
MEMORANDUM

DATE: April 6, 2007
TO: City Council Members
FROM: Russell Weeks
RE: Petition No. 400-06-37: Master Plan Amendment Request by Property Reserve Inc. to Amend the Downtown Master Plan and the Urban Design Element to Allow Consideration of a Proposal to Build a Pedestrian Connector (Skywalk) over Main Street
CC: Cindy Gust-Jenson, Lyn Creswell, Louis Zunguze, Sam Guevara, George Shaw, Ed Rutan, DJ Baxter, Valda Tarbet, Lynn Pace, Joel Paterson, Gary Mumford, John Spencer, Janice Jardine, Jennifer Bruno, Cindy Rockwood, Gwen Springmeyer

This memorandum is a follow-up to a public hearing pertaining to Petition No. 400-06-37, a request by Property Reserve Inc. to amend language pertaining to view corridors in Salt Lake City's Downtown Master Plan and the Urban Design Element. If the City Council adopts proposed amendments, it would provide criteria for the City Council to consider justifying the granting of exceptions to prohibitions in both documents of "skywalks and other obstructions" in view corridors on Main, State, South Temple, 200 South and 300 South streets. Petition No. 400-06-37 seeks to "amend (the) Master Plan to allow an urban design element in a view corridor," according to the original petition. Janice Jardine and Jennifer Bruno contributed to this memorandum.

The City Council held a public hearing March 20 and April 3 on this issue and received several comments. Here are some key comments:

- Bruce Heckman of Taubman Centers Inc., the company developing a mixed use development downtown with Property Reserve Inc., said a skywalk pedestrian connector is the best way to make the two-block project "connected and synergistic" and to insure that retail stores on the second floor of the development "survive and thrive."
- Alan Sullivan, legal counsel for Property Reserve, suggested that the City Council consider language that PRI submitted to the Planning Commission to amend the Master Plan. He also suggested that the City Council consider Alternative B prepared by the Council Subcommittee to amend the Master Plan. Either the PRI proposal or Alternative B "address the important issues, guide the applicant in what it needs to do to proceed, and both are fair," he said.
- Stephen Goldsmith, former Salt Lake City planning director, said the City Council should consider forming a "blue-ribbon" committee of experts with no stake in the project to advise the City on the best way the project should be developed.

- Jack Hammond, speaking on behalf of the Utah Chapter of the American Institute of Architects, said that the proposed skywalk pedestrian connector is “an unfortunate outcome of the design of the shopping mall development” but that the chapter “strongly” urged support for Alternate B prepared by the Council Subcommittee. Mr. Hammond said Alternate B “puts in place criteria that largely address our concerns regarding the skywalk, if it is to be, and its relationship to Main Street.”
- Mayor Ross C. Anderson said he was adamantly opposed to building a skywalk because myriad planning studies and reports say skywalk pedestrian connectors are a bad idea and that there is “no great first-class city that relies upon a skybridge.” He said his Administration is putting together a petition to close Main Street to traffic between South Temple and 100 South streets.

Here are four things that might be noted:

1. Amending the language pertaining to view corridors in the Downtown Master Plan and Urban Design Element does not guarantee that a skywalk would be approved. Depending on language that might be adopted, either the Planning Commission or the City Council could determine that a skywalk does not meet the criteria to allow a developer to build one.
2. The City Council Subcommittee formed to review the amendments recommended by the Planning Commission proposed two alternatives. One alternative was prepared largely by Council Members Søren Simonsen and Nancy Saxton. Council Member Eric Jergensen indicated that he substantially agreed with that alternative. However, Council Member Jergensen prepared a second alternative. Council Members Saxton and Simonsen indicated that the City Council should consider both alternatives.
3. Adopting language to amend the Downtown Master Plan and Urban Design Element does not necessarily eliminate future consideration of a petition to close Main Street to traffic between South Temple and 100 South streets.
4. As indicated in previous graphics and memoranda prepared by City Council staff, the Mayor has final authority to dispose of property, including air rights above Main Street.

OPTIONS

Given the above, the City Council appears to have the following options in considering the petition:

- Adopt the amendment language proposed by the Planning Commission pursuant to Petition No. 400-06-37.
- Deny Petition No. 400-06-37.
- Adopt amendment language proposed by the City Council Subcommittee members pursuant to Petition No. 400-06-37.
- Adopt amendment language proposed to the Planning Commission by Property Reserve Inc. representatives.
- Further amend the language proposed either by the City Council subcommittee or by the Planning Commission.

- Make no decision until a blue-ribbon committee is formed, studies the issue, and advises the City.
- Delay a decision until a petition to close Main Street to traffic between South Temple and 100 South streets is processed and consider both petitions together.

POTENTIAL MOTIONS

The following motions are based on the options listed above. Four of the motions involve specific language proposed to amend the Master Plan and Urban Design Element. The full text of each of the amendments appears in the *Key Points* section in the following order: Planning Commission recommendation, Alternative A by the City Council Subcommittee, Alternative B by the City Council Subcommittee, Property Reserve Inc. proposal.

PETITION NO. 400-06-37

- I move that the City Council adopt a motion to amend the Downtown Master Plan and the Urban Design Element sections pertaining to view corridors with the language recommended by the Planning Commission pursuant to Petition No. 400-06-37.
- I move that the City Council deny Petition No. 400-06-37.
- I move that the City Council adopt a motion to amend the Downtown Master Plan and the Urban Design Element sections pertaining to view corridors with the language titled *Alternative A* proposed by the City Council subcommittee pursuant to Petition No. 400-06-37.
- I move that the City Council adopt a motion to amend the Downtown Master Plan and the Urban Design Element sections pertaining to view corridors with the language titled *Alternative B* proposed by the City Council subcommittee pursuant to Petition No. 400-06-37.
- I move that the City Council adopt a motion to amend the Downtown Master Plan and Urban Design Element sections pertaining to view corridors with the language proposed by Property Reserve Inc. to the Planning Commission and dated October 31, 2006.
- I move that the City Council adopt a motion to amend the Downtown Master Plan and the Urban Design Element sections pertaining to view corridors with the language recommended by the Planning Commission pursuant to Petition No. 400-06-37 with the following amendment: That the word “Council” be deleted from the first line of the language recommended by the Planning Commission so the line reads, “The City may consider circumstances that justify an exception to the policy prohibiting and discouraging skywalks or other obstructions, when a finding that a compelling public interest exists through substantial demonstration that ...” (*This motion was suggested by the Community Development Department*).

- I move that the City Council adopt a motion to amend the Downtown Master Plan and the Urban Design Element sections pertaining to view corridors with the language recommended by the Planning Commission pursuant to Petition No. 400-06-37 with the following amendment: That the word “Council” be added to the final line of the language recommended by the Planning Commission so the line reads, “The City Council shall have significant design input and final design approval of the skywalk.”
- I move that the City Council adopt a motion to amend the Downtown Master Plan and the Urban Design Element sections pertaining to view corridors with the language proposed (recommended) by the City Council subcommittee (Planning Commission) pursuant to Petition No. 400-06-37 with the following amendments: *(This motion is designed to allow the widest flexibility to amend the proposed language).*
- I move that the City Council defer further consideration of this petition until a blue-ribbon committee is formed to study issues pertaining to Petition No. 400-06-37 and returns with recommendations. *(This motion is based on the proposal at the public hearing by former Planning Director Stephen Goldsmith.)*
- I move that the City Council defer further consideration of this petition until the Council receives a petition pertaining to the closure of Main Street to traffic between South Temple and 100 South streets. *(This motion is based on Mayor Anderson’s comments at the public hearing.)*

KEY POINTS

PLANNING COMMISSION RECOMMENDATION

Here is the language recommended by the Planning Commission to amend the Downtown Master Plan and Urban Design Element sections pertaining to view corridors:

View Corridors: Views from Downtown to the mountains and major landmarks should also be preserved. Skywalks or other obstructions that would block view corridors are prohibited on Main Street, State Street, South Temple, 200 South, and 300 South, and are discouraged on other streets ~~except in extenuating circumstances.~~ The City Council may consider circumstances that justify an exception to the policy prohibiting and discouraging skywalks or other obstructions, when a finding that a compelling public interest exists through substantial demonstration that:

1. All other alternatives for creating a successful link between major developments on both sides of a street have been evaluated and conclusively found not to be feasible or effective; and
2. The design of a skywalk is such that it would not substantially impair or impact a view corridor; and
3. A skywalk would not materially detract from pedestrian and commercial activity at the street level.

The City shall have significant design input and final design approval of the skywalk.

It should be noted that the option suggested by the Department of Community Development would eliminate the word “Council” from the first line of the language recommended by the Planning Commission. According to the Department, removing the word would make the proposed amendment comport with the idea that the City Council would establish the criteria for granting an exception for a skywalk, and the Planning Commission would determine whether the criteria had been met. The City Council subcommittee’s proposal also is designed to have the Planning Commission determine whether the criteria for an exception had been met.

It should be noted the City Council could be the final forum for determining the design of a proposed skywalk by adding the word “Council” to the last line of the language recommended by the Planning Commission, so the line would read: “The City Council shall have significant design input and final design approval of the skywalk.”

CITY COUNCIL SUBCOMMITTEE ALTERNATIVES

Here are the alternatives prepared by the City Council Subcommittee.

Alternative A

View Corridors: Views from downtown to the mountains and major landmarks should also be preserved. Skywalks or other obstructions ~~that would block view corridors~~ are prohibited on Main Street, State Street, West Temple, South Temple, 100 South, 200 South, ~~and 300 South~~ and 400 South, and are discouraged on other streets ~~except in extenuating circumstances~~. The City may consider circumstances that justify an exception to the policy prohibiting and discouraging skywalks or other obstructions, when a finding that a compelling public interest exists through substantial demonstration that:

- 1.) All other alternatives for creating a successful at-grade link between opposite sides of the street have been evaluated and found not to be feasible due to a safety concern or physical barrier;
- 2.) The skywalk would contribute to the objective of creating an active, vibrant streetscape by connecting people easily to the street level corridor;
- 3.) The design of a skywalk is such that it would not negatively impact an identified view corridor;
- 4.) Urban design elements of the streetscape of an entire project are enhanced to require permeable block faces (entrances 20-50 feet), lower ratio of solid and void (minimum 60% transparent glazing), and pedestrian amenities such as shading devices and signage, such that the skywalk does not detract from pedestrian and commercial activity at the street level.

The City shall have, through the site design and review process, significant design input and final design approval of the skywalk.

Alternative B

View Corridors: Views from downtown to the mountains and major landmarks should also be preserved. Skywalks or other obstructions ~~that would block view corridors~~ are prohibited on Main Street, State Street, West Temple, South Temple, 100 South, 200 South, ~~and 300 South~~ and 400 South, and are discouraged on other streets ~~except in extenuating circumstances~~. The City Council, after recommendation by the Planning Commission, may consider the following extenuating circumstances

as justification for an exception to the policy prohibiting and discouraging skywalks or other obstructions, when:

1. A unified development proposal is submitted which includes no less than 7.5 acres of retail/residential mixed use located on each of the two blocks on opposite sides of one of the streets as listed above.

2. A finding is made that a compelling public interest exists through substantial demonstration of each of the following:

i. All other reasonable alternatives for creating a successful at-grade link between opposite sides of the street have been evaluated and found not to be feasible due to:

- (a) A safety concern or
- (b) (b) physical barrier or
- (c) (c) insufficient integration of both sides of the development via an at-grade link

ii. A skywalk would be designed such that impacts on an identified view corridor would be minimal;

iii. A skywalk would be designed such that it would contribute to the City's overall policy objective of creating a walkable, vibrant streetscape that would enhance pedestrian and commercial activities at the street level including ease of connection between the skywalk level and the street level as well as application of street level urban design elements such as permeable block faces and pedestrian amenities.

iv. The proposed development encourages primary pedestrian activity at the street level through inclusion of significant retail and commercial activity on the internal corridors of the proposed development with similarly significant retail and commercial activity on the external streets of the proposed development.

v. The proposed development encourages urban design and visual connections including pedestrian linkages that actively encourage economic development opportunities for those blocks surrounding the development.

The City Council may add other design or urban planning policy elements when affirmatively referring a skywalk proposal to the Planning Commission for final design consideration.

The City Planning Commission shall have, through conditional design review, significant design input and final design approval of the skywalk.

PROPERTY RESERVE INC. PROPOSAL

Here is Property Reserve Inc.'s proposal dated October 31, 2006, to amend the two plans:

“View Corridors: Views from Downtown to the mountains and major landmarks should also be preserved. ~~Skywalks~~ Except in extenuating circumstances as determined by the City Council, skywalks or other obstructions that would block view corridors are prohibited on Main Street, State Street, South Temple, 200 South and 300 South and are discouraged on other streets except in extenuating circumstances. Circumstances that may justify an exception should be based on such compelling public policies as the need for economic development, pedestrian safety and convenience, or excellence in urban design.

OTHER KEY POINTS:

These points first appeared in the City Council staff's memorandum dated February 14. They remain pertinent to the issue.

- The *Downtown Master Plan* and the *Urban Design Element* currently prohibit “skywalks or other obstructions that would block view corridors” on Main, State, South Temple, 200 South and 300 South streets.
- Property Reserve Inc. would like to build a skywalk pedestrian connector across Main Street to link two halves of its City Creek Center between West Temple and State streets and South Temple and 100 South streets.
- City Council consideration of the proposed amendments is one step involved in the proposal. If the City Council adopts the proposed amendments and determines that the proposed pedestrian connector meets the adopted criteria, “the Planning Commission would review detailed designs of the skybridge for final approval at a later date.”¹
- The Planning Commission also has separated a request by Property Reserve Inc. in another petition for a partial street closure of Main Street between South Temple and 100 South to allow the sale of air rights over a portion of Main Street for the construction of a skybridge. The Commission would consider the partial street closure after a City Council decision on the proposed Master Plan amendments. The City Council will consider later the other petition pertaining to Property Reserve’s request for the street closure as well as partial closures of other streets. However, the transfer of public property is an administrative function that rests with the Mayor.²
- As the petitioner, Property Reserve Inc. contends that a skywalk pedestrian connector “provides the greatest benefit for the City Creek Center and the vitality of downtown.”³
- It appears that Property Reserve Inc. may expect that City Council adoption of the proposed amendments and conceptual approval of a skywalk pedestrian connector will occur at the same time.⁴
- According to the Utah Transit Authority, if a skywalk pedestrian connector were approved, the minimum height of the bottom portion of the structure would have to be 23 feet to protect the electrical wires that run UTA’s light rail trains.
- In its November 29 report to the Planning Commission, Planning Division staff indicated “that if a recommendation is forwarded to the City Council recommending approval of the master plan amendments and recommending that the City Council grant an exception to allow the construction of a skybridge, that the recommendation be conditioned on final design approval of the skybridge by the Planning Commission.”⁵
- The actual Planning Commission motion involved adopting the proposed language to amend the Downtown Master Plan and the Urban Design Element. Although one planning commissioner indicated that the language itself indicated that the petitioner could proceed, Planning Division staff noted that the City Council could “significantly amend” the proposed language that could alter the petitioner’s plans.⁶

ISSUES/QUESTIONS FOR CONSIDERATION

One key issue remains whether the City Council should establish criteria to grant an exception for a skywalk and determine if a petitioner has met the criteria, or whether the City Council should establish the criteria but delegate to the Planning Commission the determination of whether a petitioner has met the criteria.

The proposed language recommended by the Planning Commission appears to specify the City Council as the government body that would grant an exception to skywalks in view corridors. If that language is adopted, it appears that the City Council would take two actions: Consider the proposed amendments, and – if the Council adopts the amendments – consider whether to grant the exception to Property Reserve. If that is the case, do the Administration and the petitioner expect the City Council to take both actions at the same time, or do they expect the City Council to consider each item separately?

Again, it should be noted that the Department of Community Development has suggested the proposed amendment language be further revised to indicate that the City Council establishes the criteria with which to evaluate exceptions to skywalks in pedestrian corridors but delegates the authority to make the actual evaluation to the Planning Commission. The department contends that method is more in line with the traditional roles of legislative policy making and executive administration of issues. Under the department's suggestion, the City Council could establish more criteria than currently are in the proposed amendments.

It should be noted that Utah law outlines approval authority for different bodies of government in regard to land use issues. For instance, the Planning Commission has sole approval authority for conditional uses where design is part of that approval. Given that, under the current proposed amendments would the City Council have to provide a recommendation to the Planning Commission (an advisory board) because the Commission has final approval authority for conditional uses? Under Utah law, the Mayor has sole authority over property issues such as the air rights issue that will be considered in the future. What would happen if, as Property Reserve contends, a skywalk pedestrian connector is needed for a project and the City Council, Planning Commission and the Mayor are not in accord with one another?

PEDESTRIAN CONNECTOR

These items first appeared in the City Council staff's February 14 memorandum.

The Department of Community Development has indicated to City Council staff that Petition No. 400-06-37 "is about amending the Downtown Master Plan and the Urban Design Element to incorporate language that establishes a process and review criteria for requests for skybridges on specific streets in which they (skybridges) are currently prohibited."⁷ However, to make sure that issues about the proposed connector are covered, here are some other issues and questions for consideration.

The 1988 *Regional Urban Design Assistance Team* study that formed a basis for the Downtown Master Plan and the Urban Design Element said, "Clean mountain vistas in virtually all directions are the distinguishing feature of downtown Salt Lake City. These vistas should be protected and remain unobstructed. Second-level connections that would block mountain views to the north and east should be prohibited."⁸ The Administration transmittal notes that the 1995 Downtown Master Plan and the 1990 Urban Design Element prohibit skywalk pedestrian connectors in certain view corridors.

Some questions are:

- Is a policy dating back 19 years still valid?
- Is the view from Main Street to the north or south worth preserving?
- Could a skywalk pedestrian connector enhance the view?

The Administration transmittal listed the following questions as part of a list of issues stemming from an open house on Property Reserve's plans for the City Creek Center:

- Why is a skywalk essential to the success of the City Creek Center?
- Will a skywalk pull pedestrians off the street level along Main Street?
- Will City Creek Center need to be redesigned if a skywalk is not approved?⁹

Questions corollary to the ones listed above might include:

- What sort of street-level pedestrian circulation patterns and numbers are ideal?
- Can ideal patterns and numbers be achieved under current circumstances?
- What effect would a skywalk have on ideal patterns and numbers?
- Would the attraction of a new mixed-use retail, office and residential development offset the effect of a skywalk?
- Would dividing two blocks into eight blocks, as the petitioner contends its project does, create pedestrian circulation patterns that would offset the effect of a skywalk?
- Is there a study in the public or private sector that counted the number of pedestrians and analyzed their circulation patterns along the site of the City Creek Center when the Cross-roads and ZCMI Center malls were fully operational?
- If that study exists, are there quantifiable projections of how the City Creek Center would compare in the number of pedestrians and their circulation patterns?

BACKGROUND/DISCUSSION

This section first appeared in the City Council staff's February 14 memorandum.

The section is intended to provide some detail to the positions and observations of Property Reserve Inc. and the Planning Division staff. A third part of the section will be alternate language to the proposed Master Plan amendments. The alternatives have been suggested by various groups involved in the issue.

PROPERTY RESERVE INC.

According to PRI, a skywalk pedestrian connector is necessary to "provide pedestrians with the seamless opportunity to walk conveniently from one part of the project to another at all levels including second floor shops" on the two blocks involved in the project.

The analysis goes on to say that the project without the pedestrian connector would create dead ends within the project, make it less likely that people would access second tiers on the two blocks, and leave visitors with the impression "that there really are two discontinuous projects, and the synergy of the whole will have been lost." That, among other things, would make second-level retail shops difficult to lease and lessen, perhaps significantly, the potential to achieve a "unified shopping, office and residential experience."

The paper says that PRI studied three alternatives: placing retail on one level instead of two, closing Main Street between South Temple and 100 South, and building an underground connector between the two blocks instead of a skywalk pedestrian connector.

According to the paper, placing all retail stores on a single level is not a viable option because that would not provide enough retail space to attract the number of shoppers necessary “for the quality shopping experience we want to provide.” In addition, “it would be impossible to build the residential units we believe are essential to a vibrant downtown.”

Closing Main Street is not a viable option, the paper says, because the street could not be narrowed to increase retail space “without an unacceptable impact to historic structures and existing office towers.” Also, the light rail station and cars would “impair the connection of the two blocks. In addition, closing the street would not solve connecting second-level retail shops to each other on the two blocks. Moreover, PRI declined to consider closing Main Street because “we believe that the termination of vehicular traffic on Main Street’s most important block would diminish our downtown vitality and would stagnate the rest of Main Street.” Finally, closing the street would result in forcing traffic onto other streets around the project and congest the area.

Linking the two projects underground was discarded because “none of the planned retail will be located below ground level.” Placing retail shops below-ground also “would channel pedestrians off Main Street and diminish the open, landscaped feel of the project.” According to the paper, “If we are going to forge a strong link between the project and Main Street, we must establish a direct visual connection to Main Street, which is impossible to achieve underground.”

The paper notes that PRI “called upon the technical expertise of architects and consultants, but the most critical input came from the officers and staff of the Taubman Company who have developed the most successful and productive retail portfolio in the country.”

PLANNING DIVISION STAFF

Here is a summary of Planning Division staff comments:

“The Planning Division supports the proposed master plan amendments ... This proposal maintains the language prohibiting skybridges on certain streets and introduces criteria for the City Council to determine whether there are compelling public interests which might justify an exception to the policy.”¹⁰

“The Planning Division agrees that the City Creek Center has the potential to energize the Main Street corridor by the virtue of its location and the critical mass of retail, office and housing ... It can be argued that although the proposed design of the City Creek Center opens the former ... mall sites by creating pedestrian walkway through the center of Blocks 75 and 76, the majority of the retail space will still be oriented to the center of the blocks ...”¹¹

“The Planning Division agrees that convenient pedestrian access is critical to the present design of the City Creek Center as an integrated mall. ... This circulation system anticipated the approval of a skybridge. Such a design maximizes the number of stores one will pass if walking a complete circuit of the mall ... Staff is concerned that the strong east/west linear orientation of the project must provide a vibrant streetscape with sufficiently strong retail and restaurant uses that will draw pedestrians out of the City Creek Center and entice them to explore Main Street.”¹²

“It is imperative for the Petitioner to utilize best practice design techniques and provide strong retail and restaurant uses along the north/south pedestrian walkway and along public street frontages surrounding the development to encourage pedestrians to emerge from the internal areas ... and interact with the public spaces and other retail opportunities surrounding City Creek Center.”¹³

Staff agrees with the petitioner that a single-level project, closing Main Street between South Temple and 100 South streets, and building an underground connector would not work for the project.¹⁴

“Although the document submitted by the Petitioner justifying the need for a skybridge provides some documentation of alternatives to the skybridge concept, it is not exhaustive. For instance, no specific analysis is provided to demonstrate that a two level retail development cannot work without a skybridge. The Petitioner does not present any alternative development scenarios other than that for a unified mall. Would it be possible to develop the ... blocks with independent projects? The proposed criteria require that the Petitioner conclusively demonstrates that alternatives for creating a successful link between (the two blocks) have been evaluated and conclusively found not to be feasible or effective.”¹⁵

ALTERNATE MOTIONS

To review, here is the proposed language to amend the Downtown Master Plan and the Urban Design Element:

The City Council may consider circumstances that justify an exception to the policy prohibiting and discouraging skywalks or other obstructions, when a finding that a compelling public interest exists through substantial demonstration that:

1. All other alternatives for creating a successful link between major developments on both sides of a street have been evaluated and conclusively found not to be feasible or effective; and
2. The design of a skywalk is such that it would not substantially impair or impact a view corridor; and
3. A skywalk would not materially detract from pedestrian and commercial activity at the street level.

The City shall have significant design input and final design approval of the skywalk.

Here is the Planning Division staff’s original suggested language (Bold italics note divergence from language the Planning Commission adopted):

The City Council may consider circumstances that justify an exception to the policy prohibiting and discouraging skywalks or other obstructions, when a finding that a compelling public interest exists through substantial demonstration that either:

1. All other alternatives for creating a successful link between major developments on both sides of a street have been evaluated and conclusively found not to be feasible or effective; and
2. The design of a skywalk is such that it would not ***negatively*** impair or impact a view corridor; and

3. A skywalk would not (*materially*: word omitted) detract from pedestrian and commercial activity at the street level: or

*The view corridor has been significantly changed or impacted by prior development such that the designation of “view corridor” has become obsolete.*¹⁶

Here is Property Reserve Inc.’s proposal dated October 31, 2006, to amend the two plans:

“View Corridors: Views from Downtown to the mountains and major landmarks should also be preserved. ~~Skywalks~~ Except in extenuating circumstances as determined by the City Council, skywalks or other obstructions that would block view corridors are prohibited on Main Street, State Street, South Temple, 200 South and 300 South and are discouraged on other streets except in extenuating circumstances. Circumstances that may justify an exception should be based on such compelling public policies as the need for economic development, pedestrian safety and convenience, or excellence in urban design.”¹⁷

Here is language proposed by a group of Salt Lake City citizens, including members of the Utah Chapter of the American Institute of Architects, that met in November 2006 with City Council Members Nancy Saxton and Søren Simonsen to discuss the City Creek Center and the proposed skywalk pedestrian connector. Using the original Planning Division language as a model, the changes suggested by the group are *underlined, boldfaced, and italicized*.

“View Corridors: Views from Downtown to the mountains and major landmarks should also be preserved. Skywalks or other obstructions that would block view corridors are prohibited on Main Street, State Street, South Temple, 200 South, and 300 South, and are discouraged on other streets. The City Council may consider circumstances that justify an exception to the policy prohibiting and discouraging skywalks or other obstructions, when a finding that a compelling public interest exists through substantial demonstration that:

- a. All other alternatives for creating a successful link between major development on both sides of a street have been evaluated and conclusively found not to be feasible or effective
- b. The design of the skywalk is such that it would not negatively impair or impact a view corridor; and

c. There have been exemplary urban design considerations incorporated into both the major development and the skywalk, so that the skywalk will not detract from pedestrian and commercial activity at the City street level

The City shall have significant design input and/or control of the final design of the skywalk, and will invite significant public involvement in reaching the final design solution.

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- ¹ Transmittal letter, Page 4.
- ² Salt Lake City Planning Commission minutes: November 29 – Pages 2 and 7, and October 25 – Page 2.
- ³ Salt Lake Planning Division staff report, November 22, Page 13.
- ⁴ Salt Lake City Planning Commission minutes: November 8 – Pages 10 and 11; November 29 – Page 3.
- ⁵ Planning Division staff report: November 29 – Page 16.
- ⁶ Planning Commission minutes: November 29 – Page 7.
- ⁷ Department e-mail to Council staff, February 13.
- ⁸ R/UDAT Study, Page 11.
- ⁹ Transmittal Letter, Page 7.
- ¹⁰ Planning Division Staff Report: November 29, Page 11.
- ¹¹ Ibid., Page 12.
- ¹² Ibid., Pages 12 and 13.
- ¹³ Ibid., Page 13.
- ¹⁴ Ibid., Page 13.
- ¹⁵ Ibid., Page 14.
- ¹⁶ Planning Commission, November 8 minutes, Pages 9 and 10.
- ¹⁷ Letter from Snell & Wilmer to Community Development Department Director, October 31.