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**JUL 08 2002**

**CITY RECORDER**

**To:** Rocky Fluhart  
Chief Administrative Officer

**From:** Laurie Dillon : *Laurie Dillon*

**Subject:** Response to City Council Questions regarding the  
Proposed Use of Pioneer Park as Olympic Cultural Center

**Date:** June 14, 2002

**CC:** Mayor Anderson, D.J. Baxter, David Dobbins, Steve Fawcett, Rick  
Graham, Stephen Goldsmith, Margaret Hunt, Nelson Knight, David  
Nimkin

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1. Which locations have already been considered, and why are they not viable?  
A table (Attachment 1) lists the locations that have been considered and compares them to the criteria and restrictions currently in place. More detailed information about the criteria follows in the responses for questions 2 and 3.

2. What are the restrictions or guidelines that SLOC and the USOC are working under?  
They are referred to, but haven't been articulated.

SLOC wants the Olympic Cultural Center to include:

- 1) a gathering place to accommodate groups up to about 7500 people,
- 2) a downtown location within Salt Lake City (currently defined within the boundaries of North Temple and 5<sup>th</sup> South, 6<sup>th</sup> West and 3<sup>rd</sup> East), preferably accessible via mass transit but also with some parking nearby since a parking structure will not be included,
- 3) sufficient circulation and a forum to tell the Olympic story (the forum itself has not been formally defined),
- 4) a place to accommodate the Hoberman arch, the 100 foot 3<sup>rd</sup> West tower, and preferably the cauldron, as well as other possible elements from the Olympics,
- 5) completion of the project by next summer in order to maintain the momentum of the Salt Lake Olympics and have an inaugural season of programming next summer. To accomplish this, SLOC has required that ground breaking occurs in August. SLOC is winding down and would like to bring their obligations to completion as soon as possible.
- 6) SLOC intends to construct and program a turn-key cultural center, and turn the operational project over to the City as a gift.
- 7) SLOC will provide guidelines for the use of the cauldron, allowed sponsors, and any programming restrictions. The sponsor and programming restrictions are anticipated to apply only to the performance space and not to the entire park.
- 8) The story of Pioneer Park will be incorporated into the design.
- 9) Salt Lake City will provide maintenance and security.

3. What is the criteria / what are the limitations that the Administration is considering when evaluating the location?

1. The Administration and SLOC have agreed that a “boutique” performance space would meet the requirement for a gathering and entertainment space to generate an atmosphere somewhat similar to what was experienced during the Olympics. In order to be financially viable, this kind of facility would have to accommodate about 5000 to 7500 people, have space adjacent to or on the site to accommodate at least 3 semi-trailer trucks (for performers equipment, stages, etc.), have performance-related space other than the stage (green rooms, dressing rooms, lighting and sound booths), and other possible amenities that are yet to be specifically defined (e.g. bathrooms, concession space, perhaps managerial office space). The performance space itself requires a minimum of 5 acres in order to include the amenities to make it financially sustainable. Physical space for additional Olympic features (e.g. tower and cauldron), public gathering space, and developed entrances would require a larger area.

2. SLOC has indicated they would fund the construction and the first year of programming if the City provides a suitable site.

3. Because SLOC requires initiation of construction this summer and there is no funding for property acquisition, the Administration has considered only those properties that are currently under the City’s control or which are under the control of another public agency.

4. For Pioneer Park, current public uses such as the Farmer’s Market, are to be maintained and enhanced. Existing users of the park, including the homeless, will not be displaced.

5. Impacts to the existing neighborhood (primarily noise and parking concerns) are also considerations.

4. For what length of time would the property be subject to restrictions relating to Olympic sponsors? What happens as Olympic sponsors change? (Coke was a big SLC sponsor, but what if they aren't in the future)

Sponsor restrictions would be on-going. SLOC will be providing written guidelines to address this concern. Discussion to date has included several alternatives to address oversight of sponsors. For example, the USOC may be the contact for this information when SLOC is dissolved. SLOC is aware that some exemptions are likely to be needed, especially as Olympic sponsors change over time.

5. Will there be fencing around the amphitheater, or around the park space in any way? Some kind of operational barrier would be needed for the performance space and its sound and lighting systems. Ticketed performances will require a barrier to separate ticket holders from the general public. SLOC is designing the project, but in general the Administration envisions that a system be developed that assures the park is accessible at all times.

6. There is interest in knowing more about the entrances -- will they be programmed in any way, what will they take away from the park?

Designs are in progress. The Pioneer experience would be told not only at the entrance(s), but throughout the park. The Olympic story is anticipated to be told primarily at the performance space.

7. Is it anticipated that the revenues from events will cover operations and maintenance?

Revenue would probably cover operations and programming only, probably not park maintenance.

8. What is the current cost to operate and maintain Pioneer Park? How is this expected to change in the future under this proposal?

Current costs are \$57,000 per year. Future costs are dependent on design features which have not been determined. Potential examples of increased costs may be 24/7 park security (\$117,000),

and increased costs for restroom maintenance (\$74,000 for an increase from 4 restrooms to 4 banks of 4 restrooms).

9. What is the anticipated cost to program the facility?

SLOC is developing a model with a goal to fully cover programming expenses.

10. Is it anticipated that programming would be at the City's expense?

SLOC would provide the programming for the inaugural year. After that, it is currently anticipated that the City would contract with a private entity to provide the programming. SLOC would retain some programming oversight perhaps through the establishment of a programming advisory board.

11. There is interest in a museum or display area for Olympic items. Might this be done on Main Street? (not instead of this park)

SLOC does not intend to create a museum to compete with the new Olympic museum in Summit County. One idea being expressed is to allow room for future development for art/community space adjacent to the performance space that could possibly accommodate an Olympic photo gallery. This center would not preclude other museums or displays in Salt Lake City sponsored by other groups.

12. Would zoning changes be necessary in order to proceed with this as currently proposed?

Again, the design is not finalized, but it appears that it may be possible to place a stage as a band shell that would not require a zoning change. Whether that would provide the acoustics and visibility required is being determined. Landform changes that would create an amphitheater would require zoning changes. The Administration's intent is to minimize landform changes.

13. What information does the Administration have or could it obtain to indicate that the market could support an outdoor performance facility (Red Butte, Thanksgiving Point were mentioned -- do those facilities cover their costs?)

The Administration has asked SLOC to retain a consultant to gather and assess information on the status of the market for this kind of facility. In addition, the Administration has gathered information from private companies who could potentially operate this kind of facility, and their response has been that these facilities can be self-supporting if the facility is of a high enough quality that additional lighting and sound systems do not need to be rented to meet the needs of the various performers.

14. Would restrooms and other facilities to accommodate large crowds be included so that portable facilities do not need to be brought in?

Yes. Although the exact design is not done, portable facilities are not anticipated to be needed for the majority of the performances. For those situations when the facility is used at its maximum capacity, additional portable facilities may be required.

15. If this facility is built, at Pioneer Park or another location, is it still necessary / appropriate / viable to include a public performance space on Library Square of the scale previously discussed?

The Administration has reviewed the anticipated usage and size of the proposed public performance space on Library Square, and the usage of that space is still being determined. There are similarities in what is being planned, but differences also exist. The potential capacity of an amphitheater at Library Square has typically been envisioned as smaller, although a capacity up to about 7000 could be developed. However, this facility would not have the same amenities as

those proposed for the performing space at Pioneer Park. A large stage and elaborate productions were not anticipated as the typical usage for the Library Square amphitheater. A smaller, more informal use has been discussed, perhaps related to the science center and the library, but also for other community events. A larger facility with the amenities mentioned before would be needed to draw bigger name performers. The configuration of the space on the Library Block is a concern, particularly because it does not meet the 5 acre minimum. Also, the stage for a large Library Square amphitheater would require an orientation into the western sun, which would prohibit its use for certain performances. SLOC has agreed to review any available site that meets its criteria.

16. Is it correct to state that the arch was built for a short-term use? Has an evaluation been done of the potential long-term maintenance costs?

This is being investigated. SLOC is looking into the long term operational and maintenance requirements of using the arch.

17. How vital is it that the facility be operating next summer? Is this a preference of the SLOC and USOC, or is it a condition of the gift? (staff's note: is it the goal of SLOC to leave a legacy park, or to leave a legacy park only if it opens next summer?)

SLOC's goal is to leave a legacy park that opens next summer. This is a condition SLOC has imposed in order to maintain the Olympic momentum, marketing and media prospects. Their rationale is that they will be dissolving all their assets over the next year or so and they want to turn over a turn-key operational project to the City. SLOC believes this time frame will maintain the momentum of the Salt Lake Olympics before the emphasis is placed entirely on Athens.

18. Is it estimated that the costs to construct the facility would be in keeping with the gift amount, or might the costs exceed the gift amount?

No. Because SLOC would control the construction costs and give a completed facility as a gift, it is not expected that costs to the City would be accrued.

19. We continue to get suggestions from people about the east side of the Library Block. We understand that it is 'too small' but this hasn't been communicated to the public in a way that makes it clear. (How was it concluded that the theatre needs to be 7,500 to 2,000? Maybe there is some industry 'standard' that makes this size appropriate to draw a certain type of entertainment group??)

The open space on the Library block is not sufficient to meet all the requirements being anticipated. The type of performing space being recommended requires a capacity of 5000 to 7500 to make it financially feasible. This information was obtained from private operators of these kinds of facilities. In addition, as stated above, the infrastructure for the facility has to be at a high enough caliber to provide the kind of sound and lighting systems that performers will require, as well as space for semi-truck bays, dressing rooms, green rooms, possible concession space, and stage orientation requirements.

20. How many events per year would need to be held to make the project viable? Is there any data available about similar facilities and their ability to generate that number of events and revenue (taking in to account the climate)? Is there a market for this facility, given West Valley City's interest in establishing a facility, Red Butte Garden, Thanksgiving Point? (are there others?)

The number of events required per year is being developed. SLOC envisions a season from Memorial Day through Labor Day, with 10 day festivals near the opening and closing dates, and performances every weekend (Thursday – Saturday). The information from the private sector indicates that the Salt Lake area would support one of these facilities. Information on

comparisons to other facilities is being gathered. What the Administration has learned is that nothing to date suggests that this facility would substantively compete with the proposed facilities in West Valley City and Red Butte because of the size differences and programming content. Thanksgiving Point has a similar capacity (up to about 8000 people), but has differences in availability and distance.

22. It has been indicated that the homeless population will not be displaced due to this project. Is this the case? What steps will be taken in this regard?

The homeless and the public in general will not be displaced. The public will continue to have access to Pioneer Park. Although there will be a certain amount of space required to be secured and inaccessible to the public during events, it will be minimized. A condition imposed on the design is that the current public uses of Pioneer Park, such as the Farmer's Market, will be maintained. It is SLOC's intent that the Farmer's Market be enhanced. Stakeholder meetings with human service providers will be held to make sure their needs and concerns are addressed.

23. Have all parcels of RDA property been considered?

Yes. All available RDA properties within the borders of the downtown core area have been considered. The Serta Mattress Factory site at 336 South 500 West was recently acquired by the RDA, but a development option agreement was signed with the Living Planet Aquarium at closing, so the site is unavailable. Two other parcels exist, one acre near 500 West and 200 South, and 1.5 acres at about 330 South and 200 East, but they are both too small.

24. What is the status of the fundraising for the aquarium? Would that location be viable for the Olympic Legacy Park, and might there be another location for the aquarium? Is that even possible to consider given ownership, options, etc.? (Asked by a city employee outside the Council Office, not a Council Member)

As noted above, this property was recently acquired by the RDA and they entered into an option agreement with the Living Planet Aquarium that includes fundraising and development goals for 6 month periods over the next three years. As long as the aquarium meets those goals, they will retain the option on the property at 336 South 500 West (listed as the Serta Mattress Factory site).

25. What specific process will be followed for this issue. How will the amount of public input be maximized? (Raised by a Council Member. A letter from Crossroads Urban Center on this same topic was addressed to the Mayor and Council).

Stakeholder groups (homeless advocates, business, arts, historic/preservation, community councils) have been invited to on-going meetings to determine their needs and concerns as well as what they see as being required to make this project viable, and to apprise them of the design process. Their concerns will be discussed and their input will be reflected in the design. In addition to these meetings, another open house prior to the public hearing is planned.

Does Historic Landmarks Commission have the authority to prevent the Pioneer Park location proposal from advancing? To what extent can changes be made to the park without the Commission's approval (how far does their authority extend, and what is the nature of the authority)?

Yes, the Historic Landmarks Commission has the authority to prevent a facility in Pioneer Park. No physical changes to Pioneer Park can be made without the Historic Landmarks Commission's approval. Their authority includes reviewing and approving or denying an application for a certificate of appropriateness and reviewing and approving or denying applications for the demolition of structures in the historic preservation overlay district (City Code 21A.06.050 Section C). The subcommittee that has been formed will report to the full Landmarks Commission.

*53 performances a year -  
200,000 people a yr.*

To what body can a decision of Historic Landmarks be appealed? What is the nature of the appeal? (technical only, etc.)

The Land Use Appeals Board would hear any appeal of a Historic Landmark Commission decision. Currently, the LUAB can only overturn a decision if it was arbitrary, capricious, illegal, or that a prejudicial procedural error occurred. A decision can also be appealed to the District Court.

Is it anticipated that alcohol would be available at functions at the park? Is it correct to state that legislative (Council) action would be needed in order to allow for this? (There was previously a proposal to change it from a park to a 'square' so that alcohol could be allowed. Would the same route be followed in this case?)

It is possible that the ability to serve alcohol within the performance space might be a condition that a private contractor would impose before agreeing to program the facility. This issue will be explored as planning for the site continues, although SLOC is not seeking any change in the existing rules and regulations.

Which Historic Landmarks Commission Members serve on the subcommittee?

Vicki Mickelsen, Scott Christensen, Soren Simonson, and William Littig

Are the subcommittee meetings open to the public?

No. The subcommittee believes other forums are more appropriate for public input, although they welcome City Council members and staff at their meetings.

Will the Olympic staff be at the meetings?

Yes, they have been invited.

Can the Council staff go to the subcommittee meetings, or just the meetings with the interest groups?

Yes. They are welcome to attend as many of the meetings as their schedules will accommodate.

The process that Stephen and I (Cindy Gust-Jenson) spoke very informally about focuses on Pioneer Park exclusively. One Council Member asked whether the Administration will have a process to hear ideas on other sites.

This specific process will focus on Pioneer Park. The Administration may consider other sites if they become available, but the purpose of this process is to focus on Pioneer Park.

Council Member Love was on a radio call-in program today and one of the callers indicated that the Central City Community Council has voted in opposition to the Pioneer Park site and they were asking for the specific situation re: Serta block (aquarium, etc.) It would be helpful to have clarification on the status of that block.

Within the last month the RDA entered into an option agreement with the aquarium. The agreement was signed at the same time the RDA purchased the property. As long as the Living Planet Aquarium meets the requirements of the agreement, the property cannot be considered for any other use.

### Olympic Cultural Center Potential Locations

Sites were evaluated against these 3 main criteria, with all 3 having to be met to proceed with the timeline of ground breaking by August 2002

Site / Location	Parcel size: min of 5 acres for boutique performance space	Within downtown core: 5th S, 6th W, N. Temple, 3rd E	City owned or publicly controlled site	Comments
Pioneer Park	yes	yes	yes	Noise may be a concern for future residential development, although residents would be aware of the issue before moving in. Noise not seen as a great concern for hotel customers.
Library Block	no	yes	yes	Noise and parking concerns for existing nearby residents, noise concerns for library patrons. Site has long and narrow configuration, too small for amphitheater and faces western sun. Additional amenities and cultural attractions would be very limited d
State Fair Park	yes	no	yes	
Franklin Covey site		no	yes	
13th S 3rd W (privately owned)	yes	no	no	Donation of land not offered.
Triad Center	may be too small	yes	yes	Ice rink would probably have to be removed.
Serta Mattress Factory site 336 S 500 W	no - slightly less than 4 acres	yes	RDA ownership	RDA has development option agreement in place with Living Planet Aquarium.
Medals Plaza site	yes	yes	no	First Presidency indicated that LDS Church had other long term plans for the site.
Memory Grove	yes, but would require major landscaping changes	no	yes	Neighborhood, parking, and accessibility concerns

Attachment 1

Site / Location	Parcel size: min of 5 acres for boutique performance space	Within downtown core: 5th S, 6th W, N. Temple, 3rd E	City owned or publicly controlled site	Comments
Liberty Park	yes, but would require major landscaping changes	no	yes	
Sugarhouse Park	yes, but would require major landscaping changes	no	yes -- Sugarhouse Park Authority	
UTA parcel at 2nd S, 6th-7th W	yes	yes - on border	no	Not enough time to arrange another parcel for UTA use
VA Hospital area	not known	no	no	
Mark Steel site near 4th S off-ramp	not known	yes	no	Privately owned
Private sites	not known	possibly	no	