
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: October 12, 2007

SUBJECT: Petition 400-06-46 & 400-07-08 from Mr. Christopher F. Robinson request to:

- Rezone a portion (approximately 5.588 acres) of land located at approximately 750 North DeSoto Street from Foothills Protection (FP) to Foothills Residential (FR-2/21,780) Zoning District and approximately 39.516 acres from Foothills Protection (FP) to Natural Open Space (NOS)
- Amend the Capitol Hill Community Plan Future Land Use Map from Foothill Preservation Residential to Very Low Density Residential 1-5 Dwelling Units/Acre and Foothill Open Space
- Close a portion of 700 North Street located generally between Columbus and Cortez Streets

AFFECTED COUNCIL DISTRICTS: If the ordinance is adopted the rezoning, master plan amendment and street closure will affect Council District e

STAFF REPORT BY: Janice Jardine, Land Use Policy Analyst

**ADMINISTRATIVE DEPT.
AND CONTACT PERSON:** Community Development Department, Planning Division
Ray McCandless, Senior Planner

NOTICE REQUIREMENTS: Newspaper advertisement and written notification to surrounding property owners 14 days prior to the Public Hearing

POTENTIAL MOTIONS:

1. ["I move that the Council"] Adopt an ordinance rezoning property at 750 N. DeSoto Street, amending the Capitol Hill Community Plan and closing a portion of 700 North **as requested.** *(This would be consistent with the Planning Commission recommendation.)*
2. ["I move that the Council"] Adopt an ordinance rezoning property at 750 N. DeSoto Street, amending the Capitol Hill Community Plan and closing a portion of 700 North **that does not include Parcels D and E as shown on the proposed subdivision plat.** *(This would be consistent with the Council's direction at the October 2nd Work Session.)*
3. ["I move that the Council"] Not adopt the ordinance

NEW INFORMATION:

New Information

Mr. Robinson submitted a letter to the Council regarding his request to rezone property at 750 N. DeSoto Street and close a portion of 700 North. (This letter was provided previously to Council Members and is included again for reference.)

Mr. Robinson expresses his strong preference that the Council approve the road closure petition as it is written, including Parcels D and E. His distant second choice would be closure of the street with Parcels D and E removed. Mr. Robinson's issues are summarized below. (Please see the attached letter and supporting documentation for complete details.)

Mr. Robinson notes the following in regard to Mr. Dan Bethel's objection to closure of 700 North next to his property. (At the Planning Commission hearing Mr. Bethel indicated that he is not interested in relinquishing his right to use the 700 North right-of-way until a right-of-way issue concerning the alley between his house and the neighbor at 700 N. Columbus Street is settled.)

- The alley was vacated in October 1996.
- In 1997, pursuant to City requirements a gate across 700 North was installed to prevent access to 700 North adjacent to the alley as part of construction of the Dorchester Pointe Subdivision.
- Both Mr. Bethel and Ms. Calderon are signatories on the street closure request.
- Mr. Bethel's consent is not required for the City to close the street.
- The City should not change its course in light of Mr. Bethel's attempt to use this as leverage to resolve an unrelated dispute with Ms. Calderon.
- The existing grades and Chevron gas pipelines make it impossible to build a driveway from 700 North into Mr. Bethel's lot.
- Mr. Bethel acquired his property on June 21, 1993.
- For Mr. Bethel to have established prescriptive right-of-way access, he would have had to use the right-of-way access for 20 years.
- Ms. Calderon strongly disputes the existence of any prescriptive easement across her parcel.

The following information was provided previously for the October 2, 2007 Council Work Session.

KEY ELEMENTS:

- A. Two ordinances have been prepared for Council consideration to:
 1. Rezone property located at approximately 750 North DeSoto Street from Foothills Protection (FP) to Foothills Residential (FR-2/21,780) Zoning District and Natural Open Space (NOS).
 2. Amend the Capitol Hill Community Plan Future Land Use Map of the from Foothill Preservation Residential to Very Low Density Residential 1-5 Dwelling Units/Acre and Foothill Open Space.
 3. Close a portion of 700 North Street located generally between Columbus and Cortez Streets.
- B. The Administration's transmittal and Planning staff report note:
 1. The property is comprised of a single 44.51 acre parcel of vacant land located in the Capitol Hill Community.
 2. The rezoning, master plan amendment and street closure would facilitate development of a 6 lot residential planned development subdivision (5.588 acres) with a private, gated street.
 3. A homeowners association will be created as part of this development in order to maintain the private street.
 4. The street closure consists of approximately 38,444 square feet and will be exchanged for approximately 39.516 acres to be deeded to the City for natural open space preservation. Public pedestrian and bicycle access will be provided.
 5. The street has never been developed and exists only on paper.
 6. The street property will be divided between the abutting property owners and the proposed residential development.
 7. A majority of the property is undisturbed foothills.
 8. Portions of the property, particularly north of Columbus, DeSoto and Cortez Streets have been significantly altered by grading activities over time.

9. Grading in this area occurred when a Chevron pipeline was installed in the 700 North Street alignment.
 10. 700 North Street runs east and west on the north end of Columbus, DeSoto and Cortez Streets. At this location, 700 North Street is a paper street that runs along the south side of the property. No improvements have been made to this street, except on Columbus Street, where there is an existing vehicle turn-around area.
- C. The Administration's transmittal notes the signatures of abutting property owners supporting the 700 North street closure petition are included in the street closure application (Exhibit 8: Original Petitions of the transmittal packet).
- One of the property owners, Mr. Dan Bethel (who signed a statement) stated in the Issues Only hearing and at the Planning Commission public hearing that he is not interested in relinquishing his right to use the 700 North right-of-way onto Columbus Street until a right-of-way issue concerning the alley between his house and neighbor at 700 North Columbus Street is settled (Exhibit 9). The applicant has indicated he is willing to work with the owner to resolve his concern.
- D. The Planning staff report notes the following zoning classifications and existing land uses. (Please see attached map for details).
1. **North** – R-1-7,000 Single Family Residential and FR-2/21,780 Foothills Residential – residential land uses
 2. **South** – R-2 Single and Two-Family Residential and OS Open Space - open space and residential land uses
 3. **East** – R-1-7,000 Single Family Residential and FR-2/21,780 Foothills Residential – residential land uses
 4. **West** – R-2 Single and Two-Family Residential – open space land use
- E. The purpose of the Foothill Protection Zoning Districts is to protect the foothill areas from intensive development in order to protect the scenic value of these areas and to minimize flooding and erosion.
- F. The purpose of the Foothills Residential FR- 2/21,780 Zoning District is to promote environmentally sensitive and visually compatible development of lots not less than 21,780 square feet in size, suitable for foothills locations. The district is intended to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character of foothill areas not suitable for development; to promote the safety and well being of present and future residents of foothill areas; and to ensure the efficient expenditure of public funds.
- G. The purpose of the Natural Open Space Zoning District is to provide protect and ensure stewardship over important natural open land areas of citywide or regional importance. Natural open space is defined as areas are lands which are principally undeveloped with near native vegetation and may include environmentally sensitive areas; areas of geologic significance; wetlands; stream corridors; foothills; mountains; shorelands; uplands and areas of significant wildlife habitat. Permitted activities in this district are limited to ecosystem management, conservation and passive recreational uses
- H. The public process included a presentation to the Capitol Hill Community Council and written notification of the Planning Commission hearing to surrounding property owners. The Planning staff report notes:
1. The Community Council voted to approve the proposed planned development with the provision that the remaining 39+ acres of the entire 44.56 acre parcel be donated to Salt Lake City. The Community Council concurs with the proposed zoning changes but requests that the property deeded to the City be rezoned to Natural Open Space vs. Open Space.
 2. The Community Council supports a locked gate at the top of Columbus Street but requests that pedestrian and bicycle access be maintained in perpetuity through the development to existing

foothill trails. The Community Council also requested that a sign be installed identifying trail access. The Community Council voted to continue discussions with the developer about trail access. The applicant's original plan would have cut off DeSoto Street access to the trails. However, he agreed to maintain that access. There was some concern about the impact of his trail design on the hillside, so the Community Council agreed to continue discussions with the applicant on lowering impact while maintaining access.

- I. The Planning staff report provides an analysis and findings for the Zoning Ordinance Standards for General Amendments and the Council's Policy Guidelines for Street Closures. The standards were evaluated in the Planning staff report and considered by the Planning Commission. Discussion and findings for the standards are found in the Planning staff report on pages 6-8 and 17-18, respectively.
 1. Rezoning and master plan amendment findings:
 - a. The 5.588 acre parcel should be rezoned from FP to FR-2 and the Capitol Hill Master Plan amended from Foothill Preservation to Very Low Density Residential and the remaining property to be dedicated to the City be rezoned Natural Open Space NOS and the Master Plan for this property be amended to Open Space to reflect the proposed use of the property.
 - b. The proposed amendment will be compatible in scale and character of the surrounding neighborhood.
 - c. The proposed amendment will not adversely affect adjacent properties.
 - d. The applicable standards will be reviewed by the Salt Lake City Building Services and Licensing Division when building permits are submitted for review.
 - e. The proposed development must comply with all Salt Lake City departmental requirements as a condition of approval
 2. Street closure findings:
 - a. The proposed street closure will not deny access to adjacent properties.
 - b. The street will either be sold at fair market value or exchanged for the property to be deeded to the City.
 - c. There are sufficient policy reasons for justifying the closure of the street.
 - d. The policy reasons supporting the street closure outweigh the reasons for keeping the street open.
- J. The City's Fire, Police, and Public Utilities Departments and Transportation and Engineering Divisions have reviewed the request. The development proposal will be required to comply with City standards and regulations and demonstrate that there are adequate services to meet the needs of the project. (Specific comments may be found on pages 4-5 in the July 11 Planning staff report.)
- K. On March 8, 2006, the Planning Commission voted, based on the comments, analysis and findings, to forward a positive recommendation to the City Council to rezone the property, amend the Capitol Hill Community Master Plan Future Land Use Map and close a portion of 700 North between Columbus and Cortez Streets. In addition, the Planning Commission reviewed and approved preliminary subdivision and planned development conditional use applications. (Please see the Planning Commission minutes for details.)
 1. Approval of the preliminary subdivision and planned development conditional use included the following conditions or modifications of City subdivision and zoning regulations:
 - a. Recordation of a final subdivision plat.
 - b. The balance of the property (approximately 39 acres) be deeded to Salt Lake City as proposed by the applicant.
 - c. Meeting all applicable City department requirements including compliance to the recommendations contained in the Geotechnical Report.

- d. Providing unrestricted pedestrian and bicycle trail access from Columbus and DeSoto Streets and signage identifying trail access be placed at the entrance gate on Columbus Street and the top of DeSoto Street.
 - e. Lot averaging be used to establish the overall density of the proposed development and the required lot area of lots 2, 3 4 and 5 be modified as shown on the site plan.
 - f. Final grading plan be approved by the Building Permits and Licensing Division, Engineering Division and Public Utilities Departments consistent with the grading shown on the preliminary development plan drawings. Grading be limited to the areas to the cuts and fill areas shown on the submitted drawings.
 - g. Exemption from the requirement for lots to front onto a public street.
 - h. Final approval of the landscaping plan by the Planning Director.
 - i. Final approval of the grading plan by the City Engineering Division, Public Utilities Department and Building Services and Licensing Division.
2. Issues discussed at the Planning Commission hearing included:
- a. The proposed gated, private street and public access and signage for the proposed open space and trail system.
 - b. The potential for traffic and parking impacts in the surrounding neighborhood.

BUDGET RELATED FACTS:

The Administration's transmittal notes no monetary exchange will occur for the proposed street closure. As previously noted, the street closure consists of approximately 38,444 **square feet** and will be exchanged for approximately 39.516 **acres** to be deeded to the City for natural open space preservation. The Property Management Division has indicated that the property to be deeded to the City for open space offsets the valuation of the street property to be vacated and the City is justified in agreeing to a property exchange. Value of the properties is noted below. (Please see the attached memorandum from the Property Management Division for additional details.)

- A. Based on recent open space transactions the value of the property to be deeded to the City for open space is estimated at \$1.69 million.
- B. The value of the City owned street property is estimated at \$480,000.

Public Benefit Hearing

Staff has asked the City Attorney's Office to determine whether a public benefit hearing would be required in addition to the actions currently anticipated.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR THE ADMINISTRATION:

Council Members may wish to discuss if it would be appropriate to establish a conservation easement on the property that will be deeded to the City for open space use. The Open Space Lands Board has expressed their desire for the City Administration and/or Council to assure the placement of conservation easements on City properties zoned or designated for open space uses. The intent would be to provide additional assurance that the properties would be preserved as open space in perpetuity.

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. The Capitol Hill Community Master Plan (November 1999) is the adopted land-use policy document that guides new development in the area surrounding the proposed rezoning and master plan amendment. (As previously noted, amending the Future Land Use Map in the Capitol Hill Community Master Plan is part of this petition.) The Planning staff report notes the following. (Please refer to the July 11 Planning staff report for additional details.)

1. The Future Land Use Map of the 2001 Capitol Hill Master Plan designates the entire subject property as "Foothill Preservation Residential" which supports foothill residential development at 1 dwelling unit per 16 acres which would allow two dwelling units.
2. Applicable Policies of the Capitol Hill Community Master Plan (Page 3) relating to the DeSoto/Cortez area are as follows:
 - a. *Policy* – Ensure the established low-density residential character of the neighborhood is preserved.
Planning staff analysis:
 - The proposed development density is six units or 1.18 dwelling units per acre on the 5.07 acre parcel which is considered "very low density residential". The proposed development is consistent with this policy.
 - b. *Policy* – Continue the implementation of foothill regulations prohibiting development on land with slopes in excess of 30% and prohibit re-grading of natural slopes greater than 30% to slopes less than 30%.
Planning staff analysis:
 - There will be some grading on natural slopes in excess of 30% within the 5.07 acre subdivision boundary to facilitate the development of the proposed lots. However, the remaining 39.44 acres will remain in its existing state and will be zoned as Open Space or Natural Open Space. Given the slope and existing condition of this property, Staff recommends that the property to be deeded to the City be zoned to Natural Open Space versus Open Space.
 - Although the density of the proposed development is higher than what is allowed under the current zoning, the benefits of rezoning the property outweigh the reasons for not rezoning the property or amending the Master Plan. The proposed rezoning and Master Plan amendment will not only establish the limits of residential development but will define what areas of this foothill property should be preserved in perpetuity. The proposed rezoning and Master Plan amendment are consistent with these policies.

B. In addition, the Capitol Hill Community Master Plan contains the following associated policy statements:

1. Ensign Downs Neighborhood
Policies (p.3)
 - Ensure the established very low-density single family residential character of the neighborhood is preserved.
2. *Action Item (p.3)*
 - Create a new zoning district for public lands in the foothills which prohibits the development of structures.
3. Environmental – Foothill Protection and Development
Policies (p.20)
 - Require that negative impacts of residential development on foothills are minimized and, where necessary, that damage to adjacent open space is mitigated.
4. Environmental – Foothill Access and Recreation Uses
Policies (p.20)
 - Provide adequate public access to foothills.
 - Promote existing trails, as well as create more urban trail systems and open space to help preserve natural areas.

- C. The Open Space Master Plan (1992) identifies a system of non-motorized transportation corridors that would re-establish connections between urban and natural land forms of the City. The Plan discusses the value of open space including recreational opportunities and preservation of wildlife habitat, wetlands, riparian and stream corridors, and the foothills.
1. The Plan identifies the following goals:
 - a. Conservation of the natural environment.
 - b. Enhancement of open space amenities.
 - c. Connecting various parts of the City to natural environments.
 - d. Educating citizens on proper use of open space.
 2. The Plan contains the following associated policy statements:
 - a. Foothill Transitional Area
Policies (p.3)
 - Establish a trail system with designated regional scale and neighborhood scale pedestrian and bicycle access, uniform identification, signage, trail standards, and an education program on proper use.
 - Provide a managed pedestrian access/firebreak area between foothills and the City, and accommodate fire fighting equipment access.
 - b. Valley Land Form Area
Policies (p.4)
 - Develop more neighborhoods and regional linear parks as part of an urban park network which provides connection linkages to the mountain and lake basin land forms.
 - c. Shoreline Trail Corridor
Specific Recommendations (p.6)
 - Acquire available properties for trailhead development.
 - Extend the 700 North right-of-way west from East Capital Boulevard to Victory Road and create a trail connection to City Creek Canyon.
- D. The City's Comprehensive Housing Plan policy statements address a variety of housing issues including quality design, architectural designs compatible with neighborhoods, public and neighborhood participation and interaction, accommodating different types and intensities of residential developments, transit-oriented development, encouraging mixed-income and mixed-use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.
- E. The Transportation Master Plan contains policy statements that include support of alternative forms of transportation, considering impacts on neighborhoods on at least an equal basis with impacts on transportation systems and giving all neighborhoods equal consideration in transportation decisions.
- F. The City's Strategic Plan and the Futures Commission Report express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting, but not at the expense of minimizing environmental stewardship or neighborhood vitality. The Plans emphasize placing a high priority on maintaining and developing new affordable residential housing in attractive, friendly, safe environments.
- G. The Council's growth policy notes that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
1. Is aesthetically pleasing;
 2. Contributes to a livable community environment;
 3. Yields no negative net fiscal impact unless an overriding public purpose is served; and
 4. Forestalls negative impacts associated with inactivity.

- H. The City's 1990 Urban Design Element includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities.

CHRONOLOGY:

The Administration's transmittal provides a chronology of events relating to the proposed rezoning and master plan amendment. Key dates are listed below. Please refer to the Administration's chronology for details.

- November 13, 2006 Rezoning/master plan amendment petition submitted to Planning Division
- March 28, 2007 Street closure petition submitted to Planning Division
- January 2, 2007 Planning Commission Subcommittee meeting with developer to discuss project and provide direction for the applicant
- April 18, 2007 Capitol Hill Community Council meeting
- May 9, 2007 Planning Commission 'issues only' hearing
- July 11, 2007 Planning Commission hearing
- July 25, 2007 Ordinance requested from City Attorney's office
- August 7, 2007 Ordinances received from City Attorney's office

cc: Sam Guevara, Lyn Creswell, Ed Rutan, Lynn Pace, Melanie Reif, Louis Zunguze, Mary De La Mare-Schaefer, George Shaw, Doug Wheelwright, Cheri Coffey, Ray McCandless, Sarah Church, Jennifer Bruno, Cindy Lou Trishman, Gwen Springmeyer

File Location: Community Development Dept., Planning Division, Rezoning, Master Plan Amendment, Street Closure, Christopher Robinson, 750 N. DeSoto Street



Subject
Property

OS

R-2

VICTORY RD

FP

(38.774 Acres to be Dedicated to the City)
NOS (Proposed)
39.516 Acres

Proposed Street Closure
38,444 Square Feet

Proposed Lots
(6 total)

FR-2 (Proposed)
5.588 Acres

FR-2

FR-3

OS

COLUMBUS

OS

DORCHESTER DR

R-1-7000

EDGEcombe DR

R-2

DE SOTO ST

CORTEZ

EAST CAPITOL BLVD

FR-2

7000 IN

ENSIGN FOREGROUND, L.C.
925 West 100 North, Suite F
P. O. Box 540478
North Salt Lake, UT 84054
(801) 599-4397
Fax (801) 677-6416
Email: crobinson@theensigngroup.com

October 9th, 2007

SALT LAKE CITY COUNCIL
City & County Building, Room 304
451 South State Street
Salt Lake City, UT 84111
Attention: Mr. Van B. Turner, Chair

RE: Petition No. 400-07-08 Relating to the Closure of a Portion of 700 North Street between Columbus and Cortez Streets (the "Petition"); Mr. Dan Bethel's Concerns

Dear Mr. Turner and City Councilors:

I was in attendance at last Tuesday (October 2nd) afternoon's meeting of the Salt Lake City Council to receive a briefing on the Petition to partially close 700 North Street as referenced above. As was indicated at that meeting and as is reflected in the Staff Report, at least since May 7th, 2007 (the date of Mr. Bethel's email to Planner Ray McCandless on the subject--see attached), Mr. Bethel has expressed concern over deeding to him and his neighbor (Ms. Julianne B. Calderon) the portions of the south half of the 700 North ROW immediately adjacent to his and his neighbor's property, until he and his neighbor can resolve their differences over the alleyway separating their properties (the "Alleyway"). The proposed subdivision plat for Columbus Court PUD was to have created Parcels D and E which were, respectively, to have been deeded by us to Mr. Bethel and Ms. Calderon.

Mr. Bethel owns Lot 12, Block 21, Plat J, Salt Lake City Survey, and Ms. Calderon owns Lot 11 in the same subdivision. These two neighbors are in a dispute over their respective use and rights to the Alleyway, which was vacated pursuant to SLC Ordinance 75 of 1996, recorded October 8, 1996 (400-95-61), a copy of which is attached.

As described in his attached email, Mr. Bethel is alleging that there existed a prescriptive right-of-way across a portion of Lot 11 and the vacated Alleyway in favor of Lots 11 and

12. Mr. Bethel is in favor of our proposed Columbus Court PUD (formerly known as "Ensign Foreground PUD") subdivision but wants to withhold support for the deeding of the portion of 700 North ROW under these Parcels D and E in order to create leverage with Ms. Calderon to settle their differences on the vacated Alleyway.

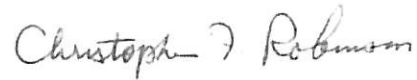
As the City Council evaluates their options on how to proceed, please consider the following:

1. The Alleyway was vacated effective as of October, 1996, at which time all interest that the City and the public had in the Alleyway terminated.
2. In 1997, our sister company Dorchester Partners, L.C., developed the Dorchester Pointe Subdivision, including the sewer line that comes into Columbus Street at 700 North. At the conclusion of our construction of the sewer line in 1998, we erected a stone retaining wall, performed grading, and, pursuant to the City's requirements, installed a gate across 700 North which prevented access onto the portion of 700 North adjacent to the Alleyway. Hence, for the past ten years, no one has had access to the Alleyway from 700 North Street. Please see the attached photograph of the existing gate.
3. Both Mr. Bethel and Ms. Calderon are signatories to that certain "Petition to Close a Street" dated March 28th, 2007, a copy of which is attached, and that none of the conditions of their support contained therein have changed. Mr. Bethel's consent is not required for the City to close the street, and the City should not change its course in light of Mr. Bethel's attempts to use this as leverage to resolve an unrelated dispute with Ms. Calderon.
4. As shown on the attached "Driveway Slope Analysis for Access to Lot 12 Block 21, Plat J, Salt Lake City Survey" which Ensign Engineering has just prepared for us, the existing grades and existing Chevron pipelines make it impossible to build a driveway into Mr. Bethel's Lot 12 from 700 North Street (if it were to remain a public street) that has acceptable slopes (i.e., within City guidelines). As the Driveway Slope Analysis shows, slopes in excess of 32 percent on the westerly part of a driveway and in excess of 47 percent on the southerly part of the driveway would be required.
5. Mr. Bethel acquired title to his Lot 12 on June 21st, 1993 (see the attached vesting deed).
6. For Mr. Bethel to have established a prescriptive right-of-way across the northeast corner of Ms. Calderon's Lot 11 and her half of the vacated Alleyway, Mr. Bethel, or his predecessor-in-interest, would have had to openly, notoriously, and continuously used such right of way for a period of 20 years prior to when we blocked off access in 1997 with our sewer construction activities. Ms. Calderon strongly disputes the existence of any prescriptive easement across her parcel.
7. Mr. Bethel and Ms. Calderon need to work out there differences on the use of the vacated Alleyway which is a separate and unrelated issue from the closure of 700 North.
8. Our strong preference is that, on October 16th, the City Council approve the road closure petition as it is written, including Parcels D and E. Our distance

second choice is that the Council approve a vacation ordinance with Parcels D and E removed. Our strong desire is that we have an approval on October 16th.

Please don't hesitate to contact me if you have any questions or concerns.

Best regards,

A handwritten signature in cursive script that reads "Christopher F. Robinson".

Christopher F. Robinson
Manager

Cc: Janice Jardine, via email
Ray McCandless, via email
Douglas Wheelwright, via email
Lynn Pace, via email

McCandless, Ray

From: BethelCo@aol.com
Sent: Monday, May 07, 2007 2:14 PM
To: McCandless, Ray
Cc: wayne@moylelawfirm.com; crobinson@theensigngroup.com
Subject: petition 400-07-08

Hi Ray:

I am writing to inform you that since I am in a right-of-way negotiation over the vacated alley between my property at 707 North DeSoto Street and my neighbor's property directly west of mine I may need to consider the prescriptive use which traditionally existed at the north end of the alley between Columbus and DeSoto connecting to 700 North. It ran on an angle from the top of the alley to join 700 North. It was the traditional route to avoid the elevation of the pipeline and connect to 700 North Street. I assume my neighbor and I retained the right to use it when we vacated the alley between our houses.

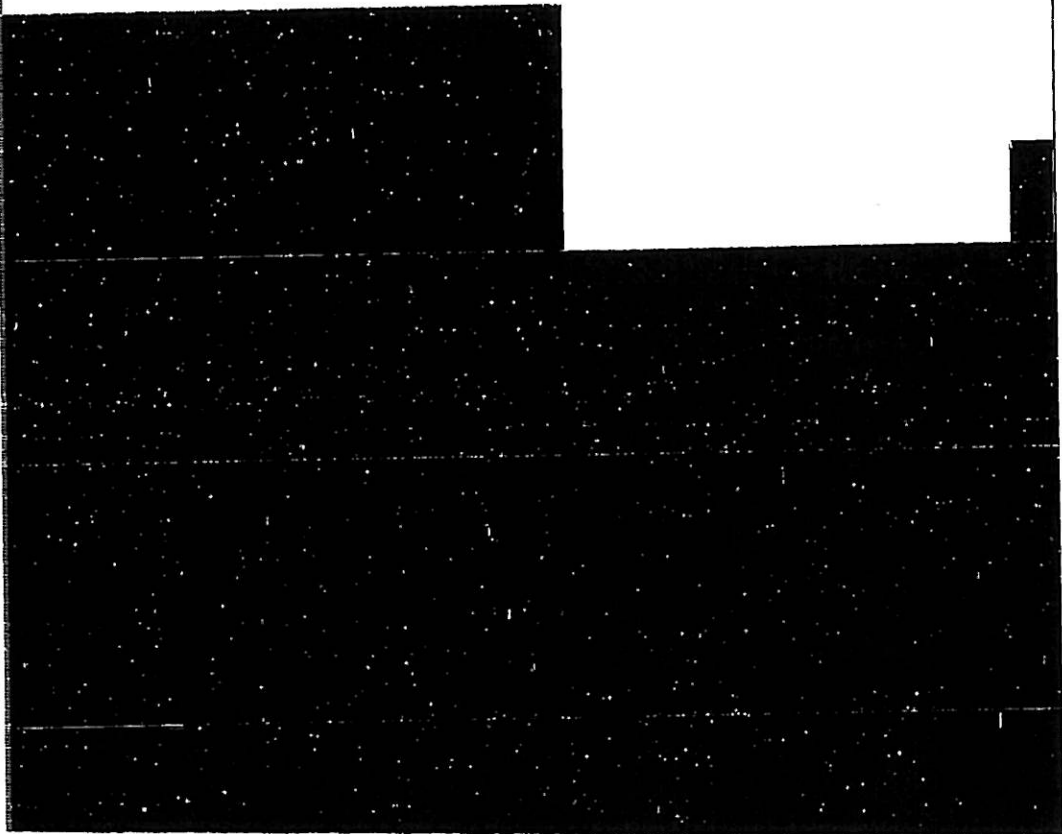
For this reason I have written Chris Robinson advising him of my current right-of-way issues. I feel that this prescriptive use right needs to be addressed before the south half of the 700 north right-of-way is deeded to me and my neighbor.

I am hoping this doesn't affect the course of Chris's project since I feel it will be a positive addition to the area. Providing more security and increased value to our houses.

Best Regards,
Dan Bethel
801-971-4187 cell

See what's free at AOL.com.

6/27/2007



STATE OF UTAH, }
City and County of Salt Lake, } ss.

6477142
10/09/96 3:31 PM ***NO FEE**
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
SL CITY - RECORDER
REC BY:V ASHBY DEPUTY - MI

6477142

I, ...Christine Meeker....., City Recorder of Salt Lake City, Utah, do hereby
certify that the attached document is a full, true and correct copy of... Salt Lake City Ordinance...
No. 75 of 1996, Vacating an alley located between Columbus Street and Desoto
Street and south of 700 North, pursuant to Petition No 400-95-61.
.....
.....
.....

passed by City Council/Executive Action of Salt Lake City, Utah, ..October. 1.. 1996..... 19....
as appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City,
this 8th..... day of October..... 19. 96.



Christine Meeker
.....
Chief Deputy City Recorder

Published... 10-8-96 19....

SK7508PG2469

Affects Sidwell Numbers:
9-30-353-001
9-30-353-005

SALT LAKE CITY ORDINANCE

No. 75 of 1996

(Vacating an alley located between Columbus Street and DeSoto Street and south of 700 North pursuant to Petition No. 400-95-61)

AN ORDINANCE CLOSING AN ALLEY LOCATED BETWEEN COLUMBUS STREET AND DESOTO STREET, AND SOUTH OF 700 NORTH, PURSUANT TO PETITION NO. 400-95-61.

WHEREAS, the City Council of Salt Lake City, Utah, finds after public hearing that the City's interest in the alley described below is not necessary for use by the public as an alley and that vacation of said alley will not be adverse to the general public's interest.

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

SECTION 1. That a portion of the alley, which is the subject of Petition No. 400-95-61 and which is more particularly described below, be, and the same hereby is, vacated and declared no longer to be needed or available for use as an alley.

Said alley is more particularly described as follows:

Commencing at the northeast corner of Lot 11, Block 21 of Plat J, Salt Lake City Survey, located in the southwest quarter of Section 30, T.1N.,

KP

BK7508P62470

R.1E., S.L.B.&M.; thence south 50 feet to the southeast corner of Lot 11; thence east 20 feet to the southwest corner of Lot 12 of said subdivision; thence north 50 feet to the northwest corner of Lot 12; thence west 20 feet to the point of beginning.

SECTION 2. RESERVATIONS AND DISCLAIMERS. The above closure is expressly made SUBJECT TO all existing rights-of-way and easements of all public utilities of any and every description now located on and under or over the confines of the property and also SUBJECT TO the rights of entry thereon for the purposes of maintaining, altering, repairing, removing or rerouting said utilities, including the City's water and sewer facilities, and all of them. Said closure is also SUBJECT TO any existing rights-of-way or easements of private third parties.

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 1st day of October, 1996.



CHAIRPERSON


SK7508PG2471

ATTEST:


CHIEF DEPUTY CITY RECORDER

Transmitted to the Mayor on 10-1-96.

Mayor's action: xxx Approved Vetoed.

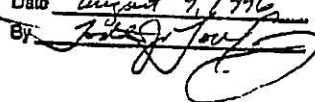

MAYOR

ATTEST:


CHIEF DEPUTY CITY RECORDER



(SEAL)

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date August 9, 1996
By 

Bill No. 74 OF 19 96.
Published: 10-8-96.

TJG/etc

G:\ORDINA96\ALLEY.711

BK7508PG2472

700 North Street *

**PETITION
400-95-61**

Columbus Street

Burnett 700	Don Dehal 716
Jehnsen 690	Urish 701
Storrs 674	Barto 694-67
Jensen 672	Tony 686
Croftman 668-688	Imelcast 681
Lorenz 662	Denary 679
Silver 658	Huston 665
Murdock 650	Brown & Rensch 658
Roser 642-44	Olabe 655
Onbeta 638	Housing Authority 638
Willing 632-34	Blush 631
Baka 618	Weslow 617
Hollman 614	Mackley 611
Gullamson 612	Alia 608
Heath 605-08	Melander 608
Cabier 600	Fry 600
Anderson 594	Provenzano 587
Haycock 588	Fitzwilliam 581
Anderson 582	Olsen 578
Ogden 576	Pierce 571
Umberger 570	Wood 51
Aalton 564	

De Soto Street

Girard Avenue

PROPOSED ALLEY VACATION

* 700 North Street is not developed, it is a street on paper only.



BK 7508 PG 2473

Legal Description
ALLEY VACATION
Petition 400-95-61

Between Columbus Street and De Soto Street and south of 700 North.

Commencing at the northeast corner of Lot 11, Block 21 of Plat J, Salt Lake City Survey, located in the southwest quarter of Section 30, T.1N., R.1E., S.L.B.&M.; thence south 50 feet to the southeast corner of Lot 11; thence east 20 feet to the southwest corner of Lot 12 of said subdivision; thence north 50 feet to the northwest corner of Lot 12; thence west 20 feet to the point of beginning.

Affected Sidwell Numbers:

9-30-353-001

9-30-353-005

BK7508PG2474



**THE ENSIGN GROUP, L.C.
925 West 100 North, Suite F
P.O. Box 540478
North Salt Lake, Utah 84054**

March 28th, 2007

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

Attention: Ray McCandless, Planner

RE: Petition to Close/Vacate 700 North Street right-of-way between Columbus
and Cortez Streets

Dear Planning Department:

We are developing the following real property owned by Arimo Corporation, Beaver Creek Investments, L.C., Alexander J. Robinson, Christopher F. Robinson, and Victoria A. Robinson (the "Owners"): (a) approximately 44 acres of property located north of 700 North (Tax Parcel No. 09-30-351-03; hereinafter the "Foreground") and (b) Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003; hereinafter the "Cortez Lots").

We have proposed the six lot "Ensign Foreground P.U.D." subdivision concept plan (the "Subdivision") covering the Foreground and also providing a private driveway to the Cortez Lots (access to these lots from Cortez is difficult due to steep slope) (see Exhibit "A" attached to the petition referenced below). The Subdivision calls for developing about five acres of the Foreground parcel (in the south-east corner) and deeding to Salt Lake City Corporation (the "City") the remaining ~39 acres.

We are requesting the closure of the 700 North Street right-of-way between Columbus and Cortez Streets (the "Right-of-Way"). The Right-of-Way has not been improved and likely never will be improved due to excessive slopes. In lieu of paying cash for the fair market value of the closed portion of the Right-of-Way, we would propose that our conveying the 39 acres of dedicated open space would more than suffice as consideration for the land affected by the road closure.

As shown on the Subdivision plat, we're generally proposing that the Right-of-Way be split down the middle running east-west such that the north half would be deeded to the Owners for inclusion within the Subdivision and the south half, with the small exception

of some Right-of-Way areas needed for present or future roadways (such as a future hammerhead turnaround at the end of DeSoto and the public and private portions of the roadway to access the Subdivision at the end of Columbus) be deeded to the adjacent property owners abutting the south side of the Right-of-Way. Provided that the closed portion of the Right-of-Way can be "exchanged" for the 39 acres of open space and we therefore are not required to pay any cash consideration to the City to close the Right-of-Way, the recipients of the south half of the Right-of-Way (as shown in Exhibit "A" to the petition) would not be required to tender any consideration to the City or to us for the portions of the Right-of-Way that they are receiving.

There exist two petroleum pipelines owned by Chevron which pass through the Right-of-Way and we understand that any conveyance of the closed portion of the Right-of-Way affected by said pipelines would need to be subject to a reservation of a perpetual easement in favor of Chevron for the same and perhaps some other easements for public or private utility companies.

Please find attached our Street Closure application as well as the required petition signed by the abutting property owners. We would like this application and petition to be processed by the City in conjunction with the processing of the Subdivision.

Please don't hesitate to contact me if you have any questions or concerns. Email (crobinson@theensigngroup.com) or cell phone (801-599-4397) are the best.

Respectfully submitted,

THE ENSIGN GROUP, L.C.

By: Christopher F. Robinson
Christopher F. Robinson, Manager

Attachment

ROAD CLOSURE APPLICATION AND PETITION

[see attached]



Street Closure

OFFICE USE ONLY

Petition No. _____
Receipt No. _____ Amount: _____
Date Received: _____
Reviewed By: _____
Project Planner: _____

Date March 28th, 2007

Name of Applicant The Ensign Group / Christopher Robinson Phone 801-599-4397
Address of Applicant P.O. Box 540478, North Salt Lake, UT 84054
E-mail Address of Applicant crobenson@theensigngroup.com Cell/Fax 801-677-6416 FAX

Please include with the application:

1. A letter explaining why you are requesting this street closure. Please include a statement explaining why the street closure is consistent with proposed public policy. If applicant is not a property owner adjacent to the street, please include the applicant's interest in the request.
2. The names and addresses of all property owners within four-hundred fifty (450) feet - exclusive of streets and alleys in any direction - from the border of the subject street. 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. Additional names and addresses may be required. The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.
3. The name, address and signatures of all abutting property owners who support the petition. You may use the sample petition accompanying this application or provide your own. Please note that the property owners must sign and not occupants who rent.
4. A property ownership map (known as a Sidwell map) showing the area of the proposed street closure. On the map please:
 - a. Highlight the subject section of street
 - b. Indicate with a list of the property owners and write their name on the Sidwell map identifying the property they own.
5. Filing fee of \$300.00 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 Property Owner
or authorized agent

The Ensign Group, LLC.

By: Christopher F. Robinson, Mgr. 3/28/07
Title of agent

SALT LAKE CITY PLANNING

PETITION TO CLOSE A STREET

Date: March 28th, 2007

To: Salt Lake City Corporation (the "City")
Planning Division
451 South State Street, Room 406
Salt Lake City, UT 84111

Petitioner: The Ensign Group, L.C.
c/o Christopher F. Robinson
925 West 100 North, Suite F
P.O. Box 540478
North Salt Lake, UT 84054
Email: crobinson@theensigngroup.com
Cell Phone: 801-599-4397

Street Closure: 700 North Right-of-Way between Cortez and Columbus Streets, as shown on Exhibit A attached (the "Right-of-Way") and as explained in that certain letter from Petitioner to City of even date herewith.

TO WHOM IT MAY CONCERN:

We, the undersigned, are the owners of the property fronting upon or abutting the Right-of-Way and do hereby support the closure of the same provided that portions of the Right-of-Way so closed are generally deeded to the parties as shown on Exhibit A. We understand that, in lieu of cash consideration for the fair market value of the portion of the Right-of-Way being close, the City will be receiving in exchange other property owned or controlled by the Petitioner.

Property Owner's Name and Address:	Property Description and Parcel Number	Owner's Signature	Date Signed
Arimo Corporation P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	By <u>Christopher F. Robinson</u> Christopher F. Robinson President	4-3-07
Beaver Creek Investments, L.C. P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	By <u>Christopher F. Robinson</u> Christopher F. Robinson Manager	4-3-07

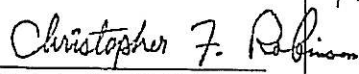
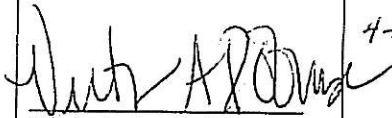

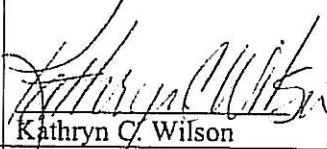
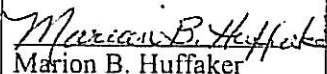
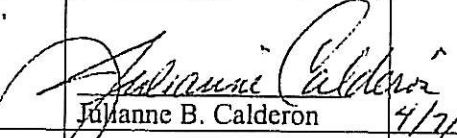
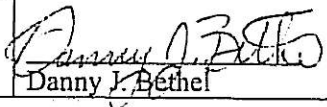
Christopher F. Robinson P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	 Christopher F. Robinson	4-3-07
Victoria A. Robinson P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	 Victoria A. Robinson	4-3-07
Alexander J. Robinson P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	 Alexander J. Robinson	4-3-07
Kathryn C. Wilson 587 North Perrys Hollow Road Salt Lake City, UT 84054	Lot 3, Ensign Downs Plat G (Tax Parcel No. 09-30-351-021) and adjoining metes and bounds parcel to west (Tax Parcel 03-30-351-036)	 Kathryn C. Wilson	4-6-07
Alton W. Huffaker & Marion B. Huffaker (Life Estate), Et Al 700 North DeSoto St. Salt Lake City, UT 84103	Lot 11, Block 20, Plat J, Salt Lake City Survey (Tax Parcel No. 09-30-354-005)	 Marion B. Huffaker	Apr. 3 2007
Julianne B. Calderon 700 N. Columbus St. Salt Lake City, UT 84103	Lot 11, Block 21, Plat J, Salt Lake City Survey	 Julianne B. Calderon	4/7/07
Danny J. Bethel, Trustee 707 North DeSoto St. Salt Lake City, UT 84103	Lot 12, Block 21, Plat J, Salt Lake City Survey (Tax Parcel No. 09-30-353-005)	 Danny J. Bethel	4/9/07

EXHIBIT "A"

Drawing Showing Parcels Resulting from the
Closure of 700 North Street Right-of-Way
Between Columbus and Cortez Streets

(Sheets 1 and 2)

[see attached]



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THE UNIVERSITY OF CHICAGO

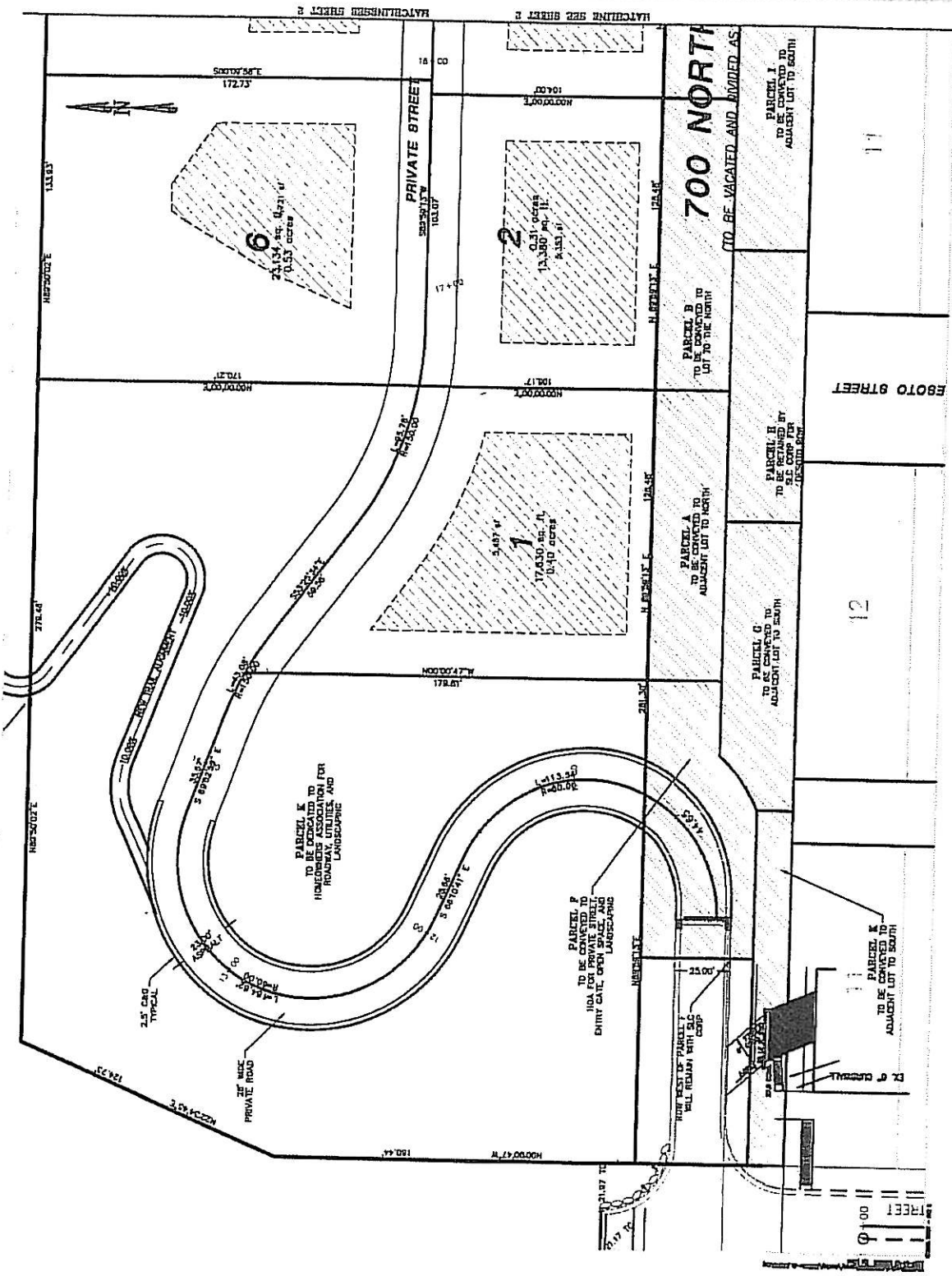
THE ENDIGEN GROUP, L.C.

FOREGROUND

MAIL ROOM CR. UTAH

118HXE 101

Case No.	100-1000	Date	1-6-67
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Statist Consulting Inc.
10000 14th Ave S.W.
Suite 100
Burien, WA 98148
206-835-1111
www.statist.com

Statist

Surveyor's Seal

By Statist Consulting Inc. on 10/10/2017
I hereby certify that this is a true and correct copy of the original survey as filed in the public records of the State of Washington.

1/10/2017

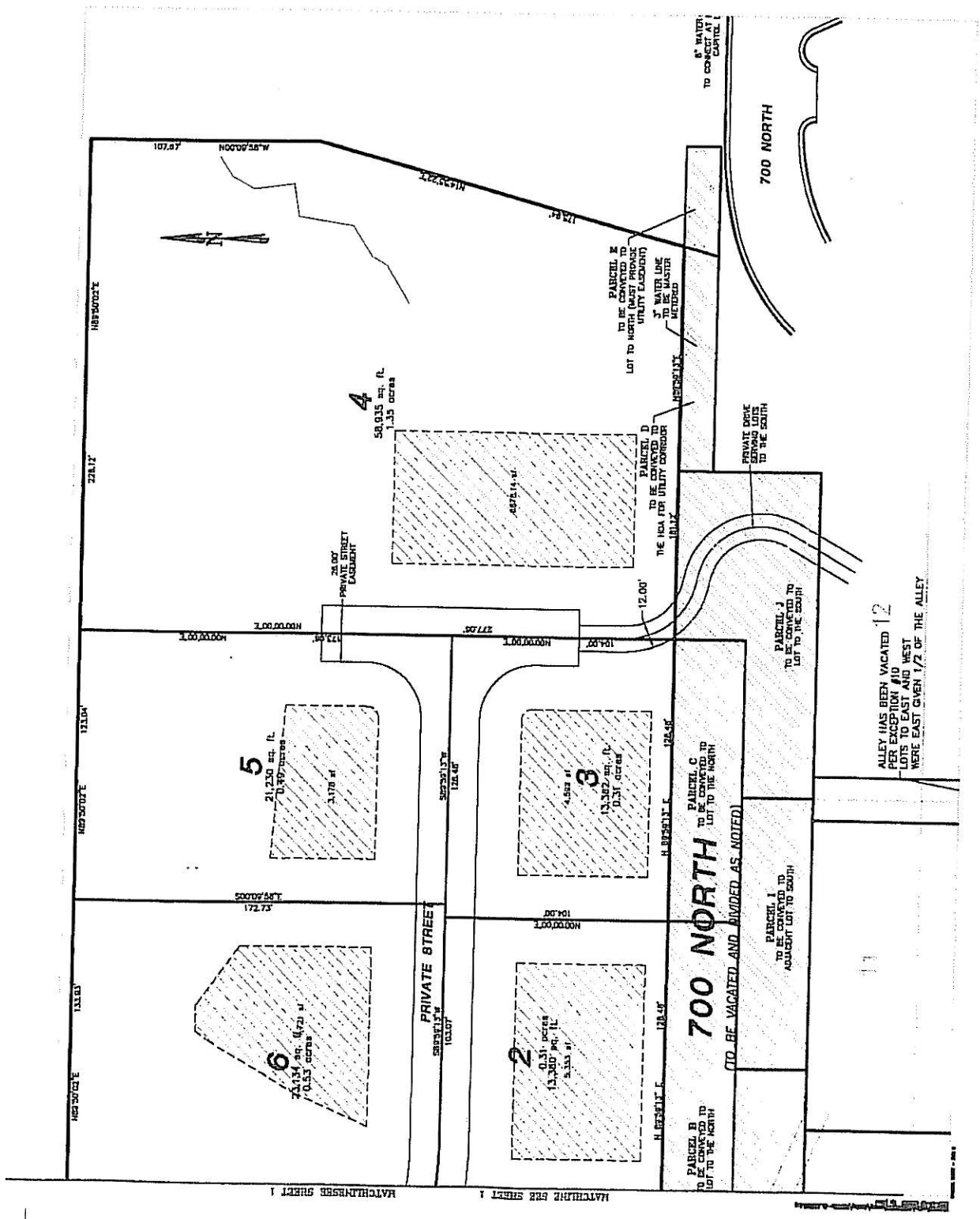
Project: 10000 14th Ave S.W.
Sheet: 1 of 1

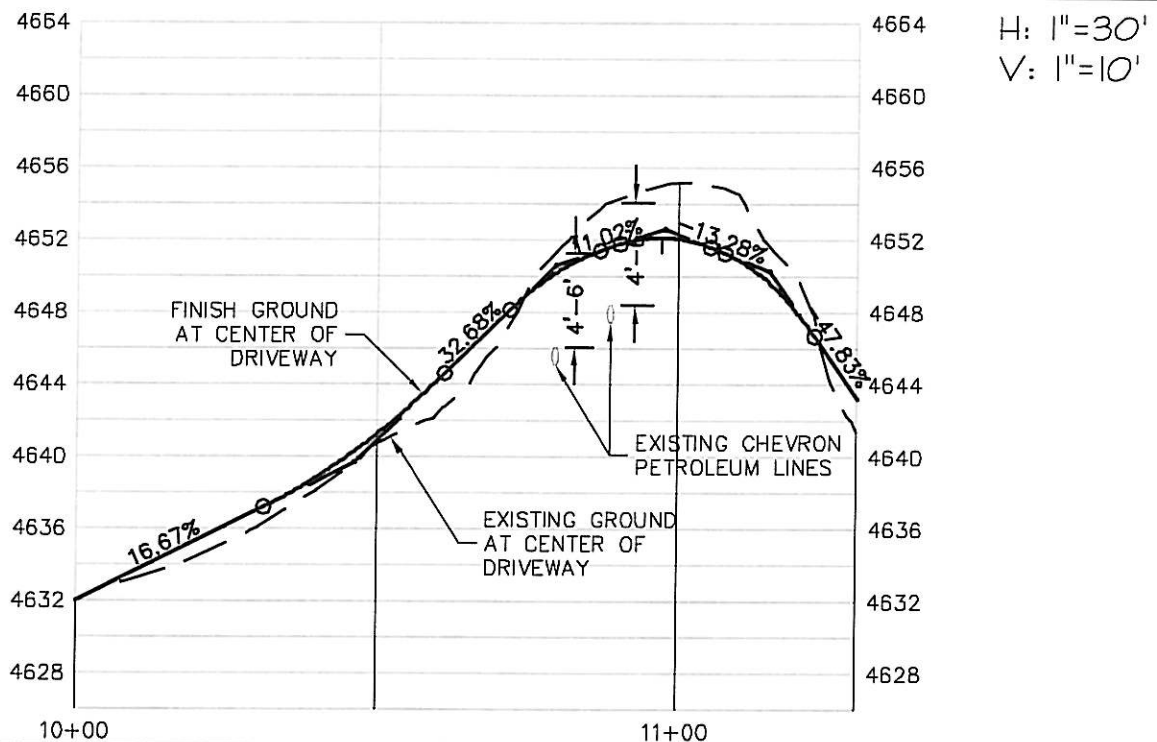
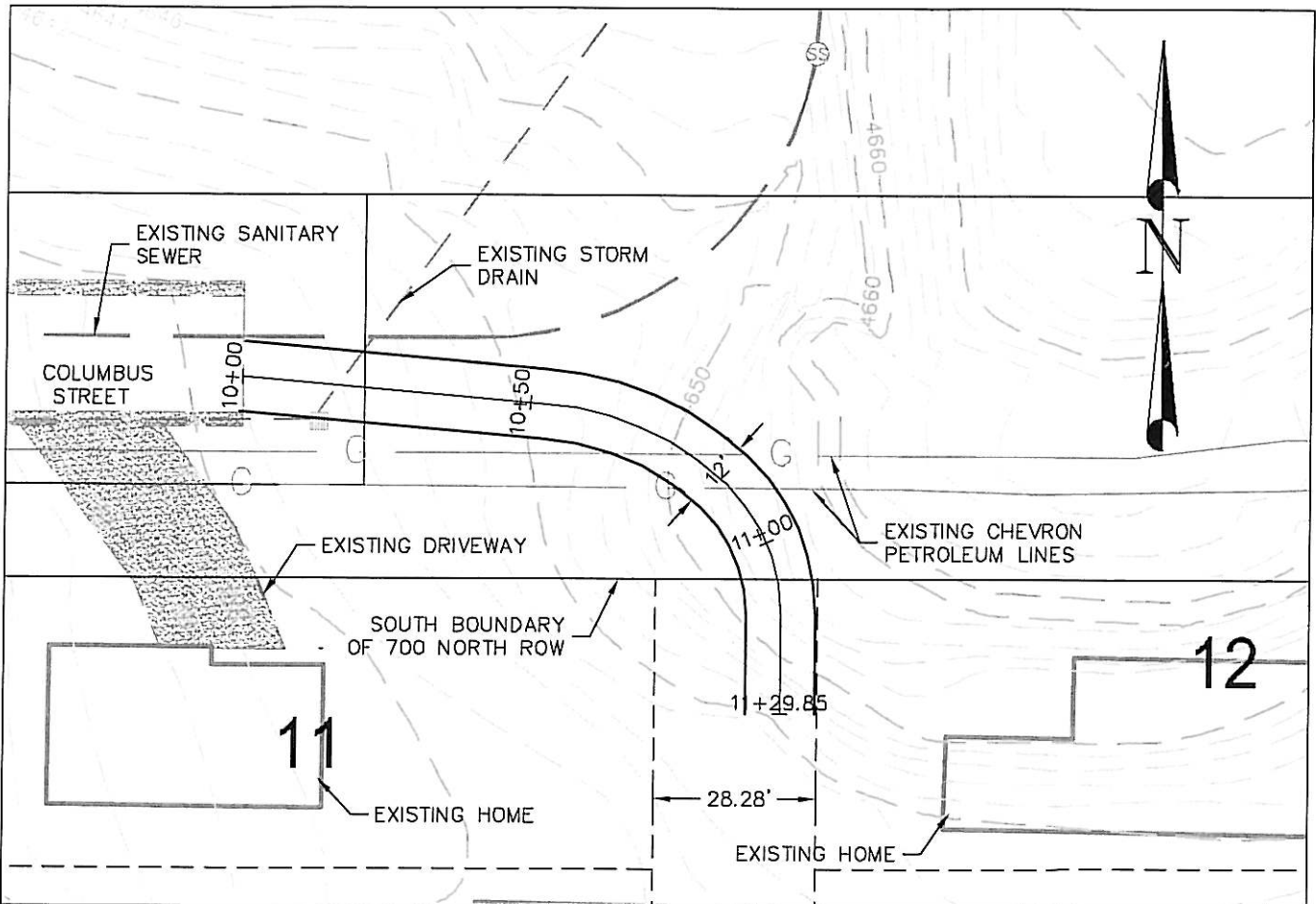
Client: THE EUSIGH GROUP, L.C.

Project: FOREGROUND

Location: SALT LAKE CITY, UTAH

Project No.	10000 14th Ave S.W.	Scale	1"=50'
Drawn By	2	Date	
Revised	0	By	





PROJECT# DATE
4053 10/3/07

C1.0

FILE:
F:\4033\DWG RFSOURCE

DRIVEWAY SLOPE ANALYSIS FOR
ACCESS TO LOT 12 BLOCK 21
PLAT J SALT LAKE CITY SURVEY

SALT LAKE CITY, UTAH

-0-
ENSIGN FOREGROUND, LC
P.O. BOX 540478
NORTH SALT LAKE, UTAH
P: (801) 599-4397

90 E. Fort Union Blvd
Suite 100
Midvale, UT 84047
Phone: 801.255.0529
Fax: 801.255.4449
www.ensignutah.com



GRANTEE'S ADDRESS
1014 EUCLID AVENUE
SALT LAKE CITY, UTAH 84104

5535389
22 JUNE 93 02:32 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
ASSOCIATED TITLE
REC BY: REBECCA GRAY , DEPUTY

135728-54

WARRANTY DEED

BERNARDO FLORES-SAHAGUN AND WILLIAM DOUGLAS CLARK grantor
of SALT LAKE CITY County of SALT LAKE State of Utah

hereby CONVEY(S) AND WARRANT(S) TO

DAN REINEL

grantee
of SALT LAKE CITY County of SALT LAKE State of Utah

for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION DOLLARS

the following described tract of land in County,

State of Utah, to-wit:

ALL OF LOT 12, BLOCK 21, PLAT "U", SALT LAKE CITY SURVEY, ACCORDING TO THE
OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE RECORDER'S OFFICE.

SUBJECT TO EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY CURRENTLY OF RECORD,
AND GENERAL PROPERTY TAXES FOR THE YEAR 1993 AND THEREAFTER.

WITNESS the hand(s) of said grantor(s) this June 21, 1993
Signed in the presence of

BERNARDO FLORES-SAHAGUN
WILLIAM DOUGLAS CLARK
By CHRISTINE ANN CLARK, his attorney in fact

STATE OF UTAH)
COUNTY OF SALT LAKE) ss

On June 21, 1993, personally appeared
before me, BERNARDO FLORES-SAHAGUN and CHRISTINE ANN CLARK, attorney in fact for
the signer (s) of the foregoing instrument, who being by me duly sworn, WILLIAM DOUGLAS
acknowledged to me that THEY executed the same. CLARK

My Commission Expires: 2-23-97



NOTARY PUBLIC

Residing in: Salt Lake City, Utah

135728 54

(UO Rev. 6-87)

INTEROFFICE MEMORANDUM
Department of Property Management

September 27, 2007

TO: Janice Jardine
Land Use Policy Analyst

TO: Cindy Gust- Jenson
Executive Director/Council Office

FROM: John P. Spencer
Property Manager



RE: Issues on Petitions 490-06-50, 400-06-46, 410-06-39 and 400-07-08
(Robinson rezoning, master plan amendment & street closure)

As part of the approval process for the development, Mr. Robinson has agreed to convey approximately 39 acres of land (which is proposed to be deeded to the City and zoned Natural Open Space) to the city (Parcel 2). In exchange, the city is conveying title to a portion of a platted but never constructed street known as 700 North Street between Cortez and Columbus Streets. The city parcel in and of itself does not have developable value because of slope issues and existing subsurface gas lines. The slope and gas lines will encumber the property and preclude building any structures on it. The value of the property is in assembling the property with adjoining parcels.

It is my opinion based on other recent open space transactions, the value of the Robinson parcel is \$1.69 million. The value of the city parcel is approximately \$480,000. Based on the disparity in values, the city is justified in agreeing to the exchange.

Attachments

****Please Note****

Parcel descriptions contained herein are referenced as Exhibit "A" for your reference.

Exhibit "A"

Parcel 1:

Parcel to be vacated by Salt Lake City Corporation

700 North Vacation Parcel

(July 30, 2007)

Beginning at a point being West 1643.37 feet and South 5013.26 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; and running thence South 33.00 feet; thence S89°59'13"W 418.24 feet; thence Southwesterly 29.52 feet along the arc of a 66.38 foot radius to the right, chord bears S54°21'28"W 29.27 feet; thence S89°59'13"W 64.68 feet; thence N00°00'47"W 50.05 feet; thence N89°59'13"E 506.72 feet to the point of beginning.

Contains 18,059 Square Feet

Parcel 2:

Parcel to be donated to Salt Lake City Corporation by The Ensign Group

Ensign Foreground Open Space

(July 30, 2007)

Beginning at the a point on the Southerly Boundary Line of Lot 4 of Ensign Downs Plat "B" recorded July 27, 1966 in Book EE at Page 17 in the Office of the Salt Lake County Recorder, said point also being West 2475.16 feet and South 3496.88 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; and running thence the following two courses along the Southerly Boundary Line of said Ensign Downs Plat "B": (1) S89°53'58"E 30.38 feet; (2) S74°54'00"E 108.23 feet to the Southwest Corner of Lot 2 of said Ensign Downs Plat "B"; thence S15°06'00"W 100.00 feet; thence S74°54'00"E 180.00 feet to a point on the Westerly Boundary Line of Ensign Downs Plat "A" recorded March 3, 1954 in Book N at Page 85 in the Office of the Salt Lake County Recorder; thence the following nine (9) courses along the Westerly and Southerly Boundary Line of said Ensign Downs Plat "A": (1) S15°06'00"W 25.00 feet; (2) S04°06'00"W 300.00 feet; (3) S30°54'00"E 160.00 feet; (4) S47°54'00"E 165.00 feet; (5) N56°26'00"E 90.00 feet; (6) S07°04'00"E 130.00 feet; (7) S47°54'00"E 125.00 feet; (8) S83°54'00"E 320.00 feet; (9) N81°15'00"E 96.97 feet; thence S00°09'58"E 313.39 feet; thence S89°50'02"W 774.44 feet; thence S22°34'45"W 124.73 feet; thence S00°00'47"E 160.44 feet; thence S89°59'13"W 959.29 feet; thence N30°56'27"W 180.04 feet; thence N41°47'27"W 163.00 feet; thence N44°52'24"W 317.80 feet; thence N35°00'00"E 319.58 feet; thence N38°59'23"E 502.03 feet to the Southerly Boundary Line of Dorchester Pointe Subdivision Plat A PUD recorded March 31, 1997 in Book 97-3P at Page 94 in the Office of the Salt Lake County Recorder; thence the following four (4) courses along the Southerly and Easterly Boundary Line of said Dorchester Pointe Subdivision Plat A PUD: (1) S40°11'03"E 135.80 feet; (2) S62°04'05"E 165.35 feet; (3) N88°52'28"E 281.09 feet; (4) N14°04'19"E 555.93 feet to the point of beginning.

Contains 38.789 Acres

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

CITY COUNCIL TRANSMITTAL



TO: Lyn Creswell, Chief Administrative Officer **DATE:** September 26, 2007

FROM: Louis Zunguze, Community Development Director 

RE: Petition 400-06-46 by Christopher F. Robinson, requesting to rezone a portion (approximately 5.07 acres) of land located at approximately 750 North DeSoto Street from a Foothills Protection (FP) to Foothills Residential (FR-2) Zoning District and approximately 39.44 acres from Foothills Protection (FP) to Natural Open Space (NOS) and to amend the Capitol Hill Community Future Land Use Map of the Capitol Hill Master Plan from Foothill Preservation Residential to Very Low Density Residential 1-5 Dwelling Units/Acre and Foothill Open Space

Petition 400-07-08 by Christopher F. Robinson, requesting to close a portion of 700 North Street located generally between Columbus and Cortez Streets, and transfer property to abutting owners

STAFF CONTACTS: Ray McCandless, Senior Planner, at 535-7282 or ray.mccandless@slcgov.com

RECOMMENDATION: That the City Council hold a briefing and schedule a Public Hearing

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: No monetary exchange will occur. The Property Management Division has indicated that the property to be deeded to the City for open space offsets the valuation of the street to be closed.

DISCUSSION:

Issue Origin: Mr. Christopher F. Robinson is requesting approval of the Ensign Foreground Planned Unit Development (PUD), a proposed 6 lot residential planned development subdivision located at approximately 750 North DeSoto Street. The subject property is located in the Capitol Hill Community and is zoned Foothill Protection District (FP) and Open Space (OS). The subject property is comprised of a single 44.51 acre parcel of vacant land, 5.07 acres of which is proposed to be developed into six residential lots. The remaining approximate 39.44 acres are proposed to be dedicated to Salt Lake City for natural open space preservation. Alpha lots will be

created in areas where existing residents have encroached onto Mr. Robinson's property. The 5.07 acre parcel is proposed to be rezoned from Foothill Protection (FP) to a Foothill Residential Zoning District (FR-2). The balance (39.44 acres) of the property is proposed to be rezoned from Foothill Protection (FP) to Natural Open Space (NOS).

Related to this rezone is Petition 400-07-08 by the same applicant, which requests that a portion of 700 North Street between Columbus and Cortez Streets be closed and conveyed to abutting property owners. The street has never been developed and exists only on paper. The requested street closure consists of approximately 38,444 square feet and will be exchanged for the approximate 39.44 acres to be deeded to the City. Several alpha parcels will be created from the closed street which will be deeded to abutting owners and combined with proposed lots 1, 2 and 3. Both sides of the street are residential. There are two existing natural gas pipelines in the south half of the street which will remain as is.

The combined requests, Petition 400-06-46 and Petition 400-07-08, also requires preliminary subdivision and planned development approvals to allow the development of the proposed six new lots. Preliminary subdivision and planned development approvals were reviewed separately as Petitions 490-06-50 and 410-06-39, and approved by the Planning Commission at a public hearing on July 11, 2007.

The proposed lots will front onto a private street extending from Columbus Street which will have a gate. However, public pedestrian and bicycle access will be allowed. The private street will end at a hammerhead turn-around, and at the turn-around will be a driveway which will provide access to an existing vacant parcel to the south of lots 3 and 4. This parcel will also be developed sometime in the future.

West of lots 1 and 6 l is the location of the proposed alpha parcel; please refer to Exhibit 2: Site Drawings in the attached Staff Report. The private street traverses this parcel. It is not independently developable but will be owned by a homeowners association that will be created as part of this development in order to maintain the private street. It is under the Mayor's authority to dispose of surplus property.

Analysis: The applicable Salt Lake City Departments have reviewed and support the proposed development provided their departmental comments are addressed as part of the building permit process. The departmental comments are contained in Exhibit 3 of the attached Staff Report to the Planning Commission.

The signatures of abutting property owners supporting the 700 North street closure petition are included in the street closure application (Exhibit 8: Original Petitions of the transmittal packet). One of the property owners, Mr. Dan Bethel (who signed a statement) stated in the Issues Only Hearing and at the Planning Commission Public Hearing that he is not interested in relinquishing his right to use the 700 North right-of-way onto Columbus Street until a right-of-way issue concerning the alley between his house and neighbor at 700 North Columbus Street is settled (Exhibit 9). The applicant has indicated he is willing to work with the owner to resolve his concern.

Master Plan Considerations: The proposed development is located in the Capitol Hill neighborhood and is subject to the 2001 Capitol Hill Master Plan. The Master Plan goals and policies that apply to the proposed development are detailed in the applicable sections of the Staff Report to the Planning Commission (Exhibit 5).

PUBLIC PROCESS:

Following review by the Salt Lake City Planning Commission Planned Development Subcommittee, the proposed development was reviewed by the Capitol Hill Community Council on April 18, 2007. On May 9, 2007, the proposed development was discussed by the Planning Commission at an Issues Only Hearing which the public was invited to attend. A formal Public Hearing was held by the Planning Commission on July 11, 2007. The agenda and meeting minutes are attached as Exhibits 4 and 6 of this report.

At the conclusion of the Public Hearing on July 11, 2007, the Planning Commission unanimously passed a motion to approve the proposed preliminary subdivision and planned development and to forward a positive recommendation to the City Council to approve the proposed Zoning Map amendment, Master Plan amendment, and street closure petition, subject to the conditions listed in the July 11, 2007, Planning Commission meeting minutes (see Exhibit 6).

RELEVANT ORDINANCES:

Salt Lake City Zoning Ordinance, Section 21A.10.010.D. Amendments To The Zoning Map Or The Text Of This Title and Section 21A.50.050 Standards for General Amendments.

Utah State Code, Title 10-9a-609.5: Vacating or altering a street or alley.

Salt Lake City Council Policy Guidelines for Street Closures and Findings

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 - A. Notice of City Council Hearing – Posting and Mailing Draft
 - B. Notice of Public Hearing Newspaper Publication Transmittal
 - C. Mailing List and Labels
4. Agenda for the May 9, 2007 Issues Only Hearing and July 11, 2007 Planning Commission Meeting
5. Staff Report of the May 9, 2007 Issues Only Hearing and July 11, 2007 Planning Commission Meeting
6. Planning Commission Minutes for the May 9, 2007 Issues Only Hearing and July 11, 2007 Planning Commission Meeting
7. Notices for the May 9, 2007 Issues Only Hearing and July 11, 2007 Planning Commission Meeting
8. Original Petition
9. Information Received Since the July 11, 2007 Planning Commission Public Hearing.

1. CHRONOLOGY

PROJECT CHRONOLOGY

- November 13, 2006 Petition 400-06-46 received.
March 28, 2007 Petition 400-07-08 received.
- November 13, 2007 Petition 400-06-46 was assigned to the project Planner.
March 28, 2007 Petition 400-07-08 was assigned to the project Planner.
- April 18, 2007 Capitol Hill Community Council meeting.
- April 24, 2007 Notices for the May 9, 2007 Planning Commission Issues Only Hearing mailed.
- May 9, 2007 Planning Commission Issues Only Hearing.
- June 26, 2007 Notices for the July 11, 2007 Planning Commission hearing mailed.
- July 11, 2007 Planning Commission Hearing.
- July 25, 2007 Ordinances requested from the City Attorney.
- August 7, 2007 Ordinances returned from the City Attorney.
- August 8, 2007 City Council Transmittal packet completed by the Project Planner.

2. ORDINANCES

SALT LAKE CITY ORDINANCE

No. _____ of 2007

(Rezoning Properties Located at approximately 750 North DeSoto Street, and Amending the Capitol Hill Master Plan and Zoning Map)

AN ORDINANCE REZONING PROPERTIES LOCATED AT APPROXIMATELY 750 NORTH DESOTO STREET, AND AMENDING THE CAPITOL HILL MASTER PLAN AND ZONING MAP, PURSUANT TO PETITION NO. 400-06-46.

WHEREAS, after hearings before the Planning Commission and the Salt Lake City Council, the City Council has determined that the following ordinance is in the best interest of the City.

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

SECTION 1. Rezoning of properties.

A. The property located at approximately 750 North DeSoto Street, which is more particularly identified on Exhibit "A" attached hereto, shall be and hereby is rezoned from Foothills Protection (FP) to Foothills Estate Residential (FR-2/21,780).

B. The property located at approximately 750 North DeSoto Street, which is more particularly identified on Exhibit "B" attached hereto, shall be and hereby is rezoned from Foothill Protection (FP) and Open Space (OS) to Natural Open Space (NOS).

SECTION 2. Amending of zoning map. The Salt Lake City zoning map, as adopted by the Salt Lake City Code, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended consistent with the rezoning of properties identified above.

SECTION 3. Amendment of Master Plan. To the extent necessary, the Capitol Hill Master Plan shall be and hereby is amended consistent with the rezoning identified above.

SECTION 4. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2007.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2007.
Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date August 7, 2007
By Melanie Neif

HB_ATTYY-#1346-v1-Rezoning_property_located_at_750_North_DeSoto_--_08-06-07_draft.DOC

EXHIBIT A

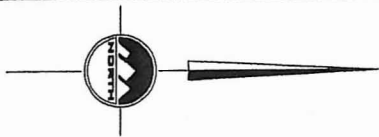
FR-2 Rezone Parcel

(August 9, 2007)

Beginning at a point being West 1417.25 feet and South 4735.54 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; and running thence S00°09'58"E 107.67 feet; thence S14°55'22"W 210.10 feet; thence S89°59'13"W 679.04 feet; thence N00°00'47"W 33.00 feet; thence S89°59'13"W 89.46 feet; thence N00°00'47"W 160.44 feet; thence N22°34'45"E 124.73 feet; thence N89°50'02"E 774.44 feet to the point of beginning.

Contains 5.588 Acres

12m



FR-2 Rezone Parcel

Beginning at a point being West 1417.25 feet and South 4735.54 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; and running thence S00°09'58"E 107.67 feet; thence S14°55'22"W 210.10 feet; thence S89°59'13"W 679.04 feet; thence N00°00'47"W 33.00 feet; thence S89°59'13"W 89.46 feet; thence N00°00'47"W 160.44 feet; thence N22°34'45"E 124.73 feet; thence N89°50'02"E 774.44 feet to the point of beginning. Contains 5.588 Acres



PROJECT # DATE
4053 8/9/07

1 of 1

FILE:
F:\4053\dwg\exhibit

ENSIGN FOREGROUND
SALT LAKE CITY, UTAH

PARCEL EXHIBITS
FR-2 ZONE EXHIBIT

FOR:
ENSIGN FOREGROUND LLC
PO BOX 540478
SALT LAKE CITY, UTAH 84054

90 E. Fort Union Blvd
Suite 100
Midvale, UT 84047
Phone: 801.255.0529
Fax: 801.255.4449
www.ensignutah.com



EXHIBIT B

Ensign Foreground NOS Zone

(July 30, 2007)

Beginning at the a point on the Southerly Boundary Line of Lot 4 of Ensign Downs Plat "B" recorded July 27, 1966 in Book EE at Page 17 in the Office of the Salt Lake County Recorder, said point also being West 2475.16 feet and South 3496.88 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; and running thence the following two courses along the Southerly Boundary Line of said Ensign Downs Plat "B": (1) S89°53'58"E 30.38 feet; (2) S74°54'00"E 108.23 feet to the Southwest Corner of Lot 2 of said Ensign Downs Plat "B"; thence S15°06'00"W 100.00 feet; thence S74°54'00"E 180.00 feet to a point on the Westerly Boundary Line of Ensign Downs Plat "A" recorded March 3, 1954 in Book N at Page 85 in the Office of the Salt Lake County Recorder; thence the following nine (9) courses along the Westerly and Southerly Boundary Line of said Ensign Downs Plat "A": (1) S15°06'00"W 25.00 feet; (2) S04°06'00"W 300.00 feet; (3) S30°54'00"E 160.00 feet; (4) S47°54'00"E 165.00 feet; (5) N56°26'00"E 90.00 feet; (6) S07°04'00"E 130.00 feet; (7) S47°54'00"E 125.00 feet; (8) S83°54'00"E 320.00 feet; (9) N81°15'00"E 96.97 feet; thence S00°09'58"E 313.39 feet; thence S89°50'02"W 774.44 feet; thence S22°34'45"W 124.73 feet; thence S00°00'47"E 193.44 feet; thence S89°59'13"W 959.29 feet; thence N00°00'47"W 33.00 feet; thence N30°56'27"W 180.04 feet; thence N41°47'27"W 163.00 feet; thence N44°52'24"W 317.80 feet; thence N35°00'00"E 319.58 feet; thence N38°59'23"E 502.03 feet to the Southerly Boundary Line of Dorchester Pointe Subdivision Plat A PUD recorded March 31, 1997 in Book 97-3P at Page 94 in the Office of the Salt Lake County Recorder; thence the following four (4) courses along the Southerly and Easterly Boundary Line of said Dorchester Pointe Subdivision Plat A PUD: (1) S40°11'03"E 135.80 feet; (2) S62°04'05"E 165.35 feet; (3) N88°52'28"E 281.09 feet; (4) N14°04'19"E 555.93 feet to the point of beginning.

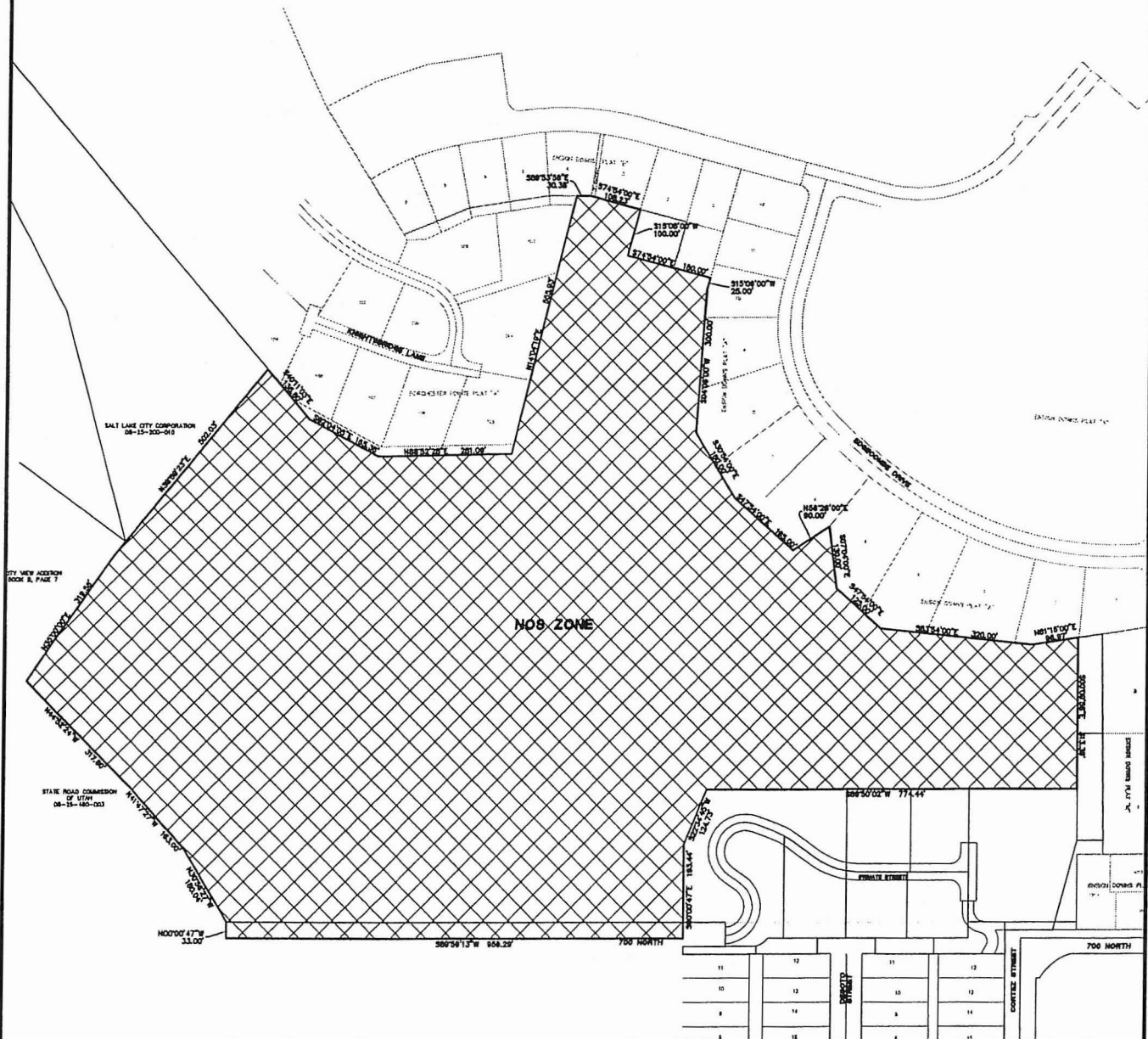
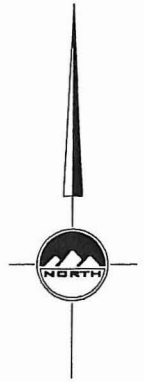
Contains 39.516 Acres

22

Ensign Foreground NOS Zone

Beginning at the a point on the Southerly Boundary Line of Lot 4 of Ensign Downs Plat "B" recorded July 27, 1966 in Book EE at Page 17 in the Office of the Salt Lake County Recorder, said point also being West 2475.16 feet and South 3496.88 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; and running thence the following two courses along the Southerly Boundary Line of said Ensign Downs Plat "B": (1) S89°53'58"E 30.38 feet; (2) S74°54'00"E 108.23 feet to the Southwest Corner of Lot 2 of said Ensign Downs Plat "B"; thence S15°06'00"W 100.00 feet; thence S74°54'00"E 180.00 feet to a point on the Westerly Boundary Line of Ensign Downs Plat "A" recorded March 3, 1954 in Book N at Page 85 in the Office of the Salt Lake County Recorder; thence the following nine (9) courses along the Westerly and Southerly Boundary Line of said Ensign Downs Plat "A": (1) S15°06'00"W 25.00 feet; (2) S04°06'00"W 300.00 feet; (3) S30°54'00"E 160.00 feet; (4) S47°54'00"E 165.00 feet; (5) N56°26'00"E 90.00 feet; (6) S07°04'00"E 130.00 feet; (7) S47°54'00"E 125.00 feet; (8) S83°54'00"E 320.00 feet; (9) N81°15'00"E 96.97 feet; thence S00°09'58"E 313.39 feet; thence S89°50'02"W 774.44 feet; thence S22°34'45"W 124.73 feet; thence S00°00'47"E 193.44 feet; thence S89°59'13"W 959.29 feet; thence N00°00'47"W 33.00 feet; thence N30°56'27"W 180.04 feet; thence N41°47'27"W 163.00 feet; thence N44°52'24"W 317.80 feet; thence N35°00'00"E 319.58 feet; thence N38°59'23"E 502.03 feet to the Southerly Boundary Line of Dorchester Pointe Subdivision Plat A PUD recorded March 31, 1997 in Book 97-3P at Page 94 in the Office of the Salt Lake County Recorder; thence the following four (4) courses along the Southerly and Easterly Boundary Line of said Dorchester Pointe Subdivision Plat A PUD: (1) S40°11'03"E 135.80 feet; (2) S62°04'05"E 165.35 feet; (3) N88°52'28"E 281.09 feet; (4) N14°04'19"E 555.93 feet to the point of beginning.

Contains 39.516 Acres



PROJECT # DATE
4053 8/9/07

1 of 1

FILE:
F:\4053\dwg\exhibit

ENSIGN FOREGROUND
SALT LAKE CITY, UTAH

PARCEL EXHIBITS
NOS_ZONE EXHIBIT

FOR:
ENSIGN FOREGROUND LLC
PO BOX 540478
SALT LAKE CITY, UTAH 84054

90 E. Fort Union Blvd
Suite 100
Midvale, UT 84047
Phone: 801.255.0529
Fax: 801.255.4449
www.ensignutah.com



SALT LAKE CITY ORDINANCE

No. _____ of 2007

(Closing and abandoning a portion of 700 North between Columbus Street and Cortez Street as a public street with conditions)

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF 700 NORTH
BETWEEN COLUMBUS STREET AND CORTEZ STREET AS A PUBLIC STREET,
PURSUANT TO PETITION NO. 400-07-08.

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

WHEREAS, the title to the closed portion of the street shall remain with the City until sale for fair market value or its equivalent.

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

SECTION 1. Closing and Abandoning Street. A portion of 700 North between Columbus Street and Cortez Street, which is the subject of Petition No. 400-07-08, and which is more particularly described on Exhibit "A" attached hereto, and the same hereby is, closed and abandoned and declared no longer needed or available for use as a street.

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

and abandonment is also subject to any existing rights-of-way or easements of private third parties.

SECTION 3. Conditions. This street closure and abandonment is conditioned upon payment by petitioner, to the City, of fair market value of that portion of the street, or its equivalent, and title to the street shall remain with the City until sale for fair market value, or the receipt of the equivalent, in accordance with Salt Lake City Code Chapter 2.58.

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

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2007.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2007.
Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date September 26, 2007
By Melanie Pfeiffer

HB_ATTYY-#1362-v1-Closing_a_portion_of_700_North_between_Columbus_and_Cortez_Streets--_08-07-07_draft.DOC

700 North Vacation Parcel

(July 31, 2007)

Beginning at a point on the Westerly Boundary Line of Lot 3 of Ensign Downs Plat "G" recorded May 24, 1982 in Book 82-5 at Page 43 in the Office of the Salt Lake County Recorder, said point also being West 1416.52 feet and South 5013.20 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; and running thence S00°00'47"E 16.00 feet along said Westerly Boundary Line to the Southwest Corner of said Lot 3; thence S89°59'13"W 149.03 feet; thence S00°00'47"E 50.00 feet; thence S89°58'58"W 272.71 feet; thence N00°00'47"W 33.02 feet; thence S89°59'13"W 120.00 feet; thence S00°00'47"E 33.03 feet; thence S89°58'58"W 281.30 feet; thence N00°00'47"W 16.00 feet; thence N89°59'13"E 89.46 feet; thence N00°00'47"W 50.05 feet; thence N89°59'13"E 733.57 feet to the point of beginning.

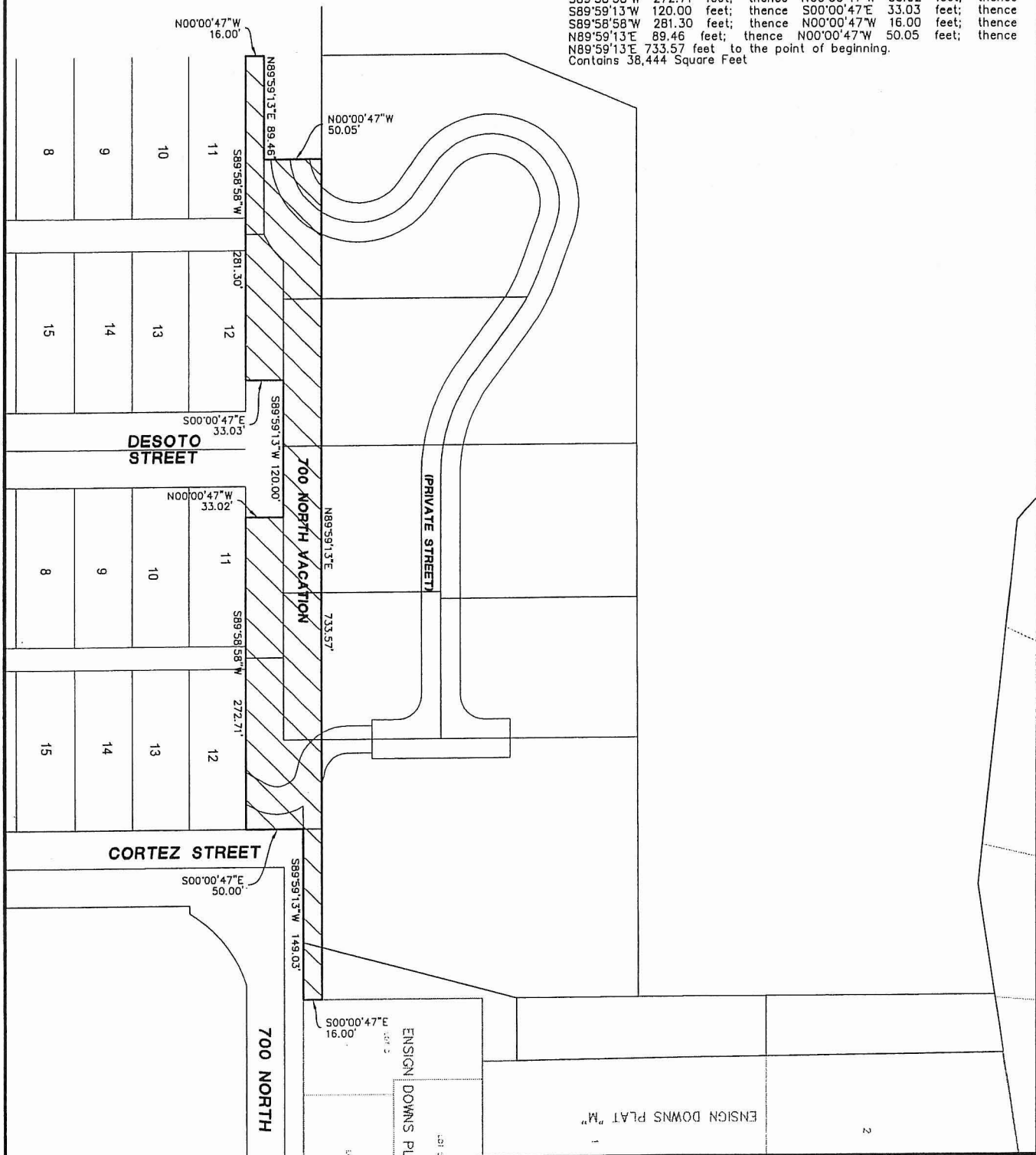
Ru

Contains 38,444 Square Feet



700 North Vacation Parcel

Beginning at a point on the Westerly Boundary Line of Lot 3 of Ensign Downs Plat "G" recorded May 24, 1982 in Book 82-5 at Page 43 in the Office of the Salt Lake County Recorder, said point also being West 1416.52 feet and South 5013.20 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; and running thence S00°00'47"E 16.00 feet along said Westerly Boundary Line to the Southwest Corner of said Lot 3; thence S89°59'13"W 149.03 feet; thence S00°00'47"E 50.00 feet; thence S89°58'58"W 272.71 feet; thence N00°00'47"W 33.02 feet; thence S89°59'13"W 120.00 feet; thence S00°00'47"E 33.03 feet; thence S89°58'58"W 281.30 feet; thence N00°00'47"W 16.00 feet; thence N89°59'13"E 89.46 feet; thence N00°00'47"W 50.05 feet; thence N89°59'13"E 733.57 feet to the point of beginning.
Contains 38,444 Square Feet



PROJECT # DATE
4053 8/9/07

1 of 1

FILE:
F:\4053\dwg\exhibit

ENSIGN FOREGROUND
SALT LAKE CITY, UTAH

PARCEL EXHIBITS
700 NORTH VACATION EXHIBIT

FOR:
ENSIGN FOREGROUND LLC
PO BOX 540478
SALT LAKE CITY, UTAH 84054

90 E. Fort Union Blvd
Suite 100
Midvale, UT 84047
Phone: 801.255.0529
Fax: 801.255.4449
www.ensignutah.com



3. NOTICE OF CITY COUNCIL PUBLIC HEARING

**3A. NOTICE OF CITY COUNCIL HEARING – POSTING
AND MAILING DRAFT**

Posted _____

By _____

NOTICE OF PUBLIC HEARING

On _____, the Salt Lake City Council will hold a public hearing to consider the following petitions for the proposed Ensign Foreground Planned Development located at approximately 750 North DeSoto Street: Petition 400-06-46; Request to rezone the portion (approximately 5.07 acres) of the property to be developed from FP to FR-2 and a portion (approximately 39.44 acres) from Foothill Preservation FP and Open Space (OS) to Open Space (OS) or Natural Open Space (NOS) and to amend the Capitol Hill Master Plan future land use map for the subject property from Foothill Preservation Residential to Very Low Density Residential and Open Space. Petition 400-07-08; Request to close a portion of 700 North Street located generally between Columbus and Cortez Streets, and transfer property to abutting owners.

The City Council is holding an advertised public hearing to receive comments regarding the petition request. During this hearing, 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

If you have any questions relating to this proposal, please attend the meeting or call Ray McCandless at 535-7282 Monday through Friday or by e-mail at ray.mccandless@slcgov.com.

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Mr. Ray McCandless at 535-7282; TDD 535-6220.

**3 B. NOTICE OF PUBLIC HEARING NEWSPAPER
PUBLICATION TRANSMITTAL**

MEMORANDUM

To: Lynn Valdez
Newspaper Corporation
From: Salt Lake City Council's Office
Re: **LEGAL NOTICES – CLASSIFIED ADS**
Date:

Please run the following ad, on the following dates _____, (once a week for four consecutive weeks) in the Salt Lake Tribune

NOTICE OF PUBLIC HEARING

On _____, the Salt Lake City Council will hold a public hearing to consider the following petitions for the proposed Ensign Foreground Planned Development located at approximately 750 North DeSoto Street: Petition 400-06-46; Request to rezone the portion (approximately 5.07 acres) of the property to be developed from FP to FR-2 and a portion (approximately 39.44 acres) from Foothill Preservation FP and Open Space (OS) to Open Space (OS) or Natural Open Space (NOS) and to amend the Capitol Hill Master Plan future land use map for the subject property from Foothill Preservation Residential to Very Low Density Residential and Open Space. Petition 400-07-08; Request to close a portion of 700 North Street located generally between Columbus and Cortez Streets, and transfer property to abutting owners.

The public meeting of the City Council begins at _____ p.m. in Room _____, City and County Building, 451 South State Street, Salt Lake City, Utah. For more information or special arrangements, call Mr. Ray McCandless at 535-7282.

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Mr. Ray McCandless at 535-7282; TDD 535-6220.

3 C. MAILING LIST AND LABELS



0825200010 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0825426015 RESIDENT 921 N DARTMOOR WY SALT LAKE CITY UT 84103	0825427004 RESIDENT 16 E DORCHESTER DR SALT LAKE CITY UT 84103
0825276006 RESIDENT 948 E 7145 S # C-102 MIDVALE UT 84047	0825426016 RESIDENT 907 N DARTMOOR WY SALT LAKE CITY UT 84103	0825427005 RESIDENT PO BOX 51850 MURRAY UT 84157
0825276006 RESIDENT 948 E 7145 S # C-102 MIDVALE UT 84047	0825426017 RESIDENT 7 E DORCHESTER DR SALT LAKE CITY UT 84103	0825427006 RESIDENT 948 E 7145 S # C-102 MIDVALE UT 84047
0825403001 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0825426018 RESIDENT 15 E DORCHESTER DR SALT LAKE CITY UT 84103	0825427007 RESIDENT 840 N SANDHURST DR SALT LAKE CITY UT 84103
0825426001 RESIDENT 7 E DORCHESTER DR SALT LAKE CITY UT 84103	0825426022 RESIDENT PO BOX 540478 NORTH SALT LAKE UT 84054	0825427008 RESIDENT 16 E DORCHESTER DR SALT LAKE CITY UT 84103
0825426003 RESIDENT 21 E DORCHESTER DR SALT LAKE CITY UT 84103	0825426023 RESIDENT 7 E DORCHESTER DR SALT LAKE CITY UT 84103	0825427009 RESIDENT PO BOX 540478 NORTH SALT LAKE UT 84054
0825426004 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0825426024 RESIDENT 948 E 7145 S # C-102 MIDVALE UT 84047	0825427010 RESIDENT PO BOX 540478 NORTH SALT LAKE UT 84054
0825426013 RESIDENT 20 E DARTMOOR LN SALT LAKE CITY UT 84103	0825426025 RESIDENT 948 E 7145 S # C-102 MIDVALE UT 84047	0825427011 RESIDENT 911 N ENSIGN VISTA DR #10 SALT LAKE CITY UT 84103
0825426014 RESIDENT 26 E DARTMOOR LN SALT LAKE CITY UT 84103	0825427003 RESIDENT 28 E DORCHESTER DR SALT LAKE CITY UT 84103	0825427012 RESIDENT PO BOX 540478 NORTH SALT LAKE UT 84054

This list of ownership was compiled by the Salt Lake County Recorder's office, with a copy being sent to the city it pertains to. Any alteration or deletion will be tracked and appropriate action taken . Feb2006Page 1 of 8



0825428001 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0825428014 RESIDENT 6168 S FIELD ROSE DR HOLLADAY UT 84121	0825477014 RESIDENT 729 N WESTCAPITOL ST SALT LAKE CITY UT 84103
0825428006 RESIDENT 885 N SANDHURST DR SALT LAKE CITY UT 84103	0825428015 RESIDENT 6168 S FIELD ROSE DR HOLLADAY UT 84121	0825477019 RESIDENT 2546 S WILSHIRE CIR SALT LAKE CITY UT 84109
0825428007 RESIDENT 871 N SANDHURST DR SALT LAKE CITY UT 84103	0825428016 RESIDENT 42 E KNIGHTSBRIDGE LN SALT LAKE CITY UT 84103	0825477019 RESIDENT 2546 S WILSHIRE CIR SALT LAKE CITY UT 84109
0825428008 RESIDENT PO BOX 790 HAILEY ID 83333	0825476001 RESIDENT 4600 S HOLLADAY BLVD HOLLADAY UT 84117	0825477021 RESIDENT 217 N ALMOND ST SALT LAKE CITY UT 84103
0825428009 RESIDENT 843 N SANDHURST DR SALT LAKE CITY UT 84103	0825477003 RESIDENT 724 N WALL ST SALT LAKE CITY UT 84103	0825477026 RESIDENT 31921 ODYSSEY DR WINCHESTER CA 92596
0825428010 RESIDENT 674 N CORTEZ ST SALT LAKE CITY UT 84103	0825477004 RESIDENT 95 LAVA RD HURRICANE UT 84737	0825477027 RESIDENT 729 N WESTCAPITOL ST SALT LAKE CITY UT 84103
0825428011 RESIDENT 815 N SANDHURST DR SALT LAKE CITY UT 84103	0825477005 RESIDENT PO BOX 2001 PARK CITY UT 84060	0825477028 RESIDENT 729 N WESTCAPITOL ST SALT LAKE CITY UT 84103
0825428012 RESIDENT 306 S DOUGLAS ST SALT LAKE CITY UT 84102	0825477006 RESIDENT 2546 S WILSHIRE CIR SALT LAKE CITY UT 84109	0825477029 RESIDENT 685 N WESTCAPITOL ST SALT LAKE CITY UT 84103
0825428013 RESIDENT 1256 S 1000 W VERNAL UT 84078	0825477013 RESIDENT 729 N WESTCAPITOL ST SALT LAKE CITY UT 84103	0825477030 RESIDENT 683 N WESTCAPITOL ST SALT LAKE CITY UT 84103

This list of ownership was compiled by the Salt Lake County Recorder's office, with a copy being sent to the city it pertains to. Any alteration or deletion will be tracked and appropriate action taken . Feb2006Page 2 of 8



0825477031 RESIDENT 715 N WESTCAPITOL ST SALT LAKE CITY UT 84103	0825479003 RESIDENT 329 S VINCENT CT SALT LAKE CITY UT 84102	0825482003 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111
0825477033 RESIDENT 681 N WESTCAPITOL ST SALT LAKE CITY UT 84103	0825479004 RESIDENT 329 S VINCENT CT SALT LAKE CITY UT 84102	0825482003 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111
0825477035 RESIDENT 683 N WESTCAPITOL ST SALT LAKE CITY UT 84103	0825480002 RESIDENT 4501 S 2700 W TAYLORSVILLE UT 84119	0836226011 RESIDENT 975 E SEARLE AVE SALT LAKE CITY UT 84117
0825478001 RESIDENT 329 S VINCENT CT SALT LAKE CITY UT 84102	0825480002 RESIDENT 4501 S 2700 W TAYLORSVILLE UT 84119	0836226014 RESIDENT 669 N WESTCAPITOL ST SALT LAKE CITY UT 84103
0825478002 RESIDENT 329 S VINCENT CT SALT LAKE CITY UT 84102	0825480003 RESIDENT 4501 S 2700 W TAYLORSVILLE UT 84119	0836227001 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111
0825478009 RESIDENT 616 N COLUMBUS ST SALT LAKE CITY UT 84103	0825481001 RESIDENT 9564 MEADOW ST RANCHO CUCAMONGA (91730)	0836227001 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111
0825478009 RESIDENT 616 N COLUMBUS ST SALT LAKE CITY UT 84103	0825481002 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0836230033 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111
0825479001 RESIDENT 2001 S STATE ST # N4500 SALT LAKE CITY UT 84115	0825482001 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0836230034 RESIDENT 616 N COLUMBUS ST SALT LAKE CITY UT 84103
0825479002 RESIDENT 4501 S 2700 W TAYLORSVILLE UT 84119	0825482002 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0930301009 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111

This list of ownership was compiled by the Salt Lake County Recorder's office, with a copy being sent to the city it pertains to. Any alteration or deletion will be tracked and appropriate action taken . Feb2006Page 3 of 8



0930302001 RESIDENT HC 11 BOX 329 KAMIAH ID 83536	0930302010 RESIDENT 79 E EDGECOMBE DR SALT LAKE CITY UT 84103	0930304005 RESIDENT 938 N DARTMOOR WY SALT LAKE CITY UT 84103
0930302002 RESIDENT 110 E DORCHESTER DR SALT LAKE CITY UT 84103	0930302011 RESIDENT 710 N TERRACE HILLS DR SALT LAKE CITY UT 84103	0930304009 RESIDENT 32 E DARTMOOR PL SALT LAKE CITY UT 84103
0930302003 RESIDENT 126 E BRAEWICK RD SALT LAKE CITY UT 84103	0930302012 RESIDENT 91 E EDGECOMBE DR SALT LAKE CITY UT 84103	0930304010 RESIDENT 36 E DARTMOOR PL SALT LAKE CITY UT 84103
0930302004 RESIDENT 130 E BRAEWICK RD SALT LAKE CITY UT 84103	0930302013 RESIDENT 99 E EDGECOMBE DR SALT LAKE CITY UT 84103	0930304011 RESIDENT 927 N ENSIGN VISTA DR SALT LAKE CITY UT 84103
0930302005 RESIDENT 136 E BRAEWICK RD SALT LAKE CITY UT 84103	0930302014 RESIDENT 103 E EDGECOMBE DR SALT LAKE CITY UT 84103	0930304012 RESIDENT 911 N ENSIGN VISTA DR SALT LAKE CITY UT 84103
0930302006 RESIDENT 142 E BRAEWICK RD SALT LAKE CITY UT 84103	0930302015 RESIDENT 123 E EDGECOMBE DR SALT LAKE CITY UT 84103	0930304013 RESIDENT 35 E DORCHESTER DR SALT LAKE CITY UT 84103
0930302007 RESIDENT 156 E BRAEWICK RD SALT LAKE CITY UT 84103	0930302016 RESIDENT 141 E EDGECOMBE DR SALT LAKE CITY UT 84103	0930304014 RESIDENT 39 E DORCHESTER DR SALT LAKE CITY UT 84103
0930302008 RESIDENT 172 E BRAEWICK RD SALT LAKE CITY UT 84103	0930302017 RESIDENT 12162 S 2240 W RIVERTON UT 84065	0930304015 RESIDENT 55 E DORCHESTER DR SALT LAKE CITY UT 84103
0930302009 RESIDENT 180 E BRAEWICK RD SALT LAKE CITY UT 84103	0930302018 RESIDENT 165 E EDGECOMBE DR SALT LAKE CITY UT 84103	0930304016 RESIDENT 67 E DORCHESTER DR SALT LAKE CITY UT 84103

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0930351001
RESIDENT
34 E DORCHESTER DR
SALT LAKE CITY UT 84103

0930351010
RESIDENT
88 E EDGECOMBE DR
SALT LAKE CITY UT 84103

0930351022
RESIDENT
2545 E PARLEYS WY # A
SALT LAKE CITY UT 84109

0930351002
RESIDENT
40 E DORCHESTER DR
SALT LAKE CITY UT 84103

0930351011
RESIDENT
92 E EDGECOMBE DR
SALT LAKE CITY UT 84103

0930351023
RESIDENT
2545 E PARLEYS WY # A
SALT LAKE CITY UT 84109

0930351003
RESIDENT
46 E DORCHESTER DR
SALT LAKE CITY UT 84103

0930351012
RESIDENT
4230 PIEDMONT MESA RD
CLAREMONT CA 91711

0930351026
RESIDENT
PO BOX 540478
NORTH SALT LAKE UT 84054

0930351004
RESIDENT
56 E DORCHESTER DR
SALT LAKE CITY UT 84103

0930351013
RESIDENT
1399 CHOKECHERRY DR
BOUNTIFUL UT 84010

0930351027
RESIDENT
170 HILLSIDE ST
MILTON MA 02186

0930351005
RESIDENT
66 E DORCHESTER DR
SALT LAKE CITY UT 84103

0930351014
RESIDENT
118 E EDGECOMBE DR
SALT LAKE CITY UT 84103

0930351028
RESIDENT
2545 E PARLEYS WY # A
SALT LAKE CITY UT 84109

0930351006
RESIDENT
70 E DORCHESTER DR
SALT LAKE CITY UT 84103

0930351015
RESIDENT
7439 BROOK HOLLOW LOOP
PARK CITY UT 84098

0930351029
RESIDENT
56 E DORCHESTER DR
SALT LAKE CITY UT 84103

0930351007
RESIDENT
78 E EDGECOMBE DR
SALT LAKE CITY UT 84103

0930351016
RESIDENT
150 E EDGECOMBE DR
SALT LAKE CITY UT 84103

0930351030
RESIDENT
911 N ENSIGN VISTA DR #10
SALT LAKE CITY UT 84103

0930351008
RESIDENT
80 E EDGECOMBE DR
SALT LAKE CITY UT 84103

0930351017
RESIDENT
783 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0930351031
RESIDENT
911 N ENSIGN VISTA DR #10
SALT LAKE CITY UT 84103

0930351009
RESIDENT
84 E EDGECOMBE DR
SALT LAKE CITY UT 84103

0930351021
RESIDENT
587 N PERRYS HOLLOW RD
SALT LAKE CITY UT 84103

0930351032
RESIDENT
911 N ENSIGN VISTA DR
SALT LAKE CITY UT 84103

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0930351033 RESIDENT 812 N SANDHURST DR SALT LAKE CITY UT 84103	0930353004 RESIDENT 672 N COLUMBUS ST SALT LAKE CITY UT 84103	0930354006 RESIDENT 209 E ENSIGN VISTA DR SALT LAKE CITY UT 84103
0930351035 RESIDENT PO BOX 540478 NORTH SALT LAKE UT 84054	0930353005 RESIDENT 707 N DESOTO ST SALT LAKE CITY UT 84103	0930354007 RESIDENT 209 E ENSIGN VISTA DR SALT LAKE CITY UT 84103
0930351036 RESIDENT 587 N PERRYS HOLLOW RD SALT LAKE CITY UT 84103	0930353006 RESIDENT 701 N DESOTO ST SALT LAKE CITY UT 84103	0930355003 RESIDENT 692 N CORTEZ ST SALT LAKE CITY UT 84103
0930351037 RESIDENT 587 N PERRYS HOLLOW RD SALT LAKE CITY UT 84103	0930353007 RESIDENT 697 N DESOTO ST SALT LAKE CITY UT 84103	0930355004 RESIDENT 4118 MOOSE HOLLOW RD PARK CITY UT 84098
0930352001 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0930353008 RESIDENT 687 N DESOTO ST SALT LAKE CITY UT 84103	0930355005 RESIDENT 4001 S 6000 W WEST VALLEY UT 84128
0930352001 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0930354002 RESIDENT 209 E ENSIGN VISTA DR SALT LAKE CITY UT 84103	0930355006 RESIDENT 697 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103
0930353001 RESIDENT 700 N COLUMBUS ST SALT LAKE CITY UT 84103	0930354003 RESIDENT PO BOX 540478 NORTH SALT LAKE UT 84054	0930355007 RESIDENT 693 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103
0930353002 RESIDENT 690 N COLUMBUS ST SALT LAKE CITY UT 84103	0930354004 RESIDENT 689 N CORTEZ ST SALT LAKE CITY UT 84103	0930355010 RESIDENT 697 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103
0930353003 RESIDENT 1785 W 2300 S WEST VALLEY UT 84119	0930354005 RESIDENT 700 N DESOTO ST SALT LAKE CITY UT 84103	0930355011 RESIDENT 4001 S 6000 W WEST VALLEY UT 84128

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0930355012
RESIDENT
693 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0930376009
RESIDENT
736 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0931101001
RESIDENT
451 S STATE ST # 225
SALT LAKE CITY UT 84111

0930355013
RESIDENT
697 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0930376010
RESIDENT
724 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0931102001
RESIDENT
666 N COLUMBUS ST
SALT LAKE CITY UT 84103

0930355014
RESIDENT
702 N CORTEZ ST
SALT LAKE CITY UT 84103

0930376011
RESIDENT
710 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0931102002
RESIDENT
660 N COLUMBUS ST
SALT LAKE CITY UT 84103

0930376003
RESIDENT
820 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0930376012
RESIDENT
704 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0931102003
RESIDENT
656 N COLUMBUS ST
SALT LAKE CITY UT 84103

0930376004
RESIDENT
804 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0930376013
RESIDENT
698 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0931102004
RESIDENT
PO BOX 163
HENEFER UT 84033

0930376005
RESIDENT
790 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0930376019
RESIDENT
140 HEPBURN RD # 19E
CLIFTON NJ 07012

0931102018
RESIDENT
1146 WEAVER LN
LAYTON UT 84041

0930376006
RESIDENT
776 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0930376020
RESIDENT
PO BOX 755
OREM UT 84059

0931102019
RESIDENT
679 N DESOTO ST
SALT LAKE CITY UT 84103

0930376007
RESIDENT
762 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0930376021
RESIDENT
PO BOX 540478
NORTH SALT LAKE UT 84054

0931102020
RESIDENT
3060 E DEER HOLLOW DR
SANDY UT 84092

0930376008
RESIDENT
748 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0930376022
RESIDENT
736 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0931102021
RESIDENT
659 N DESOTO ST
SALT LAKE CITY UT 84103

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0931103001
RESIDENT
676 N DESOTO ST
SALT LAKE CITY UT 84103

0931104002
RESIDENT
678 N CORTEZ ST
SALT LAKE CITY UT 84103

SALT LAKE CITY PLANNING
ATTN. RAY MCANALEAS
451 South State St. Rm. 406
Salt Lake City, Utah
84111

0931103002
RESIDENT
320 W 500 S # 16
BOUNTIFUL UT 84010

0931104003
RESIDENT
960 W 2100 S
WEST VALLEY UT 84119

SALT LAKE CITY PLANNING
ATTN. DOUG WHEELWRIGHT
451 South State St. Rm 406
SALT Lake City, Utah
84111

0931103003
RESIDENT
827 E SECOND AVE
SALT LAKE CITY UT 84103

0931104004
RESIDENT
662 N CORTEZ ST
SALT LAKE CITY UT 84103

0931103004
RESIDENT
660 N DESOTO ST
SALT LAKE CITY UT 84103

0931104015
RESIDENT
687 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

CHCC
ATTN. POLLY HART
355 N. Quince Street
SALT LAKE CITY, UTAH
84111

0931103017
RESIDENT
681 N CORTEZ ST
SALT LAKE CITY UT 84103

0931104017
RESIDENT
675 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0931103018
RESIDENT
681 N CORTEZ ST
SALT LAKE CITY UT 84103

0931104043
RESIDENT
681 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0931103019
RESIDENT
667 N CORTEZ ST
SALT LAKE CITY UT 84103

0931104044
RESIDENT
209 E ENSIGN VISTA DR
SALT LAKE CITY UT 84103

0931103020
RESIDENT
184 E NORTHSANDRUN RD
SALT LAKE CITY UT 84103

CHRIS Robinson
P.O. Box 540478
North Salt Lake Utah
84054

0931104001
RESIDENT
686 N CORTEZ ST
SALT LAKE CITY UT 84103

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Downtown Alliance
Bob Farrington, Director
175 East 400 South #100
Salt Lake City, UT 84111

S.L. Chamber of Commerce
175 East 400 South, Suite #100
Salt Lake City, UT 84111

Attn: Carol Dibblee
Downtown Merchants Assn.
10 W. Broadway, Ste #420
P.O. Box
Salt Lake City, UT 84101

Sugar House Merchant's Assn.
C/o Barbara Green
Smith-Crown
2000 South 1100 East
Salt Lake City, UT 84106

Hispanic Chamber of Commerce
P.O. Box 1805
Salt Lake City, UT 84110

Vest Pocket Business Coalition
P.O. Box 521357
Salt Lake City, UT 85125-1357

Westside Alliance
C/o Neighborhood Housing Svs.
Maria Garcia
622 West 500 North
Salt Lake City, UT 84116



0825200010 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0825426015 RESIDENT 921 N DARTMOOR WY SALT LAKE CITY UT 84103	0825427004 RESIDENT 16 E DORCHESTER DR SALT LAKE CITY UT 84103
0825276006 RESIDENT 948 E 7145 S # C-102 MIDVALE UT 84047	0825426016 RESIDENT 907 N DARTMOOR WY SALT LAKE CITY UT 84103	0825427005 RESIDENT PO BOX 51850 MURRAY UT 84157
0825276006 RESIDENT 948 E 7145 S # C-102 MIDVALE UT 84047	0825426017 RESIDENT 7 E DORCHESTER DR SALT LAKE CITY UT 84103	0825427006 RESIDENT 948 E 7145 S # C-102 MIDVALE UT 84047
0825403001 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0825426018 RESIDENT 15 E DORCHESTER DR SALT LAKE CITY UT 84103	0825427007 RESIDENT 840 N SANDHURST DR SALT LAKE CITY UT 84103
0825426001 RESIDENT 7 E DORCHESTER DR SALT LAKE CITY UT 84103	0825426022 RESIDENT PO BOX 540478 NORTH SALT LAKE UT 84054	0825427008 RESIDENT 16 E DORCHESTER DR SALT LAKE CITY UT 84103
0825426003 RESIDENT 21 E DORCHESTER DR SALT LAKE CITY UT 84103	0825426023 RESIDENT 7 E DORCHESTER DR SALT LAKE CITY UT 84103	0825427009 RESIDENT PO BOX 540478 NORTH SALT LAKE UT 84054
0825426004 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0825426024 RESIDENT 948 E 7145 S # C-102 MIDVALE UT 84047	0825427010 RESIDENT PO BOX 540478 NORTH SALT LAKE UT 84054
0825426013 RESIDENT 20 E DARTMOOR LN SALT LAKE CITY UT 84103	0825426025 RESIDENT 948 E 7145 S # C-102 MIDVALE UT 84047	0825427011 RESIDENT 911 N ENSIGN VISTA DR #10 SALT LAKE CITY UT 84103
0825426014 RESIDENT 26 E DARTMOOR LN SALT LAKE CITY UT 84103	0825427003 RESIDENT 28 E DORCHESTER DR SALT LAKE CITY UT 84103	0825427012 RESIDENT PO BOX 540478 NORTH SALT LAKE UT 84054

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0825428001 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0825428014 RESIDENT 6168 S FIELD ROSE DR HOLLADAY UT 84121	0825477014 RESIDENT 729 N WESTCAPITOL ST SALT LAKE CITY UT 84103
0825428006 RESIDENT 885 N SANDHURST DR SALT LAKE CITY UT 84103	0825428015 RESIDENT 6168 S FIELD ROSE DR HOLLADAY UT 84121	0825477019 RESIDENT 2546 S WILSHIRE CIR SALT LAKE CITY UT 84109
0825428007 RESIDENT 871 N SANDHURST DR SALT LAKE CITY UT 84103	0825428016 RESIDENT 42 E KNIGHTSBRIDGE LN SALT LAKE CITY UT 84103	0825477019 RESIDENT 2546 S WILSHIRE CIR SALT LAKE CITY UT 84109
0825428008 RESIDENT PO BOX 790 HAILEY ID 83333	0825476001 RESIDENT 4600 S HOLLADAY BLVD HOLLADAY UT 84117	0825477021 RESIDENT 217 N ALMOND ST SALT LAKE CITY UT 84103
0825428009 RESIDENT 843 N SANDHURST DR SALT LAKE CITY UT 84103	0825477003 RESIDENT 724 N WALL ST SALT LAKE CITY UT 84103	0825477026 RESIDENT 31921 ODYSSEY DR WINCHESTER CA 92596
0825428010 RESIDENT 674 N CORTEZ ST SALT LAKE CITY UT 84103	0825477004 RESIDENT 95 LAVA RD HURRICANE UT 84737	0825477027 RESIDENT 729 N WESTCAPITOL ST SALT LAKE CITY UT 84103
0825428011 RESIDENT 815 N SANDHURST DR SALT LAKE CITY UT 84103	0825477005 RESIDENT PO BOX 2001 PARK CITY UT 84060	0825477028 RESIDENT 729 N WESTCAPITOL ST SALT LAKE CITY UT 84103
0825428012 RESIDENT 306 S DOUGLAS ST SALT LAKE CITY UT 84102	0825477006 RESIDENT 2546 S WILSHIRE CIR SALT LAKE CITY UT 84109	0825477029 RESIDENT 685 N WESTCAPITOL ST SALT LAKE CITY UT 84103
0825428013 RESIDENT 1256 S 1000 W VERNAL UT 84078	0825477013 RESIDENT 729 N WESTCAPITOL ST SALT LAKE CITY UT 84103	0825477030 RESIDENT 683 N WESTCAPITOL ST SALT LAKE CITY UT 84103

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0825477031
RESIDENT
715 N WESTCAPITOL ST
SALT LAKE CITY UT 84103

0825479003
RESIDENT
329 S VINCENT CT
SALT LAKE CITY UT 84102

0825482003
RESIDENT
451 S STATE ST # 225
SALT LAKE CITY UT 84111

0825477033
RESIDENT
681 N WESTCAPITOL ST
SALT LAKE CITY UT 84103

0825479004
RESIDENT
329 S VINCENT CT
SALT LAKE CITY UT 84102

0825482003
RESIDENT
451 S STATE ST # 225
SALT LAKE CITY UT 84111

0825477035
RESIDENT
683 N WESTCAPITOL ST
SALT LAKE CITY UT 84103

0825480002
RESIDENT
4501 S 2700 W
TAYLORSVILLE UT 84119

0836226011
RESIDENT
975 E SEARLE AVE
SALT LAKE CITY UT 84117

0825478001
RESIDENT
329 S VINCENT CT
SALT LAKE CITY UT 84102

0825480002
RESIDENT
4501 S 2700 W
TAYLORSVILLE UT 84119

0836226014
RESIDENT
669 N WESTCAPITOL ST
SALT LAKE CITY UT 84103

0825478002
RESIDENT
329 S VINCENT CT
SALT LAKE CITY UT 84102

0825480003
RESIDENT
4501 S 2700 W
TAYLORSVILLE UT 84119

0836227001
RESIDENT
451 S STATE ST # 225
SALT LAKE CITY UT 84111

0825478009
RESIDENT
616 N COLUMBUS ST
SALT LAKE CITY UT 84103

0825481001
RESIDENT
9564 MEADOW ST
RANCHO CUCAMONGA 91730

0836227001
RESIDENT
451 S STATE ST # 225
SALT LAKE CITY UT 84111

0825478009
RESIDENT
616 N COLUMBUS ST
SALT LAKE CITY UT 84103

0825481002
RESIDENT
451 S STATE ST # 225
SALT LAKE CITY UT 84111

0836230033
RESIDENT
451 S STATE ST # 225
SALT LAKE CITY UT 84111

0825479001
RESIDENT
2001 S STATE ST # N4500
SALT LAKE CITY UT 84115

0825482001
RESIDENT
451 S STATE ST # 225
SALT LAKE CITY UT 84111

0836230034
RESIDENT
616 N COLUMBUS ST
SALT LAKE CITY UT 84103

0825479002
RESIDENT
4501 S 2700 W
TAYLORSVILLE UT 84119

0825482002
RESIDENT
451 S STATE ST # 225
SALT LAKE CITY UT 84111

0930301009
RESIDENT
451 S STATE ST # 225
SALT LAKE CITY UT 84111

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0930302001 RESIDENT HC 11 BOX 329 KAMIAH ID 83536	0930302010 RESIDENT 79 E EDGEcombe DR SALT LAKE CITY UT 84103	0930304005 RESIDENT 938 N DARTMOOR WY SALT LAKE CITY UT 84103
0930302002 RESIDENT 110 E DORCHESTER DR SALT LAKE CITY UT 84103	0930302011 RESIDENT 710 N TERRACE HILLS DR SALT LAKE CITY UT 84103	0930304009 RESIDENT 32 E DARTMOOR PL SALT LAKE CITY UT 84103
0930302003 RESIDENT 126 E BRAEWICK RD SALT LAKE CITY UT 84103	0930302012 RESIDENT 91 E EDGEcombe DR SALT LAKE CITY UT 84103	0930304010 RESIDENT 36 E DARTMOOR PL SALT LAKE CITY UT 84103
0930302004 RESIDENT 130 E BRAEWICK RD SALT LAKE CITY UT 84103	0930302013 RESIDENT 99 E EDGEcombe DR SALT LAKE CITY UT 84103	0930304011 RESIDENT 927 N ENSIGN VISTA DR SALT LAKE CITY UT 84103
0930302005 RESIDENT 136 E BRAEWICK RD SALT LAKE CITY UT 84103	0930302014 RESIDENT 103 E EDGEcombe DR SALT LAKE CITY UT 84103	0930304012 RESIDENT 911 N ENSIGN VISTA DR SALT LAKE CITY UT 84103
0930302006 RESIDENT 142 E BRAEWICK RD SALT LAKE CITY UT 84103	0930302015 RESIDENT 123 E EDGEcombe DR SALT LAKE CITY UT 84103	0930304013 RESIDENT 35 E DORCHESTER DR SALT LAKE CITY UT 84103
0930302007 RESIDENT 156 E BRAEWICK RD SALT LAKE CITY UT 84103	0930302016 RESIDENT 141 E EDGEcombe DR SALT LAKE CITY UT 84103	0930304014 RESIDENT 39 E DORCHESTER DR SALT LAKE CITY UT 84103
0930302008 RESIDENT 172 E BRAEWICK RD SALT LAKE CITY UT 84103	0930302017 RESIDENT 12162 S 2240 W RIVERTON UT 84065	0930304015 RESIDENT 55 E DORCHESTER DR SALT LAKE CITY UT 84103
0930302009 RESIDENT 180 E BRAEWICK RD SALT LAKE CITY UT 84103	0930302018 RESIDENT 165 E EDGEcombe DR SALT LAKE CITY UT 84103	0930304016 RESIDENT 67 E DORCHESTER DR SALT LAKE CITY UT 84103

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0930351001
RESIDENT
34 E DORCHESTER DR
SALT LAKE CITY UT 84103

0930351010
RESIDENT
88 E EDGECOMBE DR
SALT LAKE CITY UT 84103

0930351022
RESIDENT
2545 E PARLEYS WY # A
SALT LAKE CITY UT 84109

0930351002
RESIDENT
40 E DORCHESTER DR
SALT LAKE CITY UT 84103

0930351011
RESIDENT
92 E EDGECOMBE DR
SALT LAKE CITY UT 84103

0930351023
RESIDENT
2545 E PARLEYS WY # A
SALT LAKE CITY UT 84109

0930351003
RESIDENT
46 E DORCHESTER DR
SALT LAKE CITY UT 84103

0930351012
RESIDENT
4230 PIEDMONT MESA RD
CLAREMONT CA 91711

0930351026
RESIDENT
PO BOX 540478
NORTH SALT LAKE UT 84054

0930351004
RESIDENT
56 E DORCHESTER DR
SALT LAKE CITY UT 84103

0930351013
RESIDENT
1399 CHOKECHERRY DR
BOUNTIFUL UT 84010

0930351027
RESIDENT
170 HILLSIDE ST
MILTON MA 02186

0930351005
RESIDENT
66 E DORCHESTER DR
SALT LAKE CITY UT 84103

0930351014
RESIDENT
118 E EDGECOMBE DR
SALT LAKE CITY UT 84103

0930351028
RESIDENT
2545 E PARLEYS WY # A
SALT LAKE CITY UT 84109

0930351006
RESIDENT
70 E DORCHESTER DR
SALT LAKE CITY UT 84103

0930351015
RESIDENT
7439 BROOK HOLLOW LOOP
PARK CITY UT 84098

0930351029
RESIDENT
56 E DORCHESTER DR
SALT LAKE CITY UT 84103

0930351007
RESIDENT
78 E EDGECOMBE DR
SALT LAKE CITY UT 84103

0930351016
RESIDENT
150 E EDGECOMBE DR
SALT LAKE CITY UT 84103

0930351030
RESIDENT
911 N ENSIGN VISTA DR #10
SALT LAKE CITY UT 84103

0930351008
RESIDENT
80 E EDGECOMBE DR
SALT LAKE CITY UT 84103

0930351017
RESIDENT
783 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0930351031
RESIDENT
911 N ENSIGN VISTA DR #10
SALT LAKE CITY UT 84103

0930351009
RESIDENT
84 E EDGECOMBE DR
SALT LAKE CITY UT 84103

0930351021
RESIDENT
587 N PERRYS HOLLOW RD
SALT LAKE CITY UT 84103

0930351032
RESIDENT
911 N ENSIGN VISTA DR
SALT LAKE CITY UT 84103

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0930351033 RESIDENT 812 N SANDHURST DR SALT LAKE CITY UT 84103	0930353004 RESIDENT 672 N COLUMBUS ST SALT LAKE CITY UT 84103	0930354006 RESIDENT 209 E ENSIGN VISTA DR SALT LAKE CITY UT 84103
0930351035 RESIDENT PO BOX 540478 NORTH SALT LAKE UT 84054	0930353005 RESIDENT 707 N DESOTO ST SALT LAKE CITY UT 84103	0930354007 RESIDENT 209 E ENSIGN VISTA DR SALT LAKE CITY UT 84103
0930351036 RESIDENT 587 N PERRYS HOLLOW RD SALT LAKE CITY UT 84103	0930353006 RESIDENT 701 N DESOTO ST SALT LAKE CITY UT 84103	0930355003 RESIDENT 692 N CORTEZ ST SALT LAKE CITY UT 84103
0930351037 RESIDENT 587 N PERRYS HOLLOW RD SALT LAKE CITY UT 84103	0930353007 RESIDENT 697 N DESOTO ST SALT LAKE CITY UT 84103	0930355004 RESIDENT 4118 MOOSE HOLLOW RD PARK CITY UT 84098
0930352001 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0930353008 RESIDENT 687 N DESOTO ST SALT LAKE CITY UT 84103	0930355005 RESIDENT 4001 S 6000 W WEST VALLEY UT 84128
0930352001 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111	0930354002 RESIDENT 209 E ENSIGN VISTA DR SALT LAKE CITY UT 84103	0930355006 RESIDENT 697 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103
0930353001 RESIDENT 700 N COLUMBUS ST SALT LAKE CITY UT 84103	0930354003 RESIDENT PO BOX 540478 NORTH SALT LAKE UT 84054	0930355007 RESIDENT 693 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103
0930353002 RESIDENT 690 N COLUMBUS ST SALT LAKE CITY UT 84103	0930354004 RESIDENT 689 N CORTEZ ST SALT LAKE CITY UT 84103	0930355010 RESIDENT 697 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103
0930353003 RESIDENT 1785 W 2300 S WEST VALLEY UT 84119	0930354005 RESIDENT 700 N DESOTO ST SALT LAKE CITY UT 84103	0930355011 RESIDENT 4001 S 6000 W WEST VALLEY UT 84128

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0930355012 RESIDENT 693 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	0930376009 RESIDENT 736 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	0931101001 RESIDENT 451 S STATE ST # 225 SALT LAKE CITY UT 84111
0930355013 RESIDENT 697 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	0930376010 RESIDENT 724 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	0931102001 RESIDENT 666 N COLUMBUS ST SALT LAKE CITY UT 84103
0930355014 RESIDENT 702 N CORTEZ ST SALT LAKE CITY UT 84103	0930376011 RESIDENT 710 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	0931102002 RESIDENT 660 N COLUMBUS ST SALT LAKE CITY UT 84103
0930376003 RESIDENT 820 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	0930376012 RESIDENT 704 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	0931102003 RESIDENT 656 N COLUMBUS ST SALT LAKE CITY UT 84103
0930376004 RESIDENT 804 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	0930376013 RESIDENT 698 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	0931102004 RESIDENT PO BOX 163 HENEFER UT 84033
0930376005 RESIDENT 790 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	0930376019 RESIDENT 140 HEPBURN RD # 19E CLIFTON NJ 07012	0931102018 RESIDENT 1146 WEAVER LN LAYTON UT 84041
0930376006 RESIDENT 776 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	0930376020 RESIDENT PO BOX 755 OREM UT 84059	0931102019 RESIDENT 679 N DESOTO ST SALT LAKE CITY UT 84103
0930376007 RESIDENT 762 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	0930376021 RESIDENT PO BOX 540478 NORTH SALT LAKE UT 84054	0931102020 RESIDENT 3060 E DEER HOLLOW DR SANDY UT 84092
0930376008 RESIDENT 748 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	0930376022 RESIDENT 736 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	0931102021 RESIDENT 659 N DESOTO ST SALT LAKE CITY UT 84103

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0931103001
RESIDENT
676 N DESOTO ST
SALT LAKE CITY UT 84103

0931104002
RESIDENT
678 N CORTEZ ST
SALT LAKE CITY UT 84103

SALT LAKE CITY PLANNING
ATTN. RAY MC DONALD
451 South State St. Rm. 406
Salt Lake City, Utah
84111

0931103002
RESIDENT
320 W 500 S # 16
BOUNTIFUL UT 84010

0931104003
RESIDENT
960 W 2100 S
WEST VALLEY UT 84119

SALT LAKE CITY PLANNING
ATTN. DOUG WHEELWRIGHT
451 South State St. Rm 406
SALT Lake City, Utah
84111

0931103003
RESIDENT
827 E SECOND AVE
SALT LAKE CITY UT 84103

0931104004
RESIDENT
662 N CORTEZ ST
SALT LAKE CITY UT 84103

0931103004
RESIDENT
660 N DESOTO ST
SALT LAKE CITY UT 84103

0931104015
RESIDENT
687 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

CHCC
ATTN. POLLY HART
355 N. Quince Street
SALT LAKE CITY, UTAH
84111

0931103017
RESIDENT
681 N CORTEZ ST
SALT LAKE CITY UT 84103

0931104017
RESIDENT
675 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0931103018
RESIDENT
681 N CORTEZ ST
SALT LAKE CITY UT 84103

0931104043
RESIDENT
681 N EASTCAPITOL BLVD
SALT LAKE CITY UT 84103

0931103019
RESIDENT
667 N CORTEZ ST
SALT LAKE CITY UT 84103

0931104044
RESIDENT
209 E ENSIGN VISTA DR
SALT LAKE CITY UT 84103

0931103020
RESIDENT
184 E NORTHSANDRUN RD
SALT LAKE CITY UT 84103

CHRIS Robinson
P.O. Box 540478
North Salt Lake Utah
84054

0931104001
RESIDENT
686 N CORTEZ ST
SALT LAKE CITY UT 84103

This list of ownership was compiled by the Salt Lake County Recorder's office, with a copy being sent to the city it pertains to. Any alteration or deletion will be tracked and appropriate action taken. Feb2006Page 8 of 8

Downtown Alliance
Bob Farrington, Director
175 East 400 South #100
Salt Lake City, UT 84111

S.L. Chamber of Commerce
175 East 400 South, Suite #100
Salt Lake City, UT 84111

Attn: Carol Dibblee
Downtown Merchants Assn.
10 W. Broadway, Ste #420
P.O. Box
Salt Lake City, UT 84101

Sugar House Merchant's Assn.
C/o Barbara Green
Smith-Crown
2000 South 1100 East
Salt Lake City, UT 84106

Hispanic Chamber of Commerce
P.O. Box 1805
Salt Lake City, UT 84110

Vest Pocket Business Coalition
P.O. Box 521357
Salt Lake City, UT 85125-1357

Westside Alliance
C/o Neighborhood Housing Svs.
Maria Garcia
622 West 500 North
Salt Lake City, UT 84116

**4. PLANNING COMMISSION AGENDA FOR THE
MAY 9, 2007 ISSUES ONLY HEARING AND JULY 11, 2007
PLANNING COMMISSION MEETING**

**AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, May 9, 2007, at 5:45 p.m.**

Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting is open to the public for observation.

1. APPROVAL OF MINUTES FROM WEDNESDAY, APRIL 25, 2007

2. REPORT OF THE CHAIR AND VICE CHAIR

3. REPORT OF THE DIRECTOR

4. DISCUSSION

- a. The Commission will discuss the draft visioning principles of the Northwest Quadrant Master Plan and give Staff comments and direction on any recommended changes to the document.



5. ISSUES ONLY HEARING

- a. A request by Christopher F. Robinson requesting approval of the proposed Ensign Foreground Planned Development subdivision located at approximately 750 North DeSoto Street in a Foothills Protection (FP) Zoning District. The following petitions are being considered as part of this request:

1. **Petition 400-06-46**—a request to amend the Capitol Hill Master Plan future land use map for the subject property from Foothill Preservation Residential to Very Low Density Residential and Open Space, and to rezone the subject property proposed to be developed (approximately 5 acres) from a Foothills Protection (FP) zoning district to a Foothills Residential (FR-2) Zoning District and rezone approximately 38 acres from Foothills Protection (FP) to Open Space (OS) or Natural Open Space (NOS).
2. **Petition 400-07-08**—a request to close and declare as surplus property a portion of 700 North Street located generally between Columbus and Cortez Streets.
3. **Petition 410-06-39**—Planned Development approval of a proposed 6-lot single family residential subdivision with a private street.
4. **Petition 490-06-50**— Preliminary subdivision approval of a proposed 6-lot single-family residential planned development subdivision.
(Staff —Ray McCandless at 535-7282 or ray.mccandless@slcgov.com).

**SECOND AMENDED
AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, July 11, 2007 at 5:45 p.m.**

Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting is open to the public for observation.

1. APPROVAL OF MINUTES FROM WEDNESDAY, June 27, 2007

2. REPORT OF THE CHAIR AND VICE CHAIR

3. REPORT OF THE DIRECTOR

- a. Staff update on the status of Petition # 400-06-35 requesting SLC to Amend the Zoning Ordinance text regarding height limits in the M-1 Light Manufacturing Zoning District as to chimneys, smokestacks, and distillation columns up to 120 feet.

4. PUBLIC HEARING

- a. **Petition 400-07-10**— a request by the Salt Lake City Transportation Division to close the southern portion of South Temple Street from approximately 750 West to 900 West Street. The proposed street closure is part of the Grant Tower Realignment Project (Staff—Katia Pace at 535-6354 or katia.pace@slcgov.com).
- b. **Petition 400-07-02**— a request by the Salt Lake City Transportation Division to close a portion of 700 South Street immediately west of 600 West Street to facilitate a railroad "Quiet Zone" in a General Commercial (CG) Zoning District (Staff—Ray McCandless at 535-7282 or ray.mccandless@slcgov.com).
- * c. A request by Christopher F. Robinson for approval of the proposed Ensign Foreground Planned Development subdivision located at approximately 750 North DeSoto Street in a Foothills Protection (FP) and Open Space (OS) Zoning District. The following petitions are being considered as part of this request:
 - 1. **Petition 400-06-46**—a request to rezone the subject property proposed to be developed (approximately 5 acres) from a Foothills Protection (FP) zoning district to a Foothills Residential (FR-2) Zoning District and rezone approximately 38 acres from Foothills Protection (FP) and Open Space (OS) to Open Space (OS) or Natural Open Space (NOS). This is also a request to amend the Capitol Hill Master Plan future land use map for the subject property from Foothill Preservation Residential to Very Low Density Residential and Open Space.
 - 2. **Petition 400-07-08**—a request to close and declare as surplus property a portion of 700 North Street located generally between Columbus and Cortez Streets.
 - 3. **Petition 410-06-39**—a Planned Development approval of a proposed 6-lot single family residential subdivision with a private street.
 - 4. **Petition 490-06-50**— Preliminary subdivision approval of a proposed 6-lot single-family residential planned development subdivision (Staff—Ray McCandless at 535-7282 or ray.mccandless@slcgov.com).
- d. **Petition 410-07-04**—a request by Trolley Square Associates, LLC, for a planned development at Trolley Square located at approximately 602 E. 500 South, in the Central City Historic District. The property is located in the CS Community Shopping Zoning District. The proposed planned development includes adding multiple new buildings totaling approximately 90,000 square feet of commercial space (Staff —Nick Norris at 535-6173 or nick.norris@slcgov.com).

Visit the Planning and Zoning Enforcement Division's website at www.slcgov.com/CED/planning.com for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission.

**5. STAFF REPORT OF THE MAY 9, 2007 ISSUES ONLY
HEARING AND JULY 11, 2007 PLANNING COMMISSION
MEETING**

MEMORANDUM

451 South State Street, Room 406
Salt Lake City, Utah 84111
(801) 535-7757



Planning and Zoning Division
Department of Community Development

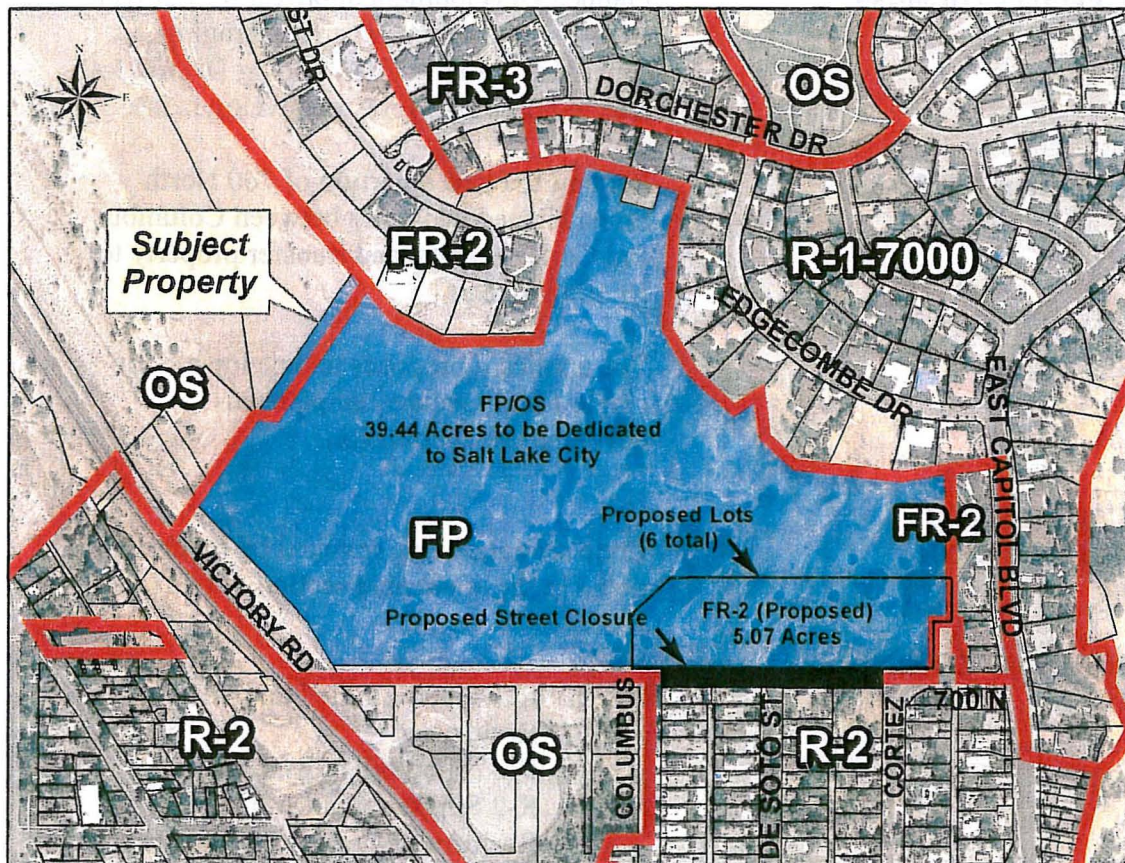
TO: Salt Lake City Planning Commission

FROM: Ray McCandless, Senior Planner

DATE: May 9, 2007

SUBJECT: Issues Only Hearing for Petitions 490-06-50, 400-06-46, 410-06-39, and 400-07-08 for the Ensign Foreground Planned Development

VICINITY MAP:



Proposal Outline

Mr. Christopher F. Robinson is requesting approval of the Ensign Foreground P.U.D., a proposed 6 lot residential planned development subdivision located at approximately 750 North DeSoto Street. The subject property is located in the Capitol Hill Community and is zoned FP, Foothill Protection District. A small portion of the west side of the property is zoned OS, Open Space as shown on the vicinity map on Page 1. The subject property is comprised of a single 44.51 acre parcel of vacant land, 5.07 acres of which is proposed to be developed into six residential lots. The remaining 39.44 acres is proposed to be dedicated to Salt Lake City for natural open space preservation. The 5.07 acre parcel is proposed to be rezoned from FP to a FR-2, Foothill Residential zoning district. A portion of 700 North Street between Columbus and Cortez Streets (which exists only on paper) is proposed to be closed and conveyed to abutting property owners.

The following petitions are being considered as part of this request:

1. Petition 400-06-46 Request to rezone the portion (5.07 acre) of the property to be developed from FP to FR-2 and a portion (39.44 acres) from Foothill Preservation FP to Open Space (OS) or Natural Open Space (NOS).
2. Petition 490-06-50 Preliminary subdivision approval of a proposed 6-lot single-family residential planned development subdivision.
3. Petition 410-06-39 Planned Development approval for a private street and minimum lot size averaging consistent with the FR-2 zoning district lot area requirements (cluster development).
4. Petition 400-07-08 Request to close a portion of 700 North Street located generally between Columbus and Cortez Streets, and transfer property to abutting owners.

The purpose of this "Issues Only" hearing is to allow the Planning Commission the opportunity to hear the concerns of the public, as well as collect feedback and input regarding the proposal from Planning Commission members.

The proposed lots range in size from 13,362 square feet (lot 3) to 58,935 square feet (lot 6) and will be accessed from a private street which will extend eastward from Columbus Street. A private driveway will extend south of the hammerhead turn-around between lots 3 and 4 that will provide access to an existing vacant lot to the south of proposed lot 4. Although the private street will be gated, public access to an existing pedestrian trail will be maintained. The private street is S-shaped to meet a maximum 10% street grade required by the Fire Department. A gate is proposed at the west end of the private street. An alpha parcel at the northern end of DeSoto Street will be retained by Salt Lake City for a future hammerhead turn-around for fire fighting equipment.

The Capitol Hill Community Future Land Use Map identifies this property as Foothill Preservation Residential which is consistent with the current FP zoning on the property. Should

this request be approved, the Master Plan will need to be amended by ordinance to reflect the development as proposed, and the Future Land Use Map of the Capitol Hill Master Plan will need to be amended to "Very Low Density Residential 1-5 dwelling units per acre" on the developed portion of the property. The Planning Staff will likely recommend that the property to be dedicated to the City be rezoned to Open Space or Natural Open Space which will also require that the Future Land Use Map be amended to "Foothill Open Space" to be consistent with the open space zoning designation.

Process to Date

On January 2, 2007, several members of the Planning Commission reviewed the preliminary subdivision plat at a Planned Development Subcommittee Meeting. The developer, as well as members of the Planning Staff, were present for this meeting. The developer provided an overview of the project and comments were noted from various individuals in attendance. The Subcommittee members requested that the developer provide information and materials to demonstrate how the proposed development preserves the surrounding neighborhood and requested that the closure of 700 North Street be included as part of the development review.

Course of Action

At this time, it is Planning Staff's intent to obtain the feedback from the Planning Commission members and others interested in the proposed development. Following the Issues Only Hearing, Planning Staff will produce a detailed staff report analyzing the request and make specific findings and a recommendation for consideration by the Planning Commission. The Planning Commission's recommendation concerning the street closure petition and rezoning request will then be forwarded to the City Council for final consideration and action.

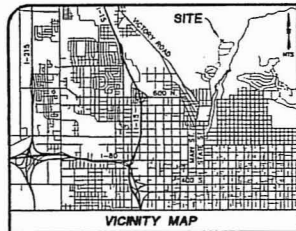
Attachments:

Exhibit 1 - Preliminary Development Plans

Exhibit 2 – Letters Received From Property Owners

Exhibit 3 – Salt Lake City Departmental Comments

Exhibit 1 - Preliminary Development Plans



ENSIGN FOREGROUND PUD

LOCATED IN THE SOUTH HALF OF SECTION 25 AND SECTION 30,
TOWNSHIP 1 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
SALT LAKE CITY, SALT LAKE COUNTY, UTAH

NORTH QUARTER CORNER SECTION 30
TOWNSHIP 1 NORTH, RANGE 1 EAST,
SALT LAKE BASE & MERIDIAN
(FOUND)



SURVEYOR'S CERTIFICATE

I, Gregory A. Cates, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 161226 as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as

ENSIGN FOREGROUND PUD

and that same has been surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

Beginning at the a point on the Southerly Boundary Line of Lot 4 of Ensign Downs Plat "B" recorded July 27, 1965 in Book EE at Page 17 in the Office of the Salt Lake County Recorder, said point also being West 2474.07 feet and South 3497.28 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian, and running thence the following two courses along the Southerly Boundary Line of said Ensign Downs Plat "B": (1) S89°53'58"E 29.09 feet; (2) S74°54'00"E 108.23 feet to the Southwest Corner of Lot 2 of said Ensign Downs Plat "B", thence S15°06'00"W 100.00 feet; thence S74°54'00"E 100.00 feet; thence N15°06'00"E 100.00 feet to the Southeast Corner of said Lot 2; thence S74°54'00"E 50.00 feet to the Southeast Corner of Lot 1 of said Ensign Downs Plat "B", said point also being on the Westerly Boundary Line of Ensign Downs Plat "A" recorded March 3, 1954 in Book H at Page 65 in the Office of the Salt Lake County Recorder; thence the following nine courses along the Westerly and Southerly Boundary Line of said Ensign Downs Plat "A": (1) S15°06'00"W 125.00 feet; (2) S47°54'00"E 300.00 feet; (3) S30°24'00"E 160.00 feet; (4) S47°54'00"E 165.00 feet; (5) N56°20'00"E 95.00 feet; (6) S27°04'00"E 130.00 feet; (7) S47°54'00"E 125.00 feet; (8) S83°54'00"E 300.00 feet; (9) N81°13'00"E 147.99 feet to the Northwest Corner of Lot 2 of Ensign Downs Plat "B" recorded July 27, 1965 in Book EE at Page 17 in the Office of the Salt Lake County Recorder; thence S00°42'19"E 427.99 feet along the Westerly Boundary Line of said Ensign Downs Plat "B"; thence S89°58'13"W 54.48 feet; thence S14°55'12"W 115.94 feet to the Northern Right-of-Way Line of 700 North Street; thence S89°58'13"W 1736.28 feet; thence N30°26'27"W 180.69 feet; thence N41°47'27"W 163.00 feet; thence N45°52'24"W 317.00 feet; thence N33°00'00"E 319.58 feet; thence N38°59'23"E 501.46 feet to the Southerly Boundary Line of Dorchester Pointe Subdivision Plat A PUD recorded March 31, 1997 in Book 87-3P at Page 94 in the Office of the Salt Lake County Recorder; thence the following four courses along the Southerly and Easterly Boundary Line of said Dorchester Pointe Subdivision Plat A PUD: (1) S40°17'47"E 138.01 feet; (2) S62°05'49"E 165.35 feet; (3) N88°50'44"E 281.09 feet; (4) N14°02'35"E 556.80 feet to the point of beginning. Contains 44.514 Acres and 4 Lots.

LEGEND

- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- BOUNDARY CORNER TO BE SET WITH A 3/4" IRON AND PLASTIC CAP MARKED "STANTEC"
- FOUND STREET MONUMENT, STANDARD BRASS CAP WITH RING AND LID
- SECTION CORNER FOUND
- UNDEVELOPABLE AREA (NON-BUILDABLE)

CURVE TABLE					
CHORD	RADIUS	ARC LENGTH	DELTA	CHORD BEARING	CHORD DISTANCE
CS	50.00	31.02	35°32'28"	S19°21'11"W	25.52
CS	200.00	238.02	27°02'27"	N32°01'24"E	23.82
CS	300.00	317.87	36°54'31"	S50°01'24"W	29.95

LINE TABLE		
LINE	LENGTH	BEARING
L1	18.41	S27°18'31"W
L2	37.57	S50°04'36"W

NOTES:

- PROPERTY LIES WITHIN FP ZONE.
- LOT 1 THROUGH 5 TO BE REZONED TO FR-2 ZONE.
- AS THIS SUBDIVISION BOUNDARY ADJUTS DORCHESTER POINTE PLAT "A", DESIGN DOWNS PLAT "A" AND ENSIGN DOWNS PLAT "B", SMALL "ALPHA" LOTS MAY BE CREATED AND CONVEYED TO ADJACENT LOTS IN THOSE PLATS.

PARCEL A
1,278,148 SF
36.14 ACRES
TO BE DEDICATED
TO SALT LAKE CITY
(SEE NOTE 3)

Date _____
GREGORY A. CATES
P.L.S. No. 161226

OWNER'S DEDICATION

Know all men by these presents that _____, the undersigned owner() of the above described tract of land, having caused the same to be subdivided into lots and streets to be hereafter known as

ENSIGN FOREGROUND PUD

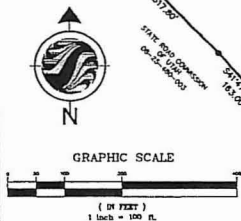
do hereby dedicate for perpetual use of the public all parcels of land and easements as shown on this plat as intended for Private and Public use. In witness whereof _____ have hereunto set _____ this _____ day of _____ A.D. 20____

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF _____
On this _____ day of _____ A.D. 20____ personally appeared before me, the undersigned Notary Public, in and for said County of _____ in the State of _____, who after being duly sworn, acknowledged to me that _____, a Limited Liability Company, that _____ signed the Owner's Dedication freely and voluntarily for and in behalf of said Limited Liability Company for the purposes therein mentioned.
MY COMMISSION EXPIRES _____
NOTARY PUBLIC
RESIDING IN _____ COUNTY

ENSIGN FOREGROUND PUD

LOCATED IN THE SOUTH HALF OF SECTION 25 AND SECTION 30,
TOWNSHIP 1 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
SALT LAKE CITY, SALT LAKE COUNTY, UTAH



Stantec Consulting Inc. 3085 S 700 E Ste. 300 Salt Lake City, UT 84107-2540 Tel. 801.261.0280 Fax. 801.268.1871 www.stantec.com	Project Number 1853233.001 R/C	Planned 12/20/2010-01 Designed By R/C Drawn By K/R Checked By Date	Revisions By Date
--	--------------------------------------	---	-------------------------

PROPERTY OWNER/AGENT
THE ENSIGN GROUP, LLC
PO BOX 540478
NORTH SALT LAKE, UTAH 84054

BOARD OF HEALTH		CITY PLANNING DIRECTOR		CITY ENGINEERING DIVISION		CITY PUBLIC UTILITIES DEPARTMENT		CITY ATTORNEY		CITY APPROVAL		RECORDED #		NUMBER	
APPROVED THIS _____ DAY OF _____ A.D. 20____		APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE SALT LAKE CITY PLANNING COMMISSION.		I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE.		APPROVED AS TO SANITARY SEWER AND WATER UTILITY DETAIL THIS _____ DAY OF _____ A.D. 20____		APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____		PRESENTED TO THE SALT LAKE CITY THIS _____ DAY OF _____ A.D. 20____ AND IS HEREBY APPROVED.		STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF: _____		DATE: _____ TIME: _____ (BOOK) _____ PAGE: _____	
DIRECTOR S.L.C.D. BOARD OF HEALTH	DATE	SALT LAKE CITY PLANNING DIRECTOR	DATE	CITY ENGINEER	DATE	CITY SURVEYOR	DATE	SALT LAKE CITY PUBLIC UTILITIES DIRECTOR	DATE	SALT LAKE CITY ATTORNEY	DATE	SALT LAKE CITY MAYOR	DATE	SALT LAKE CITY RECORDER	DATE



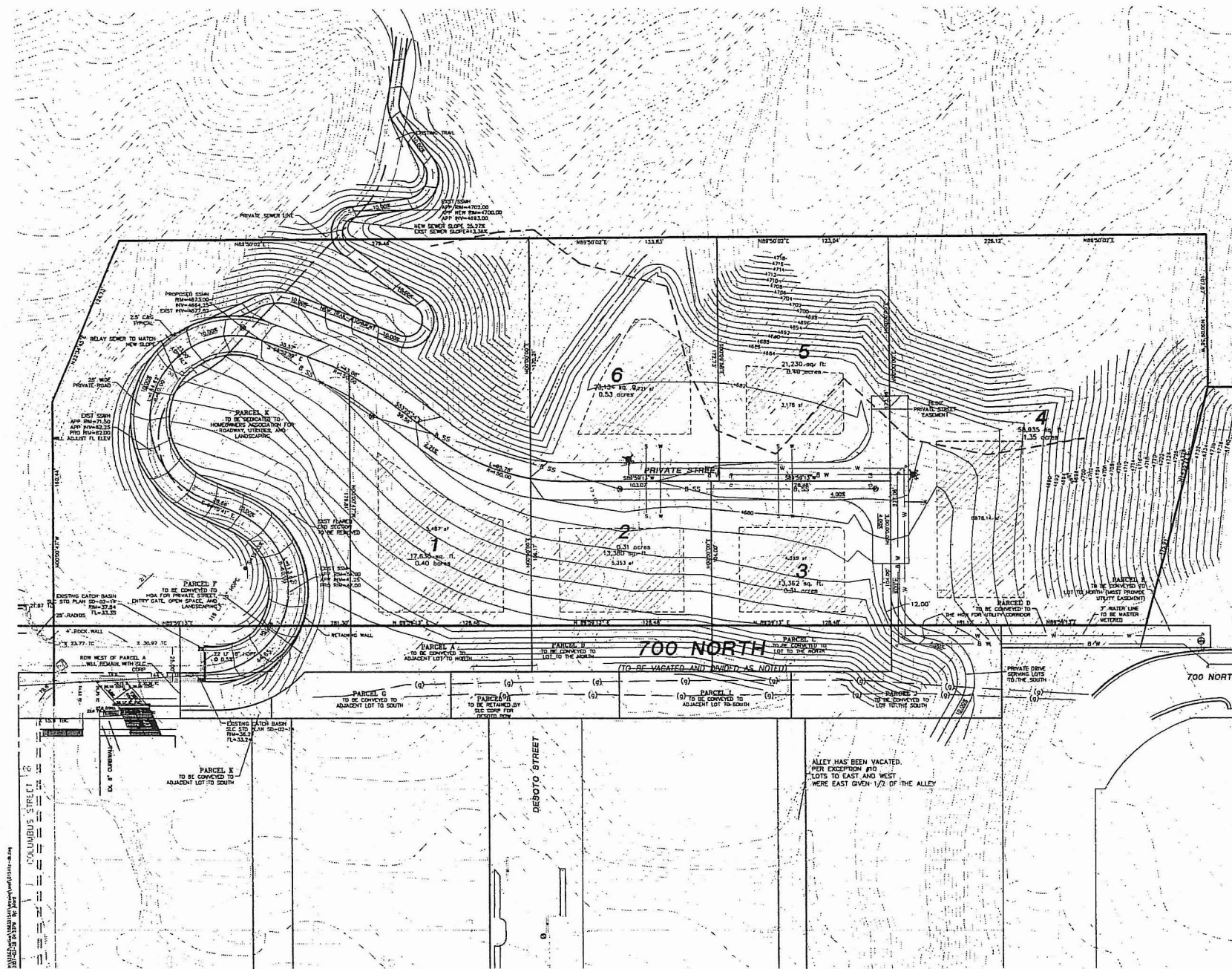
Copyright Reserved

The Contractor shall verify and be responsible for all dimensions. DO NOT waste the drawing - any errors or omissions shall be reported to Slender without delay.

The Copyrights in all designs and drawings are the property of Slender. Reproduction or use for any purpose other than that

Notes

NOTE: INDIVIDUAL LOT OWNERS WILL BE RESPONSIBLE FOR TO RETAINING INCREASED RUNOFF WATER CREATED BY DEVELOPMENT.

[illegible]

Client/Project
THE ENSIGN GROUP, L.C.

ENSIGN FOREGROUND P.U.D. PLAT

SALT LAKE CITY, UTAH

Title
CONCEPT PLAN

Project No.
1863329300

Drawing No.

Scale 0 30' 45' 60'

1"=30'

Sheet Revision

Exhibit 2 – Letters Received From Property Owners

From: Jon Boltax [mailto:jboltax@yahoo.com]

Sent: Friday, April 27, 2007 8:14 AM

To: McCandless, Ray

Subject: foothills protection area

Dear Mr Maccandless,

I am writing to let you know that I do not support the change in the zoning in the foothill open space at the end of cortez st and 700 north. I will not be able to make the may 9th meeting b/c I am out of town but cannot agree with giving away open space to allow someone to build a private road and 6 private houses. Please do not approve this petition.

Sincerely,
Jon Boltax
662 Cortez st
slc ut 84103

Ahhh...imagining that irresistible "new car" smell?
Check out [new cars at Yahoo! Autos.](#)

Exhibit 3 – Salt Lake City Departmental Comments

MEMORANDUM

DATE: 9 APRIL 2007

TO: RAY McCANDLESS, ASSOCIATE PLANNER

FROM: TED ITCHON



RE: ENSIGN FOREGROUND P.U.D. PETITIONS FILE # 410-06-39, 400-06-46 & 490-06-05

SYNOPSIS:

The plans are acceptable as submitted.

The items below are a list for the contractor's information.

1. Fuel tank storage will require a permit. Gravity flow is not permitted.
2. Burning of trash, scrap wood of other materials in a violation of City Ordinance.

TO: RAY McCANDLESS, PLANNING

FROM: RANDY DRUMMOND, P.E., ENGINEERING

DATE: APRIL 12, 2007

SUBJECT: **Ensign Foreground PUD**
750 N. Columbus Street
Petitions 410-06-39, 400-06-46 & 490-06-50

City Engineering review comments, dated January 31, 2007 are **revised** as follows:

1. *Columbus Street is an existing SLC public street with curb, gutter (no sidewalk) and a gate at the proposed connection point. The proposed street design involves a significant cut into the existing hillside (as much as 15' vertically and 155' horizontally). Significant scarring of the hillside is liable to concern the neighbors as well as cause erosion problems until the hillside can be revegetated. As proposed, the existing gate and corresponding public access to the trailhead will be relocated northward to the point where the trail diverges from the proposed street.*
2. The developer must enter into a subdivision improvement construction agreement. This agreement requires the payment of a 5% fee based on the estimated cost of constructing the public roadway improvements, private roadway improvements. The developer should contact Joel Harrison (535-6234) to discuss insurance requirements for the project.
3. For the proposed new street to be approved, it must be designed in accordance with SLC design standards, *including curb & gutter*. Some of the significant requirements are as follows:
 - The plan & profile drawings must show the profile view for top back of curb grade and existing ground along the curb alignment.
 - Minimum curb design grade is 0.50%. Grades over 10% require specific approval from the fire department (absolute maximum is 14%).
 - The horizontal scale for the drawings shall be 1" = 20', 1" = 30' or 1" = 40'.
 - The vertical scale shall be one tenth of the horizontal scale.
 - The minimum size lettering shall be 1/10" and capital letters shall be used.
 - The text shall be readable from one of two directions on a given sheet.
 - The north arrow shall point toward the top or left of the sheet with stationing progressing from west to east or from north to south.
4. *In addition to the plan & profile sheet, an erosion control plan and revegetation plan are required, with specific attention given to any requirements stated in the geotechnical report mentioned below.*

5. SLC Transportation must review and approve street geometrics and street lighting.
6. A geotechnical recommendation is required addressing the proposed fill (*up to 19'*) in the private hammerhead, the maximum cut and fill slopes, the erosive soils that will be exposed by the proposed cuts of the hillside and measures that must be taken to prevent erosion from these slopes and from the site. The geotechnical report must be referenced on the improvement plans and the slopes must comply with the geotechnical recommendations.
7. **The plat has been reviewed and certain changes are required. We will contact the developer's consultant to have the red-lined copy picked up at our office. A final version of the plat is required, platting the proposed lots to be developed, their common area and any other lots proposed to be absorbed by vacating right-of-way in 700 North.** The proposed street within the plat requires a street name. Contact Judy Stephens, Salt Lake County, (468-3294) for review and approval. SLC Engineering will provide final approval of the street name and suffix.
8. The developer must enter into agreements required by the SLC Public Utility Department and pay the required fees.
9. At least one member of the concrete finishing crew must be ACI certified. The name of the ACI certified finisher must be provided at the pre-construction meeting for the subdivision.
10. The construction contractor must file a Notice of Intent with the State of Utah, Department of Environmental Quality, Division of Water Quality, to comply with the NPDES permitting process. A copy of the pollution prevention plan must also be submitted to Randy Peterson at SLC Public Utilities.
11. **All proposed changes to the existing sewer main must be approved by Salt Lake City Utilities. At this time, insufficient information is available on the submitted drawings to allow review in the depth necessary to give concise comments. On significant concern we have is in regard to the generated run-off that will flow from the proposed private street and driveway leading to the property to the south. This will be addressed in more detail by Public Utilities, but we bring it to the developer's attention to allow him to have ample time to respond.**

Page 3
Ray McCandless
Ensign Foreground PUD
April 12, 2007

12. **While the drawing shows a 10% design grade, the topography provided indicates slopes in excess of 10%, especially on the inside of the radius sections. This should be verified on the improvement drawings to be submitted.**
13. **A final version of the plat is required, platting the proposed lots to be developed, their common areas and other lots proposed to be absorbed by vacating right-of-way in 700 North.**

cc: Scott Weiler
Brad Stewart
Barry Walsh
Vault

McCandless, Ray

From: Brown, Jason
Sent: Tuesday, April 10, 2007 12:46 PM
To: McCandless, Ray
Cc: Garcia, Peggy
Subject: Ensign Foreground P.U.D. Petitions 410-06-39, 400-06-46 and 490-06-50
Categories: Program/Policy

Ray,

Public Utilities has reviewed the plans included with your March 27, 2007 memorandum. While many of the previous issues have been resolved there are several items that will need to be addressed by receiving Public Utilities approval.

Water

The location of the master meter is acceptable, the plans must show a detector check valve for the private fire service line. The water main extension in 700 North must be drawn in plan and profile from the connection point in East Capitol Boulevard to the meters. The owner will need to enter into a water main extension agreement for the portion of the main in 700 North.

Storm Drain / Grading

The engineer must submit a detailed grading and drainage plan showing how the existing run-off from above the site will be routed through the PUD. A note has been added to the plans indicating that the lot owners will be responsible for additional flow generated by the lots. This note should also be added to the plat. The engineer must identify the expected volume of storm water that each lot will be required to detain. All of the slopes must be stabilized during and after construction to minimize silts and fines from washing down stream and into the public storm drain system. Silt fences, straw bales and other devices must be placed to minimize downstream disturbance from construction run-off.

Sewer

The new sewer main must be marked as private on the plans and a note must be added to the plat indicating the same. The drawings show the existing private sewer main being re-graded from approximately 15% to 25%. The slope and routing of the existing sewer main should be re-evaluated to maintain a maximum slope of 15%. The connection to the existing sewer main from the new main must be evaluated to ensure that surcharging does not occur and back up the new sewer main.

If you have any questions please do not hesitate to contact me.

Jason Brown, PE

Development Review Engineer
Salt Lake City Public Utilities
1530 South West Temple
Salt Lake City, UT 84115
(801) 483-6729
(801) 483-6855 fax
jason.brown@slcgov.com

McCandless, Ray

From: Walsh, Barry
Sent: Tuesday, April 03, 2007 11:09 AM
To: McCandless, Ray
Cc: Young, Kevin; Weiler, Scott; Itchon, Edward; Garcia, Peggy; Spencer, John
Subject: Ensign Foreground PUD pet 410-06-39, 46, 50.
Categories: Program/Policy

April 3, 2007

Ray McCandless, Planning

Re: Ensign Foreground PUD Proposal at 700 North

The division of transportation has reviewed the plans dated 3/7/07, see letter sent March 8, 2007 addressing past review issues of grades over 10% and concerns for roadside definition and safety. The closure concept of 700 North ROW is in keeping with future roadway development in that area.

We look forward to review of construction plans etc.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Scott Weiler, P.E.
Ted Itchon, Fire
Peggy Garcia, Public Utilities
John Spencer, Property Management
File.

4/30/2007

McCandless, Ray

Police

From: Askerlund, Dave

Sent: Monday, February 05, 2007 11:11 AM

To: McCandless, Ray

Subject: Ensign Foreground PUD

Re: Ensign Foreground P.U.D. – Petitions 410-06-39, 400-06-46 and 490-06-05

The development of these three lots should have a significant impact on public safety or policing in the area.

Lt. Dave Askerlund
Salt Lake City Police Dept.
Support Services Division
801-799-3180

NOT

4/30/2007

McCandless, Ray

From: Butcher, Larry
Sent: Friday, December 15, 2006 10:59 AM
To: McCandless, Ray
Cc: Goff, Orion; Wheelwright, Doug; Coffey, Cheri
Subject: Ensign Foreground PUD / Pet. 410-06-39
Categories: Program/Policy

Ray:

As indicated in your transmittal, this proposed project includes planned development approval, a rezone, and subdivision approval. I have the following comments and questions regarding this proposal:

- The submitted survey sheets show an angled lot line on the east side of lot 5. The current GIS mapping screen shows the current property line in a more north to south layout. This appears to create a small unusually shaped area between the proposed subdivision and the existing Ensign Downs Plat G. This area is not shown to be included in either subdivision plat.
- Three of the proposed lots exceed 18,000 square feet which fall under the subdivision standards found in Section 21A.24.040J. Also, one of the lots is less than the required minimum lot size of 12,000 square feet.
- Due to the sizes and shapes of the proposed lots, I ask that you consider adding designated buildable area locations on the plat. Designated buildable areas will aid the developers as well as staff when planning or reviewing future permit submittals.
- Significant grade changes are shown and should be specifically approved as part of the subdivision and planned development. Fills of approximately 20' are shown as well as grading slopes in the 40%-50% range. A geo-hazard report should be provided to address the stability and safety of the proposed grading. Also, grade changes are shown to extend outside the boundaries of the proposed development including a detention basin on City property. Documentation must be provided to show neighboring property owner's approval as well as City approval for the proposed grade change.

Larry

McCandless, Ray

From: Butcher, Larry
Sent: Wednesday, January 17, 2007 7:19 AM
To: McCandless, Ray
Cc: Goff, Orion
Subject: Ensign Foreground PUD / Approx. 700 N. Desoto Street / Petition 410-06-39 - 400-06-46 - 490-06-50

Categories: Program/Policy

Ray:

This new plan shows the access road outside the proposed subdivision. Also the plan shows grade changes on City property as well as beyond the shown limits of the subdivision. All the lots now meet the minimum 12,000 square foot size requirement. Four of the lots exceed the 18,000 square foot maximum size standard. The buildable areas should be clearly marked and setback dimensions provided on the plat.

My previous comments regarding the grade changes, geo hazard report and the subdivision boundary question remain valid.

Thanks Ray,

Larry

McCandless, Ray

From: McCandless, Allen
Sent: Friday, December 01, 2006 9:34 AM
To: McCandless, Ray
Cc: Pack, Russ
Subject: FW: Ensign Foreground Planned Development
Attachments: MEMO - Request For Departmental Comments.doc

Ray,

Thank you for the notice regarding petitions 410-06-39 and 490-06-50, a Planned Unit Development located at 750 North DeSoto. This address is not in an established Salt Lake City airport influence zone. The project does not create any observed impacts to airport operations. -Allen McCandless

From: Pack, Russ
Sent: Thursday, November 30, 2006 2:03 PM
To: McCandless, Allen
Subject: FW: Ensign Foreground Planned Development

From: McCandless, Ray
Sent: Thursday, November 30, 2006 12:54 PM
To: Boskoff, Nancy; Burbank, Chris; Clark, Luann; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Pack, Russ; Querry, Chuck; Rutan, Ed; Tarbet, Valda; Zunguze, Louis
Cc: Wheelwright, Doug; LoPiccolo, Kevin
Subject: Ensign Foreground Planned Development

All:

A request for departmental comments has been mailed to the people listed on the attached memorandum concerning a proposed new 5 lot residential planned development subdivision located at approximately 750 North DeSoto Street. Would you please review the memorandum and let me know if you have any comments or questions concerning this request. Your response by Thursday, December 14, 2006 would be appreciated.

Thank you.

DATE: July 11, 2007

TO: Salt Lake City Planning Commission

FROM: Ray McCandless, Principal Planner at 535-7282 or
ray.mccandless@slcgov.com

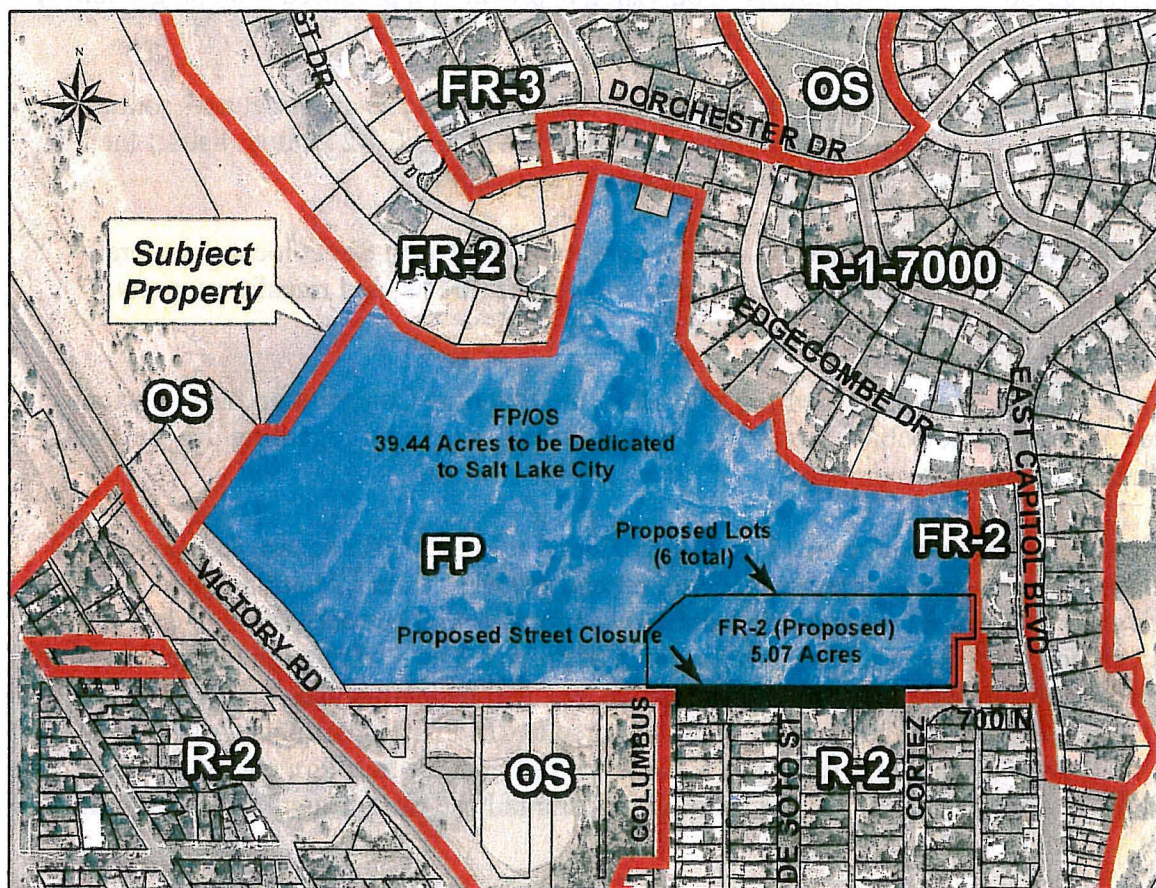
RE: **STAFF REPORT FOR THE JULY 11, 2007 PLANNING
COMMISSION MEETING**

CASE NUMBERS: 400-06-46, 490-06-50, 410-06-39
and 400-07-08

APPLICANT: Christopher F. Robinson

STATUS OF APPLICANT: Property Owner / Developer

PROJECT LOCATION: Approximately 750 North DeSoto Street



PROJECT/PROPERTY SIZE:

Approximately 44.51 acres

COUNCIL DISTRICT:

District 3, Councilmember Eric Jergensen

REQUESTED ACTIONS:

1. Petition 400-06-46

Request to rezone a portion (5.07 acres) of the property to be developed from FP to FR-2 and a portion (39.44 acres) from Foothill Preservation FP to Open Space (OS) or Natural Open Space (NOS) and to amend the Capitol Hill Community Future Land Use Map of the Capitol Hill Master Plan from Foothill Preservation Residential to Very Low Density Residential 1-5 Dwelling Units/Acre and Foothill Open Space.

2. Petition 490-06-50

Preliminary subdivision approval of a proposed 6-lot single-family residential Planned Development subdivision.

3. Petition 410-06-39

Planned Development approval for a private street and minimum lot size averaging consistent with the FR-2 Zoning District lot area requirements (cluster development).

4. Petition 400-07-08

Request to close a portion of 700 North Street located generally between Columbus and Cortez Streets, and transfer property to abutting owners.

PROPOSED USE:

The applicant proposes to develop a 6-lot single-family residential planned development subdivision.

**APPLICABLE LAND
USE REGULATIONS:**

Code sections being invoked by request are noted in the applicable section of this report.

**SURROUNDING ZONING
DISTRICTS:**

North R-1-7,000 Single Family
Residential
FR-2 Foothills Residential
South R-2 Single and Two-Family
Residential
OS Open Space

East R-1-7,000 Single Family
Residential
FR-2 Foothills Residential
West R-2 Single and Two-Family
Residential

SURROUNDING LAND

USES:

North Residential
South Open Space and Residential
West Open Space
East Residential

MASTER PLAN SPECIFICATIONS: The proposed development is located in the Capitol Hill neighborhood and is subject to the 2001 Capitol Hill Master Plan. The master plan goals and policies that apply to the proposed development are detailed in the applicable sections of this report.

SUBJECT PROPERTY HISTORY: The property is currently vacant and is zoned FP, Foothills Protection with the exception of a small strip of Open Space zoning that exists along the westernmost edge of the property.

Most of the property is undisturbed foothills. However, portions of the property, particularly north of Columbus, DeSoto and Cortez Streets have been significantly altered by grading activities over time. Much of the grading in this area occurred when a Chevron pipeline was installed in the 700 North Street alignment and there are remnants of an old dirt road that traverses the lower portion of the property. There is an existing private sewer line that runs north and south through the property that serves the Dorchester Pointe Subdivision to the northwest of this property.

700 North Street runs east and west on the north end of Columbus, DeSoto and Cortez Streets. At this location, 700 North Street is a paper street that runs along the south side of the property. No improvements have been made to this street, except on Columbus Street, where there is an existing vehicle turn-around area.

ACCESS: The subject property will be accessed from a proposed private street extending from Columbus Street as shown on the preliminary plat drawing.

PROJECT DESCRIPTION:

Mr. Christopher F. Robinson is requesting approval of the Ensign Foreground P.U.D., a proposed 6 lot residential planned development subdivision located at approximately 750 North DeSoto Street. The subject property is located in the Capitol Hill Community and is zoned FP, Foothill Protection District and Open Space OS. The subject property is comprised of a single 44.51 acre parcel of vacant land, 5.07 acres of which, is proposed to be developed into six residential lots. The remaining 39.44 acres is proposed to be dedicated to Salt Lake City for natural open space preservation.

The 5.07 acre parcel is proposed to be rezoned from FP to a FR-2, Foothill Residential zoning district. The balance of the property is proposed to be rezoned to Open Space or Natural Open Space. A portion of 700 North Street between Columbus and Cortez Streets (which exists only on paper) is proposed to be closed and conveyed to abutting property owners. The proposed request also requires preliminary subdivision approval and planned development approval to allow the development of the six new lots.

The lots will front onto a private street extending from Columbus Street which will have a gate. However, pedestrian and bicycle access will be allowed. The private street will end at a hammerhead turn-around and at the turn around will be a driveway which will provide access to an existing parcel to the south of lots 3 and 4. This parcel will also be developed sometime in the future.

West of lots 1 and 6 at the west end of the 5.07 acre parcel is a proposed alpha parcel. The private street traverses this parcel. It is not independently developable but will be owned by a homeowners association that will be created as part of this development in order to maintain the private street.

This proposal was reviewed at a Planning Commission Subcommittee meeting on January 2, 2007 and at a Planning Commission Issues Only Hearing on May 9, 2007 (Exhibit 5).

COMMENTS, ANALYSIS AND FINDINGS:

1. COMMENTS

A request for comments was mailed to all applicable Salt Lake City departments. The responses received are included in Exhibit 3 in this report. There have been several plan revisions and reviews conducted by City Departments since the application was initially submitted. The following is a summary of the latest comments received: (Note – see additional requirements noted in the departmental comment letters).

- a) Public Utilities Department (Jason Brown) – The owner will need to enter into a water main extension agreement for the portion of the water main in 700 North Street. A detailed grading and drainage plan will need to be submitted showing how the existing run-off from above the site will be routed through the subdivision. All of the slopes must be stabilized during and after construction to minimize sediment from washing down stream and into the public storm drain system. The drawings show the existing private sewer main being re-graded from approximately 15% to 25%. The slope and routing of the existing sewer main should be re-evaluated to maintain a maximum slope of 15%. The connection to the existing sewer main from the new main must be evaluated to ensure that surcharging does not occur and back up the new sewer main.
- b) Transportation Division – (Barry Walsh) The Salt Lake City Transportation Division does not have any concerns with the proposed request. The closure of the

700 North Street right-of-way is in keeping with future roadway development in that area.

- c) Engineering Division (Randy Drummond) – The proposed street design involves a significant cut into the existing hillside (as much as 15' vertically and 155' horizontally). Significant scarring of the hillside is liable to concern the neighbors as well as cause erosion problems until the hillside can be revegetated.

The developer must enter into a subdivision improvement construction agreement. The proposed must be designed in accordance with Salt Lake City design standards, including curb & gutter. In addition to the plan & profile sheet, an erosion control plan and revegetation plan are required, with specific attention given to any requirements stated in the geotechnical report. The Salt Lake City Transportation Division must review and approve street geometrics and street lighting.

A geotechnical recommendation is required addressing the proposed fill (up to 19') in the private hammerhead, the maximum cut and fill slopes, the erosive soils that will be exposed by the proposed cuts of the hillside and measures that must be taken to prevent erosion from these slopes and from the site. The geotechnical report must be referenced on the improvement plans and the slopes must comply with the geotechnical recommendations.

- b) Public Services (Rick Graham) No comments have been received to date.
- c) Police (Dave Askerlund) The Police Department does not have any concerns with the proposed request.
- d) Fire Department (Ted Itchon) - The plans are acceptable as submitted.
- e) Department of Airports (Allen McCandless) The Department of Airports has no concerns with the request.
- f) Building Permits (Larry Butcher) The buildable areas should be clearly marked and setback dimensions provided on the plat.
- g) Community Council (Polly Hart) - On May 17th 2007, the Capitol Hill Community Council voted to approve the proposed planned development with the provision that the remaining 39.49 acres of the entire 44.56 acre parcel be donated to Salt Lake City. The Community Council concurs with the proposed zoning changes but request that the property to be deeded to the City be re-zoned to Natural Open Space vs. Open Space.

The Community Council supports a locked gate at the top of Columbus Street but requests that pedestrian and bicycle access be maintained in perpetuity through the development to existing foothill trails. The Community Council also requested

that a sign be installed identifying trail access. The Community Council voted to continue discussions with the developer about trail access. The applicant's original plan would have cut off DeSoto Street access to the trails. However, he agreed to maintain that access. There was some concern about the impact of his trail design on the hillside, so the Community Council agreed to continue discussions with the applicant on lowering impact while maintaining access.

- h) Adjacent Property Owners - Letters received from property owners are included as Exhibit 7.

2. ANALYSIS AND FINDINGS

PETITION 400-06-46, ZONING MAP AMENDMENT AND MASTER PLAN AMENDMENT:

ZONING MAP AMENDMENT

The applicant is requesting to rezone the portion (5.07 acre) of the property to be developed from FP to FR-2 and a portion (39.44 acres) from Foothill Preservation FP to Open Space (OS) or Natural Open Space (NOS). This will require that the Future Land Use Map of the Capitol Hill Master Plan be amended to reflect the proposed zoning and use of the property.

In reviewing the proposed zoning map amendment, the Planning Commission will need to consider the following standards:

Section 21A.50.050 Standards for General Amendments.

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

Discussion: The Future Land Use Map of the 2001 Capitol Hill Master Plan designates the entire subject property as "Foothill Preservation Residential" which supports foothill residential development at 1 dwelling unit per 16 acres which would allow two dwelling units.

Applicable Policies of the Capitol Hill Community Master Plan (Page 3) relating to the DeSoto/Cortez area are as follows:

- Ensure the established low-density residential character of the neighborhood is preserved.

The proposed development density is six units or 1.18 dwelling units per acre on the 5.07 acre parcel which is considered "very low density residential". The proposed development is consistent with this policy.

- Continue the implementation of foothill regulations prohibiting development on land with slopes in excess of 30% and prohibit re-grading of natural slopes greater than 30% to slopes less than 30%.

There will be some grading on natural slopes in excess of 30% within the 5.07 acre subdivision boundary to facilitate the development of the proposed lots. However, the remaining 39.44 acres will remain in its existing state and will be zoned as Open Space or Natural Open Space. Given the slope and existing condition of this property, Staff recommends that the property to be deeded to the City be zoned to Natural Open Space versus Open Space.

Although the density of the proposed development is higher than what is allowed under the current zoning, the benefits of rezoning the property outweigh the reasons for not rezoning the property or amending the Master Plan. The proposed rezoning and Master Plan amendment will not only establish the limits of residential development but will define what areas of this foothill property should be preserved in perpetuity. The proposed rezoning and Master Plan amendment are consistent with these policies.

Findings: The 5.07 acre parcel should be rezoned from FP to FR-2 and the Capitol Hill Master Plan amended from Foothill Preservation to Very Low Density Residential and the remaining property to be dedicated to the City be rezoned Natural Open Space NOS and the Master Plan for this property be amended to Open Space to reflect the proposed use of the property .

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

Discussion: The proposed FR-2 zoning is consistent with the existing FR-2 zoning to the east of this property. Although the property to the south is zoned R-2, the proposed FR-2 zoning provides an appropriate transition to the open space area on the rest of the property.

Findings: The proposed amendment will be compatible in scale and character of the surrounding neighborhood.

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

Discussion: Adjoining land uses are predominantly one and two family residential dwellings. Although the proposed lots are larger than others directly to the south, the larger lots provide a better transition to the foothills and provide more buffering between the existing and proposed homes as larger set backs are required. The Planning Commission did not have an issue with the proposed lot sizes at the May 9, 2007 Issues Only Hearing. As such, the proposed amendment is compatible with surrounding development.

The adjoining properties most likely to be affected by the proposed amendment are the properties at the northern ends of Columbus DeSoto and Cortez Streets. The proposed lots will back onto the lots on these streets. In the FR-2 zone, a 40 foot rear yard is required which will provide adequate setback from the adjoining existing residences to the south.

Findings: The proposed amendment will not adversely affect adjacent properties.

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

Discussion: The subject property is within the Groundwater Source Protection Overlay District – Primary Recharge Area (Salt Lake City Zoning Ordinance, Section 21A.34.060). The Division of Building Services and Licensing will review all building permit applications for compliance with this section of the Zoning Ordinance.

Findings: The applicable standards will be reviewed by the Salt Lake City Building Services and Licensing Division when building permits are submitted for review.

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

Discussion: Applicable City Departments have reviewed the development proposal and have provided comments on the adequacy of public facilities. The proposed development will need to comply with all Salt Lake City departmental requirements as a condition of approval.

Findings: The proposed development must comply with all Salt Lake City departmental requirements as a condition of approval

MASTER PLAN AMENDMENT

Discussion: The Planning Staff recommends amending the Future Land Use Map of the 2001 Capitol Hill Master Plan from “Foothill Preservation Residential” to Very Low Density Residential 1-5 dwelling units/acre and Foothill Open Space to make the Master Plan consistent with the proposed development and zoning designation.

Findings: Amending the Capitol Hill Community Master Plan Future Land Use Map from “Foothill Preservation Residential” to “Very Low density Residential

1-5 dwelling units/acre” and “Foothill Open Space” is needed to make the master plan, zoning designation and proposed land use consistent.

**PETITION 490-06-50, PRELIMINARY SUBDIVISION APPROVAL OF A
PROPOSED 6-LOT SINGLE-FAMILY RESIDENTIAL PLANNED
DEVELOPMENT SUBDIVISION:**

STANDARDS FOR APPROVAL

20.20.020 Required Conditions And Improvements:

A minor subdivision shall be approved only if it meets all of the following standards:

- A. The general character of the surrounding area shall be well defined, and the minor subdivision shall conform to this general character.**

Analysis: Staff finds that the request complies with this standard because the surrounding uses are one and two-family dwellings. The proposed development is for single-family dwellings and will conform to this general character.

Finding: Staff finds that the proposed subdivision conforms to the general character of the surrounding area.

- B. Lots created shall conform to the applicable requirements of the zoning ordinances of the city.**

Analysis: Planned development approval is required to allow development of lots on a private street, grading of the lot as proposed, and averaging of lot areas to meet FR-2 density requirements.

Finding: Planned development approval is required to modify several requirements of the Zoning Ordinance.

- C. Utility easements shall be offered for dedication as necessary.**

Analysis: All necessary and required dedications will be made with the recording of the final plat.

Finding: Staff finds that all necessary and required dedications will be made upon recordation of the final subdivision plat.

- D. Water supply and sewage disposal shall be satisfactory to the city engineer.**

Analysis: All plans for required public improvements must be submitted and approved prior to approval of the final plat.

Finding: Staff finds that the provisions for the construction of any required public improvement must be included as part of the final plat process.

E. Public improvements shall be satisfactory to the planning director and city engineer.

Analysis: The proposed subdivision has been forwarded to the pertinent City Departments for comment. All public improvements must comply with all applicable City Departmental standards.

Finding: Staff finds that the subdivision must comply with all applicable laws and regulations.

20.20.070 Administrative Approval:

A minor subdivision shall also meet the following standards:

A. The minor subdivision will be in the best interests of the city.

Analysis: Staff finds that the request complies with this standard because it will formalize the limits of residential development and will allow the balance of the property to be preserved as open space in perpetuity.

Finding: Staff finds that the proposed subdivision will be in the best interest of the city.

B. All lots comply with all applicable zoning standards.

Analysis: Modification of the lot area on lots 1, 2, 3 and 4 must be approved through the Planned Development review process.

Finding: Modification of lots 1, 2, 3 and 4 is required through the Planned Development Review process.

C. All necessary and required dedications are made.

Analysis: All necessary and required dedications will be made with the recording of the final plat.

Finding: Staff finds that all necessary and required dedications will be made upon recordation of the final subdivision plat.

D. Provisions for the construction of any required public improvements are included.

Analysis: All plans for required public improvements must be submitted and approved prior to approval of the final plat.

Finding: Staff finds that the provisions for the construction of any required public improvement must be included as part of the final plat process.

E. The subdivision otherwise complies with all applicable laws and regulations.

Analysis: The proposed subdivision has been forwarded to the pertinent City Departments for comment. All public improvements must comply with all applicable City Departmental standards.

A significant amount of site grading will occur including leveling areas for homesites and stabilizing the hillside to the east of lot 4. As required by the Salt Lake City Engineering Division, all cuts and fills will need to be revegetated to reduce erosion.

Finding: Staff finds that the subdivision must comply with all applicable laws and regulations.

**PETITION 410-06-39 PLANNED DEVELOPMENT APPROVAL FOR A
PRIVATE STREET AND MINIMUM LOT SIZE AVERAGING CONSISTENT
WITH THE FR-2 ZONING DISTRICT LOT AREA REQUIREMENTS
(CLUSTER DEVELOPMENT)**

Planned Developments are a type of conditional use and as such are subject to the Conditional Use standards contained in Section 21.54.080 of the Salt Lake City Zoning Ordinance

CONDITIONAL USE REVIEW

21.54.080 Standards for Conditional Uses.

A. The proposed development is one of the conditional uses specifically listed in this Title.

Discussion: According to Section 21A.54.150 of the Salt Lake City Zoning Ordinance, a Planned Development requires Conditional Use approval by the Planning Commission.

Finding: The proposed development requires conditional use approval by the Planning Commission.

B. The proposed development is in harmony with the general purposes and intent of this Title and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans.

Discussion: This is addressed in Section A of the Analysis and Findings Section of this report.

Finding: The Capitol Hill Master Plan will need to be amended to reflect the proposed use and zoning of the property.

C. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets.

Discussion: Access to the proposed development will be from Columbus Street as shown on the submitted drawings. The Salt Lake City Transportation Division does not have any concerns with the access to or traffic generated by the proposed subdivision.

Finding: Streets are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets.

D. The internal circulation system of the proposed development is properly designed.

Discussion: All lots will be accessed by a private street. When the request was initially submitted, street grades exceeded 10% grades which was not acceptable to the Salt Lake City Fire Department. However, the road has been redesigned so that road grades are less than 10% which has been approved by the Fire Department. In order for the road grades to be less than 10%, the private street must be serpentine as shown on the preliminary plat drawing.

Finding: The internal circulation system of the proposed development is properly designed.

E. Existing or proposed utility services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources.

Discussion: The Public Utilities Department has reviewed the proposed development and is working with the applicant to address their issues.

Finding: Public Utilities Department approval will be required as a condition of Planned Development approval.

F. Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts.

Discussion: Adequate buffering is provided as the proposed lots will back onto existing developed lots. In the FR-2 Zoning District, the rear yard setback is 40

feet which will provide adequate separation between the existing and proposed homes.

Finding: Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts.

G. Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood.

Discussion: No buildings are proposed at this time. The property owner will either sell the lots to prospective buyers or develop the property himself in the future.

Finding: Architectural compatibility with the adjacent neighborhood cannot be determined at this time. However, all new buildings will need to comply with FR-2 zoning standards.

H. Landscaping is appropriate for the scale of the development.

Discussion: No landscaping plan has been submitted to date. However, the applicant has indicated that drought tolerant landscaping will be used throughout the development. Final approval of a landscaping plan should be delegated to the Planning Director as a condition of approval.

Finding: The final landscaping plan should be approved by the Planning Director as a condition of approval.

I. The proposed development preserves historical architectural and environmental features of the property.

Discussion: The property is not located in a historic district.

Finding: The proposed development is not in a historic district.

J. Operating and delivery hours are compatible with adjacent land uses.

Discussion: This standard is not applicable.

Finding: This standard does not apply.

K. The proposed conditional use or, in the case of a planned development, the permitted and conditional uses contained therein, are compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.

Discussion: The Planning Staff does not foresee that the proposed development will have a material net cumulative adverse impact on the neighborhood or the City as a whole. The Capitol Hill Community Council requested that the developer explore keeping the trail that extends north of DeSoto Street. The attached drawing shows how this will be accomplished (Exhibit 4). The trail will connect into the existing trail system through the property, west of Lot 1.

Finding: The proposed conditional use is compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.

L. The proposed development complies with all other applicable codes and ordinances.

Discussion: According to the Salt Lake City Surface-Fault Rupture And Liquefaction Potential Special Study Areas Map, the property is not located in a surface fault rupture special study area. A Geotechnical Report has been provided addressing soils and geotechnical issues. The proposed development's compliance with all other applicable codes and ordinances is discussed in the Planned Development Section below. Approval of the request should be subject to meeting all applicable City requirements and the recommendations contained in the Geotechnical Report.

Finding: The proposed development must meet all applicable City, County, State and Federal codes and ordinances prior to issuance of a building permit.

PLANNED DEVELOPMENT REVIEW

According to **Section 21A.54.150A Purpose Statement** of the Zoning Ordinance, a planned development is a distinct category of conditional use. As such, it is intended to encourage the efficient use of land and resources, promoting greater efficiency in public and utility services and encouraging innovation in the planning and building of all types of development.

Section **21A.54.150C Authority To Modify Regulations** of the Zoning Ordinance, states that no such change, alteration, modification or waiver of the standards shall be approved unless the proposed planned development will achieve the purposes for which a planned development may be approved.

Discussion: Given that the proposed site plans are preliminary and because of the complexity of this request, the modifications listed below reflect the significant Zoning Ordinance modifications or waivers needed to approve this request.

In order to approve the proposed planned development, some of the zoning requirements of the Zoning Ordinance will need to be modified by the Planning Commission. The proposed development requires Planned Development approval

by the Planning Commission as lots 2 through 5 do not meet the lot area requirements of the FR-2 Zoning Ordinance. Significant on site grading will occur and the homes will be accessed from a private street. The zoning standards requiring modification are reflected below. As the measurements are approximate, please refer to proposed site development plans for specific dimensions.

ZONING ORDINANCE MODIFICATIONS:

LOT AREA

Four of the six proposed lots either do not meet or exceed the minimum and maximum lot area requirements of the FR-2 Zoning District. However, the average of all lots combined is 26,731 square feet which is consistent overall density allowed by the FR-2 Zoning District. This modification will need to be approved through the Planned Development process.

21A.24.030 C. Minimum Lot Area And Lot Width (Includes Street Closure Property)

21A.24.030 J. Maximum Lot Area

	<u>Minimum Lot Area</u>	<u>Maximum Lot Area</u>	<u>Provided</u>	<u>Requirements Met</u>
<u>Lot 1</u>	21,780	32,670	21,869.84	Yes
<u>Lot 2</u>	21,780	32,670	17,619.84	No
<u>Lot 3</u>	21,780	32,670	17,601.84	No
<u>Lot 4</u>	21,780	32,670	58,935	No
<u>Lot 5</u>	21,780	32,670	21,230	No
<u>Lot 6</u>	21,780	32,670	23,134	Yes

GRADING

As mentioned in this report, much of the existing topography on the 5.07 acre parcel has been significantly altered over time. A significant amount of grading will occur on the property not only for home sites but to stabilize existing slopes as shown on the submitted slope map (Exhibit 4) and site drawings (Exhibit 5). In reviewing this request, the Planning Commission will need to modify the following zoning requirements to allow the proposed development.

21A.24.030.G. Slope Restrictions – Section 21A.24.030.G. Slope Restrictions of the Zoning Ordinance states that “No building shall be constructed on any portion of the site that exceeds a thirty percent (30%) slope”. There are areas within this portion of the property where slopes exceed 30%. However, many of these slopes are man made. Because of this, Staff recommends that any grading

activities be limited to the areas to the cut and fill areas shown on the proposed preliminary drawings.

21A.24.010.O.6. Grade Changes – Section 21A.24.010.O.6 Grade Changes of the Zoning Ordinance states that the established grade of any lot shall not be raised or lowered more than four feet (4') at any point for the construction of any structure or improvement except within the buildable area, established grade may be raised or lowered a maximum of six feet (6') by grading or retaining walls As there will be significant grading to accommodate the proposed development and much of the area has been previously disturbed, the Planning Staff is recommending that the final grading plan be approved by the Building Permits and Licensing Division, Engineering Division and Public Utilities Departments consistent with the grading shown on the preliminary development plan drawings.

STREET FRONTAGE

21A.36.010.C. Frontage Of Lot On Public Street – Section 21A.36.010.C. Frontage Of Lot On Public Street requires that "All lots shall front on a public street unless specifically exempted from this requirement by other provisions of this title." As the proposed street is private, the Planning Commission will need to waive this requirement.

Finding:

Planning Commission modifications to the Zoning Ordinance are as follows:

1. Lot averaging be used to establish the overall density of the proposed development and that the required lot area of lots 2, 3 4 and 5 be modified as shown on the site plan.
2. The final grading plan be approved by the Building Permits and Licensing Division, Engineering Division and Public Utilities Departments consistent with the grading shown on the preliminary development plan drawings and that grading be limited to the cut and fill areas shown on the submitted drawings.
3. The requirement for lots fronting onto a public street will need to be waived.

Through the final site review process, other modifications to the Zoning Ordinance may be needed. However, it is staff's recommendation that the proposed development be approved as reflected on the submitted drawings.

Section **21A.54.150C Authority To Modify Regulations** of the Zoning Ordinance also states that the Planning Commission must find that the proposed development will not violate the general purposes, goals and objectives of this Title and of any plans adopted by the Planning Commission or the City Council.

Discussion: The standards for a Planned Development are listed in Section. 21A.54.150A of the Zoning Ordinance and are listed below. **The bolded objectives apply to this proposal.**

1. **Creation of a more desirable environment than would be possible through strict application of other City land use regulations;**
2. **Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities;**
3. Combination and coordination of architectural styles, building forms and building relationships;
4. **Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;**
5. Preservation of buildings which are architecturally or historically significant or contribute to the character of the City;
6. Use of design, landscape or architectural features to create a pleasing environment;
7. Inclusion of special development amenities; and
8. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.

Items 1, 2, and 4 apply to the proposed planned development. A more desirable environment and better use of land is achieved as homes are clustered near the southeast corner of the parcel in a low lying area. The homes will not be highly visible from the City nor from the adjoining neighborhoods. Clustering the homes makes more efficient use of utility services and land resources. The request for Planned Development approval is supported by standards 1, 2, and 4 above.

Finding: As the Planning Commission has the authority to modify zoning standards through the Planned Development process, the proposed development will not violate the general purposes, goals and objectives of the Zoning Ordinance.

PETITION 400-07-08 REQUEST TO CLOSE A PORTION OF 700 NORTH STREET LOCATED GENERALLY BETWEEN COLUMBUS AND CORTEZ STREETS, AND TRANSFER PROPERTY TO ABUTTING OWNERS.

700 North Street between Cortez and Columbus Streets has never been developed and exists only on paper. The applicant is requesting that this street be vacated to facilitate development of this property.

Salt Lake City Council Policy Guidelines for Street Closures and Findings:

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.**

Discussion: The street will be closed and deeded to abutting property owners as shown on the preliminary plat drawing. The property will either be sold at fair market value or exchanged for the property to be dedicated to the City. Closing the subject street will not deny access to any adjacent property.

Finding: The proposed street closure will not deny access to adjacent properties.

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

Discussion: As noted in Policy 1, the street will either be sold at fair market value or exchanged for the property to be deeded to the City.

Finding: The street will either be sold at fair market value or exchanged for the property to be deeded to the City.

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 applicant that the sale and/or closure of the street will accomplish the stated public policy reasons.**

Discussion: The street exists only on paper and will not be needed in the future to provide access to properties. The Salt Lake City Transportation Master Plan, Major Street Plan that was adopted July 7, 2006, does not show this street. The proposed street closure will facilitate the development of the subject property and will increase the size of the proposed lots resulting in more setback and buffering for existing homes. In addition, the street closure will place an undeveloped and unneeded street on the tax rolls.

Finding: There are sufficient policy reasons for justifying the closure of the street.

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

Discussion: There are several compelling reasons for closing the street. Closing the street will facilitate the development of the property add additional buffering for existing homes and will place the property on the tax rolls. Closure of the street outweighs the reasons for keeping it open.

Finding: The policy reasons supporting the street closure outweigh the reasons for keeping the street open.

RECOMMENDATION: Based on the discussions and findings of fact in this report, the Salt Lake City Planning Division recommends the following:

1. Regarding Petition 400-06-46: That the Planning Commission forward a favorable recommendation to the City Council to rezone a portion (5.07 acres) of the property to be developed from FP to FR-2 and a portion (39.44 acres) from Foothill Preservation (FP) to Natural Open Space (NOS) and to amend the Capitol Hill Community Future Land Use Map of the Capitol Hill Master Plan from Foothill Preservation Residential to Very Low density Residential 1-5 dwelling units/acre on the 5.07 acre parcel and Foothill Open Space on the 39.44 acre parcel.
2. Regarding Petition 490-06-50: That the Planning Commission grant preliminary subdivision approval of a proposed 6-lot single-family residential planned development subdivision subject to:
 - A. Recordation of a final subdivision plat.
 - B. That the balance of the property (approximately 39 acres) be deeded to Salt Lake City as proposed by the applicant.
 - C. Meeting all applicable Salt Lake City departmental requirements including compliance to the recommendations contained in the Geotechnical Report.
3. Regarding Petition 410-06-39: That the Salt Lake City Planning Commission grant Planned Development approval for a private street and minimum lot size averaging consistent with the FR-2 zoning district lot area requirements (cluster development) and modification of zoning requirements as necessary to implement the development as proposed subject to:
 - A. Providing unrestricted pedestrian and bicycle trail from Columbus and DeSoto Streets and that signage identifying trail access be placed at the entrance gate on Columbus Street and at the top of DeSoto Street.
 - B. Lot averaging be used to establish the overall density of the proposed development and that the required lot area of lots 2, 3 4 and 5 be modified as shown on the site plan.
 - C. The final grading plan be approved by the Building Permits and Licensing Division, Engineering Division and Public Utilities Departments consistent with the grading shown on the preliminary development plan drawings. Grading be limited to the areas to the cuts and fill areas shown on the submitted drawings.
 - D. The requirement for lots fronting onto a public street will need to be waived.
 - E. Final approval of the landscaping plan by the Planning Director.
 - F. Final approval of the grading plan by the Salt Lake City Engineering Division, Public Utilities Department and Building Services and Licensing Division.
4. Regarding Petition 400-07-08: That the Salt Lake City Planning Commission forward a positive recommendation to the Salt Lake City Council to close a portion of 700 North Street located generally between Columbus and Cortez Streets, and transfer property to abutting owners as shown on the proposed site plan.

Ray McCandless
Principal Planner

- Exhibit 1: Applications**
- Exhibit 2: Site Drawings**
- Exhibit 3: Salt Lake City Departmental Comments**
- Exhibit 4: Slope Map**
- Exhibit 5: May 9, 2007 Issues Only Hearing Minutes**
- Exhibit 6: Proposed Trail Map**
- Exhibit 7: Letters from property owners**

Exhibit 1: Applications

Planning Commission Staff Report
Petitions Petition 400-06-46, 490-06-50, 410-06-39, 400-07-08
July 11, 2007



Zoning Amendment

OFFICE USE ONLY	
Petition No.	400-06-46
Receipt No.	6213456
Amount	1117.49
Date Received	11/8/06
Reviewed By	NB
Project Planner	

will send legal desc.

PLANNING COMMISSION

Address of Subject Property: Approx. 750 North DeSoto Street, SLC, UT 84103
Name of Applicant: Christopher F. Robinson Phone: 801-599-4397
Address of Applicant: P.O. Box 540478, North Salt Lake, UT 84054
E-mail Address of Applicant: crobinson@theensigngroup.com Cell/Fax: 801-599-4397/801-677-6416
Applicant's Interest in Subject Property: Owner & officer
Name of Property Owner: Arimo Corp. et al Phone: 801-599-4397
Address of Property Owner: P. O. Box 540478, North Salt Lake, UT 84054
Email Address of Property Owner: crobinson@theensigngroup.com Cell/Fax: 801-599-4397/801-677-6416
Existing Use of Property: Vacant Zoning: FP
County Tax ("Sidwell #"): 09-30-351-03⁵-0000

- ☐ Amend the text of the Zoning Ordinance by amending Section: (attach map or legal description).
- ☒ * Amend the Zoning Map by reclassifying the above property from an { FP } zone to a { FR-2 } zone.

* Only seeking to amend zoning on 3.43 acres +/-
Please include with the application:

1. A statement of the text amendment or map amendment describing the purpose for the amendment and the exact language, boundaries and zoning district.
2. A complete description of the proposed use of the property where appropriate.
3. Reasons why the present zoning may not be appropriate for the area.
4. The names and addresses of all property owners within four-hundred fifty (450) feet of the subject parcel. 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. **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
5. Legal description of the property.
6. Six (6) copies of site plans drawn to scale.
7. Related materials or data supporting the application as may be determined by the Zoning Administrator.
8. If applicable, a signed, notarized statement of consent from property owner authorizing applicant to act as an agent.
9. Filing fee of \$800.00 plus \$100 for each acre over one acre is due at the 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 & 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

ARIMO CORPORATION, ETAL

Signature of Property Owner
Or authorized agent

By: Christopher F. Robinson, President 10/28/06

Please describe your project and explain why a zoning amendment is necessary:

This parcel consists of 44.56 acres +/- of which we desire to develop ~3.43 acres into five (5) single family residential lots averaging 0.686 acres or ~30,000 sq. ft., each. The subdivision would be a PUD with private streets and would be known as "Ensign Foreground P.U.D." The remaining 41.13 acres would remain zoned FP but would be dedicated to SLC as perpetual open space, except for boundary encroachments by the rear lot lines of the owners of lots on the South and West sides of Edgecomb and Dorchester Drive, which may be conveyed to those abutting owners. Prior to 1995, the parcel was zoned for much higher density (R-5, etc.) and on Sept. 15th, 1991, the owners and the City entered into a development agreement vesting the zoning for 20 years thereafter. The zone change is necessary to allow the subdivision to proceed.

Please see the attached preliminary drawing showing the property.

What are the land uses adjacent to the property (abutting and across the street)?

There are no land uses immediately north and west of the 3.43 acres proposed to be rezoned. There is single family residential surround the property on the other two sides (South & East)

Have you discussed the project with nearby property owners? If so, what responses have you received?

I have not discussed this proposal with the adjacent land owners.



Preliminary Subdivision Foothill Process

OFFICE USE ONLY	
Petition No.	490-06-50
Receipt No.	219861 Amount: \$1100.00
Date Received:	11/8/06
Reviewed By:	MB
Project Planner:	

SALT LAKE CITY PLANNING

Name of Subdivision:	Ensign Foreground P.U.D	No. of Lots	Five
Name of Applicant:	Christopher F. Robinson	Phone:	801-599-4397
Address of Applicant:	P.O. Box 540478, North Salt Lake, UTAH 84054		
E-mail Address of Applicant:	crobinson@theensigngroup.com Cell/Fax: 801-599-4397 / 801-677-6416		
Name of Property Owner:	Armo Corporation, et al	Phone:	801-599-4397
Address of Subject Property:	Approx. 750 North DeSoto Street, SLC, UT 84103 *		
Subdivision Engineer	Robert Q. Elder, P.E. Stantec Consulting	Phone:	801-261-0090
Address of Engineer	3995 South 700 East, Salt Lake City, UTAH 84107 Ste 300		
E-mail Address of Engineer:	relder@stantec.com Cell/Fax: Cell: 801-243-9809 / Fax: 801-266-1671		
County Tax Parcel # (Sidwell #)	09-30-351-035-0000	Zoning	FP & FR-2
		Acreage	~ 44.56 +/-

Please include with the application:

Use back or additional sheets, if necessary

1. The names and addresses of all property owners within 450 feet of the subject property. 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). If you are within 600 feet of a neighboring Community Council's boundary, the neighboring Community Council Chair must be notified also. **The cost of first class postage for each address is due at the time of application. Please do not provide postage stamps.**
2. Ten (10) copies of a preliminary plat drawing illustrating the land to be subdivided (properly and accurately drawn to scale) certified as accurate by a Register Land Surveyor or Professional Engineer.
3. One (1) 11" x 17" (reduced) copy of the plans.
4. A current Sidwell Map (with aerial photography and ownership lines) defining the entire area of the proposed subdivision.
5. Ten (10) copies of a professionally prepared Geotechnical Report.
6. **Filing fee of \$600.00 plus \$100.00 per lot is required 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 this petition.

* Also known by the street address of 818 North Sandhurst Drive, SLC, UT 84103

County tax parcel ("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:

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

Signature of Property Owner
Or authorized agent

ARMO CORP. ETAL

By: Christopher F. Robinson, President

Title of agent



Planned Development

Conditional Use

OFFICE USE ONLY	
Petition No.	410-06-39
Receipt No.	219862
Amount	799.49
Date Received:	10/8/06
Reviewed By:	NB
Project Planner:	

Name of Planned Development: Ensign Foreground P.U.D.

Address of Subject Property: Approx 750 North DeSoto Street

Name of Applicant: Christopher F. Robinson Phone: 801-599-4397

Address of Applicant: P.O. Box 540478, North Salt Lake, UT 84054

E-mail Address of Applicant: crobenson@theensigngroup.com Cell/Fax: 801-599-4397/801-677-6416

Applicant's Interest in Subject Property: Owner and Officer of Owner

Name of Property Owner: Arimo Corporation, et al Phone: 801-599-4397

Email Address of Property Owner: crobenson@theensigngroup.com Cell/Fax: 801-599-4397/801-677-6416

Subdivision Engineer: Robert A Elder Phone: 801-261-0090
Stantec Consulting

Email Address of Engineer: relder@stantec.com Cell/Fax: 801-243-9809/801-261-1671

County Tax ("Sidwell #"): 09-30-351-034-0000

Zoning: FP & FR-2 (See Rezoning Application) Acreage: $\approx 44.56 \pm$

Please include with the application:

1. The names and addresses of all property owners located within 450 feet of the subject parcel[s]. 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. **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
2. A legal description of the subject property.
3. Six (6) copies of a preliminary development plan and elevation drawings prepared according to the attached guidelines
4. When the planned development is to be constructed in phases, a schedule for the development of such phases shall be submitted stating the approximate beginning and completion for each phase. When a development provides for common open space, the total area of common space provided at any stage of development shall, at minimum, bear the same relationship to the total open space to be provided in the entire development as the phases completed or under development bear to the entire development.
5. If applicable, a signed, notarized statement of consent authorizing applicant to act as an agent.
6. A filing fee of \$600.00 is required. For residential planned developments, an additional \$25.00 per unit is required. For non-residential developments, an additional \$100.00 per acre in excess of one acre is required. All fees are 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 & 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 Property Owner

Or authorized agent

ARIMO CORPORATION, ETAL

By: Christopher F. Robinson, President

10/28/06

SALT LAKE CITY PLANNING

Jul 2005

Please answer the following questions. Use an additional sheet if necessary.

Please explain how the proposed development is in harmony with the general purposes and intent of the Zoning Ordinance. How does it implement, and how is it compatible with the planning goals and objectives of the city and the applicable Master Plan?

The proposed development consists of five single family residential building lots of between 0.25 and 1.39 acres in size and averaging 0.686 acres which is approximately 50% larger on average than what the FR-2 zone would allow. The development clusters these five lots in the South East corner of the parcel which results in 41 acres of dedicated open space (approx. 92% of the total parcel). It will have a negligible effect on traffic on DeSoto Street and will actually improve traffic flow by adding a hammerhead turnaround within the public right-of-way at the northern end of DeSoto Street. The area to be developed is confined principally to portions of the parcel that have historically been disturbed. The Viewshed and Cortez trail on the Western portion of the larger parcel are left undisturbed and become perpetual open space.

Explain how the proposed conditional use is compatible with the surrounding neighborhood. Will the proposed development have a material net adverse impact on the neighborhood or city as a whole?

On average, the proposed lots will be larger than most to the South of the subdivision and comparable to those to the east. As stated above, the traffic impacts will be negligible and emergency vehicle turnaround will be enhanced. The Viewshed will primarily be preserved for the City as a whole and no neighbors' views should be blocked. The perpetual dedication of approx. 92% of the parcel as public open space should be a net positive to the community. The last two homes on the north end of DeSoto will be temporarily inconvenienced as that end of DeSoto is being rebuilt. These two homes have their shared driveway within the public right-of-way and we'll have to take care to restore their driveways, etc. Overall, the subdivision should not have a significant negative adverse effect.



Street Closure

OFFICE USE ONLY	
Petition No.	
Receipt No.	Amount:
Date Received:	
Reviewed By:	
Project Planner:	

Date

March 28th, 2007

Name of Applicant The Ensign Group / Christopher Robinson Phone ^{Cell} 801-599-4397
Address of Applicant P.O. Box 540478, North Salt Lake, UT 84054
E-mail Address of Applicant crobenson@theensigngroup.com Cell/Fax 801-677-6416 Fax

Please include with the application:

1. A letter explaining why you are requesting this street closure. Please include a statement explaining why the street closure is consistent with proposed public policy. If applicant is not a property owner adjacent to the street, please include the applicant's interest in the request.
2. The names and addresses of all property owners within four-hundred fifty (450) feet - exclusive of streets and alleys in any direction - from the border of the subject street. 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. Additional names and addresses may be required. **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
3. The name, address and signatures of all abutting property owners who support the petition. You may use the sample petition accompanying this application or provide your own. **Please note that the property owners must sign and not occupants who rent.**
4. A property ownership map (known as a Sidwell map) showing the area of the proposed street closure. On the map please
 - a. Highlight the subject section of street
 - b. Indicate with a list of the property owners and write their name on the Sidwell map identifying the property they own.
5. Filing fee of \$300.00 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 Property Owner
or authorized agent

The Ensign Group, LLC

By: Christopher F. Robinson, Mgr 3/28/07
Title of agent

Jul 2005

**THE ENSIGN GROUP, L.C.
925 West 100 North, Suite F
P.O. Box 540478
North Salt Lake, Utah 84054**

March 28th, 2007

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

Attention: Ray McCandless, Planner

RE: Petition to Close/Vacate 700 North Street right-of-way between Columbus
and Cortez Streets

Dear Planning Department:

We are developing the following real property owned by Arimo Corporation, Beaver Creek Investments, L.C., Alexander J. Robinson, Christopher F. Robinson, and Victoria A. Robinson (the "Owners"): (a) approximately 44 acres of property located north of 700 North (Tax Parcel No. 09-30-351-03; hereinafter the "Foreground") and (b) Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003; hereinafter the "Cortez Lots").

We have proposed the six lot "Ensign Foreground P.U.D." subdivision concept plan (the "Subdivision") covering the Foreground and also providing a private driveway to the Cortez Lots (access to these lots from Cortez is difficult due to steep slope) (see Exhibit "A" attached to the petition referenced below). The Subdivision calls for developing about five acres of the Foreground parcel (in the south-east corner) and deeding to Salt Lake City Corporation (the "City") the remaining ~39 acres.

We are requesting the closure of the 700 North Street right-of-way between Columbus and Cortez Streets (the "Right-of-Way"). The Right-of-Way has not been improved and likely never will be improved due to excessive slopes. In lieu of paying cash for the fair market value of the closed portion of the Right-of-Way, we would propose that our conveying the 39 acres of dedicated open space would more than suffice as consideration for the land affected by the road closure.

As shown on the Subdivision plat, we're generally proposing that the Right-of-Way be split down the middle running east-west such that the north half would be deeded to the Owners for inclusion within the Subdivision and the south half, with the small exception

of some Right-of-Way areas needed for present or future roadways (such as a future hammerhead turnaround at the end of DeSoto and the public and private portions of the roadway to access the Subdivision at the end of Columbus) be deeded to the adjacent property owners abutting the south side of the Right-of-Way. Provided that the closed portion of the Right-of-Way can be "exchanged" for the 39 acres of open space and we therefore are not required to pay any cash consideration to the City to close the Right-of-Way, the recipients of the south half of the Right-of-Way (as shown in Exhibit "A" to the petition) would not be required to tender any consideration to the City or to us for the portions of the Right-of-Way that they are receiving.

There exist two petroleum pipelines owned by Chevron which pass through the Right-of-Way and we understand that any conveyance of the closed portion of the Right-of-Way affected by said pipelines would need to be subject to a reservation of a perpetual easement in favor of Chevron for the same and perhaps some other easements for public or private utility companies.

Please find attached our Street Closure application as well as the required petition signed by the abutting property owners. We would like this application and petition to be processed by the City in conjunction with the processing of the Subdivision.

Please don't hesitate to contact me if you have any questions or concerns. Email (crobinson@theensigngroup.com) or cell phone (801-599-4397) are the best.

Respectfully submitted,

THE ENSIGN GROUP, L.C.

By: Christopher F. Robinson
Christopher F. Robinson, Manager

PETITION TO CLOSE A STREET

Date: March 28th, 2007

To: Salt Lake City Corporation (the "City")
Planning Division
451 South State Street, Room 406
Salt Lake City, UT 84111

Petitioner: The Ensign Group, L.C.
c/o Christopher F. Robinson
925 West 100 North, Suite F
P.O. Box 540478
North Salt Lake, UT 84054
Email: crobenson@theensigngroup.com
Cell Phone: 801-599-4397

Street Closure: 700 North Right-of-Way between Cortez and Columbus Streets, as shown on Exhibit A attached (the "Right-of-Way") and as explained in that certain letter from Petitioner to City of even date herewith.

TO WHOM IT MAY CONCERN:

We, the undersigned, are the owners of the property fronting upon or abutting the Right-of-Way and do hereby support the closure of the same provided that portions of the Right-of-Way so closed are generally deeded to the parties as shown on Exhibit A. We understand that, in lieu of cash consideration for the fair market value of the portion of the Right-of-Way being close, the City will be receiving in exchange other property owned or controlled by the Petitioner.

Property Owner's Name and Address:	Property Description and Parcel Number	Owner's Signature	Date Signed
Arimo Corporation P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	By: <u>Christopher F. Robinson</u> Christopher F. Robinson President	4-3-07
Beaver Creek Investments, L.C. P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	By: <u>Christopher F. Robinson</u> Christopher F. Robinson Manager	4-3-07

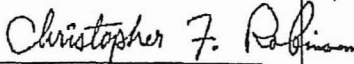
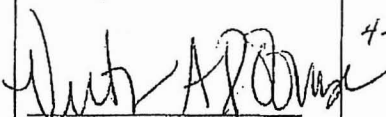
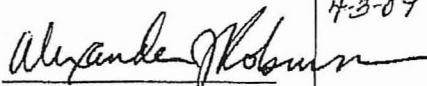
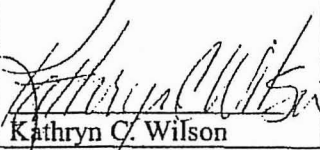
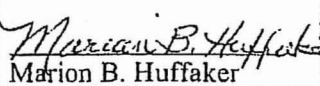
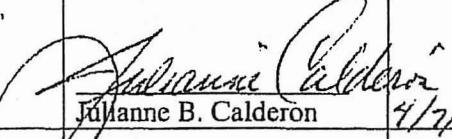
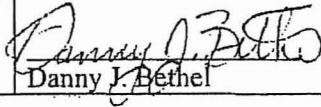
Christopher F. Robinson P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	 Christopher F. Robinson	4-3-07
Victoria A. Robinson P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	 Victoria A. Robinson	4-3-07
Alexander J. Robinson P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	 Alexander J. Robinson	4-3-07
Kathryn C. Wilson 587 North Perrys Hollow Road Salt Lake City, UT 84054	Lot 3, Ensign Downs Plat G (Tax Parcel No. 09-30-351-021) and adjoining metes and bounds parcel to west (Tax Parcel 03-30-351-036)	 Kathryn C. Wilson	4-6-07
Alton W. Huffaker & Marion B. Huffaker (Life Estate), Et Al 700 North DeSoto St. Salt Lake City, UT 84103	Lot 11, Block 20, Plat J, Salt Lake City Survey (Tax Parcel No. 09-30-354-005)	 Marion B. Huffaker	Apr. 9 2007
Julianne B. Calderon 700 N. Columbus St. Salt Lake City, UT 84103	Lot 11, Block 21, Plat J, Salt Lake City Survey	 Julianne B. Calderon	4/7/07
Danny J. Bethel, Trustee 707 North DeSoto St. Salt Lake City, UT 84103	Lot 12, Block 21, Plat J, Salt Lake City Survey (Tax Parcel No. 09-30-353-005)	 Danny J. Bethel	4/9/07

Exhibit 2: Site Drawings

Planning Commission Staff Report
Petitions Petition 400-06-46, 490-06-50, 410-06-39, 400-07-08
July 11, 2007



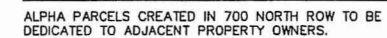
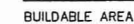
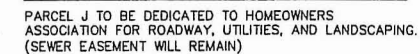
Stantec Consulting Inc.
Suite 300, 3995 South 700 East
Salt Lake City UT U.S.A.
84107
Tel. 801.743.0696
Fax. 801.743.0697
www.stantec.com

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The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay.

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Notes

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Client/Project
THE ENSIGN GROUP, L.C.

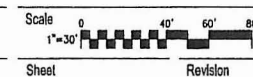
ENSIGN FOREGROUND P.U.D. PLAT

SALT LAKE CITY, UTAH

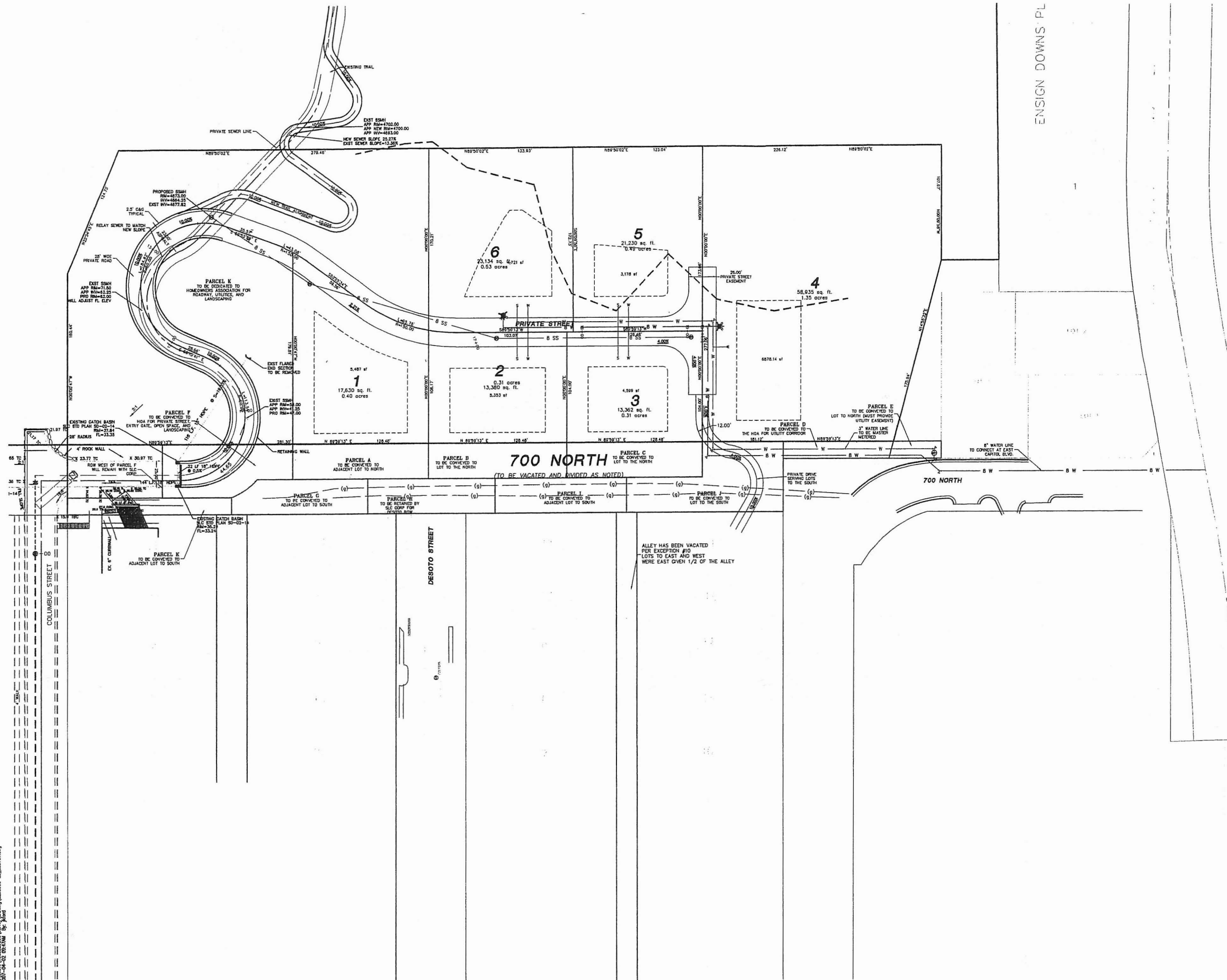
Title
CONCEPT PLAN

Project No.
1863329300

Drawing No.



of 0



W:\active\1863329300\survey\drawing\329300c-ds_030707.dwg
2007-04-02 09:47AM Prc 2dplot



Stantec Consulting Inc.
Suite 300, 3995 South 700 East
Salt Lake City UT U.S.A.
84107
Tel. 801.743.0696
Fax. 801.743.0697
www.stantec.com

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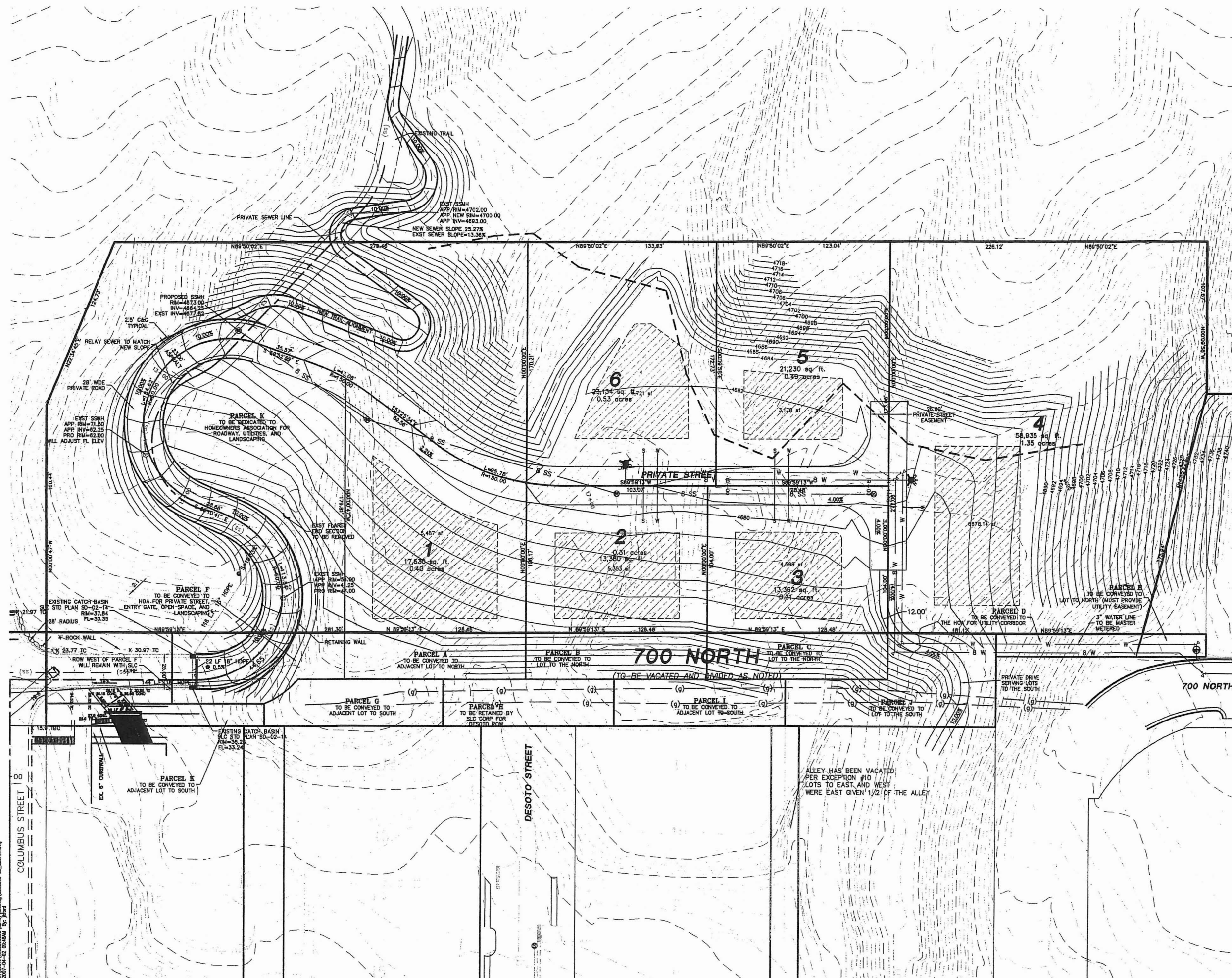
The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay.

The Copyrights to all designs and drawings are the property of Stantec. Reproduction or use for any purpose other than that authorized by Stantec is forbidden.

Notes

NOTE: INDIVIDUAL LOT OWNERS WILL BE RESPONSIBLE FOR TO RETAINING INCREASED RUNOFF WATER CREATED BY DEVELOPMENT.

AREA OF PRIVATE STREET: 26,580 SQ. FT.
AREA OF PRIVATE DRIVE: 1,905 SQ. FT.

[illegible]

File Name: 329300c-db_020507.dwg	JKF	RQE	JKF	07.02
	Own.	Chkd.	Degn.	YY.MM.

Permit

Client/Project
THE ENSIGN GROUP, L.C.

ENSIGN FOREGROUND P.U.D. PLAT

SALT LAKE CITY, UTAH

Title
CONCEPT PLAN

Project No.
1863329300

Scale 0 30' 45' 60'

Drawing No.	Sheet	Revision
-------------	-------	----------



Applied Geotechnical Engineering Consultants, Inc.

April 17, 2007

The Ensign Group
PO Box 540478
North Salt Lake, UT 84045

Attention: Christopher F. Robinson
EMAIL: crobinson@theensigngroup.com

Subject: Geotechnical Consultation
Ensign Foreground PUD
750 North DeSoto Street
Salt Lake City, Utah
AGEC Project No. 1060490

Gentlemen:

Applied Geotechnical Engineering Consultants, Inc. (AGEC) was requested to delineate the approximate limits of disturbance at the site of the proposed Ensign Foreground subdivision located at 750 North DeSoto Street in Salt Lake City, Utah.

AGEC previously conducted a geotechnical investigation for the proposed subdivision and presented our findings and recommendations in a report dated July 19, 2006 under AGEC Project No. 1060490.

The proposed subdivision consists of six single-family building lots with a two-lane, asphalt-paved road. The proposed layout of the subdivision is included on the attached figure.

The geotechnical investigation performed in 2006 encountered fill in four of the five test pits to depths of up to approximately 16 feet. Additionally, AGEC inspected the placement of fill along the slope that forms the east boundary of the site in 1997.

A representative of AGEC was visited the site on March 20, 2007 in order to delineate the approximate limits of disturbance due to previous activity at the site. On that date, a representative of Stantec Consulting and AGEC surveyed the northern limit of disturbance at the site during the site visit. Site disturbance on the western, southern, and eastern boundaries of the proposed subdivision extends to the limits of the subdivision as shown on the attached figure.

Based on review of the geotechnical report, the information obtained during the site visit, historic aerial photos and records from previous construction at the site, the approximate limits of disturbance were delineated and are included on the attached figure.

The Ensign Group
April 17, 2007
Page 2

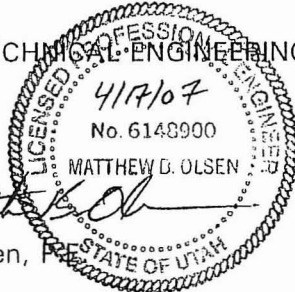
This letter has been prepared in accordance with generally accepted soil and foundation engineering practices in the area for the use of the client. The conclusions included in the letter are based on conditions observed at the time of our site visit, the observations made during the excavation of the test pits and review of samples, a review of historical aerial photos and observation made during previous construction at the site. Variations in the subsurface conditions may exist and may not become evident until additional exploration or excavation is conducted. The limits of disturbance outlined in this letter are approximate.

If you have any questions or if we can be of further service, please call.

Sincerely,

APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.

Matthew B. Olsen, P.E.



Reviewed by DRH, P.E., P.G.

MBO/ni

Enclosure

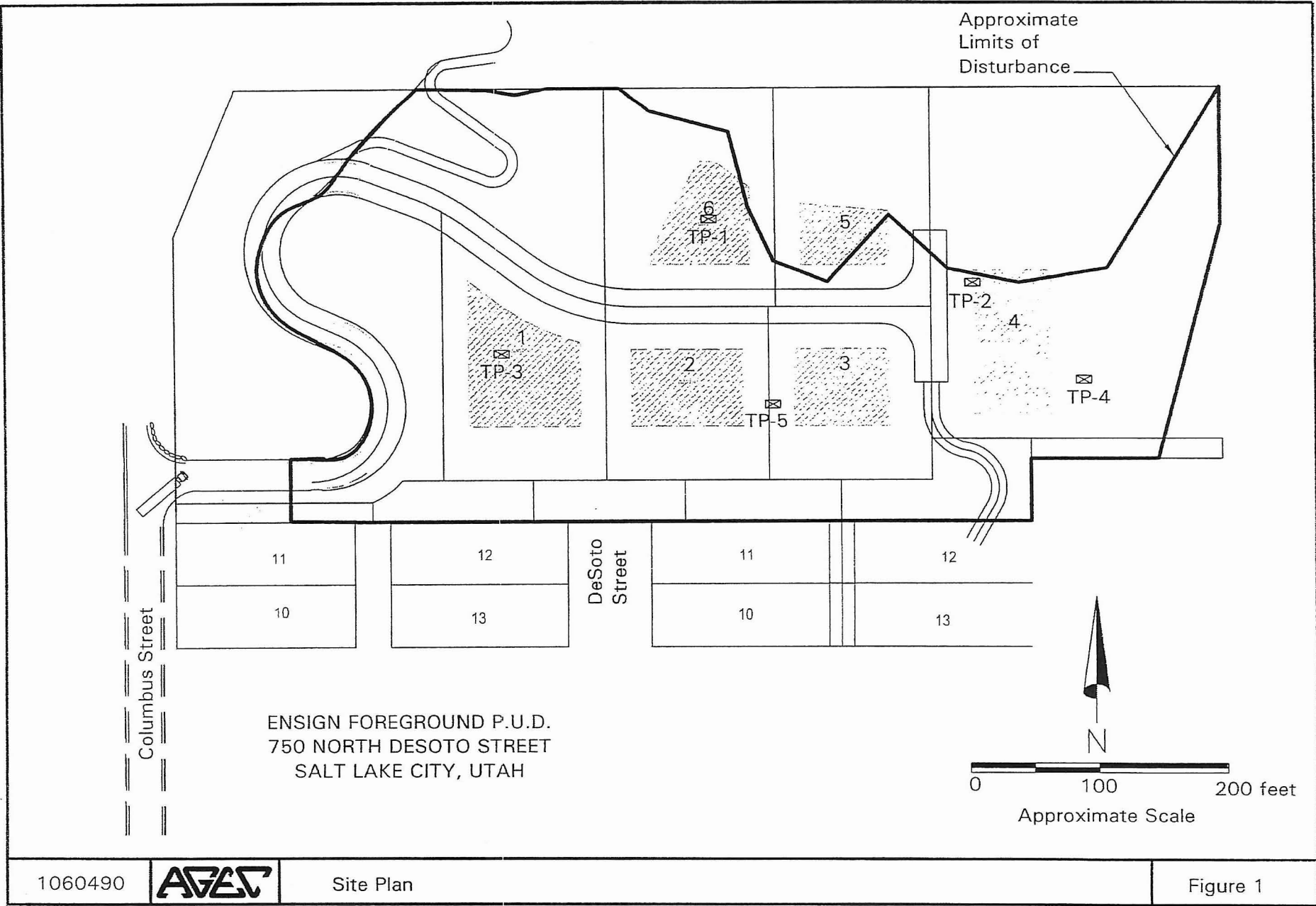


Exhibit 3: Salt Lake City Departmental Comments

Planning Commission Staff Report
Petitions Petition 400-06-46, 490-06-50, 410-06-39, 400-07-08
July 11, 2007

McCandless, Ray

Public Utilities

From: Brown, Jason
Sent: Tuesday, April 10, 2007 12:46 PM
To: McCandless, Ray
Cc: Garcia, Peggy
Subject: Ensign Foreground P.U.D. Petitions 410-06-39, 400-06-46 and 490-06-50
Categories: Program/Policy

Ray,

Public Utilities has reviewed the plans included with your March 27, 2007 memorandum. While many of the previous issues have been resolved there are several items that will need to be addressed before receiving Public Utilities approval.

Water

The location of the master meter is acceptable, the plans must show a detector check valve for the private fire service line. The water main extension in 700 North must be drawn in plan and profile from the connection point in East Capitol Boulevard to the meters. The owner will need to enter into a water main extension agreement for the portion of the main in 700 North.

Storm Drain / Grading

The engineer must submit a detailed grading and drainage plan showing how the existing run-off from above the site will be routed through the PUD. A note has been added to the plans indicating that the lot owners will be responsible for additional flow generated by the lots. This note should also be added to the plat. The engineer must identify the expected volume of storm water that each lot will be required to detain. All of the slopes must be stabilized during and after construction to minimize silts and fines from washing down stream and into the public storm drain system. Silt fences, straw bales and other devices must be placed to minimize downstream disturbance from construction run-off.

Sewer

The new sewer main must be marked as private on the plans and a note must be added to the plat indicating the same. The drawings show the existing private sewer main being re-graded from approximately 15% to 25%. The slope and routing of the existing sewer main should be re-evaluated to maintain a maximum slope of 15%. The connection to the existing sewer main from the new main must be evaluated to ensure that surcharging does not occur and back up the new sewer main.

If you have any questions please do not hesitate to contact me.

Jason Brown, PE

Development Review Engineer
Salt Lake City Public Utilities
1530 South West Temple
Salt Lake City, UT 84115
(801) 483-6729
(801) 483-6855 fax
jason.brown@slcgov.com

6/15/2007

McCandless, Ray

Transportation

From: Walsh, Barry
Sent: Tuesday, April 03, 2007 11:09 AM
To: McCandless, Ray
Cc: Young, Kevin; Weiler, Scott; Itchon, Edward; Garcia, Peggy; Spencer, John
Subject: Ensign Foreground PUD pet 410-06-39, 46, 50.
Categories: Program/Policy

April 3, 2007

Ray McCandless, Planning

Re: Ensign Foreground PUD Proposal at 700 North

The division of transportation has reviewed the plans dated 3/7/07, see letter sent March 8, 2007 addressing past review issues of grades over 10% and concerns for roadside definition and safety. The closure concept of 700 North ROW is in keeping with future roadway development in that area.

We look forward to review of construction plans etc.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Scott Weiler, P.E.
Ted Itchon, Fire
Peggy Garcia, Public Utilities
John Spencer, Property Management
File.

6/15/2007

Engineering

TO: RAY McCANDLESS, PLANNING

FROM: RANDY DRUMMOND, P.E., ENGINEERING

DATE: APRIL 12, 2007

SUBJECT: **Ensign Foreground PUD**
750 N. Columbus Street
Petitions 410-06-39, 400-06-46 & 490-06-50

City Engineering review comments, dated January 31, 2007 are **revised** as follows:

1. *Columbus Street is an existing SLC public street with curb, gutter (no sidewalk) and a gate at the proposed connection point. The proposed street design involves a significant cut into the existing hillside (as much as 15' vertically and 155' horizontally). Significant scarring of the hillside is liable to concern the neighbors as well as cause erosion problems until the hillside can be revegetated. As proposed, the existing gate and corresponding public access to the trailhead will be relocated northward to the point where the trail diverges from the proposed street.*
2. The developer must enter into a subdivision improvement construction agreement. This agreement requires the payment of a 5% fee based on the estimated cost of constructing the public roadway improvements, private roadway improvements. The developer should contact Joel Harrison (535-6234) to discuss insurance requirements for the project.
3. For the proposed new street to be approved, it must be designed in accordance with SLC design standards, *including curb & gutter*. Some of the significant requirements are as follows:
 - The plan & profile drawings must show the profile view for top back of curb grade and existing ground along the curb alignment.
 - Minimum curb design grade is 0.50%. Grades over 10% require specific approval from the fire department (absolute maximum is 14%).
 - The horizontal scale for the drawings shall be 1" = 20', 1"=30' or 1"= 40'.
 - The vertical scale shall be one tenth of the horizontal scale.
 - The minimum size lettering shall be 1/10" and capital letters shall be used.
 - The text shall be readable from one of two directions on a given sheet.
 - The north arrow shall point toward the top or left of the sheet with stationing progressing from west to east or from north to south.
4. *In addition to the plan & profile sheet, an erosion control plan and revegetation plan are required, with specific attention given to any requirements stated in the geotechnical report mentioned below.*

5. SLC Transportation must review and approve street geometrics and street lighting.
6. A geotechnical recommendation is required addressing the proposed fill (*up to 19'*) in the private hammerhead, the maximum cut and fill slopes, the erosive soils that will be exposed by the proposed cuts of the hillside and measures that must be taken to prevent erosion from these slopes and from the site. The geotechnical report must be referenced on the improvement plans and the slopes must comply with the geotechnical recommendations.
7. **The plat has been reviewed and certain changes are required. We will contact the developer's consultant to have the red-lined copy picked up at our office. A final version of the plat is required, platting the proposed lots to be developed, their common area and any other lots proposed to be absorbed by vacating right-of-way in 700 North.** The proposed street within the plat requires a street name. Contact Judy Stephens, Salt Lake County, (468-3294) for review and approval. SLC Engineering will provide final approval of the street name and suffix.
8. The developer must enter into agreements required by the SLC Public Utility Department and pay the required fees.
9. At least one member of the concrete finishing crew must be ACI certified. The name of the ACI certified finisher must be provided at the pre-construction meeting for the subdivision.
10. The construction contractor must file a Notice of Intent with the State of Utah, Department of Environmental Quality, Division of Water Quality, to comply with the NPDES permitting process. A copy of the pollution prevention plan must also be submitted to Randy Peterson at SLC Public Utilities.
11. **All proposed changes to the existing sewer main must be approved by Salt Lake City Utilities. At this time, insufficient information is available on the submitted drawings to allow review in the depth necessary to give concise comments. On significant concern we have is in regard to the generated run-off that will flow from the proposed private street and driveway leading to the property to the south. This will be addressed in more detail by Public Utilities, but we bring it to the developer's attention to allow him to have ample time to respond.**

Page 3
Ray McCandless
Ensign Foreground PUD
April 12, 2007

12. **While the drawing shows a 10% design grade, the topography provided indicates slopes in excess of 10%, especially on the inside of the radius sections. This should be verified on the improvement drawings to be submitted.**
13. **A final version of the plat is required, platting the proposed lots to be developed, their common areas and other lots proposed to be absorbed by vacating right-of-way in 700 North.**

cc: Scott Weiler
Brad Stewart
Barry Walsh
Vault

McCandless, Ray

Police

From: Askerlund, Dave
Sent: Monday, February 05, 2007 11:11 AM
To: McCandless, Ray
Subject: Ensign Foreground PUD

Re: Ensign Foreground P.U.D. – Petitions 410-06-39, 400-06-46 and 490-06-05

The development of these three lots should have a significant impact on public safety or policing in the area.

Lt. Dave Askerlund
Salt Lake City Police Dept.
Support Services Division
801-799-3180

no

(per follow up e-mail)

MEMORANDUM

Fire Department

DATE: 9 APRIL 2007

TO: RAY McCANDLESS, ASSOCIATE PLANNER

FROM: TED ITCHON

RE: ENSIGN FOREGROUND P.U.D. PETITIONS FILE # 410-06-39, 400-06-46 & 490-06-05

SYNOPSIS:

The plans are acceptable as submitted.

The items below are a list for the contractor's information.

1. Fuel tank storage will require a permit. Gravity flow is not permitted.
2. Burning of trash, scrap wood of other materials in a violation of City Ordinance.

McCandless, Ray

Airport

From: McCandless, Allen
Sent: Friday, December 01, 2006 9:34 AM
To: McCandless, Ray
Cc: Pack, Russ
Subject: FW: Ensign Foreground Planned Development
Attachments: MEMO - Request For Departmental Comments.doc

Ray,

Thank you for the notice regarding petitions 410-06-39 and 490-06-50, a Planned Unit Development located at 750 North DeSoto. This address is not in an established Salt Lake City airport influence zone. The project does not create any observed impacts to airport operations. -Allen McCandless

From: Pack, Russ
Sent: Thursday, November 30, 2006 2:03 PM
To: McCandless, Allen
Subject: FW: Ensign Foreground Planned Development

From: McCandless, Ray
Sent: Thursday, November 30, 2006 12:54 PM
To: Boskoff, Nancy; Burbank, Chris; Clark, Luann; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Pack, Russ; Querry, Chuck; Rutan, Ed; Tarbet, Valda; Zunguze, Louis
Cc: Wheelwright, Doug; LoPiccolo, Kevin
Subject: Ensign Foreground Planned Development

All:

A request for departmental comments has been mailed to the people listed on the attached memorandum concerning a proposed new 5 lot residential planned development subdivision located at approximately 750 North DeSoto Street. Would you please review the memorandum and let me know if you have any comments or questions concerning this request. Your response by Thursday, December 14, 2006 would be appreciated.

Thank you.

6/15/2007

McCandless, Ray

Building Permits & Licensing

From: Butcher, Larry
Sent: Wednesday, January 17, 2007 7:19 AM
To: McCandless, Ray
Cc: Goff, Orion
Subject: Ensign Foreground PUD / Approx. 700 N. Desoto Street / Petition 410-06-39 - 400-06-46 - 490-06-50
Categories: Program/Policy

Ray:

This new plan shows the access road outside the proposed subdivision. Also the plan shows grade changes on City property as well as beyond the shown limits of the subdivision. All the lots now meet the minimum 12,000 square foot size requirement. Four of the lots exceed the 18,000 square foot maximum size standard. The buildable areas should be clearly marked and setback dimensions provided on the plat.

My previous comments regarding the grade changes, geo hazard report and the subdivision boundary question remain valid.

Thanks Ray,

Larry

6/15/2007

McCandless, Ray

Community Council

From: Polly Hart [polly@sisna.com]
Sent: Thursday, May 17, 2007 12:58 PM
To: McCandless, Ray
Cc: Eric Jergensen; Chris Robinson
Subject: Ensign Foreground Development

May 17th, 2007

Dear Ray,

The Capitol Hill Community Council voted last night on the Ensign Foreground Development by Chris Robinson. The Council voted to approve the PUD on 5.07 acres as currently proposed, with the provision that the remaining 39.49 acres of the entire 44.56 acre parcel be donated to Salt Lake City. We approved two zoning changes along with this development. We recommend that the City re-zone the 5.07 acre development from FP to FR-2, provided the 39.49 Salt Lake City parcel is re-zoned to NOS (We prefer natural open space to just open space).

To be clear, the plan that we approved includes a locked gate at the top of Columbus Street but would allow, in perpetuity, for pedestrian and bicycle access through the development to existing foothill trails, and a sign would be erected identifying that access.

Furthermore, the Council voted to continue discussions with the developer about trail access. His original plan would have cut off DeSoto Street access to the trails, and he agreed to maintain that access. There was some concern about the impact of his trail design on the hillside, so we agreed to continue discussions on lowering impact while maintaining access.

If you have any further questions, please feel free to contact me.

Polly Hart
Chair, Capitol Hill Community Council

Exhibit 4: Slope Map

Planning Commission Staff Report
Petitions Petition 400-06-46, 490-06-50, 410-06-39, 400-07-08
July 11, 2007



Starlec Consulting Inc.
Suite 300, 3995 South 700 East
Salt Lake City UT U.S.A.
84107
Tel. 801.743.0696
Fax. 801.743.0697
www.starlec.com

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Legend

Color	Range Beg.	Range End	Percent	Area
	0.00	20.00	25.5	55823.80
	20.00	30.00	10.1	22064.07
	30.00	100.00	64.4	141005.27

GREEN - 0-20%
BLUE - 20-30%
RED OVER 30%

Revision		By	Appd.	YR.MO.DY
Issued		By	Appd.	YR.MO.DY
File Name: 2010-0100-mop.dwg	JAT	REJ	JAT	06.01.2011
	Des.	Chk'd	Desp.	YR.MO.DY
Parent: Soil				

Client/Project
THE ENSIGH GROUP, L.C.

ENSIGN FOREGROUND
SALT LAKE CITY, UT

Title
SLOPE MAP

Project No. 186302010

Scale 1"=30'

Drawing No. 0-4

Sheet

Revision

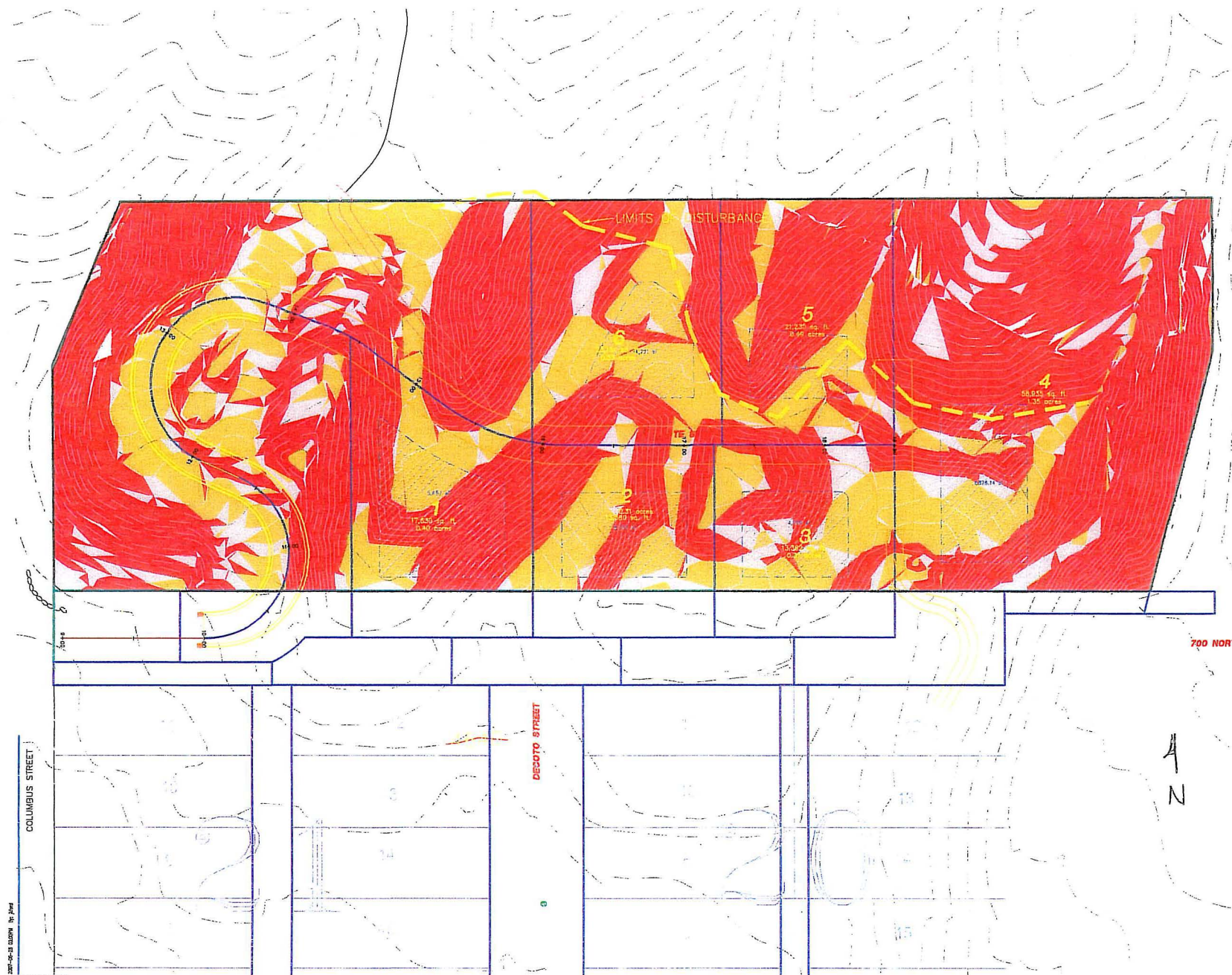


Exhibit 5: May 9, 2007 Issues Only Hearing Minutes

Planning Commission Staff Report
Petitions Petition 400-06-46, 490-06-50, 410-06-39, 400-07-08
July 11, 2007

ISSUES ONLY HEARING

(This item was heard at 6:14 p.m.)

A request by Christopher F. Robinson for approval of the proposed Ensign Foreground Planned Development subdivision located at approximately 750 North DeSoto Street in a Foothills Protection (FP) Zoning District. The following petitions are being considered as part of this request:

1. **Petition 400-06-46**—a request to amend the Capitol Hill Master Plan future land use map for the subject property from Foothill Preservation Residential to Very Low Density Residential and Open Space, and to rezone the subject property proposed to be developed (approximately 5 acres) from a Foothills Protection (FP) zoning district to a Foothills Residential (FR-2) Zoning District and rezone approximately 38 acres from Foothills Protection (FP) to Open Space (OS) or Natural Open Space (NOS).
2. **Petition 400-07-08**—a request to close and declare as surplus property a portion of 700 North Street located generally between Columbus and Cortez Streets.
3. **Petition 410-06-39**—Planned Development approval of a proposed 6-lot single family residential subdivision with a private street.
4. **Petition 490-06-50**— Preliminary subdivision approval of a proposed 6-lot single-family residential planned development subdivision.

Chairperson McDonough recognized Ray McCandless as Staff representative.

Ray McCandless noted that the applicant had a Power Point presentation reviewing the proposed development. Mr. McCandless stated that this proposal was part of a request to take a parcel, slightly over forty-four acres in size, and divide it into two parcels, one to be thirty-nine acres in size, deeded to Salt Lake City and dedicated as Open Space or Natural Open Space, and a second parcel to be five acres in size to be subdivided into six developable lots.

Mr. McCandless stated that a petition within the overall request included the closure of a portion of 700 North which had been platted but never developed due to the slope of the topography. Mr. McCandless noted that there was a separate small parcel to the southeast of the subject property currently zoned R-2 that would be incorporated into the rezoning request and was to be rezoned FR-2 to match the surrounding zoning.

Doug Wheelwright noted that the request was a Foothill Subdivision and therefore required a two part process for approval. Mr. Wheelwright stated that the first of which would be the current issues only hearing. He noted that the second portion would be a public hearing to be held at a later unspecified date, with the Commission making a motion at that time to approve or deny the request for the subdivision, as well as make recommendations to the City Council regarding the applications for the street closure, rezoning and the Capitol Hill Master Plan Amendment.

Commissioner De Lay inquired if there was any plan on the part of Salt Lake City to develop any sort of trail system within the Natural Open Space to be dedicated to the City.

Mr. McCandless noted that right now, the two zoning possibilities being explored were Open Space or Natural Open Space, and the developer was currently looking at trail options for the property.

Mr. Wheelwright stated that there was currently a future plan to connect this property with a North Salt Lake trailhead.

Chairperson McDonough invited the applicant, Christopher Robinson, forward to speak to the Commission.

Mr. Robinson noted that the proposed Planned Development would be a six lot private subdivision. Mr. Robinson stated that this proposal was the last phase of development which had been ongoing since the 1950's and the development would include non-motorized public trails, while maintaining access to a fire-cessation access road on the north end of the property.

Mr. Robinson noted that the proposed closure of 700 North would be beneficial to the City as International Fire Safety Code prohibits road development on slopes with grades of more than ten percent and there is land on this parcel with slopes in excess of that. He stated that the proposed 700 North Street Closure would be between Columbus and Cortez Streets.

Mr. Robinson presented slides which indicated the existing and proposed grading of the subject property. He noted that the proposed re-zoning would call for approximately three to five acres to be rezoned FR-2. He also noted that field surveys had revealed that there was a great deal of fill and disturbed slope areas on the southwest corner of the property.

Mr. Robinson reviewed site plans of the proposed lots with buildable areas indicated, as well as several photos showing the end of DeSoto street, the slope on the east side of the parcel, disturbed terrain looking west over the parcel, the existing trail consisting of an old road to Davis County and several alternative views of the disturbed terrain on the subject property.

Mr. Robinson reviewed how the current subject parcel would be subdivided, noting that several lot line adjustments with adjoining neighbors may occur before the final platting.

Chairperson McDonough opened the floor to questions from the Commissioners.

Vice Chairperson Wirthlin inquired why the proposal was for a gated community.

Mr. Robinson noted that he would prefer a public street subdivision; however, if it became a public street subdivision, the biggest concern was that the public would use the street and Open Space for undesirable purposes. Mr. Robinson noted that there were already people who used the Open Space area, which was accessible by vehicles, as an ungoverned space for unlawful activities at night.

Chairperson McDonough inquired what the applicant's plan for trail use was.

Mr. Robinson reviewed possible trail configurations for the subject property, noting that they wished to provide suitable public access for the community for mountain biking and hiking opportunities, but wanted to limit vehicular access and existing abuse in the area. He noted that the Capitol Hill Community Council suggested a possible trail connection could be made with Edgecombe Road; however, there was a private property owner adjacent to the subject parcel reluctant to do this and the grade was very steep.

Chairperson McDonough noted her concern as well about the gated community and asked if Mr. Robinson's intention with the trails was to divert the public away from the private subdivision.

Mr. Robinson stated that it was not and that he intended to allow pedestrian and bicycle access around the gate.

Chairperson McDonough noted that the proposed grade change on the east side of the subject parcel was not all part of Mr. Robinson's property.

Mr. Robinson noted that topographical analysis had revealed the grading would be beneficial to all involved and the other parcel owners were in agreement.

Chairperson McDonough stated that she felt the grading would be truly a human intervention, seeming unnatural and too regular in the face of the obviously natural topography of the surrounding area.

Mr. Robinson said that he would agree with that and would look at alternative ways to bring a more natural look to the proposed grading on the east side of proposed lot number four.

Chairperson McDonough opened the floor to Community Council representatives and the public.

George Stutzenberger, Vice Chair of the Capitol Hill Community Council, was there to speak to the hearing item. Mr. Stutzenberger stated that the Council was mostly in favor of the proposal, especially regarding the gain of Open Space for the City, stating his recommendation that the parcel be zoned Natural Open Space to limit human intervention, especially since there were steep re-vegetation areas prone to landslides on the parcel which should not be disturbed.

He noted that several residents of the Capitol Hill Community had approached him regarding the trailhead at the end of DeSoto Street and voiced their concern that access to this trailhead should remain open to the public.

Mr. Stutzenberger stated that the grading concerned the Council and that it should be kept as minimal as possible. Mr. Stutzenberger stated that it would be beneficial to see some sort of speed barrier installed at the base of the street leading into the Planned Development. Mr. Stutzenberger noted that he would like to see that the No Parking signs at the end of the street remain as they were.

Dan Bethel, 707 North DeSoto Street, noted his concern that the end of DeSoto Street might look like a dam from his property if the grade change occurred as proposed. Mr. Bethel also stated that he wished for the trail to not be at the end of De Soto but stated that he understood the desire of the community to maintain public access to the Open Space parcel and had not had any problems from hikers accessing the trail from his street.

Commissioner McDonough closed the Public Hearing portion of the meeting and requested comments from the Commission.

Vice Chairperson Wirthlin noted that his preference would be to rezone the area as Natural Open Space and that he would like to see more of a plan from Staff at the Public Hearing regarding how this Natural Open Space might be used.

Commissioners Forbis, McHugh and Scott concurred with Vice Chair Wirthlin.

Chairperson McDonough noted that the Commission would like to see as much information as possible on a trail proposal and suggested that the applicant come back with more detailed recommendations.

Chairperson McDonough inquired of the Commission if there was any concern about the proposed lot sizes.

Commissioner Forbis stated that with the amount of surrounding Open Space, he felt the proposed lot sizes were in harmony, keeping with the natural feel of the surrounding area.

Doug Wheelwright stated that this request was the culmination of about a twenty year process; developing the Ensign Downs area. Mr. Wheelwright noted that the two things which made this proposal especially complicated were the disturbance of thirty percent steep slope areas which would require special and careful consideration, as well as the proposed massive re-grading of

the subject property for the private subdivision parcels. Mr. Wheelwright noted that Staff would give a great deal of detail in the Staff Report regarding these issues.

Chairperson McDonough noted that she would like to see a larger encompassing picture of how the development would effect the surrounding area, particularly what type of ownership the property was surrounded by.

There were no further comments from the Commission or Staff.

Exhibit 6: Proposed Trail Map

Planning Commission Staff Report
Petitions Petition 400-06-46, 490-06-50, 410-06-39, 400-07-08
July 11, 2007

Exhibit 7: Letters From Property Owners

Planning Commission Staff Report
Petitions Petition 400-06-46, 490-06-50, 410-06-39, 400-07-08
July 11, 2007

McCandless, Ray

From: BethelCo@aol.com
Sent: Monday, May 07, 2007 2:14 PM
To: McCandless, Ray
Cc: wayne@moylelawfirm.com; crobinson@theensigngroup.com
Subject: petition 400-07-08

Hi Ray:

I am writing to inform you that since I am in a right-of-way negotiation over the vacated alley between my property at 707 North DeSoto Street and my neighbor's property directly west of mine I may need to consider the prescriptive use which traditionally existed at the north end of the alley between Columbus and DeSoto connecting to 700 North. It ran on an angle from the top of the alley to join 700 North. It was the traditional route to avoid the elevation of the pipeline and connect to 700 North Street. I assume my neighbor and I retained the right to use it when we vacated the alley between our houses.

For this reason I have written Chris Robinson advising him of my current right-of-way issues. I feel that this prescriptive use right needs to be addressed before the south half of the 700 north right-of-way is deeded to me and my neighbor.

I am hoping this doesn't affect the course of Chris's project since I feel it will be a positive addition to the area. Providing more security and increased value to our houses.

Best Regards,
Dan Bethel
801-971-4187 cell

See what's free at AOL.com.

6/27/2007

McCandless, Ray

From: Jon Boltax [jboltax@yahoo.com]
Sent: Friday, April 27, 2007 8:14 AM
To: McCandless, Ray
Subject: foothills protection area

Dear Mr Maccandless,

I am writing to let you know that I do not support the change in the zoning in the foothill open space at the end of cortez st and 700 north. I will not be able to make the may 9th meeting b/c I am out of town but cannot agree with giving away open space to allow someone to build a private road and 6 private houses. Please do not approve this petition.

Sincerely,
Jon Boltax
662 Cortez st
slc ut 84103

Ahhh...imagining that irresistible "new car" smell?
Check out [new cars at Yahoo! Autos.](#)

**6. PLANNING COMMISSION MINUTES FOR THE
MAY 9, 2007 ISSUES ONLY HEARING AND JULY 11, 2007
PLANNING COMMISSION MEETING**

May 9, 2007

ISSUES ONLY HEARING

(This item was heard at 6:14 p.m.)

A request by Christopher F. Robinson for approval of the proposed Ensign Foreground Planned Development subdivision located at approximately 750 North DeSoto Street in a Foothills Protection (FP) Zoning District. The following petitions are being considered as part of this request:

1. **Petition 400-06-46**—a request to amend the Capitol Hill Master Plan future land use map for the subject property from Foothill Preservation Residential to Very Low Density Residential and Open Space, and to rezone the subject property proposed to be developed (approximately 5 acres) from a Foothills Protection (FP) zoning district to a Foothills Residential (FR-2) Zoning District and rezone approximately 38 acres from Foothills Protection (FP) to Open Space (OS) or Natural Open Space (NOS).
2. **Petition 400-07-08**—a request to close and declare as surplus property a portion of 700 North Street located generally between Columbus and Cortez Streets.
3. **Petition 410-06-39**—Planned Development approval of a proposed 6-lot single family residential subdivision with a private street.
4. **Petition 490-06-50**— Preliminary subdivision approval of a proposed 6-lot single-family residential planned development subdivision.

Chairperson McDonough recognized Ray McCandless as Staff representative.

Ray McCandless noted that the applicant had a Power Point presentation reviewing the proposed development. Mr. McCandless stated that this proposal was part of a request to take a parcel, slightly over forty-four acres in size, and divide it into two parcels, one to be thirty-nine acres in size, deeded to Salt Lake City and dedicated as Open Space or Natural Open Space, and a second parcel to be five acres in size to be subdivided into six developable lots.

Mr. McCandless stated that a petition within the overall request included the closure of a portion of 700 North which had been platted but never developed due to the slope of the topography. Mr. McCandless noted that there was a separate small parcel to the southeast of the subject property currently zoned R-2 that would be incorporated into the rezoning request and was to be rezoned FR-2 to match the surrounding zoning.

Doug Wheelwright noted that the request was a Foothill Subdivision and therefore required a two part process for approval. Mr. Wheelwright stated that the first of which would be the current issues only hearing. He noted that the second portion would be a public hearing to be held at a later unspecified date, with the Commission making a motion at that time to approve or deny the request for the subdivision, as well as make recommendations to the City Council regarding the applications for the street closure, rezoning and the Capitol Hill Master Plan Amendment.

Commissioner De Lay inquired if there was any plan on the part of Salt Lake City to develop any sort of trail system within the Natural Open Space to be dedicated to the City.

Mr. McCandless noted that right now, the two zoning possibilities being explored were Open Space or Natural Open Space, and the developer was currently looking at trail options for the property.

Mr. Wheelwright stated that there was currently a future plan to connect this property with a North Salt Lake trailhead.

Chairperson McDonough invited the applicant, Christopher Robinson, forward to speak to the Commission.

Mr. Robinson noted that the proposed Planned Development would be a six lot private subdivision. Mr. Robinson stated that this proposal was the last phase of development which had been ongoing since the 1950's and the development would include non-motorized public trails, while maintaining access to a fire-cessation access road on the north end of the property.

Mr. Robinson noted that the proposed closure of 700 North would be beneficial to the City as International Fire Safety Code prohibits road development on slopes with grades of more than ten percent and there is land on this parcel with slopes in excess of that. He stated that the proposed 700 North Street Closure would be between Columbus and Cortez Streets.

Mr. Robinson presented slides which indicated the existing and proposed grading of the subject property. He noted that the proposed re-zoning would call for approximately three to five acres to be rezoned FR-2. He also noted that field surveys had revealed that there was a great deal of fill and disturbed slope areas on the southwest corner of the property.

Mr. Robinson reviewed site plans of the proposed lots with buildable areas indicated, as well as several photos showing the end of DeSoto street, the slope on the east side of the parcel, disturbed terrain looking west over the parcel, the existing trail consisting of an old road to Davis County and several alternative views of the disturbed terrain on the subject property.

Mr. Robinson reviewed how the current subject parcel would be subdivided, noting that several lot line adjustments with adjoining neighbors may occur before the final platting.

Chairperson McDonough opened the floor to questions from the Commissioners.

Vice Chairperson Wirthlin inquired why the proposal was for a gated community.

Mr. Robinson noted that he would prefer a public street subdivision; however, if it became a public street subdivision, the biggest concern was that the public would use the street and Open Space for undesirable purposes. Mr. Robinson noted that there were already people who used the Open Space area, which was accessible by vehicles, as an ungoverned space for unlawful activities at night.

Chairperson McDonough inquired what the applicant's plan for trail use was.

Mr. Robinson reviewed possible trail configurations for the subject property, noting that they wished to provide suitable public access for the community for mountain biking and hiking opportunities, but wanted to limit vehicular access and existing abuse in the area. He noted that the Capitol Hill Community Council suggested a possible trail connection could be made with Edgcombe Road; however, there was a private property owner adjacent to the subject parcel reluctant to do this and the grade was very steep.

Chairperson McDonough noted her concern as well about the gated community and asked if Mr. Robinson's intention with the trails was to divert the public away from the private subdivision.

Mr. Robinson stated that it was not and that he intended to allow pedestrian and bicycle access around the gate.

Chairperson McDonough noted that the proposed grade change on the east side of the subject parcel was not all part of Mr. Robinson's property.

Mr. Robinson noted that topographical analysis had revealed the grading would be beneficial to all involved and the other parcel owners were in agreement.

Chairperson McDonough stated that she felt the grading would be truly a human intervention, seeming unnatural and too regular in the face of the obviously natural topography of the surrounding area.

Mr. Robinson said that he would agree with that and would look at alternative ways to bring a more natural look to the proposed grading on the east side of proposed lot number four.

Chairperson McDonough opened the floor to Community Council representatives and the public.

George Stutzenberger, Vice Chair of the Capitol Hill Community Council, was there to speak to the hearing item. Mr. Stutzenberger stated that the Council was mostly in favor of the proposal, especially regarding the gain of Open Space for the City, stating his recommendation that the parcel be zoned Natural Open Space to limit human intervention, especially since there were steep re-vegetation areas prone to landslides on the parcel which should not be disturbed.

He noted that several residents of the Capitol Hill Community had approached him regarding the trailhead at the end of DeSoto Street and voiced their concern that access to this trailhead should remain open to the public.

Mr. Stutzenberger stated that the grading concerned the Council and that it should be kept as minimal as possible. Mr. Stutzenberger stated that it would be beneficial to see some sort of speed barrier installed at the base of the street leading into the Planned Development. Mr. Stutzenberger noted that he would like to see that the No Parking signs at the end of the street remain as they were.

Dan Bethel, 707 North DeSoto Street, noted his concern that the end of DeSoto Street might look like a dam from his property if the grade change occurred as proposed. Mr. Bethel also stated that he wished for the trail to not be at the end of De Soto but stated that he understood the desire of the community to maintain public access to the Open Space parcel and had not had any problems from hikers accessing the trail from his street.

Commissioner McDonough closed the Public Hearing portion of the meeting and requested comments from the Commission.

Vice Chairperson Wirthlin noted that his preference would be to rezone the area as Natural Open Space and that he would like to see more of a plan from Staff at the Public Hearing regarding how this Natural Open Space might be used.

Commissioners Forbis, McHugh and Scott concurred with Vice Chair Wirthlin.

Chairperson McDonough noted that the Commission would like to see as much information as possible on a trail proposal and suggested that the applicant come back with more detailed recommendations.

Chairperson McDonough inquired of the Commission if there was any concern about the proposed lot sizes.

Commissioner Forbis stated that with the amount of surrounding Open Space, he felt the proposed lot sizes were in harmony, keeping with the natural feel of the surrounding area.

Doug Wheelwright stated that this request was the culmination of about a twenty year process; developing the Ensign Downs area. Mr. Wheelwright noted that the two things which made this proposal especially complicated were the disturbance of thirty percent steep slope areas which would require special and careful consideration, as well as the proposed massive re-grading of

the subject property for the private subdivision parcels. Mr. Wheelwright noted that Staff would give a great deal of detail in the Staff Report regarding these issues.

Chairperson McDonough noted that she would like to see a larger encompassing picture of how the development would effect the surrounding area, particularly what type of ownership the property was surrounded by.

There were no further comments from the Commission or Staff.

July 11, 2007

A request by Christopher F. Robinson for approval of the proposed Ensign Foreground Planned Development subdivision located at approximately 750 North DeSoto Street in a Foothills Protection (FP) and Open Space (OS) Zoning District. The following petitions are being considered as part of this request:

(This item was heard at 6:58 p.m.)

1. **Petition 400-06-46**—a request to rezone the subject property proposed to be developed (approximately 5 acres) from a Foothills Protection (FP) zoning district to a Foothills Residential (FR-2) Zoning District and rezone approximately 38 acres from Foothills Protection (FP) and Open Space (OS) to Open Space (OS) or Natural Open Space (NOS). This is also a request to amend the Capitol Hill Master Plan future land use map for the subject property from Foothill Preservation Residential to Very Low Density Residential and Open Space.
2. **Petition 400-07-08**—a request to close and declare as surplus property a portion of 700 North Street located generally between Columbus and Cortez Streets.
3. **Petition 410-06-39**—a Planned Development approval of a proposed 6-lot single family residential subdivision with a private street.
4. **Petition 490-06-50**— Preliminary subdivision approval of a proposed 6-lot single-family residential planned development subdivision.

Chairperson Wirthlin recognized Ray McCandless as staff representative.

Mr. McCandless noted that an Issues Only Hearing was heard by the Commission recently and the Commission had suggested that they would like the location of the trail through the property established. The proposed trail is identified in the staff report.

Commissioner McHugh inquired if the area would be natural open space instead of open space, which was an issue with the Community Council.

Mr. McCandless noted that there was a request to rezone the approximate 39 acres from Foothills Protection (FP) to Open Space (OS) or Natural Open Space (NOS) and the Community Council suggested that they preferred the 39 acres be rezoned to Natural Open Space.

Chairperson Wirthlin inquired of the Commission if there were specific issues they would like Mr. McCandless to address.

Commissioner Muir inquired about the placement of the gate on the property.

Mr. McCandless noted that it was not requested by the City, but by the applicant.

Commissioner Muir inquired why the City would not require it to be a public road.

Mr. McCandless noted that it was narrow and did not meet City standards in terms of the width, but the Homeowners Association would be set up to maintain the private street. There would also be an alpha parcel that would be held in common ownership.

Commissioner McHugh noted that by having the gate, the general public would not be encouraged to come in and park on the alpha lot but would have to walk or bike in and there would not be increased automobile traffic.

Chairperson Wirthlin noted that it seemed that would be problematic to the public trying to access the trail.

Mr. McCandless noted that one of the recommendations was to keep open access to the trail. He noted that the Community Council had recommended placing signage in the area indicating public trail access.

Chairperson Wirthlin invited the applicant to the table.

Mr. Chris Robinson noted that he had read the staff report in detail and did not have a lot to add to it. He noted that he would like to see the street kept public, but after consulting with staff and engineers they thought a private gated street would be the best option.

Chairperson Wirthlin opened the public hearing portion of the meeting.

Polly Hart (Community Council Chair) noted that the Community Council had approved the planned unit development as proposed, but one concern was that trail access be maintained from both DeSoto and Columbus Streets. She noted that Mr. Robinson had worked with the director of Save our Canyons to come up with trail access and a plan that would not cut away at the mountainside more than necessary. The Community Council suggested that a sign at the gate would state that pedestrian and bicycle access was available.

Julianne Calderon (700 North Columbus Street) noted that her main concern was the traffic. There were a minimum of ten cars an hour and the new large houses would have typically 3 to 4 cars per family, plus the public cars that will come to go hiking, which seemed like a lot. She noted that she did not want to see a lot of additional trail cut into the mountain.

Commissioner Scott inquired what the signage stated currently.

Ms. Calderon noted that it said something to the effect of, *No outlet*.

Commissioner De Lay inquired if it would be possible for Ms. Calderon to petition to have her street turned into a resident only parking pass area.

Ms. Calderon noted that she was not sure she wanted that to happen.

Commissioner De Lay noted that one of the compelling things she remembered from the Issues Only hearing was that some of the neighbors had complained about the amount of crime where the lots were going to be, and that there were people parking and then going up to party. She noted that one of the benefits of this would be homeowners in the area, who would be interested in who was accessing the trails at night, so hopefully there would be less crime and chaos after the Planned Unit Development was built. She noted that several surrounding areas had benefited from using resident parking only passes.

Georg Stutsenberger (700 N. Columbus Street) noted that there were a lot of people that come up at 1:00 a.m. and never notice the sign; there was even an incident of school buses coming up and having a hard time turning around. He noted that he felt people don't read signs. He agreed with the Natural Open Space Zoning and thought that was a good choice for that area. He did not want to see any new trails carved, just what already existed.

Dan Bethel (707 North DeSoto Street) noted that maybe an arrow on the sign would keep people from going up the wrong street. He stated that he would like to maintain his use of the alley running behind his house at 707 North at DeSoto Street that connects with Columbus Street and he would not relinquish his use of this until a right-of-way issue was resolved with his neighbor at 700 North Columbus.

Chairperson Wirthlin invited the applicant back to the table.

Mr. Robinson noted that initially he had a plan to carve more trail along the contours of the mountains, but after talking with staff and the Community Council it became apparent that not elaborating the trail system was preferable. He noted that from a parking congestion standpoint it helped that Columbus Street only had houses on one side, and there would never be any homes on the west side.

He noted that he would work with Mr. Bethel and Mr. Stutsenberger to resolve the issue of the alleyway that leads to 700 North.

Chairperson Wirthlin closed the public portion of the hearing and brought the discussion back to the Commissioners.

Commissioner De Lay noted that as a planner she was looking into the future of the City and having a private owner willing to dedicate 40 acres of Open Space was very valuable. She noted that she did not have any problems with the petition, but there were issues outside of the petition for example Ensign Peak not being well marked through street signage, and suggested that the neighbors along with the City work to get better signage and parking for the area.

Commissioner Scott noted that she would also like to recognize the donation of the property by Mr. Robison to this City as very generous and he should receive some accolades.

Commissioner Muir made a motion regarding Petition 400-06-46 that the Planning Commission forward a favorable recommendation to the City Council to rezone portions of 5.07 acres of the property to be developed from FP to FR-2 and the portion of property (approximately 39.44 acres) be rezoned from Foothill Preservation (FP) to Natural Open Space (NOS), and to amend the Capital Hill Community Future Land Use Map of the Capital Hill Master Plan from a Foothills Protection (FP) zoning district to a Foothills Residential (FR-2) Zoning District and rezone approximately 39 acres from Foothills Protection (FP) and Open Space (OS) to Open Space (OS) or Natural Open Space (NOS).

Regarding Petition 490-06-50 the Planning Commission grant preliminary subdivision approval for the proposed 6-lot single-family residential plan development subdivision subject to the following conditions:

- a. **Recordation of a final subdivision plat.**
- b. **That the balance of the property (approximately 39 acres) be deeded to Salt Lake City as proposed by the applicant.**
- c. **Meeting all applicable Salt Lake City departmental requirements including compliance to the recommendations contained in the Geotechnical Report.**

Regarding Petition 410-06-39, the Planning Commission grant Planned Development approval for a private street and minimum lot size averaging consistent with the FR-2 zoning district lot area requirements (cluster development) and modification of zoning requirements as necessary to implement the development as proposed subject to:

- a. **Providing unrestricted pedestrian and bicycle trail from Columbus and DeSoto Streets and that signage identifying trail access be place at the entrance gate on Columbus Street and at the top of DeSoto Street.**
- b. **Lot averaging be used to establish the overall density of the proposed development and that the required lot area of lots 2,3,4 and 5 be modified as shown on the site plan.**

- c. The final grading plan be approved by the Building Permits and Licensing Division, Engineering Division and Public Utilities Departments consistent with the grading shown on the preliminary development plan drawings. Grading be limited to the areas to the cuts and fill areas shown on the submitted drawings.
- d. The requirement for lots fronting onto a public street will need to be waived.
- e. Final approval of the landscaping plan by the Planning Director.
- f. Final approval of the grading plan by the Salt Lake City Engineering Division, Public Utilities Department and Building Services and Licensing Division.

Regarding petition 400-07-08, the Planning Commission forward a positive recommendation to the Salt Lake City Council to close a portion of 700 North Street located generally between Columbus and Cortez Streets, and transfer property to abutting owners as shown on the proposed site plan.

Commissioner Woodhead seconded the motion. All in favor voted, "Aye", the motion carried unanimously.

Chairperson Wirthlin called for a five minute adjournment at 7:28 p.m. and recusing himself from the meeting and turning over the meeting to Commissioner Tim Chambless to serve as acting Chairperson for the remainder of the meeting.

Chairperson Chambless called the meeting back to order at 7:33 p.m.

(This item was heard at 7:34 p.m.)

**7. NOTICES FOR THE MAY 9, 2007 ISSUES ONLY
HEARING AND JULY 11, 2007 PLANNING COMMISSION
MEETING**

**AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, May 9, 2007, at 5:45 p.m.**

Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting is open to the public for observation.

1. **APPROVAL OF MINUTES FROM WEDNESDAY, APRIL 25, 2007**
2. **REPORT OF THE CHAIR AND VICE CHAIR**
3. **REPORT OF THE DIRECTOR**
4. **DISCUSSION**
 - a. The Commission will discuss the draft visioning principles of the Northwest Quadrant Master Plan and give Staff comments and direction on any recommended changes to the document.
5. **ISSUES ONLY HEARING**
 - a. A request by Christopher F. Robinson requesting approval of the proposed Ensign Foreground Planned Development subdivision located at approximately 750 North DeSoto Street in a Foothills Protection (FP) Zoning District. The following petitions are being considered as part of this request:
 1. **Petition 400-06-46**—a request to amend the Capitol Hill Master Plan future land use map for the subject property from Foothill Preservation Residential to Very Low Density Residential and Open Space, and to rezone the subject property proposed to be developed (approximately 5 acres) from a Foothills Protection (FP) zoning district to a Foothills Residential (FR-2) Zoning District and rezone approximately 38 acres from Foothills Protection (FP) to Open Space (OS) or Natural Open Space (NOS).
 2. **Petition 400-07-08**—a request to close and declare as surplus property a portion of 700 North Street located generally between Columbus and Cortez Streets.
 3. **Petition 410-06-39**—Planned Development approval of a proposed 6-lot single family residential subdivision with a private street.
 4. **Petition 490-06-50**— Preliminary subdivision approval of a proposed 6-lot single-family residential planned development subdivision.
(Staff —Ray McCandless at 535-7282 or ray.mccandless@slcgov.com).

**AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, July 11, 2007 at 5:45 p.m.**

Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting is open to the public for observation.

1. APPROVAL OF MINUTES FROM WEDNESDAY, June 27, 2007
2. REPORT OF THE CHAIR AND VICE CHAIR
3. REPORT OF THE DIRECTOR
4. PUBLIC HEARING
 - a. **Petition 400-07-10**— a request by the Salt Lake City Transportation Division to close the southern portion of South Temple Street from approximately 750 West to 900 West Street. The proposed street closure is part of the Grant Tower Realignment Project. (Staff – Katia Pace at 535-6354 or katia.pace@slcgov.com).
 - b. **Petition 400-06-36**—a request by the Salt Lake City Planning Commission to amend the Salt Lake City Zoning Ordinance text regarding height limits in the M-1(Light Manufacturing) Zoning District. The proposed text amendment would allow chimneys, smokestacks, and distillation columns up to one hundred and twenty feet (120') in height in the M-1 Zoning District. The proposed text amendment would also add distillation columns to the list of structures that can exceed the height limit in the M-2 (Heavy Manufacturing) Zoning District. This petition was tabled at the April 11 Planning Commission meeting. (Staff—Nick Britton at 535-7932 or email at nick.britton@slcgov.com).
 - c. **Petition 400-07-02**- a request by the Salt Lake City Transportation Division to close a portion of 700 South Street immediately west of 600 West Street to facilitate a railroad "Quiet Zone" in a General Commercial (CG) Zoning District. (Staff -Ray McCandless at 535-7282 or ray.mccandless@slcgov.com).
 - d. A request by Christopher F. Robinson for approval of the proposed Ensign Foreground Planned Development subdivision located at approximately 750 North DeSoto Street in a Foothills Protection (FP) and Open Space (OS) Zoning District. The following petitions are being considered as part of this request:
 1. **Petition 400-06-46**-a request to rezone the subject property proposed to be developed (approximately 5 acres) from a Foothills Protection (FP) zoning district to a Foothills Residential (FR-2) Zoning District and rezone approximately 38 acres from Foothills Protection (FP) and Open Space (OS) to Open Space (OS) or Natural Open Space (NOS). This is also a request to amend the Capitol Hill Master Plan future land use map for the subject property from Foothill Preservation Residential to Very Low Density Residential and Open Space.
 2. **Petition 400-07-08**-a request to close and declare as surplus property a portion of 700 North Street located generally between Columbus and Cortez Streets.
 3. **Petition 410-06-39**-Planned Development approval of a proposed 6-lot single family residential subdivision with a private street.
 4. **Petition 490-06-50**- Preliminary subdivision approval of a proposed 6-lot single-family residential planned development subdivision.(Staff - Ray McCandless at 535-7282 or ray.mccandless@slcgov.com).
 - e. **Petition 410-07-04** – a request by Trolley Square Associates, LLC, for a planned development at Trolley Square located at approximately 602 E. 500 South, in the Central City Historic District. The property is located in the CS Community Shopping Zoning District. The proposed planned development includes adding multiple new buildings totaling approximately 90,000 square feet of commercial space (Staff – Nick Norris at 535-6173 or nick.norris@slcgov.com).

Visit the Planning and Zoning Enforcement Division's website at www.slcgov.com/CED/planning.com for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission.

THE Capitol Hill Neighborhood Council BULLETIN



Capitol Hill & Avenues Mobile Watch Meeting

When: 18 April 2007, 6:00 p.m.
Where: Washington School, Multi-Purpose Rm.

Capitol Hill Neighborhood Council Meeting

When: 18 April 2007, 6:30 p.m.
Where: Washington School, Multi-Purpose Rm.

Preliminary Agenda:

- 6:30 Greeting by Chair, Polly Hart
- 6:40 Police Report, Roger Williams
- 6:50 Mobile Watch Report
- 7:00 Reports by Elected Officials
- 7:25 Report by Gwen Springmeyer, Mayor's Office
- 7:35 East Capitol/City Creek pathways construction update, Mark Morrison
- 7:45 Proposed Development, 700 N/ Columbus/DeSoto/Cortez, and vacation of 700 N Right of Way
- 8:30 Adjourn

NEXT MEETING
MAY 16, 2007 - 6:30 p.m.

Capitol Hill Neighborhood Council Members

Chair	Polly Hart	355-7203
Vice-Chair	Georg Stutzenberger	510-1603
Vice-Chair	Robert King	359-9992
Secretary/Treasurer	Christine Hobby	328-2684
Historian	Shirley McLaughlan	328-4182

Neighborhood Trustees

Capitol	Carol Wood	355-6475
DeSoto/Cortez	Lorille Miller	363-8191
Ensign Downs	Lynn Rasmussen	231-9984
Kimball	Victoria Collard	595-8575
St. Marks	Nephi Kemmethmueller	359-3936
Swedetown	William Salas	539-0938
Temple	Gene Simmons	364-3830
Warm Springs	Minta Brandon	355-1363
Washington	Margaret Berchtold	597-3599
West High	Erlinda Davis	531-1964
Mobile Watch	Robert King	359-9992
Web Site	Nick Burns	nick@vanburns.com

Bulletin Staff

Advertising	Margaret Berchtold	chnc_bulletin@msn.com
Service & Community Events		chnc_bulletin@msn.com
Mailing List	Margaret Berchtold	597-3599
Featured Neighbor	Stephen Sorenson	364-3838

Hermoine Jex

[Editors' note: In honor of long-time friend and neighborhood advocate Hermoine Jex, who passed away in February, this month the Bulletin asked three of her close associates in the Neighborhood Council -- Bonnie Mangold, Erlinda Davis, and Eric Jergensen -- to share a memory of Hermoine.]

Bonnie Mangold:

Hermoine was a giant amongst citizens, exemplifying what it means to be a responsible citizen. Citizens enjoy certain rights and privileges, with reciprocal responsibilities, such as to be aware, educated and knowledgeable about the issues affecting the citizenry, to have a point of view based on thoughtful contemplation, to be fearless in speaking up, to participate. Hermoine lived these responsibilities full-time.

Hermoine cared deeply about many things: historic preservation, neighborhood representation, master plans and obviously about the real responsibilities of citizenship. Her passionate caring gave her the energy and persistence to be effective - to have the diligence to be aware of everything going on in the City, to do the research, to extrapolate the long term effects of current actions and to offer alternative solutions.

It is not easy to stand up, to say what needs saying, to take the long view not the expedient, to offer alternatives not just opposition, and to go on doing that, year after year, decade after decade. It requires courage and dedication. She put immense time and energy into protecting many things precious to this community. We live richer lives because of her actions and the results she brought about.

Erlinda Davis:

Back in 1976, the first time I met Hermoine, there was a critical issue west of 300 West. Good neighbors and homeowners were selling and moving out because they were tired of seeing the neighborhood deteriorating due to a speculator who bought old homes and rented them to people who did not have any pride in the places where they were living.

In one of our monthly meetings in her home, Hermoine said it was time to down-zone the area from business to residential. She brought a binder to my mother-in-law, Maurine Davis, and me, with the names of every homeowner in the three blocks between 300 North and 600 North, and 300 West to 400 West. That was a starting point. I was skeptical about the whole thing, but Hermoine had great confidence that it would work, and that it would get the mayor and his staff to give us the attention needed to save the neighborhood. Many hours were put into that crucial project. It took almost four years to get the area down-zoned to R5A,

(Continued on page 4)

Researching Old Buildings

In the previous two issues of the newsletter, we discussed how to begin the research process for historic buildings and how to determine the date of construction. In this segment we will discuss researching the people who owned and lived in the building.

History of a building is related to the occupants

In almost all cases the history of a building is directly related to the history of the building's occupants. If you will remember, the purpose of doing a title search was to establish the ownership history of a building. Although in most

(Continued on page 2)

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Morning News

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CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
SALT LAKE CITY PLANNING DIVIS 451 SOUTH STATE STREET, ROOM 4 SALT LAKE CITY UT 84111	S5356188L-07	06/15/07

SALT LAKE CITY PLANNING COMMISSION PUBLIC HEARING

On Wednesday, July 11, 2007, at 5:45 P.M., the Salt Lake City Planning Commission will hold a public hearing to consider the following petitions for the proposed Ensign Foreground Planned Development located at approximately 750 North DeSoto Street: Petition 400-06-46 Request to rezone the portion (5.07 acre) of the property to be developed from FP to FR-2 and a portion (39.44 acres) from Foothill Preservation FP to Open Space (OS) or Natural Open Space (NOS); Petition 490-06-50 Preliminary subdivision approval of a proposed 6-lot single-family residential planned development subdivision; Petition 410-06-39 Planned Development approval for a private street and minimum lot size averaging consistent with the FR-2 zoning district lot area requirements (cluster development); Petition 400-07-08 Request to close a portion of 700 North Street located generally between Columbus and Cortez Streets, and transfer property to abutting owners.

The public hearing of the Planning Commission will be held in Room 326, of the Salt Lake City and County Building, 451 South State Street, Salt Lake City, Utah. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Mr. Ray McCandless at 535-7282; TDD 535-6021.
82038LVL UPAXLP

ACCOUNT NAME	
SALT LAKE CITY PLANNING DIVIS	
TELEPHONE	INVOICE NUMBER
801-535-6188	TL82038LVL1
SCHEDULE	
START 06/15/07	END 06/15/07
CUST. REF. NO.	
CAPTION	
SALT LAKE CITY PLANNING COMMIS	
SIZE	
35 LINES 2.00 COLUMN	
TIMES	RATE
1	1.25
MISC. CHARGES	AD CHARGES
.00	92.50
TOTAL COST	
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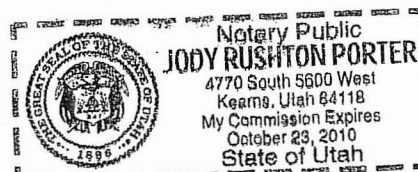
AFFIDAVIT OF PUBLICATION

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

PUBLISHED ON START 06/15/07 END 06/15/07

SIGNATURE

DATE 06/15/07



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

Innovative iPhone under the spotlight

► Continued from C1

Safari browser. With the iPhone's relatively large 3.5-inch screen, the gadget will give relatively easy access to the Web at large, unlike the Web snippets, chosen by the carrier, that are available on most other phones.

In another example, Apple has said that about 10,000 videos from Google Inc.'s YouTube will be available on the iPhone at launch, and the rest this fall.

YouTube videos also are accessible from Verizon Wireless phones with the \$15-a-month Vcast service, but only about 100 clips are available, and they are selected to conform with the company's editorial guidelines.

These are ways in which the iPhone goes against the "walled garden" doctrine of major U.S. carriers, in particular Verizon Wireless and Sprint Nextel Corp. They have zealously defined interaction with the customer as their prerogative, to the exclusion of handset makers and software providers like Microsoft Corp. It's true of most European carriers too.

"The subscriber relationship is really at the core of the operators' model," said Paris-based Vincent Poulbere, principal analyst at Ovum. "If Apple indeed wants to disrupt this model, it poses a challenge to the operators."

Verizon Wireless, for instance, loads software called Brew for its phones' "Get It Now" feature, which allows for downloads of music, games and ring tones.

"I could see that as a big reason any talks between Apple and Verizon would fail,"

said David Chamberlain, principal analyst at In-Stat in Scottsdale, Ariz. "I couldn't see Apple ever agreeing to anything like that, and Verizon not requiring Brew to be used, because it locks their customers into buying strictly from Verizon."

The iPhone's relative openness is more consistent with the past approach of AT&T (whose wireless arm was formerly called Cingular). Rather than having its own music store, AT&T has made available online stores run by Napster Inc., Yahoo Inc. and eMusic. It also released a Motorola phone, the ROKR, two years ago that was linked to iTunes.

If the iPhone is a runaway success, it could be a vindication of AT&T's stance, and bring more of the openness of the computer world, where users control what software they use and who to buy content from, to the cell phone world.

The caveat here is that Apple is assuming some of the carrier's prerogatives, and doesn't give the consumer more choice in all areas. The iPhone is designed to work with only one music store, iTunes (though MP3s unprotected by digital rights management, as sold by stores like eMusic, can be played, just like on other phones).

The iPhone won't run third-party applications except through its Web browser, meaning they are likely to be quite limited. By contrast, smart phones running Palm or Windows Mobile software have a wealth of third-party applications available that do everything from expense tracking to horoscopes. The quality of those applications varies a great deal, however, and it's not surprising that Apple wants tighter control.

In perhaps the most striking example of how Apple is taking over the carrier's role, the iPhone will not be activated by AT&T salespeople in the store, but at home by the owner, through iTunes.

To top it off, analysts believe Apple will be getting a share of subscriber revenue from AT&T.

"This is absolutely unprecedented," said In-Stat's Chamberlain. For other cell phone makers, "once you've sold the handset, that's it. That's the end of your relationship with the customer."

Even so, Chamberlain doesn't think the iPhone represents a big shift in power away from the carriers.

"The carriers have been at



070—Legal Notices

SALT LAKE CITY PLANNING COMMISSION PUBLIC HEARING

On Wednesday, July 11, 2007, at 5:45 P.M., the Salt Lake City Planning Commission will hold a public hearing to consider Petition No. 400-07-02, by the Salt Lake City Transportation Division requesting that Salt Lake City close a portion of 700 South Street (over the railroad tracks) immediately west of 600 West Street. The proposed closure will facilitate a "Quiet Zone" and will improve the safety of the area by closing an unprotected railroad crossing. The City will retain ownership of the street.

The public hearing of the Planning Commission will be held in Room 326, of the Salt Lake City and County Building, 451 South State Street, Salt Lake City, Utah. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Mr. Ray McCandless at 535-7282; TDD 535-6021. UPAXLP 82038LVM

PUBLIC NOTICE DEPARTMENT OF ENVIRONMENTAL QUALITY VOLUNTARY CLEANUP PROGRAM (VCP)

The public is invited to comment on the Site Mitigation Plan detailing cleanup activities to be conducted at the Great Basin Trucking facility site located at 2300 South 4000 West in West Valley City, Utah. The Site has been impacted from historic landfill operations. Mitigation activities include a program to minimize human and environmental exposure to

070—Legal Notices

NATIONAL FOREST TIMBER FOR SALE WASATCH-CACHE NATIONAL FOREST

The East Fork Sale is located T2N, R10E, Sec. 24 & 36 SLM. The Service will receive sealed bids in public Mountain View District at 11:30 AM on 07/25/2007 on an estimated volume of 1233 CCF of LP Other Dead (Sub-fir is not included) timber marked or otherwise designated for sale. The Forest Service reserves the right to reject any and all bids. Interested parties may obtain a prospectus from the office listed below. For complete information concerning the timber conditions of sale, submission of bids, and availability to the Mountain and Evanston Ranger District Offices.

The USDA is an equal opportunity employer/provider. The USDA equal opportunity provider and employee 82038VHG

NATIONAL FOREST TIMBER FOR SALE WASATCH-CACHE NATIONAL FOREST

The West Fork Black Sage Sale is located within T2N, R11E, S & 24 SLM. The Service will receive sealed bids in public Mountain View District at 11:00 AM on 07/25/2007 on an estimated volume of 2032 CCF of LP Other Dead (Sub-fir is not included) timber marked or otherwise designated for sale. The Forest Service reserves the right to reject any and all bids. Interested parties may obtain a prospectus from the office listed below. For complete information concerning the timber conditions of sale, submission of bids, and availability to the Mountain and Evanston Ranger District Offices.

Apple Inc.**New iPhone sells for twice production cost**

Apple Inc. sells the new iPhone at more than double production costs, suggesting the new handset may be more profitable than rivals from Motorola Inc. and Nokia Oyj. The shares rose the most in six months to a record.

The \$599 model has component and manufacturing costs of \$265.83, which translates into margins of more than 55 percent, according to research firm ISuppli Corp., which tore open an iPhone to identify the components in the device.

The iPhone sold out at most stores less than a week after its debut in a market led by Nokia and Motorola, the two largest handset makers. The \$599 model, which costs three times as much as Motorola's Q did upon its debut, may have helped the device earn as much as \$186.1 million in its opening weekend, based on estimates from Goldman Sachs Group Inc. and ISuppli.

—Bloomberg News

Ford Motor Co.**Three-year, no-interest loans offered**

Ford Motor Co. is offering three-year, no-interest loans on all 2007 Ford, Lincoln and Mercury vehicles to start making room at dealerships for next year's models.

Financing incentives run through Monday, said spokeswoman Lydia Cisaruk. On some models, customers can take cash rebates of \$500 to \$2,500 instead. Ford also is offering an additional \$2,007 rebate on 2007 pickup trucks and SUVs.

Ford is getting an early start on lot-clearing efforts after a 12 percent drop in its U.S. sales through May. The industrywide to-

Utah business

Nu Skin Enterprises Inc. has been awarded a 2007 "Best Corporate Social Responsibility Program" for its Nourish the Children humanitarian initiative. The honor from the American Business Awards, an organization of business leaders who nationally hand out "The Stevies," was for a Nu Skin program that provided 85 million meals to starving children through relief agencies such as Feed the Children.

Cornerstone Technologies, a provider of audio-visual and lighting equipment, has leased a 20,000-square-foot facility in Centennial Business Park, 4464 W. 2100 South. The space will be used for distribution and storage. NAI Utah Commercial Real Estate brokers Justin Johnston and Steve Condie handled the lease transaction for Cornerstone and the property owner, LMH Investments Co.

Entertainment • Dating • Escorts**041—Escort Services**

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Lic. # 20051011

042—Entertainment Services

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7:00 A.M. to
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on
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237-2000**

**070—Legal Notices****SALT LAKE CITY
PLANNING COMMISSION
PUBLIC HEARING**

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Storage Auction:

Midvale Storage Center located at 7307 South 300 West, Midvale, UT will hold a public auction on Saturday, July 14th at 12:00 p.m. Units to be auctioned include:

D79, Ronny Burnside, 11690 S 25 E, SLC, UT: table, vacuum, boxes, bookcase, tv, misc. items.

E09, Blake Cowley, 663 Coleman, Tooele, UT: bikes, golf clubs, tools, toolbox, misc. items.

DB4, Sheldon Cole, 207 E Kensington Ave #7, SLC, UT: lawn mower, tools, boxes, toolboxes, barbaquer, table, misc. items.

C37, Michael Kimball, 6900 S Maverick Cir, SLC, UT: boxes, play pen, table, kids toys, Hoover Steamvac, crib, bookcase, dresser, misc. items.

Corinne Ambron, 123 Athena, Encinitas, CA: entertainment center, boxes, sewing machine, desk, bike, couch, tv, chairs, table, misc. items.

E41, Shawn Jefferies, 13170 S 3100 W, Riverton, UT: boxes, suitcase, misc. items.

E64, Fred Heese, 1626 W 13th, Wichita, KS: boxes, bike, misc. items. 82038VS6 UPAxLP

CALL WANT ADS 237-2000
LLAME AL CLASIFICADO
237-2000

070—Legal Notices**SOUTH SALT LAKE
NOTICE OF PUBLIC HEARINGS**

Public notice is given that the Salt Lake County Commission of the South Salt Lake Valley will hold a public hearing Council Chambers in City Hall at 2 Morris Avenue on day August 2, 2007, for the purpose of receiving public comment on the following proposition:

Public Hearing to the entire southern portion of Eldredge from approximately 3265 South to 25-402-003 to where street terminates northern property parcel 15-25-40 82038UZ1

**SALT LAKE CO
INVITATION TO
EXTENSION OF
DATE**

Sealed bids will be received by County 2001 S State Rd until WED 7-11:30 PM. NQ07107 - Sou Expo Center; Parking Expansion; Sign, Plan; \$50 fee from architects, 524 S East, SLC, UT. Bergen(801) 479-4791 for questions. Call or submit. 82038ZQV

CALL WANT ADS 2**TO PLACE
CLASSIFIED**

237-21

NO

The following public auction to be held on the front steps 2525 Grant Ave July 17, 2007, purpose of fore Wayne A. Taylor located at 132 and more parts

Unit 7, Buildin Ogden City, Wt

The current ben Condominium as of the record A. Taylor.

Trustee will sell or encumber tender to Trust posit in certifi time of sale to purchase price the sale by cc attempt to col tained will be telephone num dress are lister address regar regular busine day through Fr

Dated this 18
Richard W. Jo
4605 Harrison
Ogden, Utah
(801) 479-4791
82038Q17

Legal Notices

naclgal@naecorp.com • 237-2720

070—Legal Notices

SALE APN: 20-12-434-002 Ref: Rochelle Gutierrez TRA: IMPORTANT NOTICE TO PROPERTY OWNER: YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED June 24, 2005. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THIS PROCEEDING, YOU SHOULD CONTACT A LAWYER. On July 11, 2007, at 11:30am, James H. Woodall, as duly appointed Trustee under a Deed of Trust recorded June 29, 2005, as Instrument No. 9418518, in Book 9152, Page 2009, of the Official Records in the office of the County Recorder of Salt Lake County, State of Utah, executed by Dustin Dinkel and Micayla Dinkel Husband And Wife As Joint Tenants With Full Rights of Survivorship, will sell at public auction to highest bidder, payable in lawful money of the United States at the time of sale. Successful bidders must tender a deposit of \$5,000 in certified funds to the trustee at the time of sale, with the balance due by noon the following business day, at the office of the Trustee. Inside the Rotunda at the East Main Entrance of the Scott M. Matheson Courthouse, 450 S. State Street, Salt Lake City, Utah all right, title and interest conveyed to and now held by it under said Deed of Trust in the property situated in said County and State described as: All of lot(s) K-34, Rosecrest plat K, according to the official plat thereof, on file and of record in the Office of the Salt Lake County Recorder. The street address and other common designation of the real property described above is purported to be: 14457 South Rose Summit Drive, Herriman, UT 84065. Estimated Total Debt as of July 11, 2007 is \$232,048.25. The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. Said sale will be made without covenant or warranty, express or implied, regarding title, possession, condition or encumbrances, including fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust, to pay the remaining principal sums of the note(s) secured by said Deed of Trust. The current beneficiary of the Trust Deed as of the date of this notice is: GMAC Mortgage. The record owner of the property as of the recording of the Notice of Default is/are: Dustin Dinkel and Micayla Dinkel. Dated: June 08, 2007. James H. Woodall 10653 River Front Parkway, Suite 290, South Jordan, UT 84095, (801) 254-9450 (800) 245-9000 A.M. - 5:00 P.M. Signature/By: James H. Woodall, Trustee R-144704 07/06/07 UPAFLP

IF TRUSTEE'S SALE

Real property will be sold at highest bidder, purchase price one of the United States of sale, at the main public entrance, Cedar City Hall of Justice, 40 North 100 East, Cedar City, Utah, on July 16, 2007, at 12:00 p.m. of said day, for the purpose of foreclosing a trust deed originally executed on September 3, 1997 by Todd A. Ille and Kimberly K. Ille, as TruStors, in favor of New World Mortgage, covering the following real property purported to be located in Iron County at 533 Blue Sky South Drive, Enoch, UT 84720 (the undersigned disclaims liability for any error in the address), and more particularly described as: Lot 5, Block G, GARDEN PARK ESTATES, UNIT NO. 1, a Subdivision, according to the official plat thereof, recorded in the office of the County Recorder of said County. Together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property.

IT ESTATES, ACCORDING TO THE IF, AS RECORDED IN THE OFFICE Y, RECORDER OFFICE STATE OF 15-066

of the trust deed is Washington record owners of the property of the notice of default are aren Wall. The trustee's sale of all property will be made without possession, or encumbrances, including fees, charges and expenses, to tender \$5,000.00 in certified funds by 10:00 a.m. of the day. The trustee reserves the right to offer the sale based upon the trustee at the time of the ructy filing, a loan reinstatement between the trustor and beneficiary cancel the sale. If so canse of the purchaser is to remoney paid to the trustee. THIS COLLECT A DEBT. ANY INFORMATION USED FOR THAT PURPOSE.

if June, 2007.

ssor trustee
Hansen & Rasmussen, P.C.

3, Ste. 600

4144
1-7870
a.m. to 5:00 p.m.
1550685449134

UPAFLP

OF TRUSTEE'S SALE

bed property will be sold at highest bidder at the West Main

070—Legal Notices

NOTICE OF TRUSTEE'S SALE APN: 32-12-153-002-0000 Trust No. 1089772-07 Ref: Dustin Dinkel TRA: Loan No. xxxxxx8795. IMPORTANT NOTICE TO PROPERTY OWNER: YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED June 24, 2005. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THIS PROCEEDING, YOU SHOULD CONTACT A LAWYER. On July 11, 2007, at 11:30am, James H. Woodall, as duly appointed Trustee under a Deed of Trust recorded June 29, 2005, as Instrument No. 9418518, in Book 9152, Page 2009, of the Official Records in the office of the County Recorder of Salt Lake County, State of Utah, executed by Dustin Dinkel and Micayla Dinkel Husband And Wife As Joint Tenants With Full Rights of Survivorship, will sell at public auction to highest bidder, payable in lawful money of the United States at the time of sale. Successful bidders must tender a deposit of \$5,000 in certified funds to the trustee at the time of sale, with the balance due by noon the following business day, at the office of the Trustee. Inside the Rotunda at the East Main Entrance of the Scott M. Matheson Courthouse, 450 S. State Street, Salt Lake City, Utah all right, title and interest conveyed to and now held by it under said Deed of Trust in the property situated in said County and State described as: All of lot(s) K-34, Rosecrest plat K, according to the official plat thereof, on file and of record in the Office of the Salt Lake County Recorder. The street address and other common designation of the real property described above is purported to be: 14457 South Rose Summit Drive, Herriman, UT 84065. Estimated Total Debt as of July 11, 2007 is \$232,048.25. The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. Said sale will be made without covenant or warranty, express or implied, regarding title, possession, condition or encumbrances, including fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust, to pay the remaining principal sums of the note(s) secured by said Deed of Trust. The current beneficiary of the Trust Deed as of the date of this notice is: GMAC Mortgage. The record owner of the property as of the recording of the Notice of Default is/are: Dustin Dinkel and Micayla Dinkel. Dated: June 08, 2007. James H. Woodall 10653 River Front Parkway, Suite 290, South Jordan, UT 84095, (801) 254-9450 (800) 245-9000 A.M. - 5:00 P.M. Signature/By: James H. Woodall, Trustee R-142992 D6/08/07, 06/15/07, 06/22/07, 82038HDM UPAFLP

SECOND AMENDED NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder at the South Entrance, Cedar City Hall of Justice, 40 North 100 East, Cedar City, Utah, on July 16, 2007, at 12:00 p.m. of said day, for the purpose of foreclosing a trust deed originally executed on September 3, 1997 by Todd A. Ille and Kimberly K. Ille, as TruStors, in favor of New World Mortgage, covering the following real property purported to be located in Iron County at 533 Blue Sky South Drive, Enoch, UT 84720 (the undersigned disclaims liability for any error in the address), and more particularly described as: Lot 5, Block G, GARDEN PARK ESTATES, UNIT NO. 1, a Subdivision, according to the official plat thereof, recorded in the office of the County Recorder of said County. Together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property.

The current beneficiary of the trust deed is TCIF REO GCM, LLC and the record owners of the property as of the recording of the notice of default are Todd A. Ille and Kimberly K. Ille. The sale is subject to bankruptcy filing, payoff, reinstatement or any other circumstance that would affect the validity of the sale. If any such circumstance exists, the sale shall be void, the successful bidder's funds returned and the trustee and current beneficiary shall not be liable to the successful bidder for any damage. Bidders must tender to the trustee a \$5,000.00 deposit at the sale and the balance of the purchase price by 12:00 noon the day following the sale. The deposit must be in the form of a cashier's check or bank official check payable to Lundberg & Associates. The balance must be in the form of a wire transfer, cashier's check, bank official check (credit union official checks are not accepted) or U.S. Postal money order payable to Lundberg & Associates. Cash payments are not accepted. A trustee's deed will be delivered to the successful bidder within three business days after receipt of the amount bid. DATED: June 15, 2007.

Scott Lundberg, Trustee
3269 South Main, #100
Salt Lake City, UT 84115
(801) 263-3400
Office Hours: 8:00 a.m. - 5:00 p.m.
L&A Case No. 06-57063
AL

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE

070—Legal Notices

• SALT LAKE CITY PLANNING COMMISSION PUBLIC HEARING

On Wednesday, July 11, 2007, at 5:45 P.M., the Salt Lake City Planning Commission will hold a public hearing to consider the following petitions for the proposed Ensign Foreground Planned Development located at approximately 750 North DeSoto Street: Petition 400-06-46; Request to rezone the portion (5.07 acre) of the property to be developed from FR-2 to FR-2 and a portion (39.44 acres) from Foothill Preservation FP and Open Space (OS) to Open Space (OS) or Natural Open Space (NOS) and to amend the Capitol Hill Master Plan future land use map for the subject property from Foothill Preservation Residential to Very Low Density Residential and Open Space. Petition 490-06-50; Preliminary subdivision approval of a proposed 6-lot single-family residential planned development subdivision. Petition 410-06-39; Planned Development approval for a private street and minimum lot size averaging consistent with the FR-2 zoning district lot area requirements (cluster development). Petition 400-07-08; Request to close a portion of 700 North Street located generally between Columbus and Cortez Streets, and transfer property to abutting owners.

The public hearing of the Planning Commission will be held in Room 326, of the Salt Lake City and County Building, 451 South State Street, Salt Lake City, Utah. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Mr. Ray McCandless at 82038NTY

NOTICE OF TRUSTEE'S SALE APN: 20-24-453-035 Trust No. 1085442-07 Ref: Douglas Hayne TRA: Loan No. x6193. IMPORTANT NOTICE TO PROPERTY OWNER: YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED June 29, 2005. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THIS PROCEEDING, YOU SHOULD CONTACT A LAWYER. On July 18, 2007, at 11:30am, James H. Woodall, as duly appointed Trustee under a Deed of Trust recorded June 30, 2005, as Instrument No. 9420184, in Book 9153, Page 3499, of the Official Records in the office of the County Recorder of Salt Lake County, State of Utah, executed by Douglas Hayne and Trista Hayne, As Husband And Wife, As Joint Tenants, will sell at public auction to highest bidder, payable in lawful money of the United States at the time of sale. Successful bidders must tender a deposit of \$5,000 in certified funds to the trustee at the time of sale, with the balance due by noon the following business day, at the office of the Trustee. Inside the Rotunda at the East Main Entrance of the Scott M. Matheson Courthouse, 450 S. State Street, Salt Lake City, Utah all right, title and interest conveyed to and now held by it under said Deed of Trust in the property situated in said County and State described as: Lot 390, Oquirrh Shadows Ph. 14, according to the official plat thereof, as recorded in the Office of the Salt Lake County Recorder. The street address and other common designation of the real property described above is purported to be: 6852 S. Beargrass Rd, West Jordan, UT 84084. Estimated Total Debt as of July 18, 2007 is \$130,316.14. The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. Said sale will be made without covenant or warranty, express or implied, regarding title, possession, condition or encumbrances, including fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust, to pay the remaining principal sums of the note(s) secured by said Deed of Trust. The current beneficiary of the Trust Deed as of the date of this notice is: GRP Loan, LLC. The record owner of the property as of the recording of the Notice of Default is/are: Douglas Hayne and Trista Hayne. Dated: June 22, 2007. James H. Woodall, 10653 River Front Parkway, Suite 290, South Jordan, UT 84095 (801) 254-9450 (800) 245-9000 A.M. - 5:00 P.M. Signature/By: James H. Woodall, Trustee R-144705 06/22/07, 06/29/07, 07/06/07, 82038QES UPAFLP

NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder, payable in lawful money of the United States at the East Main Entrance, Weber County Second District Courthouse, 2525 Grant Ave., Ogden, Utah, on July 10, 2007 at 11:30 AM, for the purpose of foreclosing a trust deed dated November 17, 2005 executed by Gilbert A. Archuleta, as Trustor, in favor of Mortgage Electronic Registration Systems, Inc. "MERS" as Beneficiary, covering real property located in Weber County and described as follows:

ALL OF LOTS 29 AND 30, BLOCK 1, PARK PLACE SUBDIVISION, OGDEN CITY, WEBER COUNTY, UTAH.

Together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property.

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NOTICE OF TRUSTEE'S SALE

The following described real property will be sold at public auction to the highest bidder, payable in lawful money of the United States at the time of sale, on the front steps of the Weber County Courthouse, 2525 Grant Avenue, Ogden, UT, 84401, on Tuesday, July 17, 2007, at 11:00 a.m. of said day, for the purpose of foreclosing a Trust originally executed by Wayne A. Taylor, as Trustor, covering real property located at 1325 Lincoln Ave. #67, Ogden, UT 84401 and more particularly described as:

Unit 6, Building L, Millcreek Manor Condominium, Ogden City, Weber County, Utah. [12-142-0013]

The current beneficiary of the trust is Millcreek Manor Condominium, and the record owner of the property as of the recording of the Notice of Default is Wayne A. Taylor.

Trustee will sell without warranty as to title, possession or encumbrances. Bidders must be prepared to tender to Trustee a \$1,000.00 non-refundable deposit in certified funds or a cashier's check at the time of sale to secure bid and pay the balance of the purchase price in the amount bid within 24 hours of the sale by cashiers check. This communication is an attempt to collect a debt, and any information obtained will be used for that purpose. The Trustee's telephone number, mailing address and office address are listed below. He may be contacted at that address regarding the notice of trustee's sale during regular business hours: 9:00 a.m. to 5:00 p.m., Monday through Friday.

Dated this 18 day of June, 2007.

Richard W. Jones, Trustee
4605 Harrison Blvd., Third Floor
Ogden, Utah 84403
(801) 479-4777
82038QX9 UPAFLP

NOTICE OF TRUSTEE'S SALE

The following described real property will be sold at public auction to the highest bidder, payable in lawful money of the United States at the time of sale, on the front steps of the Weber County Courthouse, 2525 Grant Avenue, Ogden, UT, 84401, on Tuesday, July 17, 2007, at 11:00 a.m. of said day, for the purpose of foreclosing a Trust originally executed by Wayne A. Taylor, as Trustor, covering real property located at 1325 Lincoln Ave. #69, Ogden, UT 84401 and more particularly described as:

Unit 7, Building L, Millcreek Manor Condominium, Ogden City, Weber County, Utah. [12-142-0014]

The current beneficiary of the trust is Millcreek Manor Condominium and the record owner of the property as of the recording of the Notice of Default is Wayne A. Taylor.

Trustee will sell without warranty as to title, possession or encumbrances. Bidders must be prepared to tender to Trustee a \$1,000.00 non-refundable deposit in certified funds or a cashier's check at the time of sale to secure bid and pay the balance of the purchase price in the amount bid within 24 hours of the sale by cashiers check. This communication is an attempt to collect a debt, and any information obtained will be used for that purpose. The Trustee's telephone number, mailing address and office address are listed below. He may be contacted at that address regarding the notice of trustee's sale during regular business hours: 9:00 a.m. to 5:00 p.m., Monday through Friday.

Dated this 18 day of June, 2007.

Richard W. Jones, Trustee
4605 Harrison Blvd., Third Floor
Ogden, Utah 84403
(801) 479-4777
82038QT7 UPAFLP

NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder, payable in lawful money of the United States at the East Main Entrance, 4th Judicial District Courts Complex, 125 North 100 West, Provo, Utah, on July 10, 2007 at 9:00 AM, for the purpose of foreclosing a Trust Deed dated August 23, 2005 executed by Peter Woodman, as Trustor, in favor of Mortgage Electronic Registration Systems, Inc. "MERS" as Beneficiary, covering real property located in Utah County and described as follows:

LOT 86, PLAT "I", ALPINE COUNTRY CLUB SUBDIVISION, HIGHLAND UTAH, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE UTAH COUNTY RECORDER, UTAH.

Together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property.

Tax Parcel No.: 34-084-0028

070—Legal Notices

AME

The following public auction, First West, Logan said day, for the purpose of foreclosing a Trust originally executed by Wayne A. Taylor, as Trustor, covering real property located at 1325 Lincoln Ave. #67, Ogden, UT 84401 and more particularly described as:

Unit 6, Building L, Millcreek Manor Condominium, Ogden City, Weber County, Utah. [12-142-0013]

The current beneficiary of the trust is Millcreek Manor Condominium, and the record owner of the property as of the recording of the Notice of Default is Wayne A. Taylor.

Trustee will sell without warranty as to title, possession or encumbrances. Bidders must be prepared to tender to Trustee a \$1,000.00 non-refundable deposit in certified funds or a cashier's check at the time of sale to secure bid and pay the balance of the purchase price in the amount bid within 24 hours of the sale by cashiers check. This communication is an attempt to collect a debt, and any information obtained will be used for that purpose. The Trustee's telephone number, mailing address and office address are listed below. He may be contacted at that address regarding the notice of trustee's sale during regular business hours: 9:00 a.m. to 5:00 p.m., Monday through Friday.

Dated this 18 day of June, 2007.

Richard W. Jones, Trustee
4605 Harrison Blvd., Third Floor
Ogden, Utah 84403
(801) 479-4777
82038QX9 UPAFLP

NOTICE OF TRUSTEE'S SALE

The following described real property will be sold at public auction to the highest bidder, payable in lawful money of the United States at the time of sale, on the front steps of the Weber County Courthouse, 2525 Grant Avenue, Ogden, UT, 84401, on Tuesday, July 17, 2007, at 11:00 a.m. of said day, for the purpose of foreclosing a Trust originally executed by Wayne A. Taylor, as Trustor, covering real property located at 1325 Lincoln Ave. #69, Ogden, UT 84401 and more particularly described as:

Unit 7, Building L, Millcreek Manor Condominium, Ogden City, Weber County, Utah. [12-142-0014]

The current beneficiary of the trust is Millcreek Manor Condominium and the record owner of the property as of the recording of the Notice of Default is Wayne A. Taylor.

Trustee will sell without warranty as to title, possession or encumbrances. Bidders must be prepared to tender to Trustee a \$1,000.00 non-refundable deposit in certified funds or a cashier's check at the time of sale to secure bid and pay the balance of the purchase price in the amount bid within 24 hours of the sale by cashiers check. This communication is an attempt to collect a debt, and any information obtained will be used for that purpose. The Trustee's telephone number, mailing address and office address are listed below. He may be contacted at that address regarding the notice of trustee's sale during regular business hours: 9:00 a.m. to 5:00 p.m., Monday through Friday.

Dated this 18 day of June, 2007.

Richard W. Jones, Trustee
4605 Harrison Blvd., Third Floor
Ogden, Utah 84403
(801) 479-4777
82038QT7 UPAFLP

NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder, payable in lawful money of the United States at the East Main Entrance, 4th Judicial District Courts Complex, 125 North 100 West, Provo, Utah, on July 10, 2007 at 9:00 AM, for the purpose of foreclosing a Trust Deed dated August 23, 2005 executed by Peter Woodman, as Trustor, in favor of Mortgage Electronic Registration Systems, Inc. "MERS" as Beneficiary, covering real property located in Utah County and described as follows:

LOT 86, PLAT "I", ALPINE COUNTRY CLUB SUBDIVISION, HIGHLAND UTAH, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE UTAH COUNTY RECORDER, UTAH.

Together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property.

Tax Parcel No.: 34-084-0028

8. ORIGINAL PETITIONS

PETITION CHECKLIST

Date	Planner Initials	Sup. Initials	Dep. Initials	Dir. Initials	Action Required
1/13 2006	<i>RM</i>				Petition Delivered to Planning
2006 11/13	<i>RM</i>				Petition Assigned to <u>Ray Mc Candless</u>
2007 7/11	<i>RM</i>				Planning Staff or Planning Commission Action Date
2007 8/1	<i>RM</i>		<i>DFW</i>		Transmittal Cover Letter Followed Template (margins, headings, returns etc)
8/1/07	<i>RM</i>		<i>DFW</i>		Table of Contents
8/1/07	<i>RM</i>		<i>DFW</i>		Chronology
8/6/07	<i>RM</i>		<i>DFW</i>		Ordinance Prepared by the Attorney's Office Include general purpose statement of petition (top of ordinance) Include Strike and Bold -(Legislative Copy) (where applicable) Include Clean Copy (Ensure stamped by Attorney) Include Sidwell Numbers (where applicable) Include Legal Description-review, date and initial (where applicable) Ensure most recent ordinance used Ensure Exhibits (tables etc) are attached
8/1/07	<i>RM</i>		<i>DFW</i>		Council Hearing Notice Include Purpose of Request Include zones affected (where applicable) Include address of property (where applicable) Include TDD Language
8/1/07	<i>RM</i>		<i>DFW</i>		Mailing List of Petition and Labels, (include appropriate Community Councils, applicant and project planner) (include photocopy of labels)
8/1/07	<i>RM</i>		<i>DFW</i>		Planning Commission Notice Mailing Postmark Date Verification (on agenda) Newspaper Notice for Rezoning and Master Plan Amendments (proof of publication or actual publication)
8/1/07	<i>RM</i>		<i>DFW</i>		Planning Commission Staff Report
8/1/07	<i>RM</i>		<i>DFW</i>		Planning Commission Minutes and Agenda
8/1/07	<i>RM</i>		<i>DFW</i>		Yellow Petition Cover and Paperwork Initiating Petition (Include application, Legislative Intent memo from Council, PC memo and minutes or Mayor's Letter initiating petition.)
					Date Set for City Council Action: _____
					Petition filed with City Recorder's Office



Zoning Amendment

OFFICE USE ONLY	
Petition No.	400-06-46
Receipt No.	6205456
Amount	1117.49
Date Received:	11/8/06
Reviewed By:	NB
Project Planner:	

will send legal desc.

PLANNING COMMISSION

Address of Subject Property: Approx. 750 North DeSoto Street, SLG, UT 84103
Name of Applicant: Christopher F. Robinson Phone: 801-599-4397
Address of Applicant: P.O. Box 540478, North Salt Lake, UT 84054
E-mail Address of Applicant: crobenson@theensigngroup.com Cell/Fax: 801-599-4397/801-677-6416
Applicant's Interest in Subject Property: Owner & officer
Name of Property Owner: Arimo Corp. et al Phone: 801-599-4397
Address of Property Owner: P. O. Box 540478, North Salt Lake, UT 84054
Email Address of Property Owner: crobenson@theensigngroup.com Cell/Fax: 801-599-4397/801-677-6416
Existing Use of Property: Vacant Zoning: FP
County Tax ("Sidwell #"): 09-30-351-03⁵-0000

- ☐ Amend the text of the Zoning Ordinance by amending Section: (attach map or legal description).
☒ *Amend the Zoning Map by reclassifying the above property from an { FP } zone to a { FR-2 } zone.

* Only seeking to amend zoning on 3.43 acres +/-
Please include with the application: 5.07

1. A statement of the text amendment or map amendment describing the purpose for the amendment and the exact language, boundaries and zoning district.
2. A complete description of the proposed use of the property where appropriate.
3. Reasons why the present zoning may not be appropriate for the area.
4. The names and addresses of all property owners within four-hundred fifty (450) feet of the subject parcel. 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. **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
5. Legal description of the property.
6. Six (6) copies of site plans drawn to scale.
7. Related materials or data supporting the application as may be determined by the Zoning Administrator.
8. If applicable, a signed, notarized statement of consent from property owner authorizing applicant to act as an agent.
9. Filing fee of \$800.00 plus \$100 for each acre over one acre is due at the 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 & 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 Property Owner
Or authorized agent

ARIMO CORPORATION, ET AL

Bj. Christopher F. Robinson, President 10/28/06

Also submitted:

Conditional use application for
a Planned Development Petition 410-06-39

Preliminary Subdivision application
(Foothill Process) Petition 490-06-50

Petition No. 400-06-46

By Christopher F. Robinson

Zoning Amendment

Date Filed 11/08/2006

Address 750 N DeSoto Street

PETITION CHECKLIST

Date	Planner Initials	Sup. Initials	Dep. Initials	Dir. Initials	Action Required
2007 7/30	RM				Petition Delivered to Planning
3/22/07	RM				Petition Assigned to <u>Ray McQuinn</u>
3/22/07	RM				Planning Staff or Planning Commission Action Date
7/11/07	RM				Transmittal Cover Letter Followed Template (margins, headings, returns etc)
7/30/07	RM		DFW		Table of Contents
8/1/07	RM		DFW		Chronology
8/1/07	RM		DFW		Ordinance Prepared by the Attorney's Office Include general purpose statement of petition (top of ordinance) Include Strike and Bold -(Legislative Copy) (where applicable) Include Clean Copy (Ensure stamped by Attorney) Include Sidwell Numbers (where applicable) Include Legal Description-review, date and initial (where applicable) Ensure most recent ordinance used Ensure Exhibits (tables etc) are attached
8/1/07	RM		DFW		Council Hearing Notice Include Purpose of Request Include zones affected (where applicable) Include address of property (where applicable) Include TDD Language
8/1/07	RM		DFW		Mailing List of Petition and Labels, (include appropriate Community Councils, applicant and project planner) (include photocopy of labels)
8/1/07	RM		DFW		Planning Commission Notice Mailing Postmark Date Verification (on agenda) Newspaper Notice for Rezoning and Master Plan Amendments (proof of publication or actual publication)
8/1/07	RM		DFW		Planning Commission Staff Report
8/1/07	RM		DFW		Planning Commission Minutes and Agenda
8/1/07	RM		DFW		Yellow Petition Cover and Paperwork Initiating Petition (Include application, Legislative Intent memo from Council, PC memo and minutes or Mayor's Letter initiating petition.)
					Date Set for City Council Action: _____ Petition filed with City Recorder's Office

**THE ENSIGN GROUP, L.C.
925 West 100 North, Suite F
P.O. Box 540478
North Salt Lake, Utah 84054**

March 28th, 2007

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

Attention: Ray McCandless, Planner

RE: Petition to Close/Vacate 700 North Street right-of-way between Columbus
and Cortez Streets

Dear Planning Department:

We are developing the following real property owned by Arimo Corporation, Beaver Creek Investments, L.C., Alexander J. Robinson, Christopher F. Robinson, and Victoria A. Robinson (the "Owners"): (a) approximately 44 acres of property located north of 700 North (Tax Parcel No. 09-30-351-03; hereinafter the "Foreground") and (b) Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003; hereinafter the "Cortez Lots").

We have proposed the six lot "Ensign Foreground P.U.D." subdivision concept plan (the "Subdivision") covering the Foreground and also providing a private driveway to the Cortez Lots (access to these lots from Cortez is difficult due to steep slope) (see Exhibit "A" attached to the petition referenced below). The Subdivision calls for developing about five acres of the Foreground parcel (in the south-east corner) and deeding to Salt Lake City Corporation (the "City") the remaining ~39 acres.

We are requesting the closure of the 700 North Street right-of-way between Columbus and Cortez Streets (the "Right-of-Way"). The Right-of-Way has not been improved and likely never will be improved due to excessive slopes. In lieu of paying cash for the fair market value of the closed portion of the Right-of-Way, we would propose that our conveying the 39 acres of dedicated open space would more than suffice as consideration for the land affected by the road closure.

As shown on the Subdivision plat, we're generally proposing that the Right-of-Way be split down the middle running east-west such that the north half would be deeded to the Owners for inclusion within the Subdivision and the south half, with the small exception

of some Right-of-Way areas needed for present or future roadways (such as a future hammerhead turnaround at the end of DeSoto and the public and private portions of the roadway to access the Subdivision at the end of Columbus) be deeded to the adjacent property owners abutting the south side of the Right-of-Way. Provided that the closed portion of the Right-of-Way can be "exchanged" for the 39 acres of open space and we therefore are not required to pay any cash consideration to the City to close the Right-of-Way, the recipients of the south half of the Right-of-Way (as shown in Exhibit "A" to the petition) would not be required to tender any consideration to the City or to us for the portions of the Right-of-Way that they are receiving.

There exist two petroleum pipelines owned by Chevron which pass through the Right-of-Way and we understand that any conveyance of the closed portion of the Right-of-Way affected by said pipelines would need to be subject to a reservation of a perpetual easement in favor of Chevron for the same and perhaps some other easements for public or private utility companies.

Please find attached our Street Closure application as well as the required petition signed by the abutting property owners. We would like this application and petition to be processed by the City in conjunction with the processing of the Subdivision.

Please don't hesitate to contact me if you have any questions or concerns. Email (crobinson@theensigngroup.com) or cell phone (801-599-4397) are the best.

Respectfully submitted,

THE ENSIGN GROUP, L.C.

By: Christopher F. Robinson
Christopher F. Robinson, Manager

Attachment

ROAD CLOSURE APPLICATION AND PETITION

[see attached]



Street Closure

OFFICE USE ONLY

Petition No. _____
Receipt No. _____ Amount: 300.-
Date Received: 400-07-08
Reviewed By: _____
Project Planner: _____

Date March 28th, 2007

Name of Applicant The Ensign Group / Christopher Robinson Phone Cell 801-599-4397
Address of Applicant P.O. Box 540478, North Salt Lake, UT 84054
E-mail Address of Applicant crobenson@theensigngroup.com Cell/Fax 801-677-6416 Fax

Please include with the application:

1. A letter explaining why you are requesting this street closure. Please include a statement explaining why the street closure is consistent with proposed public policy. If applicant is not a property owner adjacent to the street, please include the applicant's interest in the request.
2. The names and addresses of all property owners within four hundred fifty (450) feet - exclusive of streets and alleys in any direction - from the border of the subject street. 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. Additional names and addresses may be required. The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.
3. The name, address and signatures of all abutting property owners who support the petition. You may use the sample petition accompanying this application or provide your own. Please note that the property owners must sign and not occupants who rent.
4. A property ownership map (known as a Sidwell map) showing the area of the proposed street closure. On the map please:
 - a. Highlight the subject section of street
 - b. Indicate with a list of the property owners and write their name on the Sidwell map identifying the property they own
5. Filing fee of \$300.00 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) 468-3301

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 Property Owner
or authorized agent

The Ensign Group, LLC.
By: Christopher F. Robinson Mgr. 3/28/07
Title of agent

PETITION TO CLOSE A STREET

Date: March 28th, 2007

To: Salt Lake City Corporation (the "City")
Planning Division
451 South State Street, Room 406
Salt Lake City, UT 84111

Petitioner: The Ensign Group, L.C.
c/o Christopher F. Robinson
925 West 100 North, Suite F
P.O. Box 540478
North Salt Lake, UT 84054
Email: crobinson@theensigngroup.com
Cell Phone: 801-599-4397

Street Closure: 700 North Right-of-Way between Cortez and Columbus Streets, as shown on Exhibit A attached (the "Right-of-Way") and as explained in that certain letter from Petitioner to City of even date herewith.

TO WHOM IT MAY CONCERN:

We, the undersigned, are the owners of the property fronting upon or abutting the Right-of-Way and do hereby support the closure of the same provided that portions of the Right-of-Way so closed are generally deeded to the parties as shown on Exhibit A. We understand that, in lieu of cash consideration for the fair market value of the portion of the Right-of-Way being close, the City will be receiving in exchange other property owned or controlled by the Petitioner.

Property Owner's Name and Address:	Property Description and Parcel Number	Owner's Signature	Date Signed
Arimo Corporation P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	By: <u>Christopher F. Robinson</u> Christopher F. Robinson President	4-3-07
Beaver Creek Investments, L.C. P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	By: <u>Christopher F. Robinson</u> Christopher F. Robinson Manager	4-3-07

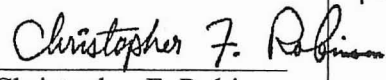
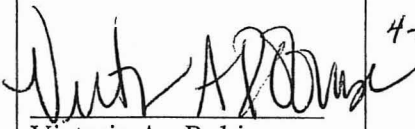
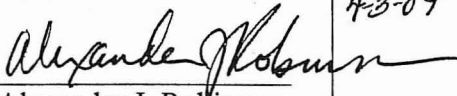
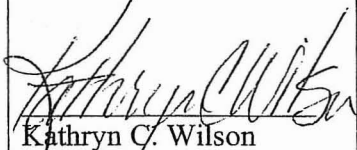
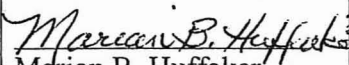
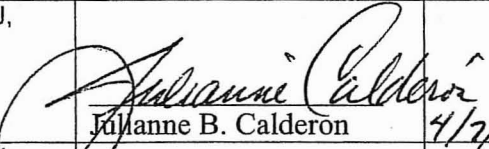
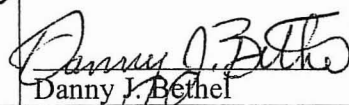
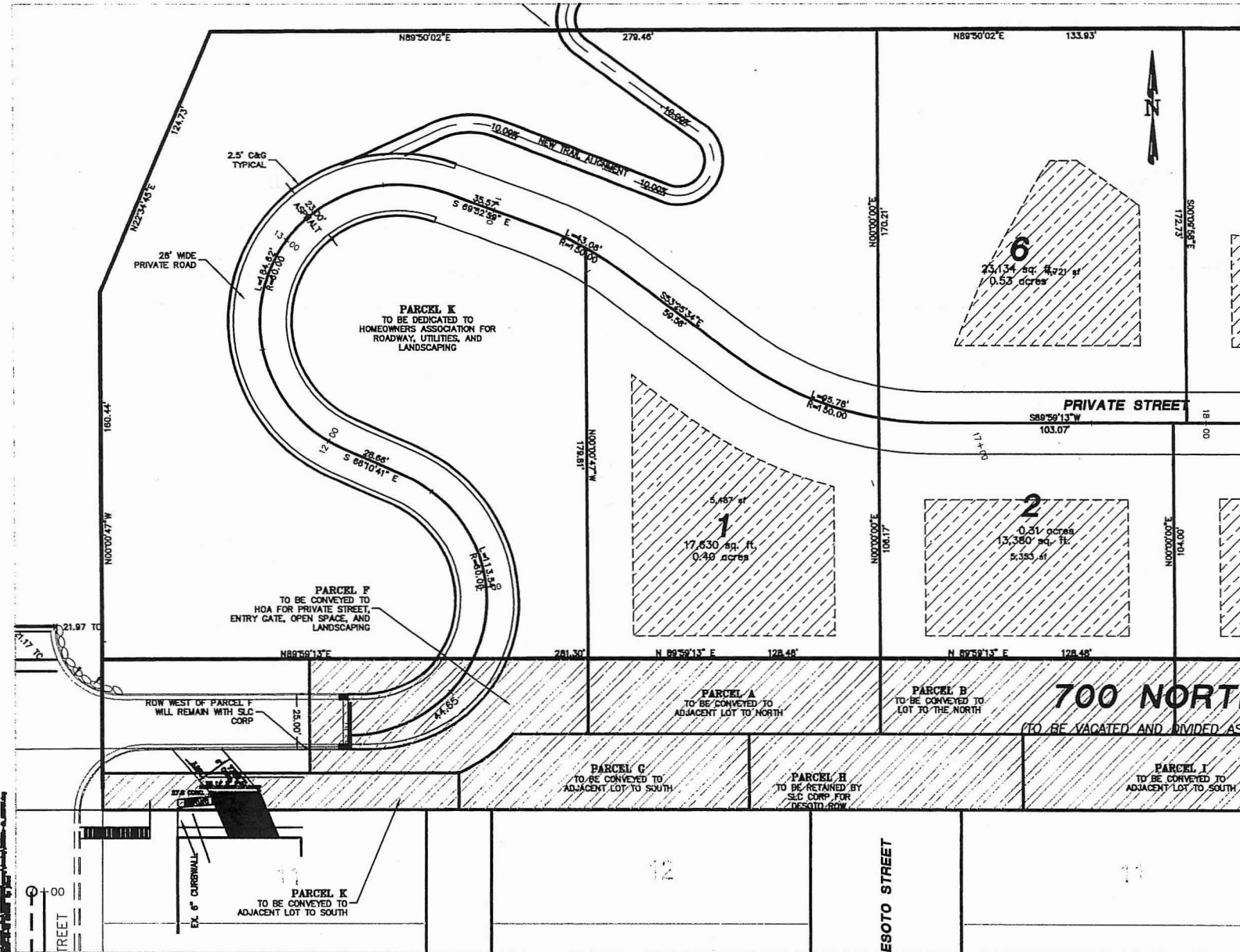
Christopher F. Robinson P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	 Christopher F. Robinson	4-3-07
Victoria A. Robinson P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	 Victoria A. Robinson	4-3-07
Alexander J. Robinson P. O. Box 540478 North Salt Lake, UT 84054	North Side of Right-of-Way (Tax Parcel No. 09-30-351-03) and Lots 12, 13, and 14, Block 20, Plat J, Salt Lake City Survey, located at 695 North Cortez Street (Tax Parcel No. 09-30-354-003)	 Alexander J. Robinson	4-3-07
Kathryn C. Wilson 587 North Perrys Hollow Road Salt Lake City, UT 84054	Lot 3, Ensign Downs Plat G (Tax Parcel No. 09-30-351-021) and adjoining metes and bounds parcel to west (Tax Parcel 03-30-351-036)	 Kathryn C. Wilson	4-6-07
Alton W. Huffaker & Marion B. Huffaker (Life Estate), Et Al 700 North DeSoto St. Salt Lake City, UT 84103	Lot 11, Block 20, Plat J, Salt Lake City Survey (Tax Parcel No. 09-30-354-005)	 Marion B. Huffaker	Apr. 3 2007
Julianne B. Calderon 700 N. Columbus St. Salt Lake City, UT 84103	Lot 11, Block 21, Plat J, Salt Lake City Survey	 Julianne B. Calderon	4/2/07
Danny J. Bethel, Trustee 707 North DeSoto St. Salt Lake City, UT 84103	Lot 12, Block 21, Plat J, Salt Lake City Survey (Tax Parcel No. 09-30-353-005)	 Danny J. Bethel	4/9/07

EXHIBIT "A"

Drawing Showing Parcels Resulting from the
Closure of 700 North Street Right-of-Way
Between Columbus and Cortez Streets

(Sheets 1 and 2)

[see attached]



Stantec Consulting Inc.
Suite 200, 2000 South 700 East
Salt Lake City UT 84143
801.461.7433
Fax: 801.461.7437
stantec.com

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Client/Project

THE ENSIGN GROUP, L.C.

FOREGROUND

Salt Lake City, UTAH

LOT EXHIBIT

Project No. 1963328000 Scale 1"=50'

Drawing No. Sheet

1

of

Petition No. 400-07-08

By The Ensign Group -
Christopher Robinson

Street Closure

Date Filed 03/28/2007

Address 700 North between
Columbus and Cortez Streets

**9. INFORMATION RECEIVED SINCE THE JULY 11, 2007
PLANNING COMMISSION HEARING**

McCandless, Ray

From: bethelco@aol.com
Sent: Thursday, July 12, 2007 12:02 PM
To: Shaw, George
Cc: McCandless, Ray; crobinson@theensigngroup.com; wayne@moylelawfirm.co
Subject: petition 400-06-08

Dear Mr. Shaw:

Concerning Petition 400-07-08

Last night I attempted to state my claim for maintaining my prescriptive use rights over the Seventh North right-of-way which connects the alley that runs behind my house at 707 North at DeSoto Street. When I bought my property ten years ago I could drive up the alley behind my house turn west on the Seventh North right-of-way and drive onto Columbus Street.

I cannot relinquish my use right to use the Seventh North right-of-way as access to Columbus Street until a right-of-way issue concerning the alley between my house and my neighbor at 700 North Columbus is settled.

This concerns the vacation Petition 400-06-08. Please make sure this is stated in the minutes of the Planning Commission Meeting and provide a copy of this letter to PC members at their next meeting.

Sorry I didn't do a better job explaining this to the Planning Commission.

Thank you,

c.c. Ray McCandless, Wayne Petty, Chris Robinson

Dan Bethel
707 North DeSoto Street
Salt Lake City, Utah 84103
801-971-4187 Cell
801-355-1465 phone
801-355-1012 fax

AOL now offers

AOL now offers free email to everyone. Find out more about what's free from AOL at AOL.com.

McCandless, Ray

From: Spencer, John
Sent: Monday, August 13, 2007 1:54 PM
To: McCandless, Ray
Subject: Chris Robinson issue
Categories: Program/Policy

Ray,

I have reviewed the proposed conveyance between Chris Robinson and the City. The exchange will convey title to that closed portion of 700 North (which was platted, but never constructed) for 38.7 acres of undevelopable land which for 38.7 acres as open space. Provided Planning is in agreement with this exchange I see no reason why it shouldn't occur. I believe this fulfills the intent between the City and the Robinson at the beginning when Ensign Down began being developed.

John

8/13/2007