless stated that he would entertain a motion or further discussion.

Motion regarding the transmittal of Petition No. 400-02-12 to vacate a parcel of land at 500 West near 200 South:

**Commissioner Scott moved that the Planning Commission forward the original transmittal of Petition 400-02-12, of April 8, 2005 that is recommending denial to the City Council. Commissioner McDonough seconded the motion. Commissioner De Lay, Commissioner Diamond, Commissioner Galli, Commissioner McDonough, Commissioner Muir, Commissioner Noda, Commissioner Scott, and Commissioner Seelig unanimously voted "Aye". Chairperson Chambless did not vote. The motion passed.**



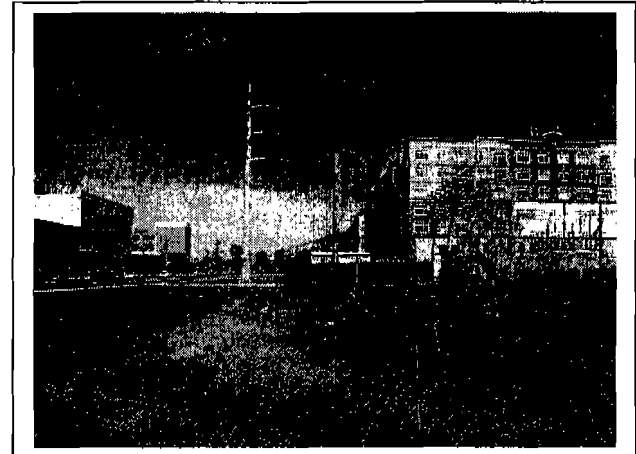
Park block looking south



Park block looking south



Site to be declared surplus



Site to be declared surplus

Doug,

The Fire Department has no objections to this petition. Please note that future development on the parcel may require additional fire hydrants and access roads.

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

Thank you.

Brad Larson  
Deputy Fire Marshal  
Salt Lake City Fire Department  
801-799-4162 office  
801-550-0147 cell  
[bradley.larson@slcgov.com](mailto:bradley.larson@slcgov.com)

July 7, 2005

Doug Dansie, AICP  
Planning Division  
451 South State Street, Room. 406  
Salt Lake City, Utah 84111

Re: Petition 400-05-21: Alteration of Gateway Master Plan and declaration of surplus property on 500 West at 200 South

Dear Doug:

The Division of Transportation review comments for the proposed surplus declaration and sale are as follows:

We see no impact to the remaining right of way to accommodate the existing public way transportation corridor system. Recent roadway, curb & gutter, and sidewalk improvements have been made along both frontages. Street lighting and landscape update improvement have been made along the 500 West frontage. The 200 South frontage still needs lighting and landscape upgrade improvements etc. in conjunction with the TRAX extension project..

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.  
Rick Johnston, P.E.  
Craig Smith, Engineering  
Brad Stewart, Utilities  
Larry Butcher, Permits  
Brad Larson, Fire  
file



## **c. Minutes**

## SALT LAKE CITY

### PLANNING COMMISSION MEETING In Room 326 of the City & County Building 451 South State Street, Salt Lake City, Utah Wednesday, August 10, 2005

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

Present from the Staff were Louis Zunguze, Community Development Director, Brent Wilde, Deputy Community Development Director, Cheri Coffey, Deputy Planning Director, Sarah Carroll, Associate Planner, Doug Dansie, Principal Planner, Neil Olsen, Principal Planner, Kevin LoPiccolo, Planning Programs Supervisor, Maggie Tow, Secretary.

#### PUBLIC HEARINGS

Petition No. 410-751, by the Boyer Company for a planned development for a retail/office building located at approximately 40 North 500 West (between 500 West and Rio Grande), and conditional use approval to modify building materials, setbacks, minimum height and modification to the 500 West residential requirement.

At 6:38 P.M. Vice Chairperson Noda introduced Petition No. 410-751 and Doug Dansie, Principal Planner. Mr. Dansie stated that all new construction in the G-MU Mixed-Use District is a planned development. That is the reason the petition is here. In the Gateway G-MU zone there are also design guidelines. Mr. Dansie briefly explained some of those guidelines and explained what guidelines the Planning Commission can and cannot modify or waive.

This specific project is a retail project and is generally located just northwest of the Olympic fountain at Gateway. The Planning Commission dealt with a similar petition last December, directly west of the Olympic fountain; the Apple store and the Ann Taylor Loft. They are now under construction. Mr. Dansie then gave background information for Petition No. # 410-751 and the petition approved December 2004. He used two drawings in his presentation, explaining the lay of the drawings in conjunction with directional facades, mentioning pedestrian walkways, elevation, proposed construction sites, current and completed buildings and structures and what the petitioners have agreed to continue doing.

Mr. Dansie proceeded to explain the various issues in this petition that have been a concern. Some of those issues are use of appropriate construction materials, and location and access of loading docks. Meetings have been held with Kevin Young, Deputy Transportation Director. In these meetings, and in the telephone conversations, Mr. Young reiterated his concern with the location of the loading docks.

Mr. Dansie stated that with this background, the staff recommends that the Planning Commission approve Petition 410-751 as follows:

1. The planned development be approved.
2. The conditional use for modifications to the housing requirement, minimum height and building materials be approved.
3. The conditional use for 40% glass at the pedestrian level be modified.

Subject to the following conditions:

1. Petitioner develops an acceptable façade treatment for the 500 West frontage that provides visual interest in lieu of the glass. Spandrel glass is not allowed.
2. Transportation issues regarding parking entry and internal circulation are resolved.
3. All parking calculations verified to insure adequate parking.
4. The loading dock be screened from public view.
5. The façade along the entry plaza at South Temple and 500 West include windows, openings and other architectural detailing similar to those approved in petition 410-707 (south of South Temple).
6. Detailed drawings be provided in order to provide a more thorough Development Review Team review.
7. The final design be approved by the Planning Director.

Vice Chairperson Noda asked for questions and Planning Commission Muir responded. He commented that the scale of the Gateway Development has set a wholesale variance from the Zoning Ordinance and asked if we should not follow this up with a request to look at the Zoning Ordinance and the 30% limit on the minor portion for EIFS. He felt that otherwise we are imposing criteria on smaller property owners that has been waived for the benefit of Gateway.

Mr. Dansie explained that when Gateway zoning was approved in 1998 the only "out" we had for the design criteria was the conditional use process. He stated that we may want to modify the criteria but we must also realize that now we have a simpler process to deal with design issues (Conditional Building and Site Design Review) and we may want to transfer these kinds of changes into that process rather than keeping it in the conditional use process.

Vice Chairperson Noda asked if the applicant wanted to speak. Jake Boyer of the Boyer Co. came forward. The Boyer Co. is the developer of the Gateway. He reiterated that he has met with Doug Dansie, the Transportation Department and the Planning Commission to discuss possibilities of putting a different kind of glass window or frame in. He stated that if you look at the circular portion of the plaza area it is clear Boyer does not have retail space. However, Mr. Boyer does want to put something similar to an all glass display case on the Plaza area. He also stated they have tried to be sensitive to the architecture and that it is important to the Boyer Co. that this area maintains its pedestrian feel as they believe that people are going to be walking up and down 500 West.

Vice Chairperson Noda asked if there were other questions for Mr. Boyer. Commissioner McDonough asked if Mr. Boyer had considered the idea of landscape on the wall itself with architectural features that encourage vine growth in an orderly fashion. She continued that it is a utilitarian function behind the wall but it must still welcome the pedestrians right against the building. Commissioner McDonough stated that large panels of blank wall would not be as friendly as something softer and related to the amount of landscape that is in the park zone. Mr.

Boyer stated they have discussed the possibility of a trellis, etc., but it is out of the question on the corner. The maintenance factor is a problem. Commissioner McDonough then asked if Mr. Boyer's team had come up with any proposals. Rob Cottle with Babcock Design Group spoke to this question.

Rob Cottle stated that one of the challenges they face at on this frontage and the corner is that they are basically right at the property line and trying to hold the street edge that has been established by the previous Gateway project. There is a 2-story parking structure under this building and in trying to make all parts work they are at their limit as to where they are allowed to build. Mr. Cottle stated that they have entertained ideas, such as a low hedge in a small buffer area but what they are saying is that they have tried several ideas and as of yet don't have the exact answer. They are still exploring many ideas to soften that area and respond to the realities that Jake is dealing with in the maintenance of his buildings.

Commissioner McDonough commented that the Smith's store in Sugar House on 900 East and 2100 South on the Elm Avenue side seems to have dealt with that condition and she viewed it as a successful endeavor.

Commissioner Muir responded that it is a similar dilemma faced in Sugar House where buildings stand block to block and one must determine where to bring in the service entry. Commissioner Muir said he would hope that in the design and construction of this area Boyer Co. would build the west façade in a way that would enable a retailer at some future date to see the wisdom in this style and in return open out both sides of their store, much like Galleons, or Virgin Records, where you have a lot of activity on both frontages.

Vice Chairperson Noda thanked Mr. Boyer and asked if any of the public would like to speak. No one came forward. The petition was turned back to the Planning Commission for discussion.

Commissioner De Lay asked what is "THE GATEWAY TO", and then stated that she lives in the neighborhood and it is a "GATEWAY" to the ethnic community that was established here at the turn of the century. Within a few blocks you have "J" Town, the Greek community, the Italian community, etc. The panels could reflect a "District Feature" that reflects the history of the Gateway and the surrounding area. Commissioner De Lay stated she felt the Boyer Co. and the architects have tried to make it as pleasing as possible given what they have and the attraction that they have down there. She stated that she does not have a problem with this proposal.

Commissioner Scott, Muir and De Lay commented on the "process" and the exceptions that enter into each proposal each time a proposal comes along. Everything is an exception and it could end up being unfair.

Motion for Petition 410-751:

**Commissioner Muir moved that the Planning Commission approve Petition No 410-751, based on the analysis and findings of fact and subject to the seven conditions as outlined in the staff report. Commissioner De Lay seconded the motion. Commissioner Muir, Commissioner McDonough, Commissioner Galli, Commissioner Seelig, and Commissioner De Lay voted "Aye". Commissioner Scott was opposed. Commissioner Diamond and Commissioner Chambless were not present. The motion passed.**

**Petition No. 400-05-21, by the Boyer Company requesting approval to amend the Gateway Master Plans (Creating an Urban Neighborhood and the Gateway Specific Plan) regarding the 500 West right-of-way and declare a portion of the land adjacent to the 500 West right-of-way, at approximately 175 South 500 West, surplus and sell to the applicant for development of retail / office uses.**

At 7:11 P.M. Vice Chairperson Noda introduced petition, #400-05-21. Doug Dansie then asked the Vice Chairperson if he may combine this petition and the next petition, #410-739, because they both deal with the same parcel. Vice Chairperson Noda agreed and read the next petition into the meeting.

**Petition No. 410-739, by the Boyer Company for a planned development for a retail/office building located at approximately 200 South and 500 West (Northeast corner -between 500 West and Rio Grande), and conditional use approval to modify building materials, setbacks, minimum height and modification to the 500 West residential requirement**

Mr. Dansie stated that the petitions have different approval paths. Petition #400-05-21 has to do with the declaration of surplus property and amending the Gateway Master Plan. That petition gets transmitted to the City Council and City Council will ultimately make the final decision on whether the plans should be amended. Petition #410-739 is a planned development. Planning Commission makes the decision. It is not forwarded to the City Council.

Mr. Dansie stated that regarding Petition No. 400-05-21, Planning Commission has heard a similar petition before. This petition basically requests property surplus that is adjacent to the power station on 500 West. Several maps were used to show location layout and surrounding areas. Mr. Dansie stated the intent of the Master Plan was to provide an open space area large enough to provide a larger usable space. The original petition had to do with the vacation of 2 parcels. An aerial photograph showed the parcels in question and the sub-station area and shape with regard to road ways. Mr. Dansie then went on to give a brief history of certain petitions.

Mr. Dansie stated that The Boyer Co. has initiated Petition No. 400-05-21 to purchase RDA property located on the corner of 500 West and 200 South and to purchase a parcel to the North to construct a retail office building. With the stated staff report conditions, the staff recommends Planning Commission forward a negative recommendation to the City Council regarding the change of the Gateway Master Plan to accommodate this land sale. The staff further recommends the Planning Commission not declare the particular property surplus and for sale. At this point Mr. Dansie further defined the problems associated with this petition and restated possible solutions.

Mr. Dansie addressed Petition No. 410-739 and stated that this is a petition for a planned development on land that includes one of the parcels of land proposed for vacation. Planning staff recommends approval of Petition No. 410-739 with the following conditions.

- The building is limited to the site presently owned by the Boyer Company and the RDA. The parcel owned by the Municipal Building Authority is not included.

- The design has an urban approach that maximizes building coverage of the site, keeping any surface parking or loading behind the building – not along street frontage.
- The roofline of the building be lowered to 75 feet or, as an alternative, at least 50% of the roofline be non-flat in order to qualify for the 90-foot height limit.
- The massing of the structure and the building design does not treat the corner of 500 West at 200 South as a subordinate corner (when compared to the corner of Rio Grande and 200 South).
- The site plan and elevations are adequate for review by the Permits Office and Transportation.
- The petitioner investigate the possibility of upgrading the underground connection between this site and the existing parking structure from pedestrian only to auto and pedestrian to allow for parking beneath the office structure.

Vice Chairperson Noda thanked Mr. Dansie and asked for questions. Commission Muir responded with his understanding of the problem and asked if the intent is to eliminate the surface parking and have a more cohesive development property line to property line. He stated he thought that would probably trigger more underground parking to accomplish that. Mr. Dansie responded by saying that he felt they shouldn't go so far as to say no surface parking because there may be an instance where, in the back hidden behind a building, a service area that is not visible from the street, may be needed.

Commissioner Scott asked if Mr. Dansie would explain the housing component regarding how the 50% is calculated. Mr. Dansie responded that basically the ordinance says that new buildings constructed along 500 West have to have a certain percentage of housing and the buildings just north of this project on 500 West are basically almost 100% housing. He then clarified a question asked by Commissioner Scott with the explanation that this is dealt with as a project in its entirety. There is not a percentage of requirements for the entire zone.

Vice Chairperson Noda asked if there were any other questions. Seeing none, she asked the applicant to address the Commission.

Mr. Boyer referred to maps he provided, citing areas his design team had evaluated to bring portions of this building to the property line, which is not yet the property line, but would be consistent with the other buildings along the 500 West corridor. He feels it would be a visual perception of the park blocks extended even if in reality, based on the configuration of the sub-station, they are not actually widened at this current time. He then clarified one point. Mr. Boyer stated he has attended two other Planning Commission meetings on this issue and based on how it was represented to him then, it was instead the Municipal Building Authority's request that was considered, as opposed to Boyer's request. Mr. Boyer said that right after the last meeting he received a call from Mr. Louis Zunguze to clarify that Mr. Boyer had to go back through the process with the Planning Commission. Mr. Boyer wanted to emphasize that he is not trying to repeat or push this request through. He wants a decision and thought he was getting a decision.

Vice Chairperson Noda expressed her appreciation and asked if there were other questions of the applicant. Commissioner Muir had a follow-up question on Mr. Boyer's comments.

Commissioner Muir said that the last time the Commission heard this at the end of May, the Planning Commission did not give a negative recommendation. The decision of the Planning Commission was not to hear the request because the Planning Commission did not see any additional information. He thought to some degree that was a mistake. The Commission probably should have weighed in with a recommendation one way or the other so that the application could have been forwarded on to the City Council, which they were entitled to hear. He believed the Commission was in error in not hearing the application at that time. He stated the Commission needed to give the applicant that hearing and that judgment tonight.

Mr. Boyer again responded with his thoughts. He recognized the desire of the Planning Commission to widen the blocks at some future time on 500 West. It is his feeling that the park block decision has been made. It still could revert back, based on the proposal he has with the purchase of the Municipal Building Authority parcel. Mr. Boyer does not want to purchase the ground that could conceivably be 500 West in the future. He feels it is really a power line issue and the power lines, which comprise another area and not the parcel being discussed today, currently infringe on 500 West. He stated that Utah Power and Light told him that in order for the power sub-station to accommodate everything if the 500 West park blocks were widened, would be of considerable expense, between four and five million dollars.

Mr. Boyer said he doesn't know what the future will be with regard to the power sub-stations. But right now he has a good proposal for this building and the decision has been made to build 500 West the way it has been built. He feels it works well.

Further questions were addressed to Mr. Boyer by Commissioner Muir regarding facades and sub-station orientation to streets. Mr. Boyer further expressed his concerns and his recommendation for orientation of the building.

Valda Tarbet, Deputy Director of the Redevelopment Agency, was asked to speak by Vice Chairperson Noda. Ms. Tarbet stated a letter is in the packet of each Planning Commissioner, explaining the RDA's position with regard to this application. She said she would answer any questions the Planning Commission might have. No questions were asked.

Vice Chairperson Noda turned the meeting to the Public Hearing portion. No public responded. She then asked if Mr. Boyer had further comments. He summed up his position regarding this parcel. Ms. Tarbet responded to his comments by clarifying his comments and stating the RDA's position, actions and help they have taken and given. Various Planning Commissioners talked regarding the issues Ms. Tarbet discussed. Ms. Coffey clarified that the RDA still owns the property and the Boyer Company has an option to purchase it.

Vice Chairperson Noda asked for a motion.

Motion for Petition 400-05-21:

**Regarding Petition 400-05-21, Commissioner Scott moved that, based upon the analysis and findings of the staff and recommendation and testimony heard this evening, Planning Commission forward a negative recommendation regarding amending the Gateway Master Plan to reflect any policy change regarding the 500 West park. Commissioner Scott also moved that, based on the staff recommendation, the Planning Commission not declare the**

**public property adjacent to the power sub-station that is parcel number 15-01-176-009 and located near 200 South and 500 West, as surplus. Commissioner McDonough seconded the motion. Commissioner De Lay, Commissioner McDonough, Commissioner Galli, Commissioner Seelig, Commissioner Scott and Commissioner Muir voted “Yea”. None opposed. The motion was approved.**

Petition for 410-739:

Vice Chairperson Noda asked for a motion regarding Petition No. 410-739.

**Regarding Petition 410-739, Commission De Lay recommended that in light of the comments, analysis, and testimony noted, particularly in review of Petition No. 400-05-21, the Planning Commission conceptually approve Petition No. 410-739 with all the following and all of the conditions noted below.**

- **The building is limited to the site presently owned by the Boyer Company and the RDA. The parcel owned by the Municipal Building Authority is not included.**
- **The design has an urban approach that maximizes building coverage of the site, keeping any surface parking or loading behind the building – not along street frontage.**
- **The roofline of the building be lowered to 75 feet or, as an alternative, at least 50% of the roofline be non-flat in order to qualify for the 90-foot height limit.**
- **The massing of the structure and the building design does not treat the corner of 500 West at 200 South as a subordinate corner (when compared to the corner of Rio Grande and 200 South).**
- **The site plan and elevations are adequate for review by the Permits Office and Transportation.**
- **The petitioner investigate the possibility of upgrading the underground connection between this site and the existing parking structure from pedestrian only to auto and pedestrian to allow for parking beneath the office structure.**

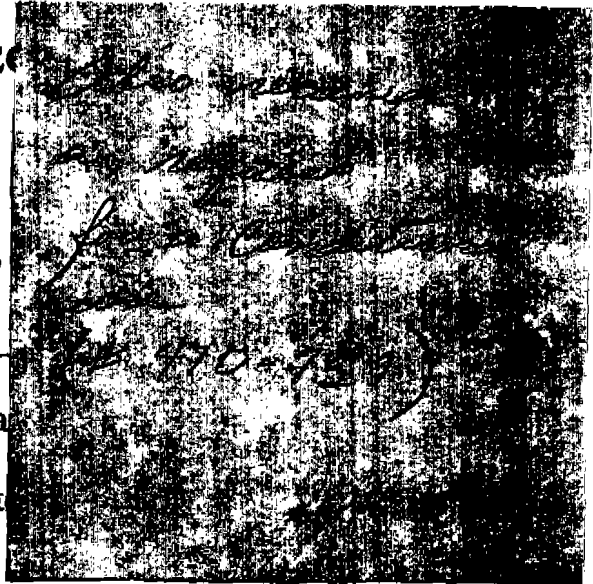
**Commission Seelig seconded that motion. Commissioner De Lay, Commissioner McDonough, Commissioner Galli, Commissioner Seelig, Commissioner Scott and Commissioner Muir voted “Yea”. None opposed. The motion was approved.**



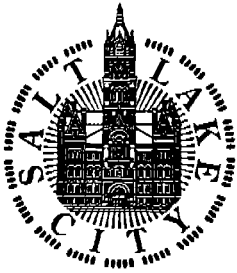
## **5. Original Petition**

PETITION NO. 400-05-21

**PETITION CHECKLIST**



<u>Date</u>	<u>Initials</u>	<u>Action Required</u>
<u>6/16/05</u>	<u>DA</u>	Petition delivered to
<u>      </u>	<u>DD</u>	Petition assigned to:
<u>Aug 10</u>	<u>DD</u>	Planning Staff or Planner
<u>9/11</u>	<u>DD</u>	Return Original Letter
<u>9/11</u>	<u>DD</u>	Chronology
<u>      </u>	<u>NA</u>	Property Description (marked with a post it note)
<u>      </u>	<u>NA</u>	Affected Sidwell Numbers Included
<u>9/11</u>	<u>DD</u>	Mailing List for Petition, include appropriate Community Councils
<u>9/11</u>	<u>DD</u>	Mailing Postmark Date Verification
<u>9/11</u>	<u>DD</u>	Planning Commission Minutes
<u>9/11</u>	<u>DD</u>	Planning Staff Report
<u>9/11</u>	<u>DD</u>	Cover letter outlining what the request is and a brief description of what action the Planning Commission or Staff is recommending.
<u>      </u>	<u>NA</u>	Ordinance Prepared by the Attorney's Office
<u>9/28</u>	<u>DD</u>	Ordinance property description is checked, dated and initialed by the Planner. Ordinance is stamped by Attorney.
<u>Doug Dansie</u>		Planner responsible for taking calls on the Petition
<u>      </u>	<u>      </u>	Date Set for City Council Action <u>                    </u>
<u>      </u>	<u>      </u>	Petition filed with City Recorder's Office



# Master Plan Amendment

FOR OFFICE USE ONLY

Petition No.	<u>400-05-21</u>
Receipt No.	<u>203877</u> Amount \$ <u>500.00</u>
Date Received	<u>6-15-05</u>
Reviewed by	_____

Date JUNE 13, 2005

Name of Applicant THE BOYER COMPANY, JAKE BOYER Phone 801-521-4781

Address of Applicant 90 SOUTH 400 WEST, SUITE 200, SLC, UT 84101

E-mail address of Applicant jboyer@boyercompany.com Cell / Fax (801) 244-1261 / 521-4793

Applicant's Interest in Subject Property Potential Purchaser of RDA/SLC Corp Grounds

Name of Property Owner RDA; SLC Corp Phone 801-521-4781

Address of Subject Property 468 WEST 200 SOUTH

General description of the proposed Master Plan Amendment: See Attached description -

### Please include with the application:

1. A statement declaring the purpose for the amendment and the exact language. Include proposed boundaries, master plan area, and/or zoning district changes.
2. Declare why the present Master Plan requires amending.
3. A copy of the Sidwell Map or Maps.
4. Depending upon the request, the names and addresses of all property owners within four-hundred fifty (450) feet of the subject amendment area-exclusive of streets and alleys, may need to be provided. The name, address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair(s). **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
5. A signed statement that the petitioner has met with and explained the proposal to the appropriate Community Council(s).
6. Related materials or data supporting the application as may be determined by the Zoning Administrator.
7. **Filing fee of \$500.00 plus \$100 for each acre over one acre, due at time of application.**

If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition.

### Sidwell maps and names of property owners are available at:

Salt Lake County Recorder  
 2001 South State Street, Room N1600  
 Salt Lake City, UT 84190-1051  
 Telephone: (801) 468-3391

### File the complete application at:

Salt Lake City Planning  
 451 South State Street, Room 406  
 Salt Lake City, UT 84111  
 Telephone: (801) 535-7757

Signature of Applicant  
or authorized agent

Managing Partner, Coxsway  
Title of agent

SALT LAKE CITY PLANNING

**COMMUNITY AND ECONOMIC DEVELOPMENT  
COUNCIL SUBMITTAL CHECKLIST**

**Petition 400-04-45;** a request by -----.

**Date:** \_\_\_\_\_

**Supervisor Approval:** \_\_\_\_\_

**Division Director Approval:** \_\_\_\_\_

**Contact Person:** Doug Dansie

**Phone No.** 535-6182

- Initiated by
- City Council
  - Property Owner
  - Board / Commission
  - Mayor
  - Other

Contact Person

**Completed Check List attached:**

- Alley Vacation
- Planning / Zoning
- Federal Funding
- Condominium Conversion
- Plat Amendment
- Other

**Public Process:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Community Council (s) | <input type="checkbox"/> City Web Site            |
| <input checked="" type="checkbox"/> Public Hearings       | <input type="checkbox"/> Flyers                   |
| <input checked="" type="checkbox"/> Planning Commission   | <input checked="" type="checkbox"/> Formal Notice |
| <input type="checkbox"/> Historic Landmark Commission     | <input type="checkbox"/> Newspaper Advertisement  |
| <input type="checkbox"/> HAAB review                      | <input type="checkbox"/> City Television Station  |
| <input type="checkbox"/> Board of Adjustment              | <input type="checkbox"/> On location Sign         |
| <input type="checkbox"/> City Kiosk                       | <input type="checkbox"/> City Newsletter          |
| <input type="checkbox"/> Open House                       | <input type="checkbox"/> Administrative Hearing   |
| <input type="checkbox"/> Other                            |   |

**Compatible with ordinance:** Streets may be closed and disposed of by the City after following proper procedure as outlined in Section 2.58 of City Code.

**Modifications to Ordinance:** NA

**Approvals / Input from Other Departments / Divisions**

<u>Division</u>	<u>Contact Person</u>
<input type="checkbox"/> Airport:	
X Attorney:	<u>Lynn Pace</u>
<input type="checkbox"/> Business Licensing:	
X Engineering:	<u>Craig Smith</u>
X Fire:	<u>Brad Larson</u>
<input type="checkbox"/> HAND:	
<input type="checkbox"/> Management Services:	
<input type="checkbox"/> Mayor:	
<input type="checkbox"/> Parks:	
X Permits / Zoning:	<u>Ken Brown</u>
X Police:	<u>Alicia Orgill</u>
<input type="checkbox"/> Property Management:	
<input type="checkbox"/> Public Services:	
X Public Utilities:	<u>Brad Stewart</u>
X Transportation:	<u>Barry Walsh</u>
<input type="checkbox"/> Zoning Enforcement:	
<input type="checkbox"/> RDA:	

REMARKS

**Petition No.** 400-05-21

*By* The Boyer Company

Is requesting a Master Plan Amendment  
for the property located at 468 West 200  
South.

*Date Filed*

*Address*