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Will 'Mormon mall' rules stimulate or stymie downtown?

City Creek • Most regulations are standard, but conduct must conform to a "first-class, family-oriented" downtown center.



By Derek P. Jensen The Salt Lake Tribune

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Dreamed a decade ago then cured in concrete the past five years, City Creek Center opens in less than three weeks.

So what will be the rules and regs at the \$2 billion "Mormon mall"? The operators say it will be "a place for everyone" — indeed, the public do's and don't's are mostly industry standard — but officials omit a Main Street Plaza-size caveat.

Banned will be "any activity or conduct which is detrimental to or inconsistent with a first-class, family-oriented shopping center."

That means no running, yelling, swearing, skateboarding or playing music. Don't try smoking, panhandling, proselytizing or pamphleteering. Better not wear a snarky or offensive T-shirt, low-hanging jeans or any clothes that don't jibe with a "first-class" shopping destination. And while a gay couple's kiss would be OK — even a same-sex marriage proposal at Tiffany & Co. — don't dare snap a picture of it or shoot video with your smartphone. Photography in front of the 90 storefronts is prohibited. Oh, and forget shopping on Sundays.

So "Go for It" and "Make It Yours," as the giant murals command, just be careful with the "it" part.

There is even a "Canine Code of Conduct" for dogs, which are allowed, and doggy bag dispensers will be handy. If you wonder which stores will allow your purse pooch, look for the dog stickers on those shop windows.

Those are the "Rules of Conduct," found on the blue directory signs, governing the two city blocks stretching south from Temple Square. That prompts a question: Since the 23 acres are private property, will the First Amendment be faux, like the creek? Will Utah's new downtown feel like downtown — complete with warts and wonders and people-watching? Or will the heart of Salt Lake City be sanitized?

The rules do not come from the LDS Church, whose leaders demurred from any comment on the subject. They were devised instead by mall owner and operator Taubman Centers Inc., which holds a long-term lease and insists the restrictions are identical to Taubman's 25 upscale shopping centers across the nation.

"There are some myths and concerns that are not valid," explains Linda Wardell, City Creek's general manager. "City Creek Center will be operated exactly like every other Taubman center in our portfolio. The reason that the church brought Taubman into this is because of the way we operate our retail environments."

Wardell says City Creek's Illinois-based IPC International security team will be carefully trained and that "90 percent" of incidents typically are handled by a friendly conversation — not by forced expulsion or arrest. The rules are set to foster high-end shopping, Wardell says, and "preserving that type of experience" is the priority.

The sensitivity lies in the location. The 700,000-square-foot center occupies a prominent patch of downtown. And the rules apply not just inside but outside — from the showcase courtyards draped with waterfalls and the creek to the re-created (and now private) Regent and Richards streets. The latter connect South Temple and 100 South on both blocks — but unlike the stores, which shutter at 9 p.m., the "streets" will remain open for 24 hours. In fact, City Creek wants foot traffic after Jazz games or Gallivan concerts. But the rules still rule.

"You take a big chunk of downtown and make it a no-speech or limited-speech zone and it does have a big effect on livability and the quality of life you're trying to create," says Stephen Clark, an attorney who served as legal director for ACLU of Utah during the Main Street Plaza controversy.

Clark anticipates similar problems that dog the LDS Church's plaza. City Creek patrons may think they're on public space only to be confronted by private-property signs and uniformed guards who tell them to put away camera phones or turn their insulting T-shirts inside out. He worries about "imprecise judgment

calls" and says City Creek seems to present the perfect case for the Utah Supreme Court to examine what is appropriate where private property and public function converge.

" 'First-class, family-oriented shopping center' seems vague," Clark adds. "It begs the question that's being debated across our society on a daily basis: What kind of families are we talking about?"

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Photo cops • Wardell concedes the most common question she hears is the Main Street Plaza comparison. In response, she stresses that "City Creek Center is for everyone" and that the rules are nearly identical to all other retail settings.

Expecting 50,000 daily visits, City Creek is counting on tourist behavior.

"We'll just encourage visitors," Wardell says, "to keep storefronts out of their photos." Shops view their facades as proprietary. At peak times, off-duty cops will be watching. And at all times, a "state-of-the-art camera system" will be recording.

Patrons cannot bicycle, collect signatures for petitions or sell Girl Scout cookies, but holding hands or kissing — even by gay couples — is fine.

"Absolutely," says Wardell, who expects wedding proposals outside Tiffany.

Tattoos and piercings won't trip security, but a "Buck Ofama" shirt will. Same with any "obscene" message demeaning the Utes or Cougars.

PETA protesting the leather at Coach won't fly. Neither will Occupy Wall Streeters haranguing Brooks Brothers shoppers. And panhandlers will first be asked to cease, then escorted away if they persist.

There are no bars at the "Mormon mall," but multiple restaurants will have full liquor licenses. So you can get a cocktail with your cheesecake, but mandatory "Zion curtains" will prevent diners from seeing any booze bottles. All the shops will be closed Sundays — City Creek is the only Taubman property to do that — but the half-dozen restaurants have the option to open on the Sabbath. The Cheesecake Factory will, Wardell says.

Stephen Goldsmith, the city's former planning director who presented the idea for City Creek a decade ago, says it will be a balancing act.

"The life of urban spaces allows for freedom of expression, not to violate the other rules of rudeness or vulgarity," he says. "But to not be able to use my cellphone camera to say, 'Here's where I am, Grandma,' might be a bit of a damper."

Still, Goldsmith, associate professor of architecture and planning at the University of Utah, errs on the side of "hopefulness, not pessimism." "It's a small price to pay for trying to reanimate the downtown," he says. "It's going to be an interesting experiment."

Routine rules • Most of the mall's rules barring panhandling, profanity, leaflets, skateboards, drugs and alcohol are mirrored at Fashion Place and Trolley Square. The Gateway declined to release its regulations, saying they are "confidential."

"It's pretty much standard across the industry," says Trolley property manager Dawn Katter, noting Trolley has designated smoking areas.

Trolley and Fashion Place forbid photos by storefronts — and they police clothing case by case — but neither reins in tourists or teens shooting with camera phones.

"That's harmless and it wouldn't bring security," says Celeste Dorris, general manager at Fashion Place. "I don't know if we have that 'family-oriented' language, but we have a line item in there — 'any behavior that could be deemed offensive.' "

Nick LeMasters, general manager at Taubman's Cherry Creek Shopping Center in Denver, says the Taubman rules are standard. "What you're going to find is a common-sense approach, a reasonable approach," he says. "Given the success of our company, you will find just that."

Matt Aune, a Sugar House resident who was detained in 2009 for kissing his partner on the Main Street Plaza, isn't so sure. He worries the rules will be interpreted — and enforced — subjectively.

"Any time the public interfaces with the church, it's relevant," Aune says. "I don't think people's hesitation to how they're going to apply them is unfounded. People are nervous. I definitely am. I'm going to walk cautiously, for sure."

So will City Creek be the über-mall that unites suburban shoppers, downtown dwellers, business travelers and tourists — transporting Utah's capital into the 21st century? Or will it signify control of behavior in the state's urban heart — a sacrifice of free expression to crank up commerce?

"Everything that happens in real life happens in one of our centers," Wardell says. "As long as all of those experiences are within our Rules of Conduct, it's a great day to be at City Creek Center."

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Here are the rules

There will be awe. The retractable roof. The fountains, waterfalls and fawning crowds. The smart storefronts. The lights. The smells along restaurant row. But how will \$2 billion transform downtown Salt Lake City? What will City Creek Center — the LDS Church's emblem of urban renewal — feel like when it opens March 22? Here are City Creek's publicly posted "Rules of Conduct"

City Creek Center is privately owned property ("Property"). We welcome all visitors who comply with these Rules of Conduct and our other policies. We have established these Rules of Conduct to insure the safety and comfort of all visitors.

The following are prohibited on the Property:

1. Disorderly, intimidating, threatening, dangerous or disruptive conduct of any nature, including but not limited to: use of obscene or insulting language or gestures, loitering, running, yelling, fighting, throwing any objects, littering, playing radios or other audio devices, rollerblading, skateboarding, bicycling.
2. Standing, walking, sitting or moving in such a way as to cause inconvenience to others, or in or on a prohibited area or object.
3. Any act which could result in physical harm to persons or damage to property.
4. Any act prohibited by local, state or federal laws or ordinances.
5. Truancy.
6. Possession of an open container or consumption of alcoholic beverages other than in licensed areas.
7. Possession or consumption of illegal substances.
8. Distribution of literature or other items, offering any item for sale, solicitation, conducting surveys, videotaping or photography, without, in each instance, the prior written consent of center management under the center's Access Policy or other applicable policies.
9. Visiting the center without shirt or shoes, or failing to be fully clothed. Wearing clothing that is, or in a manner that is, obscene, offensive to others, that may provoke a disturbance, or is otherwise inconsistent with a first-class, family-

oriented shopping center.

10. Smoking.

11. Possession of pets or other animals, except dogs, is prohibited. Dogs and their owners must adhere to the Canine Code of Conduct at all times. Canine Code of Conduct is available at Customer Service.

The foregoing list of prohibited activities is not intended to be an exhaustive list of all prohibited activities on the Property, and management reserves the right to prohibit any activity or conduct which is detrimental to or inconsistent with a first-class, family-oriented shopping center. Management's interpretation of these Rules of Conduct is conclusive and binding.

Violators of these Rules of Conduct may be subject to expulsion, banning, and/or arrest for criminal trespass or for other violation of the law. Violators of banning orders may be subject to arrest and prosecution for criminal trespass. These Rules of Conduct may be amended or changed at any time and are in addition to all other rules and policies pertaining to the Property.



