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# SALT LAKE CITY COUNCIL STAFF REPORT

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**DATE:** March 31, 2006

**SUBJECT:** Petition 400-05-41 – Romney/Carson – Parley’s Pointe Annexation - request to annex property at approximately 2982 East Benchmark Drive and 2100 South to 2600 South (This action includes establishing zoning classifications on the property and amending applicable Master Plans.)

**AFFECTED COUNCIL DISTRICTS:** If the ordinance is adopted the annexation, zoning and master plan amendments will affect Council District 7

**STAFF REPORT BY:** Janice Jardine, Land Use Policy Analyst

**ADMINISTRATIVE DEPT. AND CONTACT PERSON:** Community Development Department, Planning Division  
Sarah Carroll, Principal Planner

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## KEY ELEMENTS:

- A. An ordinance has been prepared for Council consideration. Action required by the Council includes:
1. Annexation of approximately 406 acres of property at approximately 2982 East Benchmark Drive and 2100 South to 2600 South.
    - State law does not allow islands or peninsulas of unincorporated land to be created when an annexation occurs. Seven other parcels of land will also be annexed with this proposal. The exclusion of the properties would result in an island or peninsula. (Please see the Administration’s transmittal letter for a list of the properties and owners and Annexation Plat, Exhibit 2 in the Planning staff report.)
    - The Romney/Carson property is being annexed as a result of a settlement agreement relating to a longstanding lawsuit between the property owners and Salt Lake City. The settlement agreement outlines specific terms under which the Romney/Carson property should be annexed into the corporate limits of Salt Lake City. (Please see item C below and the settlement agreement, Exhibit 1 in the Planning staff report for details.)
  2. Amending the East Bench Community Master Plan and the Arcadia Heights, Benchmark and H Rock Small Area Plan.
    - The ordinance states “The East Bench Community Master Plan, the Arcadia Heights, Benchmark and H Rock Small Area Plan, which were previously adopted by the City Council, shall be and hereby are amended to allow limited, very low density, single family residential development in the area consisting of not more than 15 new lots all but one of which shall be located on a private street extending off the current terminus of Benchmark Drive, and not more than 4 new lots located on a public cul-de-sac extending from the current terminus of Scenic Drive.”
  3. Zoning the properties Foothill Residential (FR-2), Open Space (OS) and Natural Open Space (NOS).
    - The Planning staff report notes: “Approximately 31.48 acres of the Romney/Carson property will be used for the development of 17 single-family home sites, with lot sizes ranging from approximately 0.43 to 1.51 acres in size. Planning staff recommends that the area proposed for subdivisions be zoned Foothill Residential (FR-2) zoning which is compatible with the abutting FR-3 zoned

Benchmark Subdivision. The remainder of the Romney/Carson property is to be conveyed to an acceptable open space preservation entity for perpetual open space protection and planning staff is recommending Natural Open Space (NOS) zoning for this area. There are other privately owned properties that are included in this request for annexation and planning staff is recommending Open Space (OS) zoning for those properties.”

4. The City Recorder is instructed not to record or publish the ordinance until the terms and conditions in the ordinance and the settlement agreement have been satisfied and certified by the Directors of the Community Development and Public Utilities Departments. The ordinance shall become null and void if the conditions have not been satisfied with two years of the date of the ordinance.
- B. The Administration’s transmittal and Planning staff report note that there are many positive gains for the community that will be realized following the completion of the requested annexation and zoning of this property including:
1. Final resolution to the legal dispute without cost damage to Salt Lake City.
  2. Limited development.
  3. The use of septic tanks will be eliminated because the City will provide sewer services. Septic tanks would jeopardize Salt Lake City drinking water and be damaging to down slope lot owners.
  4. Trail access will be maintained through public easements.
  5. Approximately 260 acres of land will be dedicated to perpetual open space and preserved through public ownership.
  6. Increased protection against future development provided by the one foot holding strip and open space easements.
  7. Salt Lake City’s zoning, which includes special foothill regulations, will apply to all building permits and to all dwellings and will help reduce the off site visibility of additional development.
- C. The Planning staff report notes the following key elements from the settlement agreement:
1. Petition for Annexation: Romney/Carson shall file a renewed petition for annexation.
  2. Annexation Ordinance: The City shall annex the Romney/Carson property, subject to the terms of the Agreement, within 120 days of receipt of a renewed annexation petition.
  3. Costs: Romney/Carson have previously paid substantial planning and processing fees. Therefore, the City shall annex the property without additional charges.
  4. Subdivision Approvals: Final plat approval of the Phase I subdivision (Extension off Benchmark Drive) shall be obtained from the County. The City sewer and storm water services shall not be available until the subdivision is annexed into the City. If the County refuses to grant approval of Phase I the litigation will continue.
  5. Phase II Subdivision Approval and Annexation: Final plat approval of the Phase II subdivision (extension off Scenic Drive) approval may be obtained from the County or the City.
  6. Roadways and Trails: A public cul-de-sac will be constructed at the end of Benchmark Drive and at the end of Scenic Drive. Lots 2-15 of Phase I will be accessed by a private road. A twenty foot public trail easement will be recorded with the final plat to allow pedestrian traffic access to the trails delineated in the settlement agreement.
  7. Waterline Easement – Relocation: A waterline was constructed by the City in 1979. A portion of the waterline will be relocated to lie within the waterline easement.
  8. Utilities: The City commits to provide water, sewer and storm drain services upon the completion of all applicable conditions of the Agreement.
  9. Romney/Carson Open Space Donation: As a condition of annexation, Romney/Carson will sell or donate lots 14a, 14b, and 15 as well as Perpetual Open Space parcels A, B and C for preservation as undeveloped open space.
  10. Protection against Further Foothills Development: As a condition of annexation, Romney/Carson agrees to donate a one-foot strip of property around the perimeter of the property to Salt Lake City.

11. Common Area Open Space Parcels: There are common area open space parcels throughout the Phase I and Phase II subdivisions that will be part of the Home Owners Association. When the final plat is recorded Romney/Carson will grant a conservation easement to the City which requires the common areas to be maintained as perpetual open space.
  12. Dismissal of the Litigation: Within 30 days following the recording of the subdivision plats and the City Council vote to annex, Romney/Carson shall file a stipulation for Dismissal of the Litigation. If the County does not grant final approval of the Phase I subdivision within 4 months of the execution of the Settlement Agreement, the Litigation shall continue and the Romney/Carson property will not be annexed.
  13. Joint Cooperation: The City shall support the subdivision applications before the County and shall cooperate with the County in securing the required approvals.
  14. Notice Recorded: The parties have executed a Notice of Settlement and Annexation Agreement which has been recorded against the Subject Property.
  15. Agreement not to be used as Evidence: If this Agreement is not completed, it shall not be used for evidence for any other purposes in the Litigation.
  16. Remedies: If the City fails to adopt an ordinance approving the annexation or the County fails to approve the Phase I subdivision and roadway, the Litigation shall continue.
- D. The public process included an open house and presentation to a joint meeting of the Arcadia Heights, Benchmark and H Rock Community Councils.
1. The Administration notes the Arcadia Heights/Benchmark Community Council did not take a position on the proposed annexation.
  2. The Planning staff report notes: “Andrea and Louis Barrows own property that is included in the annexation area and have requested that their property be zoned FR-3, rather than OS, in order to combine parcels and create a rear addition to their home (Exhibit 8). Staff believes that the slopes on the one acre parcel that is owned by the Barrows mostly exceed 30% which would prohibit development. Staff recommends that the Barrows apply for a subdivision amendment and FR-3 zoning at a future date and that they submit slope analysis data at that time.”
- E. The City’s Fire, Police, and Public Utilities Departments and Transportation, Engineering, Building Services and Zoning Divisions have reviewed the proposed annexation and expressed support or no objections to the proposal.
- F. On November 9, 2005, the Planning Commission voted to forward a positive recommendation to the City Council to adopt the proposed annexation and master plan and zoning map amendments.

## **MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR THE ADMINISTRATION:**

### **BUDGET RELATED FACTS**

The proposed annexation may have a budget impact. The Council may wish to request information from the Administration regarding revenues and costs associated with this area and the net fiscal impact to the City if this property is to be annexed. This would maintain consistency with past practices and policy direction established by the Council in considering annexation requests. (The Council could request that the Administration provide the information by the Council’s public hearing tentatively scheduled for Tuesday, May 2, 2006.)

## **MASTER PLAN AND POLICY CONSIDERATIONS:**

- A. The Administration’s transmittal notes that there are several City master plans that apply to the proposed annexation area – the East Bench Community Master Plan, the Arcadia Heights, Benchmark and H Rock Small Area Plan, the Open Space Master Plan and the City’s Master Annexation Policy Declaration. (As

*previously noted, amending the East Bench Community Master Plan and the Arcadia Heights, Benchmark and H Rock Small Area Plan is part of this petition.)*

B. Key references in the plans are noted below.

1. Arcadia Heights/Benchmark/H Rock Small Area Plan

- a. The boundaries of the Arcadia Heights, Benchmark & H Rock Small Area Plan (the “Arcadia Plan”) are I-80 on the south, Foothill Drive on the west, 1700 South on the north, and the Wasatch National Forest on the east.
- b. Pages 3-4 New Foothill Development
  - Development restrictions on slopes equal to or greater than 30% - Recommendations include strict application of the City’s Site Development Ordinance relating to interpretation of 30% slopes as well as all other foothill development standards.
  - Undevelopable land – Recommendations include acquisition, donation to a land trust, establishment of conservation or access easements, and not permitting undevelopable land to be included in calculating density or incorporated into individual building lots.
- c. Pages 5-6 Residential Density/Zoning Classification for Annexed Land
  - If additional development is considered, it should be very low density that does not impair the natural qualities of the area and preserves the maximum amount of open space.
  - Restrictions on development affecting slopes equal to or greater than 30% should be strictly enforced and interpreted according to written administrative policies established by the City.
  - Gated developments should be strongly discouraged.
  - The following policies should be taken into consideration when determining the zoning classification for properties which may be annexed in the future:
    1. Lots should be a minimum of one half acre in size.
    2. Not more than four additional lots should be permitted at the south end of Scenic Drive and not more than four additional lots should be permitted at the north end of Lakeline Drive.
    3. New lots should be oriented to a new cul-de-sac or other terminus at the south end of Scenic Drive and to the existing cul-de-sac at the north end of Lakeline Drive.
    4. All new lots should conform to the dimensional and height standards of the FR-2 Zone and to all established Foothill Development Standards.
- d. Pages 6-7 Utility Service – water, sewer and storm drainage
  - The developer should pay costs relating to increased impacts created by new development.
  - Water Service – Romney Property – This subdivision is located on the upper edge of the distribution zone. Water service can be provided to the second floor of a dwelling to a maximum elevation of 5190 (USGS datum). Each lot will need to be evaluated on a case by case basis. New distribution water lines will need to be installed as part of the subdivision development. Any habitable areas above elevation 5190 will require new pumping and reservoir facilities. (For planning and mapping purposes a ground or main floor elevation of 5175 (USGS datum) should be assumed.)
  - Sewer Service – Romney Property – Sewer lines from this development would be connected to existing sewer lines in Benchmark Subdivision. Downstream facilities appear to be adequate to handle this additional flow.
  - Storm Drainage – Drainage system design for proposed subdivisions will need to comply with the City’s Restricted Discharge Policy. This policy restricts discharge from a site to .2 cubic feet per second per acre for the 24-hour 100-year storm.
- e. Pages 7-8 Annexation
  - It should continue to be the City’s policy that municipal water and sewer service will not be provided to new developments unless they are located with the City.
- f. Pages 11-12 Open Space & Recreation
  - Bonneville Shoreline Trail – continuation of the Bonneville Shoreline Trail from the top of Benchmark Drive south along the Lake Bonneville Bench to connect other foothill trail access points and the Parley’s Crossing Project North Bridge.



- Other trails – Recommendations include additional trail developments in this area from Benchmark Drive and Scenic Drive to provide foothill access points.
  - Open Space Preservation Strategies emphasize designating undevelopable land as open space, acquisition and preservation of critical areas, establishing conservation easements, donations or sales to a land trust or other public or non-profit organizations.
- g. Page 16 Public versus Private Streets
- Require dedicated public streets in order to better integrate new developments into existing neighborhoods and preserve public access to public lands.
  - Streets should be designed recognizing specific soil and geologic conditions and constructed to mitigate any potential adverse conditions.
2. Open Space Master Plan – The Open Space Master Plan established four goals: conserve the natural environment; enhance open space amenities for all citizens; connect the various parts of the City to natural environments, and educate the citizens on proper use of open space. A section of the master plan relates to the Foothill Transitional Area, which it identifies as “the steeper slopes generally below the 5200 ft. elevation at the eastern and northern edges of the urbanized area.” The master plan states that, “A major issue is the conservation of the natural environment for animal habitat, watershed and views.” An implementation action identified by the master plan is that Salt Lake City, “establish the Open Space trust to receive and manage real property within the foothill transitional area.”
3. East Bench Master Plan – The approximate boundaries of the East Bench Master Plan are the northern City limits on the north, 1700 South and Parleys Way on the south, the eastern City limits on the east and 1300 East on the west. The East Bench Master Plan section on Annexation and Foothill development states the planning goal to preserve the present unique beauty, environmental habitat, recreational use, and accessibility of the Wasatch foothills, and ensure city control over foothill development in the East Bench Community. Additional statements note:
1. Most undeveloped foothill property east of the City is under the jurisdiction of Salt Lake County. Development under County jurisdiction is possible but not likely.
  2. Salt Lake City is the only government jurisdiction with the ability to provide urban services, and annexation is a vital first step in the development process.
  3. The City should refuse to provide water or sewer services to accommodate development of property outside of City boundaries.
  4. Areas that are undevelopable, from a geological standpoint, should be preserved as natural foothill open space. The City should work with the State and Federal governments to acquire privately-owned property for public open space and recreation purposes.
  5. Slope is one of the most important factors in determining development potential.
  6. The three areas that have development potential should be limited to a maximum density of 4 units per gross acre or less as physical conditions indicate. Single-family homes or planned-unit developments are recommended.
  7. The City should plan to eventually accommodate development, expand regulations to encompass aesthetic considerations as the means of precluding development, or acquire the properties for public open space.
  8. If property owners can document compliance with the site development and other applicable City ordinances, the community and City should expect to accommodate development proposals.
- C. State Code 10-2-403 regarding annexation requires that boundaries for annexation be drawn in the following manner:
1. To eliminate islands and peninsulas of territory that is not receiving municipal-type services;
  2. To facilitate the consolidation of overlapping functions of local government;
  3. To promote the efficient delivery of services; and
  4. To encourage the equitable distribution of community resources and obligations.

- D. The Council's adopted growth policy states: It is the policy of the Salt Lake City Council 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.
- E. In the past, the Administration has provided the following information relating to the City's annexation policies:
1. The City does not have a citywide annexation policy.
  2. Annexation policies have been developed based primarily on geographic locations and existing land uses.
  3. Annexation policies are identified in the applicable master plans prepared for affected planning communities (i.e. East Bench, Sugar House, Northwest Community, Jordan River/Airport area, City Creek, etc.).
  4. Annexation policies in the Sugar House Master Plan are significantly different from policies identified in the East Bench Master Plan. The Sugar House area is part of the older, fully developed portion of the City. The East Bench area contains underdeveloped areas of the foothills that are limited in development potential due to slope restriction and the cost of providing municipal services.
- F. Council staff has attached a synopsis of City annexation policies prepared for the Council's Annexation Subcommittee. The Synopsis includes a summary of:
1. The City's 1979 Annexation Policy Declaration
  2. City Resolution No. 34 of 2000 – Reaffirmation of 1979 Master Annexation Policy Declaration, and Declaration of Intent to annex areas served by the City's water system in the unincorporated Salt Lake County
  3. Resolution 20 of 1982 – Water Service provided outside the City limits
  4. Existing Community Master Plans Annexation Policies
  5. The 1999 Salt Lake County Feasibility Scenarios Reports
  6. 1999 Salt Lake City Wall to Wall Cities Study
  7. 2000 Salt Lake City Wall to Wall Cities Annexation Study
- G. 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-use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.
- H. 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 documents emphasize placing a high priority on maintaining and developing new affordable residential housing in attractive, friendly, safe environments.
- I. 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 annexation. Key dates are listed below. Please refer to the Administration's chronology for details.

- December 15, 2005 Planning Open House
- January 12, 2006 Joint Arcadia Heights, Benchmark and H Rock Community Council meeting
- January 17, 2006 Annexation petition accepted by City Council
- February 22, 2006 Planning Commission hearing
- March 7, 2006 Ordinance requested from City Attorney's office
- March 21, 2006 Ordinance received from City Attorney's office

cc: Sam Guevara, Rocky Fluhart, DJ Baxter, Ed Rutan, Lynn Pace, Louis Zunguze, Brent Wilde, Alex Ikefuna, Doug Wheelwright, Cheri Coffey, Everett Joyce, Sarah Carroll, Jan Aramaki, Marge Harvey, , Jennifer Bruno, Barry Esham, Annette Daley, Gwen Springmeyer

File Location: Community Development Dept., Planning Division, Annexation, Romney/Carson, approximately 2982 East Benchmark Drive and 2100 South to 2600 South

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:** Rocky Fluhart, Chief Administrative Officer **DATE:** March 21, 2006  
**FROM:** Louis Zunguze, Community Development Director  
**RE:** Petition No. 400-05-41 by Romney Lumber Company and Robert and Honora Carson is a request to annex approximately 405.59 acres of land into the corporate limits of Salt Lake City. This annexation is referred to as the Parley's Pointe Annexation and will require an amendment to the East Bench Community Master Plan and Zoning Map and the Arcadia Heights, Benchmark and H Rock Small Area Plan.

**STAFF CONTACTS:** Sarah Carroll, Principal Planner, at 535-6260 or sarah.carroll@slcgov.com

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

**DOCUMENT TYPE:** Ordinance

**BUDGET IMPACT:** None

**DISCUSSION:**

**Issue Origin:** Petition 400-05-41, by Romney/Carson, is a request to annex approximately 405.59 acres of land into the corporate limits of Salt Lake City. The annexation area is located in the vicinity of 2982 East Benchmark Drive (east of approximately 3000 East and from approximately 2100 to 2600 South) and includes the following parcels:

- 1) 16-23-226-004-4001 and 16-23-226-004-4002, owned by Romney/Carson
- 2) 16-23-201-013, owned by Alan & Orlene Cohen
- 3) 16-23-201-014, owned by Alan & Orlene Cohen
- 4) 16-23-201-016, owned by Andrea & Louis Barrows
- 5) 16-23-201-017, owned by Benjamin Buehner
- 6) 16-23-201-018 (partial), owned by Lynn Mabey
- 7) 16-23-201-019, owned by Axxon Investment Company
- 8) 16-23-400-001, owned by Jack Jensen and Intermountain Holding Company

The Romney/Carson property is being annexed as a result of the settlement agreement relating to a longstanding lawsuit between the property owners and Salt Lake City. The Settlement Agreement (Exhibit 1 of Attachment 5B) states that the Romney/Carson property will be annexed into Salt Lake City within 120 days of receiving an application for annexation. The complete annexation application was received by the Planning Division on January 9, 2006.

State law does not allow islands or peninsulas of unincorporated land to be created when an annexation occurs. Therefore, seven other parcels of land will also be annexed with this proposal (the exclusion of which would otherwise result in an island or peninsula). These seven parcels are listed on page 1 of this transmittal, as numbers 2 through 8. A Resolution to review the requested annexation was accepted by the City Council on January 17, 2006.

**Analysis:** The following zoning designations are being recommended: Foothill Residential (FR-2) zoning for the Subdivisions proposed by Romney/Carson as specified in the Settlement Agreement, Natural Open Space (NOS) for the land that will be conveyed as open space by Romney/Carson as specified in the Settlement Agreement, and Open Space (OS) zoning for the other properties included in the annexation.

Planning staff requested comments from pertinent City Departments/Divisions including: Transportation, Engineering, Fire, Public Utilities, Police, Building Services, Zoning, Airport, Public Services, Special Assessments, and Property Management. None expressed any objections to the proposed annexation or the proposed Master Plan and Zoning Map amendments.

**Master Plan Considerations:** The proposed annexation will require an amendment to the East Bench Community Master Plan and Zoning Map, and an amendment to the Arcadia Heights, Benchmark, and H Rock Small Area Plans to reflect the land use recommendations for the Phase I subdivision.

## **PUBLIC PROCESS:**

The request for annexation and the recommended zoning were presented to the public at an Open House on December 15, 2005, and at the Arcadia Heights, Benchmark and H Rock combined Community Council meeting on January 12, 2006. One member of the public provided written comment relating to this request. The Community Council did not provide a follow-up statement.

The Planning Commission heard this petition on February 22, 2006, and passed a motion to transmit a favorable recommendation to the City Council to approve the annexation and the proposed Master Plan and Zoning Map amendments.

Prior to the public Open House, the Community Council meeting, and the Planning Commission meeting, 134 notices were mailed to each property owner within 450 feet of the area proposed for annexation.

## **RELEVANT ORDINANCES:**

***Salt Lake City Ordinance:*** Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: “A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard.” It does, however, list five standards which should be analyzed prior to rezoning property (Section 21A.50.050 A-E). The five standards are discussed in detail starting on page 6 of the Planning Commission Staff Report (see Attachment 5B).

***Utah State Code:*** Utah State Code Section 10-2 regulates requirements for annexations. Section 10-9a-204 and -205 regulates the requirements for noticing a general plan amendment and land use ordinance amendment. Notice of the requested Zoning Map and Master Plan amendments were published in the newspaper on February 8, 2006, meeting State Code noticing requirements. Section 10-9a-404, states that the Planning Commission must hold a Public Hearing to consider general plan amendments and that the legislative body may adopt or reject the proposed amendment either as proposed by the Planning Commission or after making any revision that the legislative body considers appropriate. Section 10-9a-503 states that the legislative body may not make any amendment unless the amendment was first submitted to the Planning Commission for its recommendation. The Planning Commission held a Public Hearing on February 22, 2006, to consider the Zoning Map and Master Plan amendments related to this petition and recommended approval of this petition as proposed.

## Contents

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5. Planning Commission
  - A. Public Hearing Notice and Postmark
  - B. Planning Commission Staff Report with attachments
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    - Annexation Plat
    - Recommended Zoning
    - Trails, Public Easement
    - Department/Division Comments
    - Newspaper Notice
    - City Council Resolution Cover Letter
    - Public Comment
  - C. Planning Commission agenda and minutes for February 22, 2006
6. Original Petition

## **1. CHRONOLOGY**



## **PROJECT CHRONOLOGY**

- November 18, 2005 Incomplete application received from the applicant.
- December 15, 2005 Petition presented at a public open house.
- January 9, 2006 Complete application including annexation plat received from the applicant.
- January 12, 2006 Petition presented at the Arcadia Heights, Benchmark and H Rock combined community council meeting.
- January 17, 2006 Resolution to receive the petition for review was accepted by the City Council.
- January 20, 2006 Requested appropriate City Departments review and comment on the proposed amendments; routed to Building Services, Engineering, the Fire Department, Public Utilities, Police, Transportation, Zoning, Airport, Public Services, Special Assessments and Property Management.
- February 7, 2006 Planning Commission public hearing notice mailed.
- February 8, 2006 Legal notices published in the Salt Lake Tribune and the Deseret News.
- February 8, 2005 Posted properties with a notice of the upcoming meeting.
- February 22, 2006 Planning Commission public hearing held. A motion for a positive recommendation was passed.
- March 7, 2006 Ordinance request sent to City Attorney.
- March 8, 2006 Planning Commission ratified minutes of February 22, 2006 meeting.
- March 21, 2006 Received ordinance from the City attorney.

**2. PROPOSED  
ORDINANCE**

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2006

(Annexing the Property Included within the Parley's Pointe  
Annexation Petition, Amending the Applicable Master Plans,  
and Rezoning the Area upon its Annexation into the City)

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF SALT LAKE CITY TO INCLUDE APPROXIMATELY 405.59 ACRES OF UNINCORPORATED TERRITORY INCLUDED WITHIN THE PARLEY'S POINTE ANNEXATION PETITION, LOCATED IN THE VICINITY OF 2982 EAST BENCHMARK DRIVE (EAST OF APPROXIMATELY 3000 EAST AND FROM APPROXIMATELY 2100 SOUTH TO 2600 SOUTH), PURSUANT TO PETITION NO. 400-05-41, AMENDING THE EAST BENCH COMMUNITY MASTER PLAN, THE ARCADIA HEIGHTS, BENCHMARK AND H-ROCK SMALL AREA MASTER PLAN, AND AMENDING THE SALT LAKE CITY ZONING MAP TO ZONE AND DESIGNATE THIS AREA AS FOOTHILL RESIDENTIAL (FR-2), OPEN SPACE (OS) AND NATURAL OPEN SPACE (NOS) UPON ITS ANNEXATION INTO THE CITY.

WHEREAS, Salt Lake City has received Petition No. 400-05-41 (the "Petition"), Parley's Pointe Annexation, filed by the Romney Lumber Company and Robert and Honora Carson requesting the annexation of approximately 405.59 acres of unincorporated territory in Salt Lake County, which would extend the existing corporate limits of Salt Lake City; and

WHEREAS, the Petition is signed by the owners of a majority of the real property and the owners of more than one-third in value of all real property within the territory to be annexed as shown by the last assessment roles of Salt Lake County; and

WHEREAS, the Petitioner has submitted to the City a plat for the territory proposed for the annexation; and

WHEREAS, the territory described in the Petition lies contiguous to the corporate limits of Salt Lake City and within an area projected for Salt Lake's municipal expansion, and otherwise satisfies the standards and the criteria applicable to annexations; and

WHEREAS, Salt Lake City and the Petitioner have executed a Settlement and Annexation Agreement, dated October 24, 2005, which addresses the annexation and future development of this property; and

WHEREAS, no objection or protest to such annexation has been filed with the Salt Lake County Boundary Commission; and

WHEREAS, after properly advertised and noticed public hearings before the Salt Lake City Planning Commission and the Salt Lake City Council, the City Council has determined that this annexation is in the best interest of the City;

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

SECTION 1. Annexation. The Salt Lake City limits are hereby enlarged and extended so as to include the properties identified within the Parley's Pointe Annexation Petition, containing approximately 405.59 acres of unincorporated territory in Salt Lake County, State of Utah. Said properties are more particularly described as set forth on Exhibit A attached hereto.

SECTION 2. Amendment of Applicable Master Plans. The East Bench Community Master Plan and the Arcadia Heights, Benchmark and H-Rock Small Area Master Plan, which were previously adopted by the City Council, shall be and hereby are amended to allow limited, very low density, single family residential development in the area consisting of not more than 15 new lots all but one of which shall be located on a private street extending off the current

terminus of Benchmark Drive, and not more than 4 new lots located on a public cul-de-sac extending from the current terminus of Scenic Drive.

SECTION 3. Zoning. Portions of the property annexed, as more particularly described on Exhibit B(1), B(2) and B(3) attached hereto, shall be and hereby are designated and zoned as Natural Open Space (NOS). Portions of the property annexed, as more particularly described on Exhibit B(4), B(5), and B(6) attached hereto, shall be and hereby are designated and zoned Foothill Residential (FR-2). Portions of the property annexed, more particularly described on Exhibit C attached hereto, shall be and hereby are designated and zoned Open Space (OS). The Salt Lake City Zoning Map, as previously adopted by the Salt Lake City Council, shall be and hereby is amended consistent with this Ordinance.

SECTION 4. General Jurisdiction. All ordinances, jurisdictions, rules and obligations of, or pertaining to, Salt Lake City are hereby extended over, and made applicable and pertinent to the above annexed property; and the property shall hereafter be controlled and governed by the ordinances, rules, and regulations of Salt Lake City.

SECTION 5. Filings and Notices. Upon the effective date of this Ordinance, the City Recorder of Salt Lake City is hereby directed to file with the Salt Lake County Recorder, after approval by the City Engineer, a copy of the annexation plat duly certified and acknowledged together with a copy of this ordinance. The City Recorder is further directed to provide notice to the State Tax Commission under the provisions of Utah Code Annotated section 11-12-1, as amended.

SECTION 6. Compliance with Settlement and Annexation Agreement. The effectiveness of this Ordinance shall be and hereby is expressly conditioned upon fulfillment of

all of the applicable procedures, terms and conditions set forth in the Settlement and Annexation Agreement, dated October 24, 2005, a copy of which is on file with the Salt Lake City Recorder, including, but not limited to, the following items:

(a) Approval by Salt Lake County of the Phase I Subdivision, consisting of not more than 15 lots located off Benchmark Drive; and

(b) Construction of the public and private portions of the Phase I roadway and corresponding utility lines, or obtaining and filing a bond with Salt Lake City, in an amount and form reasonably acceptable to the City, for the roadway and corresponding utility lines.

Upon satisfaction of all of the applicable procedures, terms, and conditions set forth in the Settlement and Annexation Agreement, this Ordinance shall become effective without the need for any further approval from the Salt Lake City Council.

SECTION 7. Effective Date. This Ordinance shall not become effective until the terms and conditions set forth herein, as well as those terms and conditions set forth in the Settlement and Annexation Agreement, have been satisfied, as certified by the Director of the Salt Lake City Community Development Department and the Director of the Salt Lake City Public Utilities Department. The City Recorder is instructed not to record or publish this Ordinance until the above-mentioned certifications have been received.

SECTION 8. TIME. If the conditions set forth above have not been satisfied within two years following the date of this Ordinance, this Ordinance shall become null and void. The City Council may, by resolution, for good cause shown, extend the time period for satisfying the conditions set forth herein.

Passed and adopted by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

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

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

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

\_\_\_\_\_  
MAYOR

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

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 3-21-06  
By [Signature]

(SEAL)

Bill No. \_\_\_\_\_ of 2006.

Published: \_\_\_\_\_.

**Exhibit "A"**  
**Annexation Boundary**

**Annexation Boundary Description:**

Beginning at a point S89°41'10"E 130.00 along the North Section Line from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S89°41'10"E 597.28 feet along said North Section Line; thence S89°41'00"E 1918.94 feet to the Northwest Corner of Section 24, Township 1 South, Range 1 East, Salt Lake Base and Meridian; thence S00°03'00"W 1316.37 feet along the West Line to the Northwest Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence East 1326.43 feet to the Northeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence S00°02'12"W 392.81 feet along the East Line of the West Half of said Section 24 to the Northwestern Line of the Gwennie Lode Mining No. 5048 Claim; thence S50°14'00"W 318.10 feet along said claim; thence S39°46'00"E 382.30 feet along said claim to said East Line; thence S00°02'12"W 2736.20 feet to the Northerly Right-of-Way Line of Interstate 80; thence the following eleven courses along said Northerly Right-of-Way Line: S85°53'00"W 446.28 feet; thence S86°31'00"W 108.50 feet; thence S85°44'00"W 109.02 feet; thence S76°18'00"W 176.62 feet; thence S72°59'00"W 146.72 feet; thence 67°44'00"W 403.96 feet; thence Westerly 687.13 feet along the arc a 824.93 feet radius curve to the right, cord bears N88°24'15"W 687.13 feet; thence N64°32'30"W 1300.21 feet; thence N63°45'00"W 291.05 feet; thence N58°38'00"W 200.00 feet; thence N53°49'00"W 432.00 feet to the East Line of the Southwest Quarter; thence North 3483.18 feet along said East Line to Northeast Corner of Lot 609 of Arcadia Heights Plat F Subdivision, recorded as Entry No. 1840440 in Book Y at Page 39 in the Office of the Salt Lake County Recorder; thence the following three courses along the Easterly Boundary Line of said Arcadia Heights Plat F: N34°00'00"E 286.49 feet; thence N07°30'00"E 110.17 feet; thence N07°20'40"W 348.76 feet to the point of beginning, Contains 405.598 Acres.

Excepting therefrom:

Any part of the above described property lying within the Right-of-Way Limits of the Interstate 80.

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3/20/06



**Exhibit "B"**  
**Romney/Carson Property**

**Parcels 16-23-226-004-4001 and 16-23-226-004-4002 owned by Romney/Carson:**

The Romney/Carson property will be divided into separate parcels when the final plat of the proposed subdivision is recorded by the County. The legal descriptions for each of the recommended zones for the Romney/Carson property are identified below:

**1) Perpetual Open Space, Parcel "A" as identified in the Settlement Agreement:**

Zoning: NOS

**Parcel Description:**

Beginning at a point which is S89°41'00"E 727.28 feet along the North Section Line from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian and running thence S89°41'00"E 1918.93 feet along said North Line to the Northwester Corner of Section 24, Township 1 South, Range 1 East, Salt Lake Base and Meridian; thence S00°03'00"W 1316.24 feet along the West Line to the Northwest Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence East 1326.43 feet to the Northeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence S00°02'12"W 392.81 feet along the East Line of the West Half of said Section 24 to the Northwesterly Line of the Gwennie Lode Mining No. 5048 Claim; thence S50°14'00"W 318.10 feet along said claim; thence S39°46'00"E 382.30 feet along said claim to said East Line; thence S00°02'12"W 2736.20 feet along said East Line to the Northerly Right-of-Way Line of Interstate Highway 80; thence the following six courses along said Northerly Right-of-Way Line: S85°53'00"W 446.28 feet; thence S86°31'00"W 108.50 feet; thence S85°44'00"W 109.02 feet; thence S76°18'00"W 176.62 feet; thence S72°59'00"W 146.72 feet; thence S67°44'00"W 381.82 feet to the East Line of said Section 23; thence N00°03'00"E 2593.48 feet along said East Line to the East Quarter Corner of said Section 23; thence West 1322.12 feet to the West Line of the East Half of the Southeast Quarter of said Section 23; thence S00°01'30"W 995.43 feet; thence N45°28'41"W 258.83 feet; thence N57°08'44"W 256.20 feet; thence N89°17'51"W 363.54 feet; thence N48°37'21"W 102.28 feet; thence N24°52'02"W 191.04 feet; thence North 231.04 feet; thence N09°04'08"W 256.87 feet; thence N11°59'24"E 398.95 feet; thence N52°25'01"W 153.19 feet; thence N53°41'29"W 113.67 feet; thence N36°18'31"E 85.64 feet; thence N52°58'57"W 352.64 feet to the Easterly Boundary Line of Benchmark Subdivision, recorded as Entry No. 3379920 in Book 79-12 at Page 365 in the Office of the Salt Lake County Recorder; thence North 969.96 feet along said Easterly Boundary Line and the Easterly Boundary Line of Arcadia Heights Plat F Subdivision, recorded as Entry No. 1840440 in Book Y at Page 39 in the Office of the Salt Lake County Recorder to the Northeast Corner of Lot 610 of said Arcadia Heights Plat F Subdivision; thence East 193.35 feet; thence N12°30'00"W 220.80 feet; thence N07°30'00"E 222.34 feet; thence S89°41'10"E 421.15 feet; thence N00°18'50"E 101.59 feet; thence S89°41'10"E 70.16 feet; thence N00°18'50"E 85.23 feet; thence N89°41'10"W 11.46 feet; thence N00°18'50"E 85.23 feet; thence S89°41'10"E 70.97 feet; thence N00°18'50"E 73.46 feet to the point of beginning.

Contains 273.63 Acres

**2) Perpetual Open Space, Parcel "B" as identified in the Settlement Agreement:**

Zoning: NOS

**Boundary Description:**

Beginning at a point which is South 3797.25 feet along Section Line and East 642.46 feet from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence N54°37'14"E 343.39 feet; thence Southeasterly 46.26 feet along the arc a 368.00 foot radius curve to the right, chord bears S49°16'30"E 46.23 feet; thence S46°13'51"W 106.10 feet; thence S08°36'36"E 164.32 feet; thence N57°49'39"E 118.56 feet; thence South 288.71 feet; thence S89°58'30"E 315.81 feet to the West Line of the East Half of the Southeast Quarter of said Section 23; thence S00°01'30"W 18.91 feet; thence N89°58'30"W 382.62 feet; thence N43°34'31"W 430.20 feet; to the point of beginning.

Contains 93959 square feet or 2.157 acres.

**3) Perpetual Open Space, Parcel "C" as identified in the Settlement Agreement:**

Zoning: NOS

**Boundary Description:**

Beginning at a point which is South 3757.84 feet along Section Line and East 591.69 feet from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S52°10'55"E 64.27 feet; thence S43°34'31"E 430.20 feet; thence S89°58'30"E 382.62 feet to the West Line of the East Half of the Southeast Quarter of said Section 23; thence S00°01'30"W 812.66 feet to the Northerly Right-of-Way Line of Interstate 80; thence the following four courses along said Northerly Right-of-Way Line: (1) N64°32'30"W 598.93 feet; (2) thence N63°45'00"W 291.05 feet; (3) thence N58°38'00"W 200.00 feet; (4) thence N53°49'00"W 268.20 feet; thence N41°43'24"E 690.39 feet to the point of beginning.

Contains 16.55 Acres

**4) Proposed Subdivision, Phase I, lots 1-13 as identified in the Settlement Agreement:**

Zoning: FR-2

**Boundary Description:**

Beginning at a point which is South 1752.48 feet along Section Line from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S52°58'57"E 352.64 feet; thence S36°18'31"W 85.64 feet; thence S53°41'29"E 113.67 feet; thence S52°25'01"E 153.19 feet; thence S11°59'24"W 398.95 feet; thence S09°04'08"E 256.87 feet; thence South 231.04 feet; thence S24°52'02"E 191.04 feet; thence S48°37'21"E 102.28 feet; thence S89°17'51"E 363.54 feet; thence S57°08'44"E 256.20 feet; thence S49°50'12"W 252.23 feet; thence

Northwesterly 28.58 feet along the arc a 368.00 foot radius curve to the left, chord bears N50°39'06"W 28.57 feet; thence S54°37'14"W 343.39 feet; thence N52°10'55"W 64.27 feet; thence N52°10'55"W 130.67 feet; thence N53°00'55"W 611.50 feet to the Easterly Boundary Line of Benchmark Subdivision, recorded as Entry No. 3379920 in Book 79-12 at Page 365 in the Office of the Salt Lake County Recorder; thence North 1557.37 feet along said Easterly Boundary Line to the point of beginning.  
Contains 19.68 Acres

5) **Proposed Subdivision, Phase I, lots 14a, 14b and 15 as identified in the Settlement Agreement:**

Zoning: FR-2

**Boundary Description:**

Beginning at a point which is South 3453.86 feet along Section Line and East 1137.28 feet from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S45°28'41"E 258.83 feet to the West Line of the East Half of the Southeast Quarter of said Section 23; thence S00°01'30"W 454.83 feet; thence N89°58'30"W 315.81 feet; thence North 288.71 feet; thence S57°49'39"W 118.56 feet; thence N08°36'36"W 164.32 feet; thence N46°13'51"E 106.10 feet; thence Northwesterly 17.69 feet along the arc a 368.00 foot radius curve to the left, chord bears N47°03'02"W 17.68 feet; thence N49°50'12"E 252.23 feet to the point of beginning.  
Contains 4.61 Acres

6) **Proposed Subdivision, Phase II, lots 1-4, as identified in the Settlement Agreement:**

Zoning: FR-2

**Boundary Description:**

Beginning at a point which is South 3309.84 feet along Section Line from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S53°00'55"E 611.50 feet; thence S52°10'55"E 130.67 feet; thence S41°43'24"W 690.39 feet; thence N53°49'00"W 163.80 feet to the Section Line and the extension of the Easterly Boundary Line of Benchmark Subdivision, recorded as Entry No. 3379920 in Book 79-12 at Page 365 in the Office of the Salt Lake County Recorder; thence North 866.58 feet along Section Line to the point of beginning.  
Contains 7.19 Acres

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3/26/06

**Exhibit "C"**  
**Seven Other Properties**

The following parcels will be incorporated into the corporate limits of Salt Lake City:

- 1) 16-23-201-013, owned by Alan & Orlene Cohen
- 2) 16-23-201-014, owned by Alan & Orlene Cohen
- 3) 16-23-201-016, owned by Andrea & Louis Barrows
- 4) 16-23-201-017, owned by Benjamin Buehner
- 5) 16-23-201-018 (partial), owned by Lynn Mabey
- 6) 16-23-201-019, owned by Axxon Investment Company
- 7) 16-23-400-001, owned by Jack Jensen and Intermountain Holding Company

All 7 parcels:

Zoning: OS

**Legal Descriptions for each parcel:**

16-23-201-013, owned by Alan & Orlene Cohen:

BEGINNING AT THE NORTHEAST COR OF LOT 603, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY SURVEY; S 89°41'10" EAST 516.82 FEET; SOUTH 00°8'50" WEST 85.23 FEET NORTH 89°41'10" WEST 505.36 FEET; NORTH 07°20'40" WEST 86 FEET TO BEGINNING. 1 ACRE.

16-23-201-014, owned by Alan & Orlene Cohen

BEGINNING AT THE NORTHEAST CORNER OF LOT 604, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY SURVEY; SOUTH 89°41'10" EAST 435.20 FEET; S 00°E8'50" W 101.69 FEET; NORTH 89°41'10" WEST 421.53 FEET; NORTH 07°20'40" WEST 102.61 FEET TO BEGINNING. 1 ACRE.

16-23-201-016, owned by Andrea & Louis Barrows

BEGINNING AT THE NORTHEAST CORNER OF LOT 602, ARCADIA HEIGHTS SUBDIVISION PLAT F, SALT LAKE CITY SURVEY; SOUTH 89°41'10" EAST 516.82 FEET; SOUTH 00°18'50" WEST 85.23 FEET; NORTH 89°41'10" WEST 505.36 FEET; NORTH 07°20'40" WEST 86 FEET TO BEGINNING. 1 ACRE.

16-23-201-017, owned by Benjamin Buehner

BEGINNING AT NORTHEAST CORNER OF LOT 601, ARCADIA HEIGHTS SUBDIVISION PLAT F SALT LAKE CITY SURVEY; SOUTH 89°41'10" EAST 597.67 FEET; SOUTH 00°18'50" WEST 73.49 FEET; NORTH 89°41'10" WEST 587.79 FEET; NORTH 07°20'40" WEST 74.148 FEET TO BEGINNING. 1 ACRE.

16-23-201-018 (partial), owned by Lynn Mabey

LOT 607, ARCADIA HEIGHTS PLAT F. ALSO BEGINNING AT MOST EASTERLY CORNER OF SAID LOT 607; SOUTH 62° EAST 15.08 FEET; SOUTH 34° WEST

98.76 FEET; NORTH 54°45' WEST 15 FEET; NORTH 34° EAST 96.86 FEET TO BEGINNING.

16-23-201-019, owned by Axxon Investment Company

BEGINNING SOUTH 89°41'10" EAST 130 FEET & SOUTH 7°20'40" EAST 348.755 FEET & SOUTH 7°30' WEST 110.172 FEET FROM NORTH 1/4 CORNER OF SECTION 23, TOWNSHIP 1 SOUTH RANGE 1 EAST SALT LAKE BASE AND MERIDIAN; SOUTH 7°30' WEST 112.166 FEET; SOUTH 12°30' EAST 220.793 FEET; WEST 193.348 FEET TO WEST LINE OF EAST 1/2 OF SD SECTION 23; NORTH 89.26 FEET; NORTH 34° EAST 79.794 FEET; SOUTH 54°45' EAST 15 FEET; NORTH 34° EAST 98.76 FEET; NORTH 62° WEST 15.08 FEET; NORTH 34° EAST 109.831 FEET TO BEGINNING. 0.71 ACRES

16-23-400-001, owned by Jack Jensen and Intermountain Holding Company

EAST 1/2 OF SOUTHEAST 1/4 SECTION 23 TOWNSHIP 1 SOUTH RANGE 1 EAST SALT LAKE BASE AND MERIDIAN MER LESS STATE ROAD COMMISSION TRACT. 73 ACRES.

SC

3/20/06

### **3. CITY COUNCIL HEARING NOTICE**

## NOTICE OF PUBLIC HEARING

The Salt Lake City Council is currently reviewing Petition No. 400-05-41, Parley's Pointe Annexation, initiated by Romney Lumber Company and Robert and Honora Carson, requesting that approximately 405.59 acres of land be incorporated into the corporate limits of Salt Lake City. This petition for annexation was initiated as the result of a settlement agreement between Romney/Carson and Salt Lake City. The annexation area is located in the vicinity of 2982 East Benchmark Drive (east of approximately 3000 East and from approximately 2100 to 2600 South) and includes the following parcels:

16-23-226-004-4001 and 16-23-226-004-4002 (Romney/Carson), 16-23-201-013 and 16-23-201-014 (Alan & Orlene Cohen), 16-23-201-016 (Andrea & Louis Barrows), 16-23-201-017 (Benjamin Buehner), 16-23-201-018 (partial) (Lynn Mabey), 16-23-201-019 (Axxon Investment Company), 16-23-400-001 (Jack Jensen/Intermountain Holding Co.)

The annexation will require the East Bench Community Zoning Map and Master Plan to be amended in order to include this area. The Arcadia Heights, Benchmark and H Rock Small Area Plan will also need to be amended to reflect the Phase I Subdivision as proposed by Romney/Carson. It is being recommended that the subdivisions proposed by Romney/Carson be zoned Foothills Residential (FR-2) zoning and that the remainder of the Romney/Carson property be zoned Natural Open Space (NOS). It is also being recommended that the other properties included in the annexation be zoned Open Space (OS).

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

**DATE:** May 2, 2006  
**TIME:** 7:00 p.m.  
**PLACE:** City Council Chambers  
City and County Building  
451 South State Street, Room 315  
Salt Lake City, Utah

If you have any questions relating to this proposal, please attend the meeting or call Sarah Carroll at 535-6260 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Salt Lake City complies with ADA guidelines. Assistive listening devices and interpretive services will be provided upon a 24-hour advance request.

## **4. MAILING LABELS**



16133000020000  
BEATY, PATRICIA A; TR  
3420 S CRICHTON CV  
WEST VALLEY UT 84128

16232010050000  
LAKELINE VENTURES LLC  
2141 S LAKELINE DR  
SALT LAKE CITY UT 84109

16233280100000  
STITH, PATRICIA L  
2498 S SCENIC DR  
SALT LAKE CITY UT 84109

16133000040000  
BEATY, PATRICIA A; TR  
3439 S CRICHTON CV  
WEST VALLEY UT 84128

16232010060000  
MAYLETT, CORY L &  
2147 S LAKELINE DR  
SALT LAKE CITY UT 84109

16233280110000  
BEDNARSKI, TERESA &  
2510 S SCENIC DR  
SALT LAKE CITY UT 84109

16231790280000  
SWENSON, GRETAL A F; TR  
2954 E BENCHMARK DR  
SALT LAKE CITY UT 84109

16232010130000  
COHEN, ALAN S & ORLENE (JT)  
2133 S LAKELINE DR  
SALT LAKE CITY UT 84109

16233280120000  
WISEMAN, LINDA G M  
2522 S SCENIC DR  
SALT LAKE CITY UT 84109

16231790290000  
MARIGER, CRAIG R &  
2383 S SCENIC DR  
SALT LAKE CITY UT 84109

16232010140000  
COHEN, ALAN S & ORLENE (JT)  
2133 S LAKELINE DR  
SALT LAKE CITY UT 84109

16233280160000  
STATE ROAD COMMISSION OF UTAH  
4501 S 2700 W  
TAYLORSVILLE UT 84119

16231790300000  
EMAM, SEPIDEH D  
2393 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16232010160000  
BARROWS, LOUIS R & ANDREA M;  
2119 S LAKELINE DR  
SALT LAKE CITY UT 84109

16233280200000  
JOHNSON, KRIS N.  
2558 S SCENIC DR  
SALT LAKE CITY UT 84109

16231790310000  
MONSEN, RICHARD O  
2365 S SCENIC DR  
SALT LAKE CITY UT 84109

16232010170000  
BUEHNER, BENJAMIN C  
2111 S LAKELINE DR  
SALT LAKE CITY UT 84109

16233280210000  
LAM, KENNY K & KIM N; JT  
4779 S 3200 W  
TAYLORSVILLE UT 84118

16232010010000  
BUEHNER, BENJAMIN C  
2111 S LAKELINE DR  
SALT LAKE CITY UT 84109

16232010180000  
MABEY, LYNN B  
2155 S LAKELINE DR  
SALT LAKE CITY UT 84109

16233280220000  
LEINEKE, ALAN L  
2546 S SCENIC DR  
SALT LAKE CITY UT 84109

16232010020000  
BARROWS, LOUIS R & ANDREA M  
2119 S LAKELINE DR  
SALT LAKE CITY UT 84109

16232010190000  
AXXON INVESTMENT COMPANY, LC  
2155 S LAKELINE DR  
SALT LAKE CITY UT 84109

16233290010000  
DONNER, JOHN H &  
2407 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16232010030000  
KIRK, DOUGLAS C W &  
2127 S LAKELINE DR  
SALT LAKE CITY UT 84109

16232260044001  
CARSON, ROBERT W; ET AL  
555 E 200 S # 250  
SALT LAKE CITY UT 84102

16233290020000  
SHAH, RESHAM B &  
2426 S SUMMIT CIR  
SALT LAKE CITY UT 84109

16232010040000  
COHEN, ALAN S & ORLENE H.  
2133 S LAKELINE DR  
SALT LAKE CITY UT 84109

16233280090000  
BOSWORTH-HABER, ANNETTE  
2486 S SCENIC DR  
SALT LAKE CITY UT 84109

16233290030000  
WILLIAMS, BRENT C &  
2429 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16233300010000  
BRUZENAK, THOMAS J &  
2402 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16233300130000  
FUSKANDRAKIS, DIMITRIOS &  
2466 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16233310040000  
BOLLAND, BARBARA D  
2455 S SUMMIT CIR  
SALT LAKE CITY UT 84109

16233300030000  
GUPTA, RANJAN K &  
2421 S SCENIC DR  
SALT LAKE CITY UT 84109

16233300140000  
BELKO, G FRANK &  
2470 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16233310050000  
FORMAN, CLARK D &  
2265 E 6595 S  
COTTONWOOD HTS UT 84121

16233300040000  
COOMBS, DOROTHY C; TR  
2435 S SCENIC DR  
SALT LAKE CITY UT 84109

16233300150000  
TREVITHICK, RICHARD W  
2482 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16233310150000  
SHELTON, LARRY M  
2531 S SCENIC DR  
SALT LAKE CITY UT 84109

16233300050000  
SAOUDIAN, HAMID  
2449 S SCENIC DR  
SALT LAKE CITY UT 84109

16233300160000  
ESKELSON, DOUGLAS L  
2494 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16233310160000  
GUPTA, SAURABH &  
2477 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16233300060000  
BROWN, H LORIN JR &  
2457 S SCENIC DR  
SALT LAKE CITY UT 84109

16233300170000  
STEFFENSEN, ROBERT G &  
2500 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16233310170000  
BURKHOLDER, ERIC S &  
2495 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16233300070000  
FALK, JEANNETTE; TR  
2471 S SCENIC DR  
SALT LAKE CITY UT 84109

16233300180000  
PAPANIKOLAS, JOHN G  
4829 S 1070 E  
SALT LAKE CITY UT 84117

16233310180000  
SIAL, M IQBAL  
2513 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16233300090000  
SUM, PETER & MINGMEE M; JT  
2495 S SCENIC DR  
SALT LAKE CITY UT 84109

16233300210000  
GRANDE, JACQUELINE M; TR  
2483 S SCENIC DR  
SALT LAKE CITY UT 84109

16234000010000  
JENSEN, JACK C, ET AL  
4451 S PARKVIEW DR  
SALT LAKE CITY UT 84124

16233300100000  
SWARTZ, MANO; TR  
2412 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16233310010000  
OSTLER, GARY W  
307 E STANTON AVE  
SALT LAKE CITY UT 84111

16241000010000  
UNITED STATES OF AMERICA  
125 S STATE ST # 6107  
SALT LAKE CITY UT 84138

16233300110000  
JU, RUI RUI &  
2430 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16233310020000  
KARWANDE, S V  
2423 S SUMMIT CIR  
SALT LAKE CITY UT 84109

16241000010000  
UNITED STATES OF AMERICA  
125 S STATE ST # 6107  
SALT LAKE CITY UT 84138

16233310120000  
RASER M  
2456 S PROMONTORY DR  
SALT LAKE CITY UT 84109

16233310030000  
TSAGARIS, DIMITRIOS & ZOE; JT  
3815 S 2900 E  
SALT LAKE CITY UT 84109

16242000020000  
UNITED STATES OF AMERICA  
125 S STATE ST # 6107  
SALT LAKE CITY UT 84138

**DATE:** February 16, 2006

**TO:** Salt Lake City Planning Commission

**FROM:** Sarah Carroll  
Associate Planner

**RE:** Staff Report for the February 22, 2006 Meeting: Petition No. 400-05-41, Parley's Pointe Annexation by Romney/Carson, a request to annex approximately 405.59 acres of land into the corporate limits of Salt Lake City. The annexation area is located in the vicinity of 2982 East Benchmark Drive (east of approximately 3000 East and from approximately 2100 to 2600 South). If the annexation is approved the master plan and zoning map will need to be amended to include this area and reflect the proposed lots.

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**CASE NUMBER:**  
400-05-41: Parley's Pointe Annexation by Romney/Carson. A request for annexation and a review of the related zoning map and master plan amendments

**APPLICANTS:**  
Romney Lumber Company and Dr. Robert and Honora Carson

**STATUS OF APPLICANT:**  
Property Owners of a majority of the property

**PROJECT LOCATION:**  
The annexation area is located in the vicinity of 2982 East Benchmark Drive (east of approximately 3000 East and from approximately 2100 to 2600 South).



**PROJECT/PROPERTY SIZE:** Approximately 405.59 acres

**COUNCIL DISTRICT:** 7 - Council Member Søren Simonsen

**SURROUNDING ZONING DISTRICTS:**

- North** – Open Space (OS)
- South** – I-80 and County Zoning (FR-5)
- East** – United States Forest Service and County Zoning (FR-20)
- West** – Foothills Residential (FR-3)

**SURROUNDING LAND USES:**

- North** – Open Space
- South** – Unincorporated County – vacant foothills and Freeway
- East** – United States Forest Service – vacant foothills open space
- West** – Single-Family Residential

**REQUESTED ACTION:**

This is a request to annex approximately 405.59 acres of land into the corporate limits of Salt Lake City. If the land is annexed the master plan and zoning map will need to be amended to include this area and reflect the appropriate land use, the number of proposed subdivision lots and the proposed zoning.

The approval body for annexations is the City Council. However, State Law requires that the Planning Commission make a recommendation to the City Council on master plan land use designations and zoning of property which is proposed for annexation.

**APPLICABLE LAND USE REGULATIONS:**

The Annexation is subject to Utah State Code Title 10, Chapter 2. The Master Plan amendment is subject to Utah State Code 10-9a-204, which identifies procedures for adopting and amending general plans. The Zoning Map amendment is subject to Salt Lake City Code, Chapter 21A.50.50, Standards for general amendments.

**MASTER PLAN SPECIFICATIONS:**

The current East Bench Zoning map and East Bench Master Plan do not include this area and will need to be amended to incorporate the annexation area. The Arcadia Heights, Benchmark and H Rock Small Area Plan identifies the potential zoning for the area proposed for annexation as open space without allowance for development at the end of Benchmark Drive and with allowance for a four lot subdivision and FR-2 zoning at the end of Scenic Drive. The Small Area Plan will need to be amended to incorporate the proposed number of subdivision lots and zoning off of the end of Benchmark Drive.

**PROPOSED USE(S) AND PROPOSED ZONING:**

Approximately 31.48 acres of the Romney/Carson property will be used for the development of 17 single-family home sites, with lot sizes ranging from approximately

0.43 to 1.51 acres in size. Planning staff recommends that the area proposed for subdivisions be zoned Foothill Residential (FR-2) zoning which is compatible with the abutting FR-3 zoned Benchmark Subdivision. The remainder of the Romney/Carson property is to be conveyed to an acceptable open space preservation entity for perpetual open space protection and planning staff is recommending Natural Open Space (NOS) zoning for this area. There are other privately owned properties that are included in this request for annexation and planning staff is recommending Open Space (OS) zoning for those properties. (Exhibit 3)

**ACCESS:** The property will be accessed from the currently stub-ended Scenic Drive and Benchmark Drive. These are existing dedicated public streets located within Salt Lake City's Corporate boundary.

**PROJECT DESCRIPTION:**

Development: The property proposed for annexation is in the vicinity of 2982 East Benchmark Drive (east of approximately 3000 East and from approximately 2100 to 2600 South). A public cul-de-sac will be constructed at the east end of Benchmark Drive to provide street frontage for one new lot in the proposed subdivision and to provide access to the gated, private road proposed for Parley's Pointe Subdivision Phase I, lots 2 through 15. Phase I will be approved and recorded by the County and consists of 16 lots, of which three will be conveyed for natural open space within one year. Another public cul-de-sac will be constructed at the east end of Scenic Drive for the purposes of creating a four lot subdivision, Parley's Pointe Subdivision Phase II. Phase II will be approved by either the City or the County at a future date.

Open Space: According to the settlement agreement, "Romney/Carson confirms that they will donate or sell at a discount from fair market value for use as perpetual open space lots 14a, 14b, and 15 of the Parley's Pointe Subdivision Phase I together with approximately 260 acres of land located adjacent to and running from the proposed Phase I and Phase II Subdivisions to the border of adjacent United States Forest Service property, including all of the remainder of the Subject Property beyond what is designated as building lots, common areas, roadway and related roadway improvements in the Phase I and Phase II subdivision plats. The donation or conveyance of these open space properties shall occur within twelve (12) months after final approval of each subdivision plat, unless the time for doing so is mutually extended by the parties."

Trails: The public will have access to the trails shown on Exhibit 4 since the City will obtain public easements across these trails. The trails may be accessed from either of the proposed public cul-de-sacs.

**HISTORY OF SUBJECT PROPERTY:**

Romney/Carson and Salt Lake City Corporation have entered into a Settlement Agreement (Exhibit 1) which outlines specific terms under which the Romney/Carson property should be annexed into the corporate limits of Salt Lake City.

The settlement agreement specifies that the Romney/Carson property should be annexed into the corporate limits of Salt Lake City within 120 days following the filing of a renewed annexation petition. The completed application was received by the Salt Lake City Planning office on January 9, 2006.

In order to avoid the creation of unincorporated islands or peninsula's of land, which are prohibited by state law, this petition also includes seven (7) other parcels of land that are owned by property owners other than Romney/Carson. (See Annexation Plat, Exhibit 2).

An outline of the Settlement Agreement is below:

- 1) Petition for Annexation: Romney/Carson shall file a renewed petition for annexation.
- 2) Annexation Ordinance: The City shall annex the Romney/Carson property, subject to the terms of the Agreement, within 120 days of receipt of a renewed annexation petition.
- 3) Costs: Romney/Carson have previously paid substantial planning and processing fees. Therefore, the City shall annex the property without additional charges.
- 4) Subdivision Approvals: Final plat approval of the Phase I subdivision (Extension off Benchmark Drive) shall be obtained from the County. The City sewer and storm water services shall not be available until the subdivision is annexed into the City. If the County refuses to grant approval of Phase I the litigation will continue.
- 5) Phase II Subdivision Approval and Annexation: Final plat approval of the Phase II subdivision (extension off Scenic Drive) approval may be obtained from the County or the City.
- 6) Roadways and Trails: A public cul-de-sac will be constructed at the end of Benchmark Drive and at the end of Scenic Drive. Lots 2-15 of Phase I will be accessed by a private road. A twenty foot public trail easement will be recorded with the final plat to allow pedestrian traffic access to the trails delineated in the settlement agreement.
- 7) Waterline Easement – Relocation: A waterline was constructed by the City in 1979. A portion of the waterline will be relocated to lie within the waterline easement.
- 8) Utilities: The City commits to provide water, sewer and storm drain services upon the completion of all applicable conditions of the Agreement.
- 9) Romney/Carson Open Space Donation: As a condition of annexation, Romney/Carson will sell or donate lots 14a, 14b, and 15 as well as Perpetual Open Space parcels A, B and C for preservation as undeveloped open space.
- 10) Protection against Further Foothills Development: As a condition of annexation, Romney/Carson agrees to donate a one-foot strip of property around the perimeter of the property to Salt Lake City.
- 11) Common Area Open Space Parcels: There are common area open space parcels throughout the Phase I and Phase II subdivisions that will be part of the Home Owners Association. When the final plat is recorded Romney/Carson will grant a

- conservation easement to the City which requires the common areas to be maintained as perpetual open space.
- 12) **Dismissal of the Litigation:** Within 30 days following the recording of the subdivision plats and the City Council vote to annex, Romney/Carson shall file a stipulation for Dismissal of the Litigation. If the County does not grant final approval of the Phase I subdivision within 4 months of the execution of the Settlement Agreement, the Litigation shall continue and the Romney/Carson property will not be annexed.
  - 13) **Joint Cooperation:** The City shall support the subdivision applications before the County and shall cooperate with the County in securing the required approvals.
  - 14) **Notice Recorded:** The parties have executed a Notice of Settlement and Annexation Agreement which has been recorded against the Subject Property.
  - 15) **Agreement Not to be Used as Evidence:** If this Agreement is not completed, it shall not be used for evidence for any other purposes in the Litigation.
  - 16) **Remedies:** If the City fails to adopt an ordinance approving the annexation or the County fails to approve the Phase I subdivision and roadway, the Litigation shall continue.

## COMMENTS, ANALYSIS AND FINDINGS

### COMMENTS

Comments from pertinent City departments/divisions and the Community Council have been attached and are summarized below (Exhibits 5).

- **Permits Office (Building Services and Licensing):** Building Services has no concerns at this time.
- **Property Management:** Property management has no comment on the annexation, the rezoning and the master plan amendment. However, in reviewing the settlement agreement they are requesting that property management be involved in the conveyance of open space when that occurs.
- **Police Department:** The Police Department does not have any concerns.
- **Public Services:** Public Services has no comments.
- **Airport Planning:** The annexation area is not located in an established airport influence zone and will not require aviation easements. However, future residents can expect regular flights in this vicinity from general aviation aircraft. Smaller aircraft use the Parley's Canyon east-west flight corridor en route to and from the Salt Lake area.
- **Transportation:** The proposed subdivisions will not create undue impact on the existing transportation corridor system. The development of the public road extensions of Benchmark and Scenic Drive must comply with current city roadway design standards. The private roadway geometrics are not required to comply with current city design standards but must meet requirements for emergency fire access standards for grades, curves, turning radii, etc. The public trail alignment and development will need to be reviewed for compliance with national public safety standards. (See Exhibit 5 for full comments)

- **Public Utilities:** Public Utilities' concurs with the annexation proposal.
- **Engineering:** If the City is involved in the approval of the Phase II subdivision the developer must enter into a subdivision improvement construction agreement which requires the payment of a 5% fee based on the estimated cost of roadway improvements. See the attached exhibit for additional comments pertaining to Phase II if it is annexed before it is platted.
- **Fire Department:** The private roadway drawings that were reviewed by the Fire Department do not meet the International Fire Code. This road will need to comply with the International Fire Code, 2003 Edition, as adopted by the State of Utah. If the roadway is only 20 feet, there must be an emergency vehicle turnout every 500 feet. Grades may not exceed 10%. The end of the roadway needs to extend to the last fire hydrant. The residential structures should be fire sprinkled as needed and the roofing material should be restricted to Class A or B fire-resistant material. The attached comments from the Fire Department refer to specific chapters of the International Fire Code.
- **Community Council:** An open house was held on December 15, 2005. The Planning Division presented the annexation and discussed the potential zoning recommendations. On January 12, 2006 the petition for annexation, the proposed zoning designations and the terms of the settlement agreement were presented by planning staff at the Arcadia Heights/Benchmark and H Rock combined community council meeting. The open house and community council meeting allowed the public an opportunity to view the petition, to view the future subdivisions and to ask questions about the annexation. The Community Council did not have a statement.
- **Public Comment:** Andrea and Louis Barrows own property that is included in the annexation area and have requested that their property be zoned FR-3, rather than OS, in order to combine parcels and create a rear addition to their home (Exhibit 8). Staff believes that the slopes on the one acre parcel that is owned by the Barrows mostly exceed 30% which would prohibit development. Staff recommends that the Barrows apply for a subdivision amendment and FR-3 zoning at a future date and that they submit slope analysis data at that time.

## GENERAL ANALYSIS AND FINDINGS

The Planning Commission must make a determination on whether or not they will transmit a favorable recommendation to the City Council to zone the subject properties as requested (thereby creating a zoning map and master plan amendment) based on the Analysis and Findings as related to the standards for general amendments. The Zoning Ordinance, Chapter 21A.50.050, Standards for general amendments, states:

A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment, the City Council should consider the following factors:

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



**Discussion:** There are several sources to consider in reviewing the purposes, goals objectives, and policies for this area:

- The City's Declaration of Intent to Annex (1979)
- The East Bench Community Master Plan (1987)
- The Salt Lake City Open Space Master Plan (1992)
- The East Bench Community Zoning Map (1995)
- The Arcadia Heights, Benchmark and H Rock Small Area Plan (1998)
- The Salt Lake City Council Growth Policy (1999)

City's Declaration of Intent to Annex: In 2000, the Salt Lake City Council adopted Resolution No.34, which reaffirms the City's 1979 declaration of intent to annex portions of unincorporated Salt Lake County. On January 6, 2004, the Salt Lake City Council adopted Resolution No. 1, which documented the City's intent to consider annexation of this portion of unincorporated Salt Lake County.

On January 17, 2006 the City Council accepted a resolution to receive the proposed annexation for purposes of City Council review which requires that the Planning Commission review the annexation and make a recommendation on the proposed master plan amendments and zoning amendments relating to the area proposed for annexation. The Council Transmittal cover letter is attached, see Exhibit 7.

East Bench Community Master Plan: The East Bench Master Plan addresses annexation, residential density, and foothill development as follows:

*Planning Goal:* Preserve the present unique scenic beauty, environmental habitat, recreational use, and accessibility of the Wasatch foothills, and ensure City control over foothill development in the East Bench Community.

*Annexation Policy:* Most undeveloped foothill property east of the city is under the jurisdiction of Salt Lake County. Development under county jurisdiction is possible but not likely. Salt Lake City is the only government jurisdiction with the ability to provide urban services, and annexation is a vital first step in the development process. The City should refuse to provide water or sewer services to accommodate development of property outside of City boundaries.

*Areas for potential development:* The area east of the Benchmark Subdivision, subject to slope and geological analysis.

*Recommended densities for Foothill Development:* The three areas that have development potential should be limited to a maximum density of 4 units per gross acre or less as physical conditions indicate. Single-family homes or Planned-unit developments are recommended.

*Recommendations for Areas Considered Undevelopable:* Areas that are undevelopable, from a geological standpoint, should be preserved as natural

foothill open space. The City should work with the State and Federal governments to acquire privately-owned property for public open space and recreation purposes.

Salt Lake City Open Space Master Plan: The Open Space Master Plan contains recommendations for trails and trail corridors throughout the City. Recommendations that relate most directly to the Romney/Carson Property address the Emigration Canyon to Parley's Canyon segment of the Bonneville Shoreline Trail. At the time the Plan was adopted, it was recommended that the trail alignment be determined, that support of adjacent property owners be obtained, and that easements across private property be negotiated if necessary.

East Bench Community Zoning Map: This request involves amending the zoning map in order to add the area proposed for annexation and designate Salt Lake City zoning for the properties to be annexed. The suggested zoning for each respective property and the proposed subdivisions are identified on the attached map (Exhibit 3). A summary of the suggested zoning is outlined below:

- That the proposed subdivisions be zoned FR-2, Foothills Residential zoning which is similar to the FR-3 zoning of the abutting Benchmark Subdivision, but reflects larger lot sizes. (FR-3 minimum lot size is 12,000 square feet and FR-2 minimum lot size is 21,780 square feet).
- That the remaining Romney/Carson property which is to be conveyed as open space per the terms of the settlement agreement be zoned Natural Open Space (NOS).
- And that the remaining privately owned properties that are included in the annexation be zoned Open Space (OS).

Arcadia Heights, Benchmark and H Rock Small Area Plan: The City Council adopted this plan on October 6, 1998 as an amendment to the East Bench Master Plan. This plan identifies the recommended zoning for the area proposed for annexation as open space zoning and FR-2 zoning for a four-lot subdivision at the end of Scenic Drive. The Arcadia Heights, Benchmark and H Rock Small Area Plan will need to be amended with this petition to reflect the land use designations and proposed level of residential development and zoning as recommended in this report.

Salt Lake City Council Growth Policy: It is the policy of the Salt Lake City Council that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria: a) is aesthetically pleasing; b) contributes to a livable community environment; c) yields no negative net fiscal impact unless an overriding public purpose is served; and d) forestalls negative impacts associated with inactivity.

**Finding:** The proposed annexation, and additions to the Master Plan and Zoning Map are consistent with the purposes, goals, objectives, and policies of the adopted plans listed above.

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

**Discussion:** The adjacent Benchmark Subdivision is zoned FR-3, Foothill Residential, and directly abuts the area proposed for future subdivision development. The land that will be conveyed for open space preservation abuts Forest Service property to the East, Open Space zoning to the North and Interstate 80 to the South.

**Finding:** Foothill Residential (FR-2) zoning is recommended for the proposed Parley's Pointe Subdivision, Phase I and Phase II. This zoning is harmonious with the abutting Benchmark Subdivision which is zoned FR-3. Natural Open Space (NOS) zoning is recommended for the remainder of the Romney/Carson property and Open Space (OS) zoning is recommended for the remaining, privately owned properties. NOS and OS zoning are harmonious with the Open Space Master plan, the undeveloped nature of the Forest Service property to the East and the Open Space zoning to the North.

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

**Discussion:** The area east of the proposed annexation is undeveloped Forest Service land. The area West of the proposed annexation and subdivision is developed with single-family homes and is zoned FR-3, Foothills Residential. The area to the North is open space and to the south is Interstate 80.

**Finding:** The proposed amendment will not adversely affect adjacent properties. The Transportation Division has stated that the proposed subdivisions will not noticeably impact the public transportation corridors.

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

**Discussion:** The property is located within the Primary Recharge Area of the Groundwater Source Protection Overlay District.

**Finding:** Staff finds that Salt Lake City Public Utilities concurs with the annexation. Salt Lake City will provide water, storm drainage and sewer services for the proposed development, thereby limiting impact to the recharge zone.

**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:** Staff requested comments from City Departments/Divisions, including: Transportation, Engineering, the Fire Department, Public Utilities, Police, and Building Services. These departments/divisions did not have any objections to the proposed

annexation, the recommended zoning and the master plan amendment as long as the private roadway will comply with the International Fire Code 2003 Edition, fire sprinkling is installed as need and class A or B fire-resistant roofing is used.

**Findings:** Staff finds that public facilities and services intended to serve the subject property must meet all City regulations.

**MASTER PLAN AMENDMENT:**

The East Bench Community Master Plan, adopted in 1987 and the Arcadia Heights, Benchmark and H Rock Small Area Plan, adopted in 1998 will need to be amended with this proposal. The 1992 Open Space Master Plan will not need to be amended since the proposed trails accomplish the intent of this plan. State Law, Section 10-9a-204, Notice of public hearings and public meetings to consider general plan or modifications, outlines the criteria for noticing an amendment:

- (1) Each municipality shall provide:
  - (a) notice of the date, time, and place of the first public hearing to consider the original adoption or any modification of all or any portion of a general plan; and
  - (b) notice of each public meeting on the subject.
- (2) Each notice of a public hearing under Subsection (1)(a) shall be at least ten calendar days before the public hearing and shall be:
  - (a) published in a newspaper of general circulation in the area;
  - (b) mailed to each affected entity; and
  - (c) posted:
    - (i) in at least three public locations within the municipality; or
    - (ii) on the municipality's official website.
- (3) Each notice of a public meeting under Subsection (1)(b) shall be at least 24 hours before the meeting and shall be:
  - (a) submitted to a newspaper of general circulation in the area; and
  - (b) posted:
    - (i) in at least three public locations within the municipality; or
    - (ii) on the municipality's official website.

A notice for the Master Plan amendment was published in the Salt Lake Tribune and Deseret News on February 8, 2005 (Exhibit 6). A notice was also mailed to affected property owners and posted, meeting State Law requirements for Master Plan amendments.

**SUMMARY:**

The Settlement Agreement is the result of a long standing dispute between Salt Lake City and Romney/Carson. There are many positive gains for the community that will be realized following the completion of the requested annexation and zoning of this property:

- There will be a final resolution to the dispute, without cost damage to Salt Lake City.
- There will be limited development.
- The use of septic tanks will be eliminated because the City will provide sewer services. Septic tanks would jeopardize Salt Lake City drinking water and be damaging to down slope lot owners.
- Trail access will be maintained through public easements.
- Approximately 260 acres of land will be dedicated to perpetual open space and preserved through public ownership.
- There will be increased protection against future development provided by the one foot holding strip and open space easements.
- Salt Lake City's zoning, which includes special foothill regulations, will apply to all building permits and to all dwellings and will help reduce the off site visibility of additional development.

**RECOMMENDATION:**

Based on the Findings of Fact identified in this report, staff recommends approval of the annexation as outlined in the attached Settlement Agreement, subject to the private roadway complying with the 2003 edition of the International Fire Code, the future residences being fire sprinkled as needed and Class A or B fire-resistant roofing materials.

Staff recommends approval of an amendment to the East Bench Community Master Plan to incorporate this area of land into the plan. It is recommended that Perpetual Open Space parcels A, B and C as identified in the Settlement Agreement and as specifically delineated on Exhibit 3, be categorized as Natural Open Space, that the other privately owned land be preserved as Open Space and that the future land use recommendation for the proposed subdivisions as outlined in the Settlement Agreement be "Very low density, 2-4 units per gross acres," which is consistent with the abutting neighborhood.

Staff recommends approval of an amendment to the Arcadia Heights, Benchmark and H Rock Small Area Plan to include the proposed zoning and level of residential development. The current plan outlines the potential development of four lots under very low residential density land use at the end of Scenic Drive and no development at the end of Benchmark Drive. Staff recommends that the plan be amended to include the proposed Phase I subdivision, as outlined in the Settlement Agreement.

Staff recommends approval of an amendment to the East Bench Community Zoning Map to include the area proposed for annexation, the proposed land use, the proposed zoning and the level of residential development which includes 13 single family lots and 3 single-single family lots that will be donated for perpetual open space in the Phase I subdivision along with four single-family lots in the Phase II subdivision. Staff recommends FR-2 zoning for the proposed subdivisions, NOS zoning for the remainder of the Romney/Carson property as outlined in the Settlement Agreement and OS zoning for the other privately owned properties that are included in the Annexation Plat (see exhibit 3 for proposed zoning).

Sarah Carroll, Associate Planner  
535-6260 or sarah.carroll@slcgov.com

**Exhibits:**

1. Settlement Agreement
2. Annexation Plat
3. Recommended Zoning
4. Trails, Public Easement
5. Department/Division Comments
6. Newspaper Notice
7. City Council Resolution Cover Letter

# 1. Settlement Agreement

C 05-731

**SALT LAKE CITY CORPORATION**

LAW DEPARTMENT

ROSS C. ANDERSON  
MAYOR  
EDWIN P. RUTAN, II  
CITY ATTORNEY

LYNN H. PACE  
DEPUTY CITY ATTORNEY

October 20, 2005

Mayor Ross C. Anderson  
Salt Lake City Corp.  
451 South State St., Room 306  
Salt Lake City, UT 84111

Re: *Romney Lumber Company Settlement Agreement*

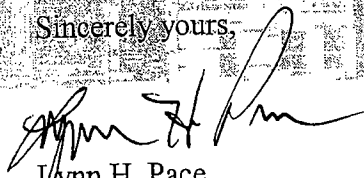
Dear Mayor:

As you aware, the City has been conducting on-going settlement discussions with the plaintiffs in the lawsuit entitled Romney Lumber Company, Inc., Robert W. Carson and Honora M. Carson v. Salt Lake City Corp., which involved disputes concerning the City's decisions and actions with respect to approximately 350 acres of real property located in the foothills east of Salt Lake City at the mouth of Parley's Canyon.

I am pleased to report that the parties have now finalized a settlement agreement which resolves all matters in dispute in this case. You have previously reviewed this Settlement Agreement, as has the City Council. This Settlement Agreement, which will be maintained in the City Recorder's files, will also be accompanied by a Notice of Settlement and Annexation Agreement, which will be recorded against the property in the office of the Salt Lake City Recorder. Attached please find two copies of the "Settlement and Annexation Agreement" and two copies of the "Notice of Settlement and Annexation Agreement" for your signature.

Thank you for your assistance in this matter.

Sincerely yours,



Lynn H. Pace

LHP:ss  
Encl.



RECORDED

C. 05 -731

OCT 21 2005

CITY RECORDER

SETTLEMENT AND ANNEXATION AGREEMENT

THIS SETTLEMENT AND ANNEXATION AGREEMENT ("Agreement") is between Salt Lake City Corporation ("City"), a Utah municipality, whose principal business address is 451 South State Street, Salt Lake City, Utah 84111, the Romney Lumber Company, a Utah corporation with its principal place of business at 555 East 200 South, #250, Salt Lake City, Utah 84102, and Mr. Robert W. Carson and Mrs. Honora M. Carson, husband and wife, of 558 Eleanor Drive, Woodside, California 94062. The Romney Lumber Company and Mr. and Mrs. Carson are hereinafter jointly referred to as "Romney/Carson".

**RECITALS**

WHEREAS, Romney/Carson are the owners of approximately 324 acres of undeveloped real property located in the foothills adjacent to Salt Lake City ("the Subject Property");

WHEREAS, Romney/Carson, as Plaintiffs, filed an amended petition for judicial review and complaint in the United States District Court for the District of Utah, Central Division, concerning the Subject Property, styled "ROMNEY LUMBER CO., Inc., a Utah corporation, ROBERT W. CARSON, an individual; and HONORA M. CARSON, an individual, Plaintiffs, v. SALT LAKE CITY CORPORATION and William T. Wright", Defendants, Case No. 2:00 CV 695 PGC, alleging 14 claims for relief (the "Litigation");

WHEREAS, the Defendants Salt Lake City Corporation and William T. Wright subsequently filed an answer to the amended petition for judicial review and complaint denying liability and alleging six affirmative defenses;

WHEREAS, subsequently on or about October 31, 2002, the Court entered its Memorandum Decision and Order dismissing Mr. Wright from the lawsuit with prejudice and granting the Plaintiffs' Motion for Summary Judgment on their fourth claim for relief;

WHEREAS, on April 20, 2004, the City and Romney/Carson participated in mediation presided over by Federal Magistrate Judge David Nuffer; and

WHEREAS, the parties reached an agreement which they mutually agreed to memorialize in a written settlement agreement.

NOW THEREFORE, in consideration of the promises, and the mutual covenants and undertakings of the parties hereto, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Petition for Annexation. Within 30 days following the execution of this Agreement, Romney/Carson shall file a renewed petition for annexation requesting the annexation of the Subject Property into the corporate limits of the City, subject to the terms and conditions set forth in this Agreement. The annexation petition shall comply with all the State and City Requirements for such petition except that no filing or processing fees shall be charged to Romney/Carson.

2. Annexation Ordinance. Within 120 days following the filing of the renewed annexation petition, the City shall adopt an ordinance approving the annexation of the Subject Property into the corporate limits of the City, subject to the terms and conditions set forth in this Agreement. The City ordinance annexing the Subject Property shall state that the annexation of the Subject Property shall become effective in accordance with the procedures, terms, and conditions in the Agreement without the need for any further approval from the City Council.

3. Costs. The parties acknowledge that Romney/Carson has paid \$10,000.00 in planning and processing fees. Consequently, the City shall annex the Subject Property without additional charges to Romney/Carson. Notwithstanding the foregoing, the City may charge its customary impact and utility connection fees to those who build on subdivision lots within the Subject Property.

4. Subdivision Approvals. As a condition of annexation, Romney/Carson shall file an application for and shall obtain final plat approval from Salt Lake County for a 15 lot subdivision generally described as the Parley's Pointe Subdivision Phase I ("Phase I") substantially in the form shown on Exhibit 1 attached hereto. The Phase I Plat shall contain a "Notice to Lot Purchasers" explaining that lot purchasers will be responsible for paying any lawfully required impact fees and utility connection fees. The notice shall also explain that City sewer and storm water services will not be available until the subdivision is annexed into the City. Romney/Carson shall also file an application for and shall obtain final plat approval from Salt Lake County for a 4-lot subdivision generally described as Parley's Pointe Subdivision Phase II ("Phase II") substantially in the form shown on Exhibit 2 attached hereto. If the County refuses to grant approval for the Phase I subdivision and the private roadway substantially in the form proposed on Exhibit 1, the Litigation shall continue.

5. Alternative Phase II Subdivision Approval and Annexation. In the event that the County denies approval of the Phase II subdivision as proposed, Romney/Carson may apply to the City for approval and annexation of the Phase II subdivision. In such event, the City shall approve and annex the Phase II subdivision substantially in the form as shown on Exhibit 2 without additional charges or changes not approved by Romney/Carson.

6. Roadways and Trails. The road accessing Phase I lots 2-15 of the Parley's Pointe Subdivision shall be a private road with a gated access. However, pedestrian and bicycle access and access to trail heads shall be provided for as shown on Exhibits 1, 2 and 5. A public 80-foot-diameter cul-de-sac will be constructed at the end of Benchmark Drive. A gated private road stemming from the cul-de-sac will provide access to Parley's Pointe Subdivision Phase I lots 2-15. Bicycle access shall be limited to trails located on and below the public and private portions of Benchmark Drive as shown on Exhibits 1 and 2. The access shall also be shown on the applicable recorded subdivision plat(s). Romney/Carson shall not be required to grant any other access through the Phase I or Phase II subdivisions to the open space parcels, described in Paragraph 9.

7. Waterline Easement - Relocation. The parties knowledge that in 1979 Romney/Carson and/or their predecessors granted the City a waterline easement ("Easement") for a 16 inch diameter water pipeline. However, as shown on Exhibit 3, portions of the City's subsequently constructed waterline lie outside of the Easement. Consequently, the parties agree that following the execution of this agreement:

A. A portion of the City's 16" waterline will be relocated by Romney/Carson from the back of lots 5 and 6 and the front of lot 9 into the proposed private roadway within Phase I, as shown on Exhibit 4.

B. Prior to construction, Romney/Carson shall consult with the City to review the proposed construction drawings and specifications to assure that the relocation construction will be in accordance with mutually agreed to design standards and shall obtain the written approval of the City as to the proposed waterline.

C. Upon completion of the consultation and review, and after Romney/Carson has obtained all necessary approvals or permits, and upon receipt of written request from Romney/Carson, the City shall pay to Romney/Carson fifty thousand dollars (\$50,000.00) as its fair share of the relocation costs. However, if the replacement waterline has not been constructed and connected within one year following the date of payment from the City, Romney/Carson shall repay to the City the \$50,000 paid.

D. During relocation construction, the existing waterline as presently located shall continue in service until Romney/Carson's contractor is ready to connect the waterline to the relocated portion. The connection to the relocated portion of the waterline, shall only occur between October 1 and April 30, and at a specific time and date reasonably and mutually acceptable to the parties.

E. After the City's waterline is relocated, Romney/Carson shall promptly convey to the City an easement, for the full width of the private roadway, for the new waterline, and the City shall reconvey back to Romney/Carson those portions of the existing Easement not used by the City for its new waterline.

8. Utilities. As part of Romney/Carson's subdivision application, the City has submitted a letter, attached hereto as Exhibit 6, addressed to the Salt Lake County Board of Health and County Council committing the City to provide water, sewer and storm drain services in accordance with plans approved by the City's Department of Public Utilities to the Phase I and Phase II subdivisions upon final approval of the subdivision plats and annexation into the City. Annexation of the Subject Property is conditioned upon: (a) receiving final County approval of the Phase I subdivision; and either (b) construction of the public and private portions of the Phase

I Roadway and corresponding utility lines, or (c) obtaining and filing a bond with the City, in an amount and form reasonably acceptable to the City, for the roadway and corresponding utility lines. The parties acknowledge that City sewer and storm water facilities will not be made available to service the Subject Property until all applicable conditions of this Agreement have been satisfied and the annexation of the Subject Property has become effective.

9. Romney/Carson Open Space Donation. The parties acknowledge that Romney/Carson has always intended to donate or convey a substantial portion of their property for committed use as undeveloped open space. As a condition of annexation, Romney/Carson confirms that they will donate or sell at a discount from fair market value for use as perpetual open space lots 14a, 14b and 15 of the Parley's Point Subdivision Phase I together with approximately 260 acres of land located adjacent to and running from the proposed Phase I and Phase II Subdivisions to the border of adjacent United States Forest Service property, including all of the remainder of the Subject Property beyond what is designated as building lots, common areas, roadway and related roadway improvements in the Phase I and Phase II subdivision plats shown on Exhibits 1 and 2. The properties to be donated and dedicated as perpetual open space are identified on Exhibits 1 and 2 as lots 14a, 14b, and 15 and as Perpetual Open Space Parcels A, B and C. The donation or conveyance of these open space properties shall occur within twelve (12) months after final approval of each subdivision plat, unless the time for doing so is mutually extended by the parties. The contemplated conveyances will be made subject to a restrictive covenant requiring the preservation of the properties as perpetual open space to either the City, Salt Lake County, or a non-profit organization formed for the charitable purpose of promoting the environment and conserving undeveloped open space and which has been

organized as a public charity pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code of 1986 and the regulations promulgated thereunder. All parties further acknowledge that development of a substantial portion of the property to be donated or conveyed as described above may be problematic, that the City or Salt Lake County possesses the power to obtain such land by purchase or eminent domain in any event, and that the Agreement herein by Romney/Carson to make such a donation or bargain purchase for the purposes of preserving open space does not represent a concession or modification from their pre-existing intent and commitment to make such a conveyance for the benefit of the public. Under no condition may the conveyed open space be used for any type of residential, commercial or manufacturing uses by the City, County or other designated entity. The conveying document shall contain a reversionary clause providing that title to the property shall revert back to Romney/Carson, in accordance with their interest in the property prior to the conveyance for open space, if the land is ever used for a prohibited purpose.

10. Protection Against Further Foothills Development. In addition to the foregoing donation of open space, and as a condition of annexation and as a protection against further foothill development, Romney/Carson agrees to designate and donate to the City on the subdivision plats, a one-foot strip of property as shown on Exhibit 5.

11. Common Area Open Space Parcels. In addition to the Open Space Parcels described above, certain additional properties shall be designated as common area parcels to be owned by the Homeowners' Association and maintained as common area open space. Upon recordation of each of the subdivision plats, Romney/Carson shall grant to the City a conservation easement over the common area open space parcels, requiring that those common

area open space parcels be maintained as perpetual open space.

12. Dismissal of the Litigation. Within 30 days following the recording of the Phase I and Phase II subdivision plats and the City Council vote to annex the Subject Property, Romney/Carson shall file a Stipulation for Dismissal of the Litigation, with prejudice, in the form attached hereto as Exhibit 7. In the event that Salt Lake County does not grant final approval of the Phase I subdivision as set forth above in paragraph 4 within 4 months following the execution of this Agreement, (unless this deadline is mutually extended by a written amendment to this Agreement) the Litigation shall continue and the Romney/Carson property will not be annexed under the petition for annexation called for in paragraph 1 of this Agreement.

13. Joint Cooperation. Romney/Carson agrees to diligently pursue and use its best efforts to obtain the required approvals. The City agrees to cooperate and reasonably assist Romney/Carson in obtaining the required approvals. The City shall support Romney/Carson's Parley's Pointe Phase I and Phase II subdivision applications before Salt Lake County described in this Agreement and shall reasonably cooperate with Romney/Carson in securing the required County subdivision approvals.

14. Notice to Be Recorded. Contemporaneous with the execution of this Agreement, the parties shall also execute a Notice of Settlement and Annexation Agreement, in the form attached hereto as Exhibit 8. That notice shall be recorded against the Subject Property in the office of the Salt Lake County Recorder.

15. Agreement Not to Be Used as Evidence. In the event the settlement is not completed, this Settlement Agreement shall not be used as evidence in the Litigation or for any other purpose in the Litigation.



16. Remedies. In the event that the City fails to adopt an ordinance approving the annexation of the Subject Property as set forth herein, or if the County fails to approve the Phase I subdivision and roadway, the Litigation shall continue. Following the dismissal of the Litigation, the remedy for failure to perform as required in the terms of this Agreement shall be an action to enforce the terms of this Agreement including the right to specific performance. The parties agree that damages can only be awarded if a court of competent jurisdiction determines that remedy of specific performance is not feasible.

17. General Provisions. The following provisions are also integral parts of this Settlement Agreement:

A. Binding Agreement. This Agreement shall be binding and shall inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

B. Counterparts. This Agreement may be signed in any number of counterparts with the same effect as if the signatures upon any counterpart were upon the same instrument. All signed counterparts shall be deemed to be one original. A facsimile transmittal bearing a photocopied signature shall be deemed an original.

C. Amendment. This Agreement may not be modified except by an instrument in writing signed by the parties hereto.

D. Time of Essence. Time is the essence of this Agreement and every provision hereof.

E. Interpretation. This Agreement shall be interpreted, construed and enforced according to the substantive laws of the state of Utah.

F. Attorneys' Fees. If any action or proceeding is brought by any party to

enforce this Agreement, the prevailing party(s) shall be entitled to recover its related costs and reasonable attorneys' fees, whether such sums are expended with or without suit, at trial, on appeal or in any bankruptcy proceeding.

G. Notice. Any notice or other communication required or permitted to be given hereunder shall be deemed to have been received (a) upon personal delivery or actual receipt thereof or (b) within three (3) days after such notice is deposited in the United States mail, postage prepaid and certified and addressed to the parties at their respective addresses set forth above.

H. Additional Acts. The parties shall do such further acts and things and shall execute and deliver such additional documents and instruments as may be necessary or reasonably requested by a party or its counsel to obtain the subdivision approvals, annexations, donation of open space, and dismissal of the Litigation described in this Agreement.

I. Assignment. Any party may assign or delegate its rights and obligations hereunder with the prior written consent of the other party, which consent shall not be unreasonably withheld.

J. Authorization. Each individual executing this Agreement does thereby represent and warrant to the other signers that the individual has been duly authorized to execute and deliver this Agreement in the capacity and for the entity specified.

K. Mutual Participation in Document Preparation. Each party has participated materially in the negotiation and preparation of this Agreement and any related items; in the event of a dispute concerning the interpretation of any provision of this Agreement or any related item, the rule of construction to the effect that certain ambiguities are to be

construed against the party drafting a document will not apply.

L. No Third-Party Beneficiary Interests. Nothing contained in this Agreement is intended to benefit any person or entity other than the parties to this Agreement; and no representation or warranty is intended for the benefit of, or to be relied upon by, any person or entity which is not a party to this Agreement.

M. Exhibits Incorporated by Reference. Each exhibit identified in this Agreement is incorporated hereby by reference.

N. Representation regarding ethical standards for City officers and employees and former City officers and employees. Romney/Carson represent that they have not; (1) provided an illegal gift of payoff to the City officer or employee or former City officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this Agreement upon an agreement of understanding for a commission, percentage, brokerage or contingent fee, other than bonafide employees or bonafide commercial selling agencies for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in City conflict of interest ordinance, Chapter 2.44, Salt Lake City Code; or (4) knowingly influenced, and hereby promise that they will not knowingly influence, a City officer or employee or former City officer or employee to breach any of the ethical standards set forth in City conflict of interest ordinance, Chapter 2.44, Salt Lake City Code. Romney/Carson discloses that at one time it hired a former City employee, Alan Johnson as a consultant. At the time of the consultation Mr. Johnson was not a City employee.

O. Effective date. This Agreement shall become binding and effective upon execution by all parties.

ROMNEY LUMBER CO.

By: \_\_\_\_\_  
President  
MELBOURNE ROMNEY III

Date: 10/24/05

Mr. Robert W. Carson

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

Mrs. Honora M. Carson

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

SALT LAKE CITY

By: \_\_\_\_\_  
Mayor

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

ATTEST:

Salt Lake City Recorder

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

RECORDED  
OCT 21 2005  
CITY RECORDER

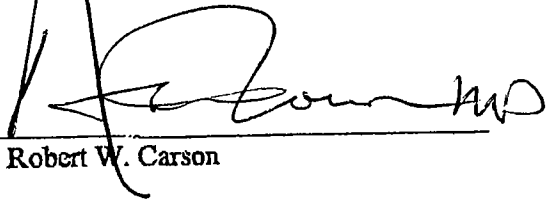
O. Effective date. This Agreement shall become binding and effective upon

execution by all parties.

ROMNEY LUMBER CO.

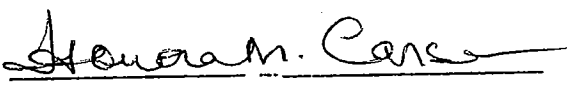
By: \_\_\_\_\_  
President

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



Date: 10-21-05

Mr. Robert W. Carson



Date: 10/21/05

Mrs. Honora M. Carson

SALT LAKE CITY

By: \_\_\_\_\_  
Mayor

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

ATTEST: ,

\_\_\_\_\_  
Salt Lake City Recorder

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

RECORDED  
OCT 21 2005  
CITY RECORDER

O. Effective date. This Agreement shall become binding and effective upon execution by all parties.

ROMNEY LUMBER CO.

By: \_\_\_\_\_  
President

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

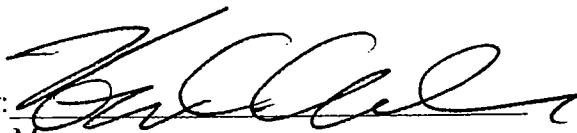
\_\_\_\_\_  
Mr. Robert W. Carson

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

\_\_\_\_\_  
Mrs. Honora M. Carson

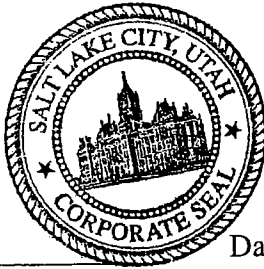
Date: \_\_\_\_\_

SALT LAKE CITY

By:   
Mayor

Date: 10-21-05

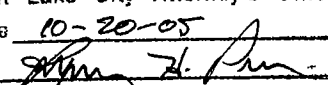
ATTEST:



  
Salt Lake City Recorder (Deputy)

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

RECORDED  
OCT 21 2005  
CITY RECORDER

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 10-20-05  
By 

**PROPERTY LEGAL DESCRIPTION**

BEGINNING AT A POINT WHICH IS SOUTH 89°41'00" EAST 130.000 FEET FROM THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 07°07'00" WEST 225.236 FEET; THENCE SOUTH 12°07'00" EAST 250.763 FEET; THENCE WEST 183.448 FEET TO THE WEST LINE OF THE EAST HALF OF SAID SECTION 23; THENCE ALONG SAID WEST LINE SOUTH 81°52'00" WEST 183.448 FEET; THENCE EAST 27.640 FEET TO THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 23; THENCE ALONG SAID WEST LINE NORTH 02°01'00" EAST 143.436 FEET TO A POINT WEST OF THE EAST QUARTER CORNER OF SAID SECTION 23; THENCE EAST 133.130 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 89°07'00" WEST ALONG THE EAST LINE OF SAID SECTION 23 254.940 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 17°45'00" EAST 391.200 FEET; THENCE NORTH 72°39'00" EAST 148.720 FEET; THENCE NORTH 78°19'00" EAST 176.180 FEET; THENCE NORTH 89°41'00" EAST 100.000 FEET; THENCE NORTH 89°07'00" EAST 158.880 FEET; THENCE NORTH 89°07'00" EAST 448.880 FEET TO THE EAST LINE OF THE WEST HALF OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG SAID EAST LINE NORTH 02°01'00" EAST 270.300 FEET MORE OR LESS TO THE SOUTHERLY LINE OF THE DIVISION LOOKING NO. 3044; THENCE ALONG SAID CLASH NORTH 30°40'00" WEST 382.300 FEET; THENCE NORTH 02°01'00" EAST 216.700 FEET TO THE EAST LINE OF THE WEST HALF OF SECTION 24; THENCE ALONG SAID EAST LINE NORTH 02°01'00" EAST 382.300 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 24; THENCE ALONG THE WEST LINE OF SAID SECTION 24 NORTH 02°01'00" EAST 154.640 FEET TO THE NORTHEAST CORNER OF SAID SECTION 24; THENCE ALONG THE NORTH LINE OF SAID SECTION 24 NORTH 89°41'00" WEST 216.800 FEET TO THE POINT OF BEGINNING.

**EXCEPTING THEREFROM:**  
 BEGINNING AT THE NORTHEAST CORNER OF LOT 801, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH AND RUNNING THENCE SOUTH 89°41'00" EAST 87.87 FEET; THENCE SOUTH 07°07'00" WEST 73.44 FEET; THENCE NORTH 89°41'00" WEST 87.779 FEET TO THE SOUTHEAST CORNER OF SAID LOT 801; THENCE NORTH 07°07'00" WEST 74.148 FEET.

**EXCEPTING THEREFROM:**  
 BEGINNING AT THE NORTHEAST CORNER OF LOT 802, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH AND RUNNING THENCE SOUTH 89°41'00" EAST 81.82 FEET; THENCE SOUTH 07°07'00" WEST 85.33 FEET; THENCE NORTH 89°41'00" WEST 808.36 FEET TO THE SOUTHEAST CORNER OF SAID LOT 802; THENCE NORTH 07°07'00" WEST 86.50 FEET.

**EXCEPTING THEREFROM:**  
 BEGINNING AT THE NORTHEAST CORNER OF LOT 803, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH AND RUNNING THENCE SOUTH 89°41'00" EAST 81.82 FEET; THENCE SOUTH 07°07'00" WEST 85.33 FEET; THENCE NORTH 89°41'00" WEST 808.36 FEET TO THE SOUTHEAST CORNER OF SAID LOT 803; THENCE NORTH 07°07'00" WEST 86.50 FEET.

**EXCEPTING THEREFROM:**  
 BEGINNING AT THE NORTHEAST CORNER OF LOT 804, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH AND RUNNING THENCE SOUTH 89°41'00" EAST 138.20 FEET; THENCE SOUTH 07°07'00" WEST 101.86 FEET; THENCE NORTH 89°41'00" WEST 431.53 FEET TO THE SOUTHEAST CORNER OF SAID LOT 804; THENCE NORTH 07°07'00" WEST 86.50 FEET.

**EXCEPTING THEREFROM:**  
 ANY PART OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE RIGHT-OF-WAY LIMITS OF THE INTERSTATE HIGHWAY.

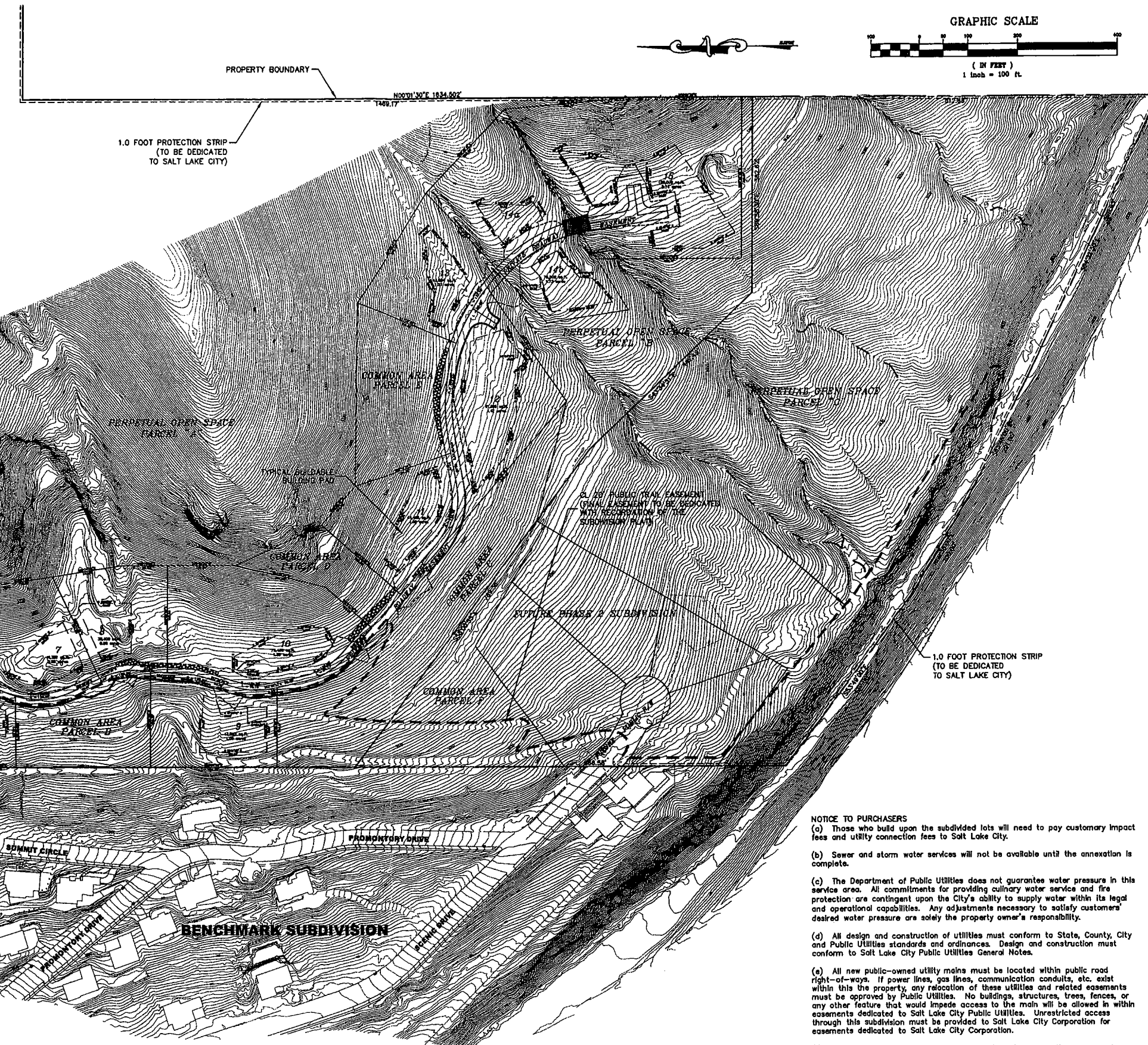
TOGETHER WITH A PERPETUAL EASEMENT AND RIGHT OF WAY FOR HIGHWAYS AND EXPRESS AND PUBLIC UTILITIES OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY SITUATE IN THE COUNTY OF SALT LAKE, STATE OF UTAH, TO:

BEGINNING AT A POINT WHICH IS EAST 140.20 FEET SOUTH 48.84 FEET SOUTH 7°07'00" WEST 112.7 FEET SOUTH 12°07'00" EAST 220.7 FEET AND WEST 143.3 FEET FROM THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTHWESTERLY 238.0 FEET ALONG AN ARC OF A 240.0 FOOT RADIUS CURVED THENCE SOUTH 89°41'00" WEST 160.0 FEET; THENCE SOUTHWESTERLY 114.5 FEET ALONG AN ARC OF A 119.0 FOOT RADIUS CURVED THENCE EAST 80.0 FEET TO THE POINT OF BEGINNING, BEING A PORTION OF LOT 808 AND 809, ARCADIA HEIGHTS PLAT F, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

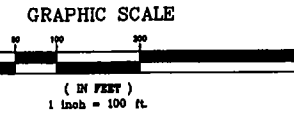
**PROPERTY OWNER/AGENT**  
 TRIS ROBERT  
 HOMEWAY LUMBER COMPANY  
 430 EAST 600 SOUTH  
 SALT LAKE CITY, UT 84111

CL 20' PUBLIC TRAIL EASEMENT FOR PEDESTRIAN TRAFFIC ONLY (FINAL EASEMENT TO BE DEDICATED WITH RECORDATION OF THE SUBDIVISION PLAT)

SUBDIVISION 130.00 SOUTH 1752.57 NORTH 1/4 CORNER SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN



1.0 FOOT PROTECTION STRIP (TO BE DEDICATED TO SALT LAKE CITY)



PERPETUAL OPEN SPACE PARCELS

COMMON AREA PARCELS

PERPETUAL OPEN SPACE PARCELS

CL 20' PUBLIC TRAIL EASEMENT (FINAL EASEMENT TO BE DEDICATED WITH RECORDATION OF THE SUBDIVISION PLAT)

1.0 FOOT PROTECTION STRIP (TO BE DEDICATED TO SALT LAKE CITY)

BENCHMARK SUBDIVISION

**NOTES**  
 1. ALL PRIVATE ROADS IN THIS SUBDIVISION ARE TO BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.  
 2. COMMON AREAS A, B, C, D, E & F ARE TO REMAIN OPEN SPACE IN PERPETUITY TO BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

**NOTICE TO PURCHASERS**  
 (a) Those who build upon the subdivided lots will need to pay customary impact fees and utility connection fees to Salt Lake City.  
 (b) Sewer and storm water services will not be available until the annexation is complete.  
 (c) The Department of Public Utilities does not guarantee water pressure in this service area. All commitments for providing culinary water service and fire protection are contingent upon the City's ability to supply water within its legal and operational capabilities. Any adjustments necessary to satisfy customers' desired water pressure are solely the property owner's responsibility.  
 (d) All design and construction of utilities must conform to State, County, City and Public Utilities standards and ordinances. Design and construction must conform to Salt Lake City Public Utilities General Notes.  
 (e) All new public-owned utility mains must be located within public road right-of-ways. If power lines, gas lines, communication conduits, etc. exist within this property, any relocation of these utilities and related easements must be approved by Public Utilities. No buildings, structures, trees, fences, or any other feature that would impede access to the main will be allowed in within easements dedicated to Salt Lake City Public Utilities. Unrestricted access through this subdivision must be provided to Salt Lake City Corporation for easements dedicated to Salt Lake City Corporation.  
 (f) Utility mainline extension agreements and service connection agreements must be entered into between the developer and Public Utilities for all water, fire, sewer and storm drain utilities. The agreements will outline developer and Public Utilities' responsibilities related to construction, maintenance and warranty of these mains and services. Based on an approved engineer's estimate, work for all the above-mentioned improvements must be bonded by the property owner. All agreements must be executed and bonds received by Public Utilities prior to full construction plan set approval and plot sign-off from Salt Lake City Public Utilities.  
 (g) Prior to lot development all utility impact and connection fees must be paid in full.

Project Number 100520721	Rev. No. 1	Date 02/11/05	By [Signature]
Project Name PARLEY'S POINTE	Rev. No. 1	Date 02/11/05	By [Signature]
Drawn By SAD/ANM	Rev. No. 1	Date 02/11/05	By [Signature]
Checked By SAD/ANM	Rev. No. 1	Date 02/11/05	By [Signature]
Scale AS NOTED	Rev. No. 1	Date 02/11/05	By [Signature]

STATE OF UTAH  
 COUNTY OF SALT LAKE  
 PUBLIC UTILITIES  
 DIVISION

Stantec Consulting, Inc.  
 3865 S 700 E Ste. 300  
 Salt Lake City, UT  
 84107-2540  
 Tel. 801.261.0080  
 Fax. 801.266.1071  
 www.stantec.com

**PARLEY'S POINTE - PHASE 1**  
 SUBDIVISION  
 SALT LAKE COUNTY, UT  
 PRELIMINARY PLAT - EXHIBIT 1

Sheet Number  
1



**PROPERTY LEGAL DESCRIPTION:**

BEGINNING AT A POINT WHICH IS SOUTH 89°41'00" EAST 150.000 FEET FROM THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 07°50'40" EAST 546.750 FEET THENCE SOUTH 07°50'40" EAST 225.000 FEET THENCE SOUTH 12°20'00" EAST 225.750 FEET THENCE WEST 183.248 FEET TO THE WEST LINE OF THE EAST HALF OF SAID SECTION 23, THENCE ALONG SAID WEST LINE SOUTH 81°53'56" WEST 150.000 FEET THENCE SOUTH 14°24'00" EAST 254.750 FEET THENCE SOUTH 89°41'00" EAST 210.000 FEET TO THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, THENCE ALONG SAID WEST LINE NORTH 00°21'20" EAST 153.480 FEET TO A POINT WEST OF THE EAST QUARTER CORNER OF SAID SECTION 24, THENCE EAST 122.190 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 24, THENCE SOUTH 00°00'00" WEST ALONG THE EAST LINE OF SAID SECTION 24, 200.000 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY, THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 87°41'00" EAST 381.850 FEET THENCE NORTH 7°50'40" EAST 148.750 FEET THENCE NORTH 7°50'40" EAST 174.850 FEET THENCE NORTH 89°41'00" EAST 100.000 FEET THENCE NORTH 89°41'00" EAST 100.000 FEET THENCE NORTH 89°41'00" EAST 148.250 FEET TO THE EAST LINE OF THE WEST HALF OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, THENCE ALONG SAID LINE NORTH 00°21'20" EAST 270.500 FEET MORE OR LESS, TO THE SOUTHERLY LINE OF THE PROPOSED LANE 80 ROAD, THENCE ALONG SAID LANE NORTH 39°46'00" WEST 382.500 FEET THENCE NORTH 80°41'00" EAST 300.000 FEET TO THE EAST LINE OF THE WEST HALF OF SECTION 24, THENCE ALONG SAID EAST LINE NORTH 00°21'20" EAST 360.000 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24, THENCE WEST 120.000 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 24, THENCE ALONG THE WEST LINE OF SAID SECTION 24 NORTH 00°21'20" EAST 150.000 FEET TO THE NORTHEAST CORNER OF SAID SECTION 24, THENCE ALONG THE NORTH LINE OF SAID SECTION 24, NORTH 89°41'00" WEST 251.800 FEET TO THE POINT OF BEGINNING.

**EXCEPTING THEREFROM:**

BEGINNING AT THE NORTHEAST CORNER OF LOT 804, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH AND RUNNING THENCE SOUTH 89°41'00" EAST 807.87 FEET THENCE SOUTH 07°50'40" WEST 73.94 FEET THENCE NORTH 89°41'00" WEST 807.79 FEET TO THE SOUTHEAST CORNER OF SAID LOT 804, THENCE NORTH 07°50'40" WEST 74.148 FEET.

**EXCEPTING THEREFROM:**

BEGINNING AT THE NORTHEAST CORNER OF LOT 802, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH AND RUNNING THENCE SOUTH 89°41'00" EAST 818.82 FEET THENCE SOUTH 07°50'40" WEST 85.53 FEET THENCE NORTH 89°41'00" WEST 808.36 FEET TO THE SOUTHEAST CORNER OF SAID LOT 802, THENCE NORTH 07°50'40" WEST 86.00 FEET.

**EXCEPTING THEREFROM:**

BEGINNING AT THE NORTHEAST CORNER OF LOT 804, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH AND RUNNING THENCE SOUTH 89°41'00" EAST 818.82 FEET THENCE SOUTH 07°50'40" WEST 85.53 FEET THENCE NORTH 89°41'00" WEST 808.36 FEET TO THE SOUTHEAST CORNER OF SAID LOT 804, THENCE NORTH 07°50'40" WEST 86.00 FEET.

**EXCEPTING THEREFROM:**

ANY PART OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE RIGHT-OF-WAY LIMITS OF THE INTERSTATE HIGHWAY.

TOGETHER WITH A PERPETUAL EASEMENT AND RIGHT-OF-WAY FOR BUSINESS AND GUESTS AND PUBLIC UTILITIES OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY SITUATE IN THE COUNTY OF SALT LAKE, STATE OF UTAH, TO-WIT:

BEGINNING AT A POINT WHICH IS EAST 140.000 FEET SOUTH 45.844 FEET, SOUTH 73°00' WEST 112.7 FEET, SOUTH 12°50' EAST 220.75 FEET AND WEST 143.25 FEET FROM THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTHERLY 230.0 FEET ALONG AN AND OF A 24.00 FEET ROAD CURVE, THENCE SOUTH 20°15' WEST 50.00 FEET THENCE SOUTHWEST 135.0 FEET ALONG AN AND OF A 136.0 FEET ROAD CURVE, THENCE EAST 50.00 FEET TO THE POINT OF BEGINNING, BEING A PORTION OF LOT 808 AND 809, ARCADIA HEIGHTS PLAT F, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

**PROPERTY OWNER/AGENT:**  
 THE BLAKE  
 HONEY LAMBER COMPANY  
 420 EAST 400 SOUTH  
 SALT LAKE CITY, UT 84111

**CL 20' PUBLIC TRAIL EASEMENT FOR PEDESTRIAN TRAFFIC ONLY (FINAL EASEMENT TO BE DEDICATED WITH RECORDATION OF THE SUBDIVISION PLAT)**

P.O.B. OF PROPERTY LEGAL TIE TO LOT CORNER

5894100E, 150.00

SOUTH 1939.52

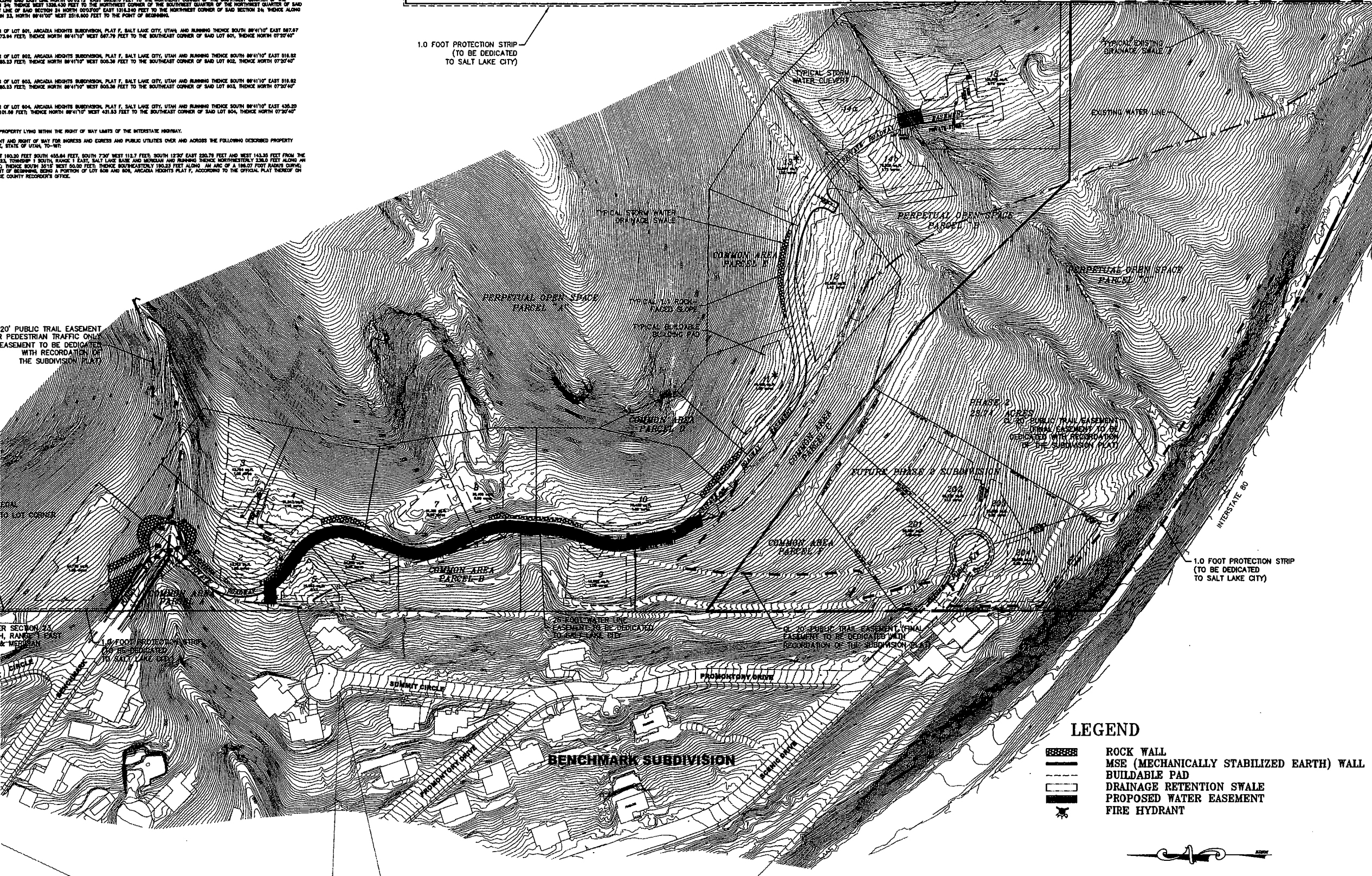
NORTH 1/4 CORNER SECTION 24, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN

BENCHMARK

PROPERTY BOUNDARY

1.0 FOOT PROTECTION STRIP (TO BE DEDICATED TO SALT LAKE CITY)

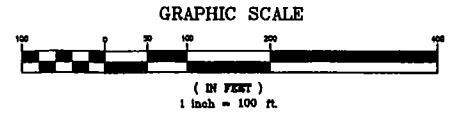
1.0 FOOT PROTECTION STRIP (TO BE DEDICATED TO SALT LAKE CITY)



**BENCHMARK SUBDIVISION**

**LEGEND**

- ROCK WALL
- MSE (MECHANICALLY STABILIZED EARTH) WALL
- BUILDABLE PAD
- DRAINAGE RETENTION SWALE
- PROPOSED WATER EASEMENT
- FIRE HYDRANT



- NOTES**
- ALL PRIVATE ROADS IN THIS SUBDIVISION ARE TO BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
  - LOTS 11 AND 13 - LOT OWNERS MAY NEED TO PROVIDE INDIVIDUAL BOOSTER PUMPS TO PROVIDE FIRE AND DOMESTIC SERVICE. BOOSTER PUMPS WILL ALSO REQUIRE A BACKFLOW PREVENTION DEVICE MEETING CITY AND STATE REGULATIONS.

Project Name	PK	Project No.	Rev.	Date	By
6 REV'D WATER, NOTE AND PHZ BUILT AREA	02/21/05	02/21/05	02/21/05	02/21/05	02/21/05
5 REVISED COMMON OPEN SPACE LOTS	02/21/05	02/21/05	02/21/05	02/21/05	02/21/05
4 EXHIBIT FOR CITY AGREEMENT	02/21/05	02/21/05	02/21/05	02/21/05	02/21/05
3 CITY/COUNTY AGREEMENT SUBMIT.	02/21/05	02/21/05	02/21/05	02/21/05	02/21/05
2 ALTERNATE LOTS	02/21/05	02/21/05	02/21/05	02/21/05	02/21/05
1 REV. SEWER LOTS	02/21/05	02/21/05	02/21/05	02/21/05	02/21/05
0					

Project Name: PK  
 Project No.: 02/21/05  
 Project Date: 02/21/05  
 Drawn By: MAA/008  
 Checked By: ROE  
 Date Issued: 02/21/05  
 Scale: AS NOTED  
 AS NOTED



Stantec Consulting Inc.  
 3685 S 700 E Ste. 300  
 Salt Lake City, UT 84107-2540  
 Tel. 801.281.0000  
 Fax. 801.286.1671  
 www.stantec.com



**PARLEY'S POINTE - PHASE 2**  
 SUBDIVISION  
 SALT LAKE COUNTY, UT  
 PRELIMINARY SITE PLAN - EXHIBIT 2

Sheet Number  
 2



**PROPERTY LEGAL DESCRIPTION**

BEGINNING AT A POINT WHICH IS SOUTH 89°41'00" EAST 130.000 FEET FROM THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASIN AND MERIDIAN AND RUNNING THENCE SOUTH 07°00'00" EAST 344.750 FEET, THENCE SOUTH 07°00'00" WEST 222.528 FEET, THENCE SOUTH 12°00'00" EAST 220.763 FEET, THENCE WEST 113.248 FEET TO THE WEST LINE OF THE EAST HALF OF SAID SECTION 23, THENCE ALONG SAID WEST LINE SOUTH 84°13.288 FEET, THENCE SOUTH 87°00'00" EAST 77.648 FEET, THENCE SOUTH 42°00'00" EAST 384.110 FEET, THENCE SOUTH 88°00'00" EAST 34.800 FEET TO THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 23, THENCE ALONG SAID WEST LINE NORTH 89°15'00" EAST 1634.500 FEET TO A POINT WEST OF THE EAST QUARTER CORNER OF SAID SECTION 23, THENCE EAST 1022.120 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 23, THENCE SOUTH 80°00'00" WEST ALONG THE EAST LINE OF SAID SECTION 23 2815.400 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY, THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 87°45'00" EAST 3515.000 FEET, THENCE NORTH 78°15'00" EAST 174.800 FEET, THENCE NORTH 89°41'00" EAST 174.800 FEET, THENCE NORTH 89°41'00" WEST 101.000 FEET, THENCE NORTH 89°41'00" WEST 101.000 FEET, THENCE NORTH 89°41'00" WEST 101.000 FEET TO THE EAST LINE OF THE WEST HALF OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASIN AND MERIDIAN, THENCE ALONG SAID EAST LINE NORTH 80°52'15" EAST 2736.500 FEET, MORE OR LESS, TO THE SOUTHERLY LINE OF THE UNKNOWN LOW 188940 NO. 5046, THENCE ALONG SAID CLAM NORTH 89°41'00" WEST 382.300 FEET, THENCE NORTH 80°15'00" EAST 318.100 FEET TO THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF SECTION 24, THENCE ALONG SAID EAST LINE NORTH 80°15'00" EAST 318.100 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 24, THENCE WEST 123.140 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 24, THENCE ALONG THE WEST LINE OF SAID SECTION 24 NORTH 00°00'00" EAST 1344.400 FEET TO THE NORTHEAST CORNER OF SAID SECTION 24, THENCE ALONG THE NORTH LINE OF SAID SECTION 24 NORTH 00°00'00" WEST 2818.800 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM: BEGINNING AT THE NORTHEAST CORNER OF LOT 601, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH AND RUNNING THENCE SOUTH 89°41'00" EAST 587.27 FEET, THENCE SOUTH 00°00'00" WEST 73.600 FEET, THENCE NORTH 89°41'00" WEST 587.27 FEET TO THE SOUTHEAST CORNER OF SAID LOT 601, THENCE NORTH 07°20'40" WEST 84.000 FEET.

EXCEPTING THEREFROM: BEGINNING AT THE NORTHEAST CORNER OF LOT 602, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH AND RUNNING THENCE SOUTH 89°41'00" EAST 518.82 FEET, THENCE SOUTH 00°00'00" WEST 83.3 FEET, THENCE NORTH 89°41'00" WEST 505.28 FEET TO THE SOUTHEAST CORNER OF SAID LOT 602, THENCE NORTH 07°20'40" WEST 84.000 FEET.

EXCEPTING THEREFROM: BEGINNING AT THE NORTHEAST CORNER OF LOT 603, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH AND RUNNING THENCE SOUTH 89°41'00" EAST 518.82 FEET, THENCE SOUTH 00°00'00" WEST 83.3 FEET, THENCE NORTH 89°41'00" WEST 505.28 FEET TO THE SOUTHEAST CORNER OF SAID LOT 603, THENCE NORTH 07°20'40" WEST 84.000 FEET.

EXCEPTING THEREFROM: BEGINNING AT THE NORTHEAST CORNER OF LOT 604, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH AND RUNNING THENCE SOUTH 89°41'00" EAST 438.20 FEET, THENCE SOUTH 00°00'00" WEST 101.28 FEET, THENCE NORTH 89°41'00" WEST 438.20 FEET TO THE SOUTHEAST CORNER OF SAID LOT 604, THENCE NORTH 07°20'40" WEST 84.000 FEET.

EXCEPTING THEREFROM: ANY PART OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE RIGHT-OF-WAY LIMITS OF THE INTERSTATE HIGHWAY.

TOGETHER WITH A PORTION OF THE EASEMENT AND RIGHT-OF-WAY FOR HIGHWAYS AND EXPRESS AND PUBLIC UTILITIES OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY SITUATE IN THE COUNTY OF SALT LAKE, STATE OF UTAH:

BEGINNING AT A POINT WHICH IS EAST 480.500 FEET SOUTH 45.844 FEET, SOUTH 7°00'00" WEST 113.7 FEET, SOUTH 12°00'00" EAST 220.763 FEET AND WEST 143.288 FEET FROM THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASIN AND MERIDIAN, THENCE NORTHWESTERLY 230.0 FEET ALONG AN ARC OF A 168.0 FOOT RADIUS CURVE, THENCE SOUTH 26.18 FEET, THENCE SOUTH 26.18 FEET, THENCE SOUTHWESTERLY 160.0 FEET ALONG AN ARC OF A 168.0 FOOT RADIUS CURVE, THENCE EAST 80.0 FEET TO THE POINT OF BEGINNING, BEING A PORTION OF LOT 601 AND 602, ARCADIA HEIGHTS PLAT F, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDERS OFFICE.

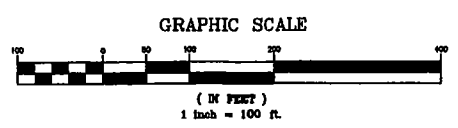
PROPERTY OWNER/AGENCY  
 TRACY RYAN  
 RYAN LINDSEY COMPANY  
 430 EAST 400 SOUTH  
 SALT LAKE CITY, UT 84111

PROPERTY BOUNDARY

1.0 FOOT PROTECTION STRIP  
 (TO BE DEDICATED  
 TO SALT LAKE CITY)

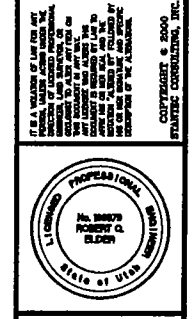
1752.57  
 SOUTH  
 NORTH 1/4 CORNER SECTION 23  
 TOWNSHIP 1 SOUTH, RANGE 1 EAST  
 SALT LAKE BASIN AND MERIDIAN

BENCHMARK SUBDIVISION

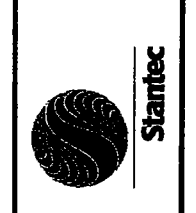


NOTE: ALL PRIVATE ROADS IN THIS SUBDIVISION ARE TO BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

Project Number	Rev. No.	Rev. Date	Rev. Description
186301271	1	02/21/05	REVISED COMMON OPEN SPACE LOTS
	2	02/21/05	ERRATA FOR CITY ADEQUACY SUBMIT
	3	02/21/05	CITY/COUNTY ADEQUACY SUBMIT
	4	02/21/05	REV. SEWER LOTS
	5	02/21/05	REVISED



Stantec Consulting, Inc.  
 300 S. 700 E. Ste. 300  
 Salt Lake City, UT  
 84107-2440  
 Tel. 801.261.0090  
 Fax. 801.261.1871  
 www.stantec.com

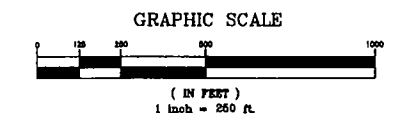
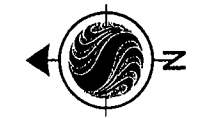
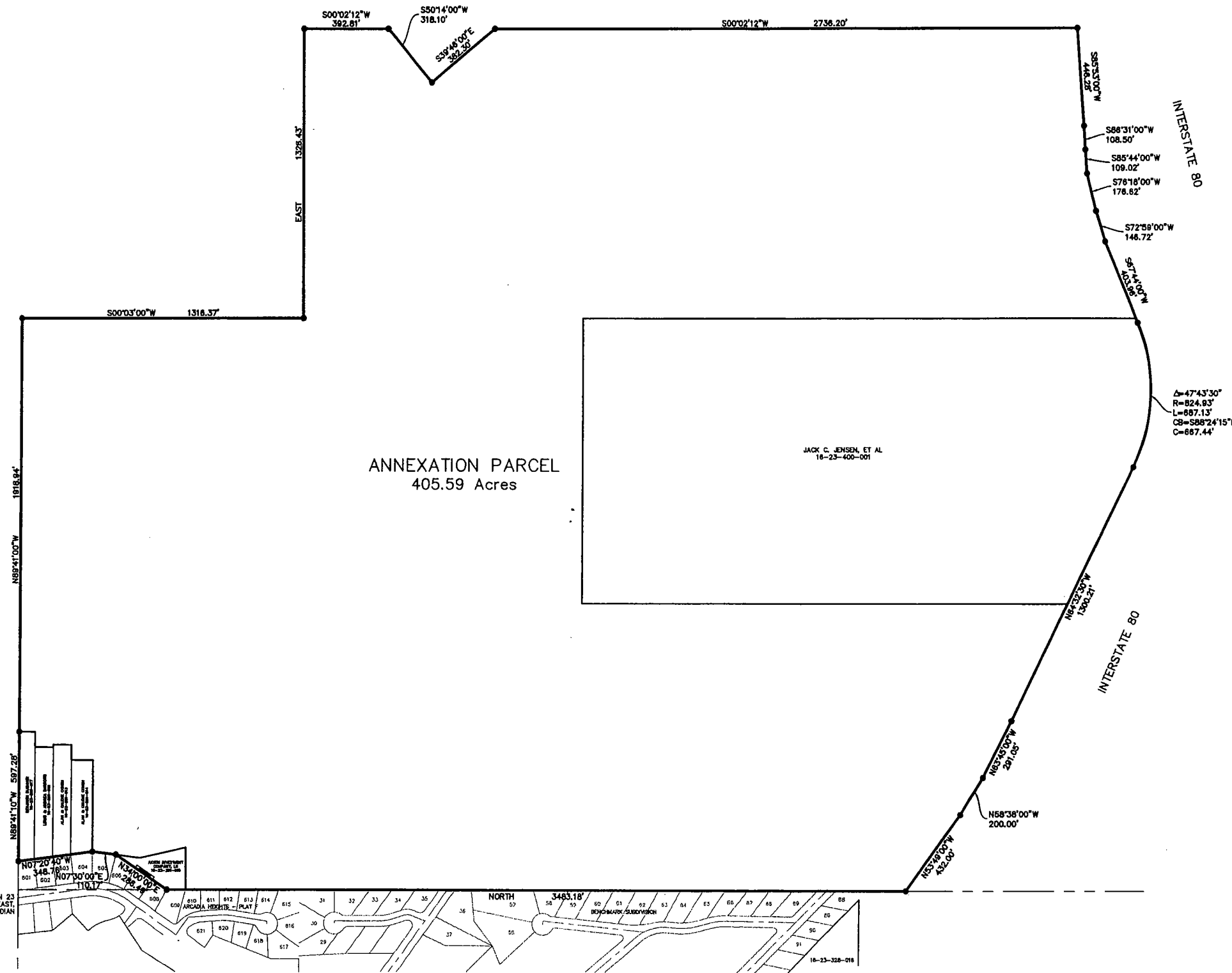


PARLEY'S POINTE - PHASE 1  
 SUBDIVISION  
 SALT LAKE COUNTY, UT  
 SALT LAKE CITY WATER TRANSMISSION LINE  
 AND EXISTING EASEMENT - EXHIBIT 3

Sheet Number  
 3

# PARLEY'S POINTE ANNEXATION PLAT

LOCATED IN SECTION 23,  
TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN  
SALT LAKE CITY, SALT LAKE COUNTY, UTAH



LEGEND

	BOUNDARY LINE
	SECTION LINE
	SECTION CORNER FOUND

### SURVEYOR'S CERTIFICATE

I, Evan J. Wood, a Professional Land Surveyor, licensed by the State of Utah, do certify that this plat of annexation is drawn to the designated scale and is a true and correct representation of data compiled from the best available records. This data has not been field verified.

Date \_\_\_\_\_  
Evan J. Wood  
P.L.S. No. 183395

### BOUNDARY DESCRIPTION

Beginning at a point S89°41'10\"/>

### PARLEY'S POINTE ANNEXATION PLAT

LOCATED IN SECTION 23,  
TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN  
SALT LAKE CITY, SALT LAKE COUNTY, UTAH

RECORDED # \_\_\_\_\_  
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE  
REQUEST OF: \_\_\_\_\_  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
FEE\$ \_\_\_\_\_ SALT LAKE COUNTY RECORDER

PROPERTY OWNER/AGENT  
ROMNEY LUMBER COMPANY  
430 EAST 400 SOUTH  
SALT LAKE CITY, UTAH 84111

Stantec Consulting Inc.  
3998 S 700 E Ste. 300  
Salt Lake City, UT  
84107-2549  
Tel. 801.281.0090  
Fax. 801.288.1671  
www.stantec.com

Project Number	PM	RCE
86301271		
Filename		
01271-ax		
Designed By	Drawn By	
RCE	KFW	
Checked By	Date	
E/W		

CITY PLANNING COMMISSION

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D., 20\_\_\_\_ BY THE SALT LAKE CITY PLANNING  
COMMISSION.

SALT LAKE CITY PLANNING DIRECTOR	DATE
----------------------------------	------

CITY DEPARTMENT OF PUBLIC SERVICES

I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED  
BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH  
INFORMATION ON FILE AND HEREBY APPROVED.

CITY ENGINEER	DATE	CITY SURVEYOR	DATE
---------------	------	---------------	------

CITY PUBLIC UTILITIES DEPARTMENT

APPROVED AS TO SANITARY SEWER AND WATER  
UTILITY DETAIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D., 20\_\_\_\_.

SALT LAKE CITY PUBLIC UTILITIES DIRECTOR	DATE
--	------

CITY ATTORNEY

APPROVED AS TO FORM THIS  
DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_.

SALT LAKE CITY ATTORNEY	DATE
-------------------------	------

CITY APPROVAL

PRESENTED TO THE SALT LAKE CITY THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D., 20\_\_\_\_, AND IS HEREBY APPROVED.

SALT LAKE CITY MAYOR	SALT LAKE CITY RECORDER
----------------------	-------------------------

\A:\Survey\Survey\23250-ax-plat.dwg  
 2008-02-08 11:11  
 Evan J. Wood

# Exhibit 6

Salt Lake County Council  
2001 South State Street  
Salt Lake City, Utah 84190

Salt Lake County Board of Health  
2001 South State Street  
Salt Lake City, Utah 84190

*Re: Parley's Pointe Subdivision*

To Whom It May Concern:

As you may be aware, Salt Lake City and the owners of certain undeveloped foothill property located at the mouth of Parley's Canyon have been involved in ongoing litigation concerning the availability of water, sewer and storm water services to the proposed Parley's Pointe Subdivision. The purpose of this letter is to inform you that the parties have negotiated a settlement of this dispute.

By this letter, Salt Lake City Public Utilities commits that it will provide water, sewer and storm services to the proposed Parley's Pointe Subdivision on the following terms:

1. The subdivision will consist of two phases, consisting of 16 lots located off Benchmark Drive, and four lots located off Scenic Drive, in a form substantially as set forth on Exhibits 1 and 2 attached hereto.
2. The property owners shall pay all customary costs and fees of extending water, sewer and storm water services to the property, and all the customary connection fees.
3. Sewer and storm water services shall only be made available to the property upon the approval of subdivision plats by Salt Lake County, and after annexation of these properties into the corporate limits of Salt Lake City.

If you have any questions concerning this matter, please let us know.

Sincerely yours,

LeRoy Hooton  
Public Utilities Director

# Exhibit 7

DALE F. GARDINER (#1147)  
PARRY ANDERSON & GARDINER  
1200 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 521-3434

Attorneys for Plaintiffs

---

IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF UTAH, CENTRAL DIVISION

---

ROMNEY LUMBER COMPANY, INC., a Utah  
Corporation; ROBERT W. CARSON, an  
individual; and HONORA M. CARSON, an  
individual,

Plaintiffs,

v.

SALT LAKE CITY CORPORATION, a  
municipality; and John Does 1-X,

Defendants.

**STIPULATION FOR DISMISSAL**

Case No. 2:00CV 695PGC

Judge Cassell

---

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, the parties jointly stipulate and move the Court for an Order of Dismissal, dismissing the Plaintiff's Complaint, with prejudice and on the merits, with each party to bear their own costs and attorney's fees. The

grounds for this Stipulation and Motion are that the parties have amicably reached a settlement of all claims in this litigation.

DATED this \_\_\_ day of \_\_\_\_\_, 2005.

PARRY ANDERSON & GARDINER

by: \_\_\_\_\_  
Dale F. Gardiner  
Attorney for Plaintiffs

DATED this \_\_\_ day of \_\_\_\_\_, 2005.

SALT LAKE CITY

by: \_\_\_\_\_  
Lynn Pace  
Attorney for Defendant Salt Lake City



**CERTIFICATE OF SERVICE**

I hereby certify that I served a true and correct copy of the foregoing **STIPULATION FOR DISMISSAL** via first-class mail, postage prepaid, this \_\_\_\_ day of \_\_\_\_\_, 2005, to the following:

Lynn H. Pace  
Salt Lake City Corp.  
451 South State Street, Suite 505A  
Salt Lake City, UT 84111

---

# Exhibit 8

When recorded return to:  
Salt Lake City Corporation  
c/o Doug Wheelwright  
451 South State Stret, Room 406  
Salt Lake City, UT 84111

**NOTICE OF SETTLEMENT  
AND ANNEXATION AGREEMENT**

Salt Lake City Corporation, a Utah municipality, and Romney Lumber Company, Mr. Robert W. Carson and Mrs. Honora M. Carson, as property owners, hereby give notice that they have entered into a Settlement and Annexation Agreement with respect to certain real property located in Salt Lake County, Utah, more particularly described as set forth on Exhibit "A" attached hereto.

The Settlement and Annexation Agreement executed between the parties governs the annexation, development and future use of the subject property, and is binding upon heirs, successors and assigns. Copies of the Settlement and Annexation Agreement may be obtained from the Office of the Salt Lake City Recorder, 451 South State Street, Salt Lake City, Utah, 84111.

DATED this \_\_\_\_ day of October, 2005.

SALT LAKE CITY CORPORATION

\_\_\_\_\_  
Ross C. Anderson, Mayor

ATTEST:

\_\_\_\_\_  
Salt Lake City Recorder

STATE OF UTAH    )  
                                  : ss.  
County of Salt Lake    )

On the \_\_\_\_\_ day of October, 2005, before me personally appeared Mayor Ross C. Anderson, and said person acknowledged to me that he voluntarily executed the same.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing in Salt Lake County, Utah

My Commission Expires:

\_\_\_\_\_

STATE OF UTAH    )  
                                  : ss.  
County of Salt Lake    )

On the \_\_\_\_\_ day of October, 2005, before me personally appeared Christine Meeker, Deputy Salt Lake City Recorder, and said person acknowledged to me that she voluntarily executed the same.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing in Salt Lake County, Utah

My Commission Expires:

\_\_\_\_\_

ROMNEY LUMBER CO.

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

\_\_\_\_\_  
By:  
Its President

STATE OF UTAH    )  
                                  : ss.  
County of Salt Lake    )

On the \_\_\_\_\_ day of October, 2005, before me personally appeared \_\_\_\_\_, President of Romney Lumber Company, and said person acknowledged to me that he/she voluntarily executed the same.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing in Salt Lake County, Utah

My Commission Expires:  
\_\_\_\_\_

\_\_\_\_\_  
Mr. Robert W. Carson

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

\_\_\_\_\_  
Mrs. Honora M. Carson

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

STATE OF UTAH    )  
                                  : ss.  
County of Salt Lake    )

On the \_\_\_\_\_ day of October, 2005, before me personally appeared Mr. Robert W. Carson and Mrs. Honora M. Carson, and said persons acknowledged to me that they voluntarily executed the same.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing in Salt Lake County, Utah

My Commission Expires:  
\_\_\_\_\_

## EXHIBIT A

### PROPERTY LEGAL DESCRIPTION:

BEGINNING AT A POINT WHICH IS SOUTH 89°41'00" EAST 130.000 FEET FROM THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 07°20'40" EAST 348.755 FEET; THENCE SOUTH 07°30'00" WEST 222.338 FEET; THENCE SOUTH 12°30'00" EAST 220.793 FEET; THENCE WEST 193.348 FEET TO THE WEST LINE OF THE EAST HALF OF SAID SECTION 23; THENCE ALONG SAID WEST LINE SOUTH 2618.259 FEET; THENCE SOUTH 53°00'55" EAST 772.650 FEET; THENCE SOUTH 43°34'31" EAST 564.113 FEET; THENCE SOUTH 89°58'30" EAST 315.505 FEET TO THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23; THENCE ALONG SAID WEST LINE NORTH 00°01'30" EAST 1634.502 FEET TO A POINT WEST OF THE EAST QUARTER CORNER OF SAID SECTION 23; THENCE EAST 1322.120 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 00°03'00" WEST ALONG THE EAST LINE OF SAID SECTION 23, 2593.480 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT OF WAY OF INTERSTATE HIGHWAY; THENCE ALONG SAID RIGHT OF WAY LINE NORTH 67°44'00" EAST 381.820 FEET; THENCE NORTH 72°59'00" EAST 146.720 FEET; THENCE NORTH 78°18'00" EAST 176.620 FEET; THENCE NORTH 85°44'00" EAST 109.020 FEET; THENCE NORTH 86°31'00" EAST 108.500 FEET; THENCE NORTH 85°53'00" EAST 446.280 FEET TO THE EAST LINE OF THE WEST HALF OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, THENCE ALONG EAST LINE NORTH 00°02'12" EAST 2736.200 FEET; MORE OR LESS, TO THE SOUTHERLY LINE OF THE GWENNIE LODGE MINING NO. 5048; THENCE ALONG SAID CLAIM NORTH 39°46'00" WEST 382.300 FEET; THENCE NORTH 50°14'00" EAST 318.100 FEET TO THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF SECTION 24; THENCE ALONG SAID EAST LINE NORTH 00°02'12" EAST 392.810 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24; THENCE WEST 1326.430 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24; THENCE ALONG THE WEST LINE OF SAID SECTION 24 NORTH 00°03'00" EAST 1316.240 FEET TO THE NORTHWEST CORNER OF SAID SECTION 24; THENCE ALONG THE NORTH LINE OF AFORESAID SECTION 23, NORTH 89°41'00" WEST 2516.600 FEET TO THE POINT OF BEGINNING.

### EXCEPTING THEREFROM:

BEGINNING AT THE NORTHEAST CORNER OF LOT 601, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH; AND RUNNING THENCE SOUTH 89°41'10" EAST 597.67 FEET; THENCE SOUTH 00°18'50" WEST 73.94 FEET; THENCE NORTH 89°41'10" WEST 587.79 FEET TO THE SOUTHEAST CORNER OF SAID LOT 601, THENCE NORTH 07°20'10" WEST 74.148 FEET.

### EXCEPTING THEREFROM:

BEGINNING AT THE NORTHEAST CORNER OF LOT 602, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH AND RUNNING THENCE SOUTH 89°41'10" EAST 516.82 FEET; THENCE SOUTH 00°18'50" WEST 85.23 FEET; THENCE NORTH 89°41'10" WEST 505.36 FEET TO THE SOUTHEAST CORNER OF SAID LOT 602, THENCE NORTH 07°20'40" WEST 86.00 FEET.

### EXCEPTING THEREFROM:

BEGINNING AT THE NORTHEAST CORNER OF LOT 603, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH AND RUNNING THENCE SOUTH 89°41'10" EAST 516.82 FEET; THENCE SOUTH 00°18'50" WEST 85.23 FEET; THENCE NORTH 89°41'10" WEST 505.36 FEET TO THE SOUTHEAST CORNER OF SAID LOT 603, THENCE NORTH 07°20'40" WEST 86.00 FEET.

### EXCEPTING THEREFROM:

BEGINNING AT THE NORTHEAST CORNER OF LOT 604, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY, UTAH AND RUNNING THENCE SOUTH 89°41'10" EAST 435.20 FEET; THENCE SOUTH 00°18'50" WEST 101.59 FEET; THENCE NORTH 89°41'10" WEST 431.53 FEET TO THE SOUTHEAST CORNER OF SAID LOT 604, THENCE NORTH 07°20'40" WEST 102.61 FEET.

### EXCEPTING THEREFROM:

ANY PART OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE RIGHT OF WAY LIMITS OF THE INTERSTATE HIGHWAY.

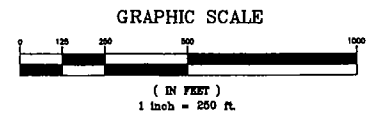
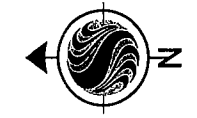
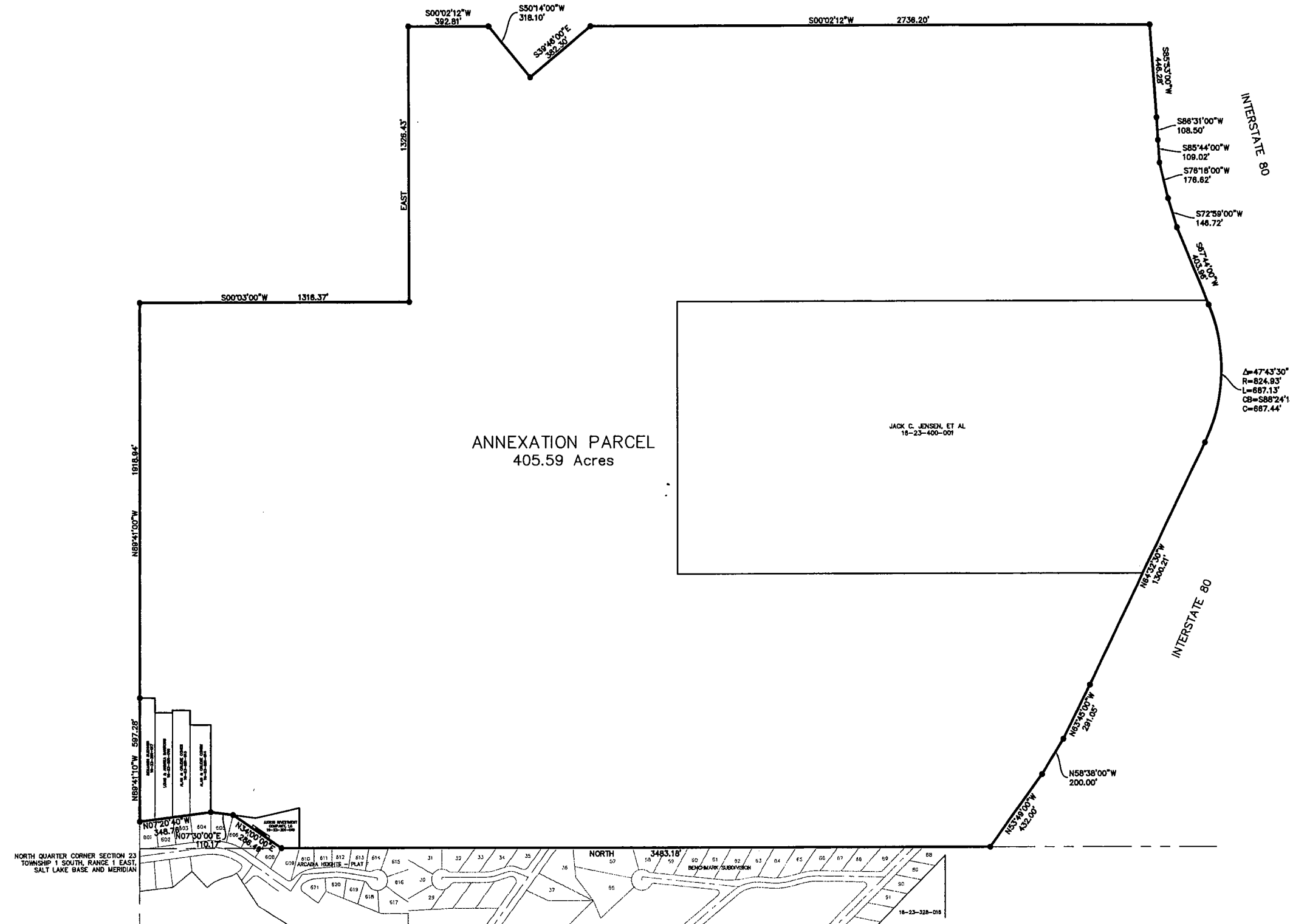
TOGETHER WITH A PERPETUAL EASEMENT AND RIGHT OF WAY FOR INGRESS AND EGRESS AND PUBLIC UTILITIES OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY SITUATE IN THE COUNTY OF SALT LAKE, STATE OF UTAH, TO-WIT:

BEGINNING AT A POINT WHICH IS EAST 160.20 FEET SOUTH 455.84 FEET, SOUTH 7°30' WEST 112.7 FEET; SOUTH 12°30' EAST 220.79 FEET AND WEST 143.35 FEET FROM THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTHWESTERLY 238.0 FEET ALONG AN ARC OF A 249.07 FOOT RADIUS CURVE; THENCE SOUTH 35°15' WEST 50.00 FEET; THENCE SOUTHEASTERLY 190.23 FEET ALONG AN ARC OF A 199.07 FOOT RADIUS CURVE; THENCE EAST 50.00 FEET TO THE POINT OF BEGINNING, BEING A PORTION OF LOT 608 AND 609, ARCADIA HEIGHTS PLAT F, ACCORDING TO THE OFFICIAL PLAT THEREOF (X1 FILE AND OF RECORD) IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

## 2. Annexation Plat

# PARLEY'S POINTE ANNEXATION PLAT

LOCATED IN SECTION 23,  
TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN  
SALT LAKE CITY, SALT LAKE COUNTY, UTAH



- LEGEND
- BOUNDARY LINE
  - - - SECTION LINE
  - ◆ SECTION CORNER FOUND

### SURVEYOR'S CERTIFICATE

I Evan J. Wood, a Professional Land Surveyor, licensed by the State of Utah, do certify that this plat of annexation is drawn to the designated scale and is a true and correct representation of data compiled from the best available records. This data has not been field verified.

Date: \_\_\_\_\_  
Evan J. Wood  
P.L.S. No. 163395

### BOUNDARY DESCRIPTION

Beginning at a point S89°41'10"E 130.00 along the North Section Line from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S89°41'10"E 597.28 feet along said North Section Line; thence S89°41'00"E 1918.94 feet to the Northwest Corner of Section 24, Township 1 South, Range 1 East, Salt Lake Base and Meridian; thence S00°03'00"W 1316.37 feet along the West Line to the Northwest Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence East 1326.43 feet to the Northeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence S00°02'12"W 392.81 feet along the East Line of the West Half of said Section 24 to the Northwesterly Line of the Gwennie Lode Mining No. 5048 Claim; thence S50°14'00"W 318.10 feet along said claim; thence S39°46'00"E 382.30 feet along said claim to said East Line; thence S00°02'12"W 2736.20 feet to the Northerly Right-of-Way Line of Interstate 80; thence the following eleven courses along said Northerly Right-of-Way Line: S85°53'00"W 446.28 feet; thence S86°31'00"W 108.50 feet; thence S85°44'00"W 109.02 feet; thence S78°18'00"W 176.62 feet; thence S72°59'00"W 146.72 feet; thence S67°44'00"W 403.96 feet; thence Westerly 687.13 feet along the arc a 824.93 feet radius curve to the right, chord bears N88°24'15"W 687.13 feet; thence N64°32'30"W 1300.21 feet; thence N63°45'00"W 291.05 feet; thence N58°38'00"W 200.00 feet; thence N53°49'00"W 432.00 feet to the East Line of the Southwest Quarter; thence North 3483.18 feet along said East Line to Northeast Corner of Lot 609 of Arcadia Heights Plat F Subdivision, recorded as Entry No. 1840440 in Book Y at Page 39 in the Office of the Salt Lake County Recorder; thence the following three courses along the Easterly Boundary Line of said Arcadia Heights Plat F: N34°00'00"E 286.49 feet; thence N07°30'00"E 110.17 feet; thence N07°20'40"W 348.76 feet to the point of beginning. Contents 405.598 Acres.

Excepting therefrom:  
Any part of the above described property lying within the Right-of-Way Limits of the Interstate 80.

### PARLEY'S POINTE ANNEXATION PLAT

LOCATED IN SECTION 23,  
TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN  
SALT LAKE CITY, SALT LAKE COUNTY, UTAH

RECORDED # \_\_\_\_\_  
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF: \_\_\_\_\_  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
FEE\$ \_\_\_\_\_ SALT LAKE COUNTY RECORDER

PROPERTY OWNER/AGENT  
ROMNEY LUMBER COMPANY  
430 EAST 400 SOUTH  
SALT LAKE CITY, UTAH 84111

Stantec Consulting Inc.  
3965 S 700 E Ste. 300  
Salt Lake City, UT  
84107-2540  
Tel. 801.281.0090  
Fax. 801.286.1871  
www.stantec.com

Project Number	PM	
86301271	ROE	
Filename		
01271-0x		
Designed By		
ROE	KFW	
Checked By		
EJW		
Revisions		
No.	By	Date

CITY PLANNING COMMISSION

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_ BY THE SALT LAKE CITY PLANNING COMMISSION.

SALT LAKE CITY PLANNING DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

CITY DEPARTMENT OF PUBLIC SERVICES

I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE AND HEREBY APPROVED.

CITY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_ CITY SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_

CITY PUBLIC UTILITIES DEPARTMENT

APPROVED AS TO SANITARY SEWER AND WATER UTILITY DETAIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_.

SALT LAKE CITY PUBLIC UTILITIES DIRECTOR \_\_\_\_\_

CITY ATTORNEY

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_.

SALT LAKE CITY ATTORNEY \_\_\_\_\_

CITY APPROVAL

PRESENTED TO THE SALT LAKE CITY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_, AND IS HEREBY APPROVED.

SALT LAKE CITY MAYOR \_\_\_\_\_ SALT LAKE CITY RECORDER \_\_\_\_\_

V:\2008\05\05\05\18\18-23-400-001.dwg  
 2008-05-05 11:28 AM  
 by: kfw



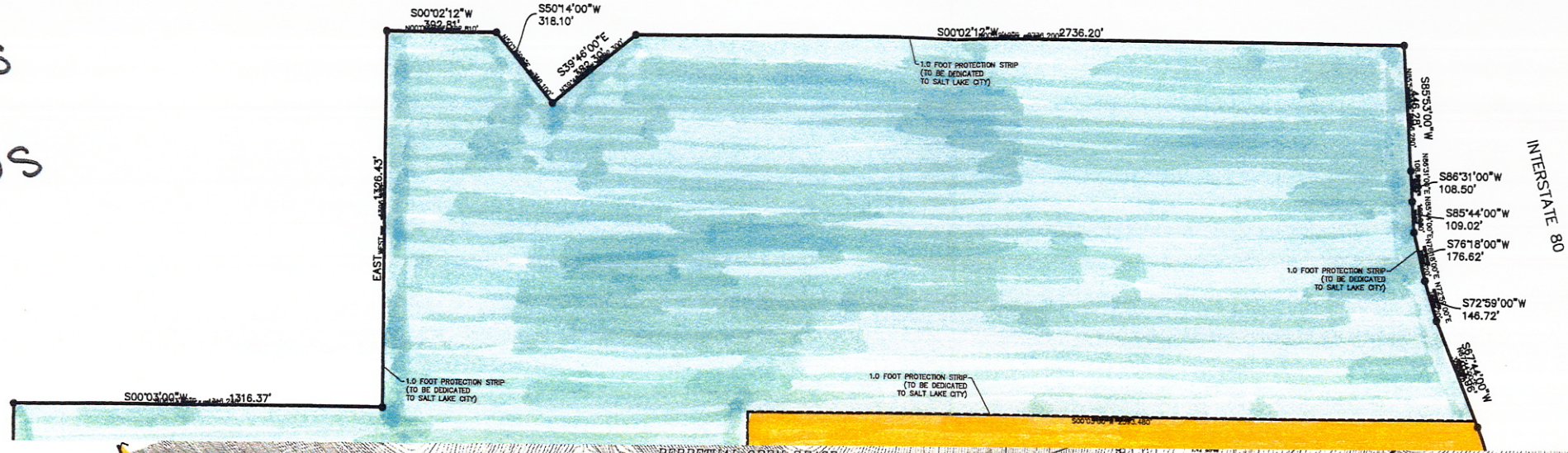
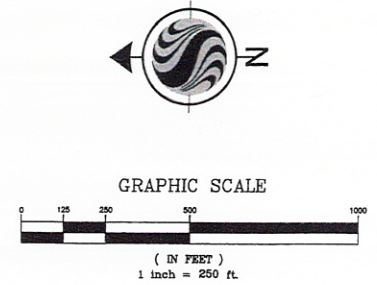
### 3. Recommended Zoning



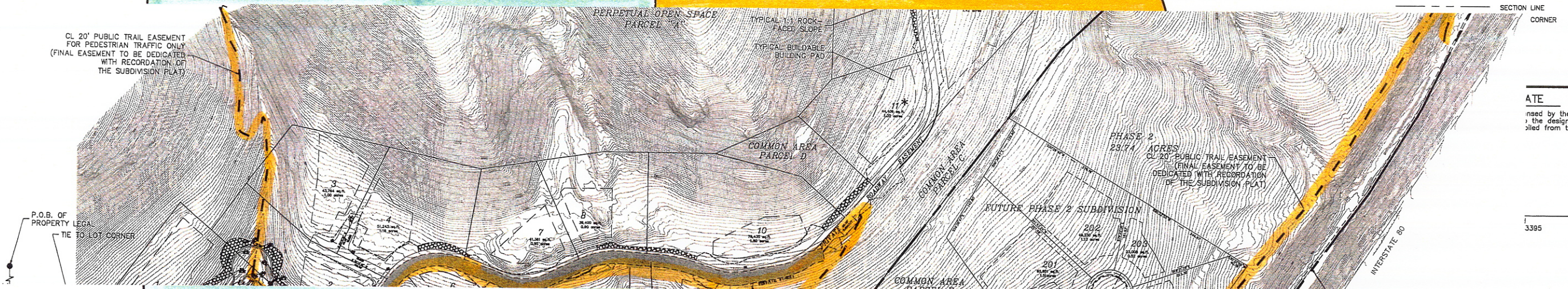
# PARLEY'S POINTE ANNEXATION PLAT

LOCATED IN SECTION 23,  
TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN  
SALT LAKE CITY, SALT LAKE COUNTY, UTAH

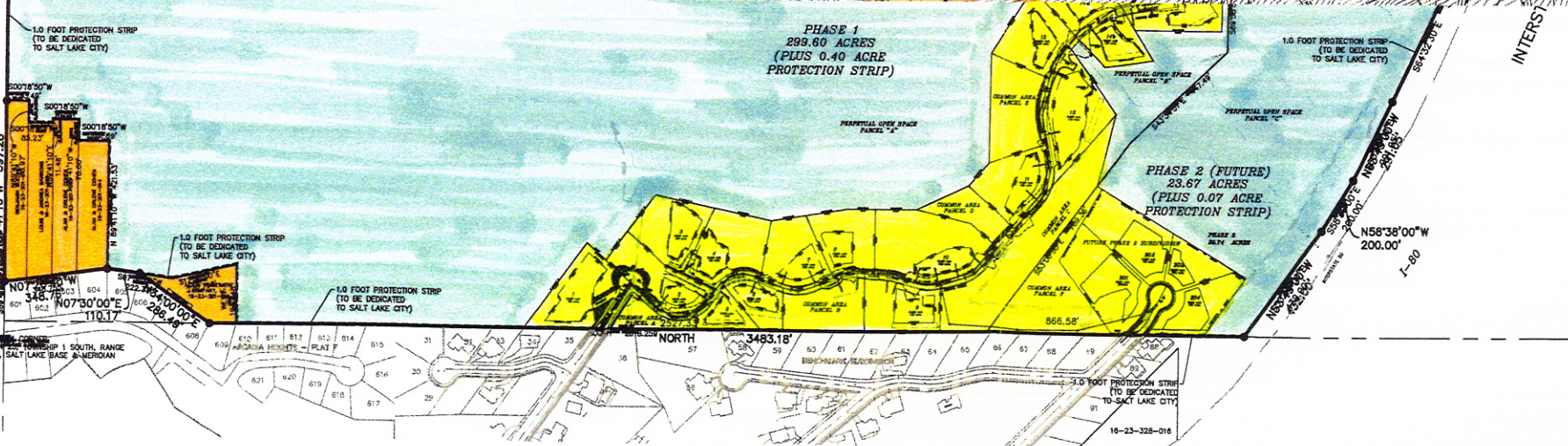
FR-2  
OS  
NOS



LEGEND  
BOUNDARY LINE  
SECTION LINE  
CORNER



NOTE  
Used by the State of Utah,  
at the designated scale and  
derived from the best available



P.O.B. OF PROPERTY LEGAL TIE TO LOT CORNER

### BOUNDARY DESCRIPTION

Beginning at a point S89°41'10"E 130.00 feet along the North Section Line from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S89°41'10"E 597.28 feet along said North Section Line; thence S89°41'00"E 1918.94 feet to the Northwest Corner of Section 24, Township 1 South, Range 1 East, Salt Lake Base and Meridian; thence S00°03'00"W 1316.37 feet along the West Line to the Northwest Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence East 1326.43 feet to the Northeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence S00°02'12"W 392.81 feet along the East Line of the West Half of said Section 24 to the Northwesterly Line of the Gwennie Lode Mining No. 5048 Claim; thence S50°14'00"W 318.10 feet along said claim; thence S39°46'00"E 382.30 feet along said claim to said East Line; thence S00°02'12"W 2736.20 feet to the Northerly Right-of-Way Line of Interstate 80; thence the following eleven courses along said Northerly Right-of-Way Line: S85°53'00"W 446.28 feet; thence S86°31'00"W 108.50 feet; thence S85°44'00"W 109.02 feet; thence S76°18'00"W 176.62 feet; thence S72°59'00"W 146.72 feet; thence S67°44'00"W 403.96 feet; thence Westery 687.13 feet along the arc a 824.93 feet radius curve to the right, chord bears N88°24'15"W 687.13 feet; thence N64°32'30"W 1300.21 feet; thence N63°45'00"W 291.05 feet; thence N58°38'00"W 200.00 feet; thence N53°49'00"W 432.00 feet to the East Line of the Southwest Quarter; thence North 3483.18 feet along said East Line to Northeast Corner of Lot 609 of Arcadia Heights Plat F Subdivision, recorded as Entry No. 1840440 in Book Y at Page 39 in the Office of the Salt Lake County Recorder; thence the following three courses along the Easterly Boundary Line of said Arcadia Heights Plat F: N34°00'00"E 286.49 feet; thence N07°30'00"E 110.17 feet; thence N07°20'40"W 348.76 feet to the point of beginning. Contains 405.598 Acres.

Excepting therefrom:  
Any part of the above described property lying within the Right-of-Way Limits of the Interstate 80.

### PARLEY'S POINTE ANNEXATION PLAT

LOCATED IN SECTION 23,  
TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN  
SALT LAKE CITY, SALT LAKE COUNTY, UTAH

RECORDED # \_\_\_\_\_

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

FEE\$ \_\_\_\_\_

SALT LAKE COUNTY RECORDER

PROPERTY OWNER/AGENT  
ROMNEY LUMBER COMPANY  
430 EAST 400 SOUTH  
SALT LAKE CITY, UTAH 84111

Stantec Consulting Inc.  
3995 S 700 E Ste. 300  
Salt Lake City, UT  
84107-2540  
Tel. 801.261.0090  
Fax: 801.266.1671  
www.stantec.com

Project Number 66301271	PM RCE			
Filename 012714-dx	Designed By RCE	Drawn By KFW	Checked By EJW	Date
Revisions				
No.	By	Date		

**CITY PLANNING COMMISSION**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_ BY THE SALT LAKE CITY PLANNING COMMISSION.

SALT LAKE CITY PLANNING DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

**COUNTY PLANNING & DEVELOPMENT SERVICES DIVISION**

I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE AND HEREBY APPROVED.

CITY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_ CITY SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_

**CITY PUBLIC UTILITIES DEPARTMENT**

APPROVED AS TO SANITARY SEWER AND WATER UTILITY DETAIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_.

SALT LAKE CITY PUBLIC UTILITIES DIRECTOR \_\_\_\_\_

**CITY ATTORNEY**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_.

SALT LAKE CITY ATTORNEY \_\_\_\_\_

**CITY APPROVAL**

PRESENTED TO THE SALT LAKE COUNTY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_, AND IS HEREBY APPROVED.

SALT LAKE CITY MAYOR \_\_\_\_\_ SALT LAKE COUNTY RECORDER \_\_\_\_\_



## 4. Trails, Public Easement



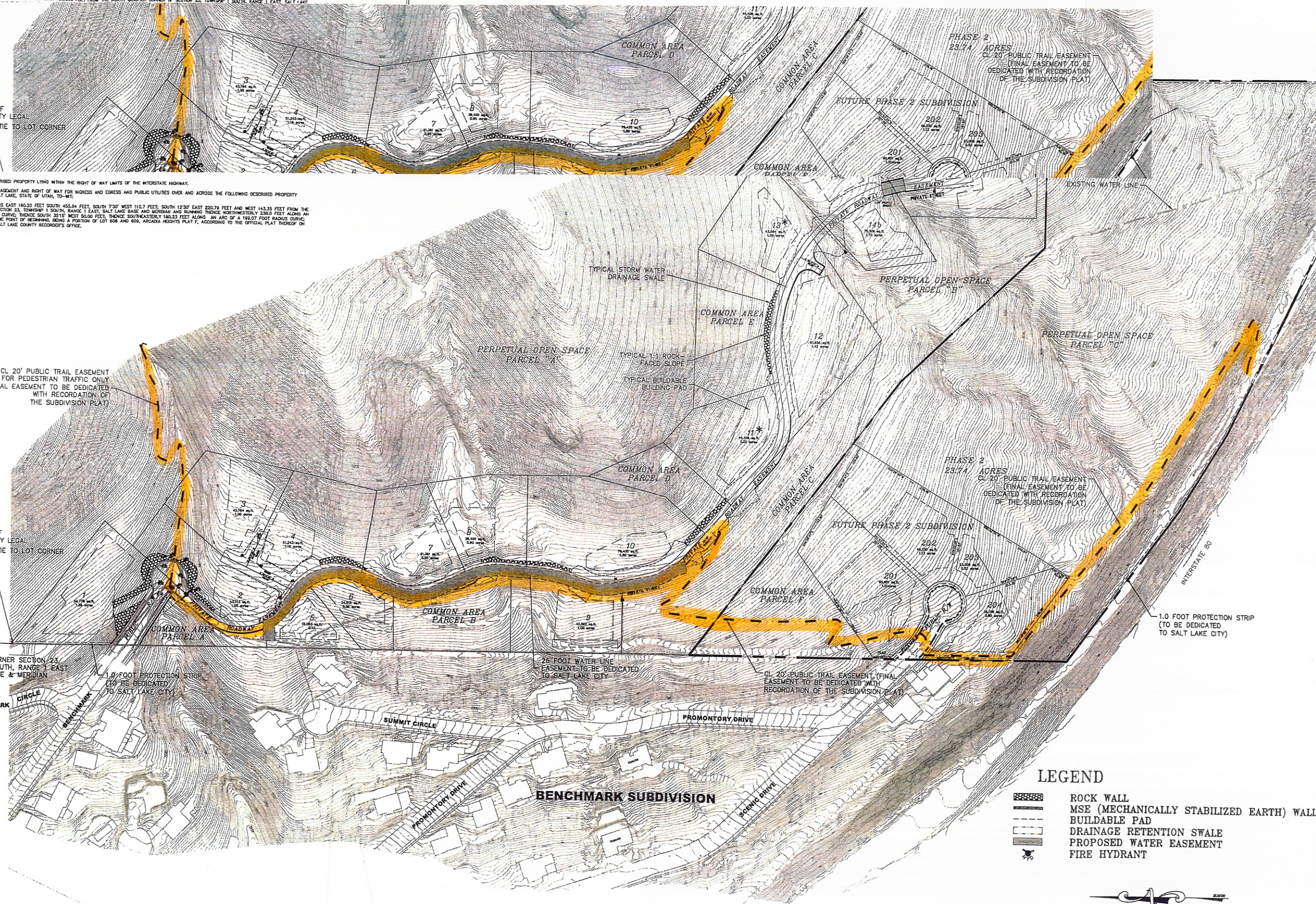
PROPERTY LEGAL DESCRIPTION:  
 BEGINNING AT A POINT WHICH IS SOUTH 89°41'00" EAST 130.00 FEET FROM THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE COUNTY, UTAH;

EXCEPTING THEREFROM ANY PART OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE RIGHT OF WAY LIMITS OF THE INTERSTATE HIGHWAY, TOGETHER WITH A PERPETUAL EASEMENT AND RIGHT OF WAY FOR INGRESS AND EGRESS AND PUBLIC UTILITIES OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY SITUATE IN THE COUNTY OF SALT LAKE, STATE OF UTAH, TO-WIT:

BEGINNING AT A POINT WHICH IS EAST 190.00 FEET SOUTH 455.84 FEET, SOUTH 7°30' WEST 112.7 FEET, SOUTH 12°30' EAST 220.70 FEET AND WEST 143.35 FEET FROM THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTHWESTERLY 238.0 FEET ALONG AN ARC OF A 240.0 FOOT RADIUS CURVE THENCE SOUTH 35°15' WEST 50.00 FEET, THENCE SOUTHEASTERLY 180.23 FEET ALONG AN ARC OF A 180.0 FOOT RADIUS CURVE, THENCE EAST 50.00 FEET TO THE POINT OF BEGINNING, BEING A PORTION OF LOT 608 AND 609, ARCADIA HEIGHTS PLAT F, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

PROPERTY OWNER/AGENT  
 TRES ROMNEY  
 ROMNEY UNDER COMPANY  
 430 EAST 400 SOUTH  
 SALT LAKE CITY, UT 84111

P.O.B. OF PROPERTY LEGAL TIE TO LOT CORNER  
 89°41'00" E  
 130.00'  
 SOUTH  
 1939.52'



NORTH 1/4 CORNER SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN

1.0 FOOT PROTECTION STRIP (TO BE DEDICATED TO SALT LAKE CITY)

20-FOOT WATER LINE EASEMENT TO BE DEDICATED TO SALT LAKE CITY

CL 20' PUBLIC TRAIL EASEMENT (FINAL EASEMENT TO BE DEDICATED WITH RECORDATION OF THE SUBDIVISION PLAT)

1.0 FOOT PROTECTION STRIP (TO BE DEDICATED TO SALT LAKE CITY)

**LEGEND**

- ROCK WALL
- MSE (MECHANICALLY STABILIZED EARTH) WALL
- BUILDABLE PAD
- DRAINAGE RETENTION SWALE
- PROPOSED WATER EASEMENT
- FIRE HYDRANT

**GRAPHIC SCALE**

( IN FEET )  
 1 inch = 100 ft.

- NOTES**
- ALL PRIVATE ROADS IN THIS SUBDIVISION ARE TO BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
  - LOTS 11 AND 13 - LOT OWNERS MAY NEED TO PROVIDE INDIVIDUAL BOOSTER PUMPS TO PROVIDE FIRE AND DOMESTIC SERVICE. BOOSTER PUMPS WILL ALSO REQUIRE A BACKFLOW PREVENTION DEVICE MEETING CITY AND STATE REGULATIONS.

Project Number	PM	PL	DATE	NO.	DATE
86303271	FLORIANE	02/11/05	1	02/11/05	AS NOTED
			2	02/11/05	
			3	02/11/05	
			4	02/11/05	
			5	02/11/05	
			6	02/11/05	

IF A WORKMAN OF ANY TYPE IS FOUND TO BE VIOLATING ANY OF THE PROVISIONS OF THE UTAH PROFESSIONAL LAND SURVEYING ACT, HE OR SHE SHALL BE SUBJECT TO THE PENALTIES PROVIDED IN THE ACT. THE BOARD OF PROFESSIONAL LAND SURVEYORS HAS THE HONORARY RIGHT TO TAKE ANY ACTION NECESSARY TO ENFORCE THE PROVISIONS OF THE ACT. THE BOARD OF PROFESSIONAL LAND SURVEYORS HAS THE HONORARY RIGHT TO TAKE ANY ACTION NECESSARY TO ENFORCE THE PROVISIONS OF THE ACT.

STATE OF UTAH  
 LICENSED PROFESSIONAL  
 No. 198279  
 ROBERT C. ELDER  
 State of Utah Registration

Stantec Consulting Inc.  
 3085 S. 700 E. Ste. 300  
 Salt Lake City, UT  
 84107-2545  
 Tel. 801.261.0090  
 Fax. 801.266.1671  
 www.stantec.com



PARLEY'S POINTE - PHASE 2  
 SUBDIVISION  
 SALT LAKE COUNTY, UT  
 PRELIMINARY SITE PLAN - EXHIBIT 2

Sheet Number  
 2



## 5. Department/Division Comments

# PUBLIC SERVICES

**Carroll, Sarah**

---

**From:** Graham, Rick  
**Sent:** Friday, January 20, 2006 4:45 PM  
**To:** Carroll, Sarah  
**Subject:** RE: Petition No. 400-05-41, Parley's Pointe Annexation (request for department/division comments)  
**Categories:** Program/Policy

Thank you. I have no comments to make.

---

**From:** Carroll, Sarah  
**Sent:** Friday, January 20, 2006 2:36 PM  
**To:** Boskoff, Nancy; Campbell, Tim; Clark, Luann; Dinse, Rick; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Oka, Dave; Querry, Chuck; Rutan, Ed; Zunguze, Louis  
**Cc:** Wheelwright, Doug; LoPiccolo, Kevin; Ikefuna, Alexander  
**Subject:** Petition No. 400-05-41, Parley's Pointe Annexation (request for department/division comments)

Please find attached a memo relating to the Parley's Pointe Annexation by Romney Lumber Company. I have also attached a copy of the resolution that Planning office submitted to the City Council, which was accepted by the City Council on January 17, 2006.

Sarah Carroll  
Associate Planner  
801-535-6260  
sarah.carroll@slcgov.com

# AIRPORT

**Carroll, Sarah**

---

**From:** McCandless, Allen  
**Sent:** Friday, January 27, 2006 9:10 AM  
**To:** Carroll, Sarah  
**Cc:** Domino, Steve; Pack, Russ  
**Subject:** Petition #400-05-41 Parley's Pointe Annexation

**Sarah,**

**From the maps sent and from our phone conversation on January 26, 2006, I understand the Parley's Pointe Annexation proposal is located at the mouth of Parley's canyon (3000 East and 2500 South). I reviewed this location to assess if there are any airport or aviation related issues associated with the annexation.**

**Please note future residents can expect regular flights in this vicinity from general aviation aircraft. Because of the mountainous terrain, smaller aircraft use the Parley's Canyon east-west flight corridor en route to and from the Salt Lake area.**

**This annexation area is not located in an established airport influence zone and will not require avigation easements. I have no objection to the proposed annexation.**

# BUILDING SERVICES

**Carroll, Sarah**

---

**From:** Brown, Ken  
**Sent:** Friday, January 27, 2006 11:39 AM  
**To:** Carroll, Sarah  
**Cc:** Butcher, Larry  
**Subject:** Memo: Petition No. 400-05-41 Parley's Point Annexation  
**Categories:** Program/Policy

## Memo

**Date:** January 27, 2006  
**To:** Sarah Carroll, Associate Planner  
**From:** Ken Brown  
Senior Development Review Planner  
535-6179  
**Re:** Petition No. 400-05-41 Parley's Point Annexation  
**CC:** Larry Butcher

The Building Services Department has no concerns at this time regarding the proposed annexation, recommended zoning or master plan amendment.



POLICE

**Carroll, Sarah**

---

**From:** Smith, JR  
**Sent:** Monday, January 30, 2006 12:57 PM  
**To:** Carroll, Sarah  
**Subject:** Petition # 400-05-41 Parley's Pointe Annexation

Sarah,

From a CPTED perspective I do not see any concerns based upon the supplied information and drawings.

J.R. Smith  
SLCPD

Community Action Team

# PROPERTY MANAGEMENT

**Carroll, Sarah**

---

**From:** Williams, Matthew  
**Sent:** Monday, January 30, 2006 4:26 PM  
**To:** Carroll, Sarah  
**Subject:** Petition Number 400-05-41, Parley's Pointe Annexation  
**Categories:** Confidential

In reviewing the attached information, Property Management has no comment on the requested annexation, the rezoning and the master plan amendment.

In reviewing the provisions of the Settlement and Annexation Agreement, I would request that Property Management be involved in the conveyance through purchase/donation of the Open Space land so identified by the agreement. There are future years' property tax consequences which can be avoided through the proper notification of and interaction with Salt Lake County at the time of initial conveyance.

Just a note of minor correction, the orientation of the Annexation Plat appears to be incorrect - the arrow intending to indicate north appears to be pointing east.

Matt Williams  
Acting Property Manager

# TRANSPORTATION

**Carroll, Sarah**

---

**From:** Walsh, Barry  
**Sent:** Tuesday, January 31, 2006 11:38 AM  
**To:** Carroll, Sarah  
**Cc:** Young, Kevin; Bergenthal, Dan; Weiler, Scott; Leydsman, Wayne; Stewart, Brad; Butcher, Larry; Williams, Matthew  
**Subject:** Pet 400-05-41  
**Categories:** Program/Policy

January 31, 2006

Sarah Carroll  
Planning Division  
451 South State St, Rm. 406  
Salt Lake City, Utah 84111

Re: Petition #400-05-41- Annexation for Proposed Parley's Pointe Subdivision by Romney/Carson.

Dear Sarah:

The Division of Transportation review recommendation and comments are for approval as follows:

In reviewing a 1994 traffic impact report for a former proposal in this same location for 60+ units, we saw no undue impact on the existing transportation corridor system. Using the information from this same report, we see no undue impact as a result of this proposal for 16 residential lots on Benchmark Drive or the 4 lots on Scenic Drive.

Unlike for public roadways, we do not review "private" community roadway geometrics or require them to comply to current city design standards. Private roadways must only comply to minimal requirements for emergency fire access standards for grades, curves, turning radii, etc. However, the entry/exit areas which are open to the public are subject to city design standards and must pass through the standard city process for review and approval. The development of the public roadway extension of both Benchmark and Scenic Dr will be required to comply to current city roadway design standards.

We will need to review the public trail alignment and development to comply with national standards for public safety and how that trail blends with the private transportation corridors, trail head designation, etc.

We cannot comment further on the submitted plan at this time due to the limited information shown in its reduced scale.

Please feel free to call me at 535-6630 if you have any questions about these comments.

Sincerely,

Barry Walsh

# PUBLIC UTILITIES

**Carroll, Sarah**

---

**From:** Stewart, Brad  
**Sent:** Tuesday, February 07, 2006 11:37 AM  
**To:** Carroll, Sarah; Leydsman, Wayne; Weiler, Scott; Smith, Craig  
**Cc:** Niermeyer, Jeff; Garcia, Peggy; Greenleaf, Karryn  
**Subject:** RE: URGENT: Annexation, zoning and master plan amendment, petition no. 400-05-41  
**Categories:** Program/Policy

Sarah,

Salt Lake Public Utilities concurs with the annexation proposal. We have been working closely with representatives of Romney Lumber and Lynn Pace to resolve water, sewer, and storm drainage issues associated with this proposal. The resolution reflects the outcome of these discussions.

Engineers working for Romney Lumber are preparing detailed design drawings for the water transmission line relocation, sewer, storm drainage and mountain drainage aspects of this project. Upon approval of these drawings Public Utilities can enter into a subdivision agreement that will allow construction of the subdivision.

Brad

---

**From:** Carroll, Sarah  
**Sent:** Monday, February 06, 2006 2:53 PM  
**To:** Stewart, Brad; Leydsman, Wayne; Weiler, Scott; Smith, Craig  
**Subject:** URGENT: Annexation, zoning and master plan amendment, petition no. 400-05-41  
**Importance:** High

I have not yet received written comments from Engineering, Public Utilities and the Fire Department regarding this request for annexation, zoning map amendment and master plan amendment. (I routed this to everyone on 1/20/06).

Please e-mail your comments by tomorrow so that I may state your comments in the final draft of my staff report. I've attached the memo that I routed and the resolution that planning staff submitted to the City Council.

Thanks Everyone!

Sarah Carroll  
Associate Planner  
801-535-6260  
sarah.carroll@slcgov.com

2/7/2006

# ENGINEERING P.1

TO: SARAH CARROLL, PLANNING  
FROM: SCOTT WEILER, P.E., ENGINEERING  
DATE: FEBRUARY 6, 2006  
SUBJECT: **Romney/Carson Annexation for Parley's Pointe Subdivision  
2982 Benchmark Drive**

City Engineering review comments, dated March 24, 2000 are *updated* as follows:

1. *It is our understanding that the annexation of the proposed Phase 1 Subdivision will occur after Salt Lake County approves the plat and improvement plans but before construction. If so, SLC Engineering will be involved in the inspection of the construction but not the plan review and approval. If the annexation of Phase 2 occurs before the plat and improvement plan approval of Phase 2, SLC Engineering will be involved in the plan review as well as the construction inspection of Phase 2. If this is the case, the developer must enter into a subdivision improvement construction agreement for Phase 2. This agreement requires the payment of a 5% fee based on the estimated cost of roadway improvements.*
2. Curb, gutter and sidewalk exist in Benchmark Drive and Scenic Drive, the two public streets that would provide access to *Phase 1 and Phase 2, respectively.*

*Items 3. through 11. apply to the proposed Phase 2 Subdivision if it is annexed before it is platted and given SLC approval.*

3. Plan & Profile Drawings for the proposed new street must comply with the Salt Lake City Engineering design regulations. Some of the significant requirements are as follows:  
Minimum street design grade is 0.50% along the gutter flowline.  
Maximum street design grade is 12% along the centerline of the street.  
The engineering drawings must show the profile view for both top back of curb grades, as well as the centerline grade.  
The horizontal scale for the drawings shall be 1" = 20', 1"=30' or 1"=40. The vertical scale shall be one-tenth the horizontal scale.  
Cut and fill sections must be shown every 50' of new roadway.
4. SLC Transportation must approve all street geometrics.

# ENGINEERING p.2

Sarah Carroll  
Parley's Pointe Subdivision  
February 6, 2006

5. A geotechnical report is required addressing maximum cut and fill slopes and the prevalence of rock that will be encountered. The report should include a pavement section design for the new streets with backup data and calculations.
6. Revegetation of cut and fill slopes for roadway construction is required as part of the subdivision agreement.
7. Sewer, Water & Drainage must conform to the requirements of the Public Utility Department. The developer must enter into agreements required by the SLC Public Utilities Department and pay the required fees.
8. The subdivision plat must conform to the requirements on the attached plat checklist. A plat should be submitted as soon as possible to allow the SLC Surveyor to begin his review.
9. Alice Montoya will assign addresses to the proposed lots when a plat is submitted.
10. The construction contractor must file a Notice of Intent with the State of Utah to comply with the NPDES permitting process. The Contractor must also submit a pollution prevention plan to the State.
11. 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.

cc: Brad Stewart  
Barry Walsh  
Vault

# FIRE DEPT.

**Carroll, Sarah**

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**From:** Leydsman, Wayne  
**Sent:** Tuesday, February 07, 2006 3:06 PM  
**To:** Carroll, Sarah  
**Subject:** Petition 400-05-41 Parley's Pointe Annexation Plat  
**Categories:** Confidential

I have reviewed the material given to me regarding this request. Phase 1 indicate a road to future property sites. The drawings I have received area basic and do not have many details that I requested. I have concerns that the basic fire code requirements are met for the road.

The road shall be paved and a minimum of 26 feet in width with no parking permitted on either side. Once over 28 feet then parking would be permitted on one side. Over 32 feet then parking is permitted on both sides. In addition the grade of the road shall be less than 10 percent at any point. I had requested the grade information and not yet received it.

An adequte water system and supply shall be provided along this road to provide fire hydrants at a maximum of 500 foot spacing. Absolute minimum water supply shall be 1500 GPM at 20 psi at the most remote hydrant. Water main shall be at least 8" diameter along the road.

Another comment is the turn around at the end of the phase 1. It is asked that a cul-de-sac of 120 feet be provided to handle large fire apparatus. (The code does permit a 96' diameter for up to 750 feet from the main point of entry road. However, due to the great distance from the main access point the larger diameter has been utilized on other projects in the city.) If this property is to be gated, then a clear width 20 feet shall be provided at that point, along with keys or other means for FD entry.

These are general comments and concerns by the Salt Lake City Fire Department, so that we may best provide services to this area as it becomes annexed into the city. My phone number is 799-4164 if additional question occur.

Wayne Leydsman  
Inspector/Plans Examiner  
SLCFD

**Leydsman, Wayne**

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**From:** Leydsman, Wayne  
**Sent:** Thursday, February 16, 2006 11:14  
**To:** Carroll, Sarah  
**Subject:** Petition 400-05-41 Parley's Pointe Annexation Plat Subdivision  
**Follow Up Flag:** Follow up  
**Flag Status:** Red  
**Categories:** Program/Policy

February 15, 2006

Sarah Carroll  
Planning Division  
451 South State Street, Room 406  
Salt Lake City, Utah, 84111

Re:Petition # 400-05-41: Parley's Pointe Annexation, Revision to E-mail dated February 7, 2006.

The Salt Lake City Fire Department has received more detailed plans for the Phase 1 portion of this project which indicated residential parcels which are accessed from and a private road.


The State of Utah has adopted the *International Fire Code* (IFC) 2003 Edition and the city has specifically adopted Appendices B, C, and D, which is adopted as a minimum code and standard of regulations affecting the safety and well being to life and property from fire and related hazards, and relates to this annexation request. A portion of these regulations are related to fire service features to new construction and providing guidelines to new developments, as related in Chapter 5 of the IFC. Copies of these code sections are attached for information and review.

A basic site review was completed with the additional drawings regarding this project as provided, on the 13th of February. These plans indicated steep topography and a roadway of twenty feet in width, which does appear to meet our 10% maximum grade requirements, however the width is inadequate. Fire access roads more than 750 feet from the main access route, or main access cross street are required to be a minimum of 26 feet in width as outlined in Appendix D of the IFC. In addition, where fire hydrants are located, the minimum road width shall be 26 feet. These fire access roads shall be posted as NO PARKING, FIRE LANE on both sides of the road. Any gates installed at the site shall meet the requirements of Appendix D103.5 of the IFC, and shall be a minimum of twenty feet in width when opened. Rapid access means, such as fire department key boxes, or other approved means shall be provided to rapidly open any gate on the fire access route.

The main water line which feed the fire hydrants should be immediately adjacent to, and follow the road. This is to be coordinated with Salt Lake City Department of Public Utilities. It was noted that the fire hydrant at the end of the road shall be accessible from the road or have pavement extended to, and slightly beyond it.

It also appears that the homes on these lots are large and may require residential fire sprinkler systems. This will be determined on a case by case basis, based on type of construction, building area, distance and water flow from the nearest fire hydrants.

We highly recommend that all the homes in this subdivision be provide with residential fire sprinklers and to consult with their insurance carriers for additional advice and recommendations.

Sincerely,  
  
Wayne Leydsman  
Assistant Plans Examiner

02/16/2006



Exhibit: Petition 400-05-41

State Adopted IFC-2003 Ed.

CHAPTER 5

→ INDICATE APPLICABLE REGULATION

FIRE SERVICE FEATURES

SECTION 501 GENERAL

501.1 Scope. Fire service features for buildings, structures and premises shall comply with this chapter.

501.2 Permits. A permit shall be required as set forth in Sections 105.6 and 105.7.

501.3 Construction documents. Construction documents for proposed fire apparatus access, location of fire lanes and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction.

501.4 Timing of installation. When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles in accordance with Section 505.2.

SECTION 502 DEFINITIONS

502.1 Definitions. The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

**FIRE APPARATUS ACCESS ROAD.** A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway.

**FIRE COMMAND CENTER.** The principal attended or unattended location where the status of the detection, alarm communications and control systems is displayed, and from which the system(s) can be manually controlled.

**FIRE DEPARTMENT MASTER KEY.** A limited issue key of special or controlled design to be carried by fire department officials in command which will open key boxes on specified properties.

**FIRE LANE.** A road or other passageway developed to allow the passage of fire apparatus. A fire lane is not necessarily intended for vehicular traffic other than fire apparatus.

**KEY BOX.** A secure, tamperproof device with a lock operable only by a fire department master key, and containing building entry keys and other keys that may be required for access in an emergency.

obtain from SLCFD Fire prevention Ph 799-4150

SECTION 503 FIRE APPARATUS ACCESS ROADS

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group I occupancies.

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 23.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.7.

See adopted App 'D'

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority. The fire code official shall have the authority to require an increase in the minimum access width where they are inadequate for fire or rescue operations.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

**FIRE SERVICE FEATURES**

→ **503.2.4 Turning radius.** The required turning radius of a fire apparatus access road shall be determined by the fire code official.

→ **503.2.5 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

**503.2.6 Bridges and elevated surfaces.** Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with *AASHTO Standard Specification for Highway Bridges*. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

→ **503.2.7 Grade.** The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus. **10% see**

→ **503.3 Marking.** Where required by the fire code official, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. **APXO**

**503.4 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

**503.5 Required gates or barricades.** The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys or highways.

→ **503.5.1 Secured gates and barricades.** When required, gates and barricades shall be secured in an approved manner. Roads, trails and other accessways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official.

**Exception:** The restriction on use shall not apply to public officers acting within the scope of duty.

→ **503.6 Security gates.** The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times.

**SECTION 504****ACCESS TO BUILDING OPENINGS AND ROOFS**

**504.1 Required access.** Exterior doors and openings required by this code or the *International Building Code* shall be main-

tained readily accessible for emergency access by the fire department. An approved access walkway leading from fire apparatus access roads to exterior openings shall be provided when required by the fire code official.

**504.2 Maintenance of exterior doors and openings.** Exterior doors and their function shall not be eliminated without prior approval. Exterior doors that have been rendered nonfunctional and that retain a functional door exterior appearance shall have a sign affixed to the exterior side of the door with the words **THIS DOOR BLOCKED**. The sign shall consist of letters having a principal stroke of not less than 0.75 inch (19.1 mm) wide and at least 6 inches (152 mm) high on a contrasting background. Required fire department access doors shall not be obstructed or eliminated. Exit and exit access doors shall comply with Chapter 10. Access doors for high-piled combustible storage shall comply with Section 2306.6.1.

**504.3 Stairway access to roof.** New buildings four or more stories in height, except those with a roof slope greater than four units vertical in 12 units horizontal (33.3 percent slope), shall be provided with a stairway to the roof. Stairway access to the roof shall be in accordance with Section 1009.12. Such stairway shall be marked at street and floor levels with a sign indicating that the stairway continues to the roof. Where roofs are used for roof gardens or for other purposes, stairways shall be provided as required for such occupancy classification.

**SECTION 505  
PREMISES IDENTIFICATION**

**505.1 Address numbers.** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

**505.2 Street or road signs.** Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs.

**SECTION 506  
KEY BOXES**

← **506.1 Where required.** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official.

**506.1.1 Locks.** An approved lock shall be installed on gates or similar barriers when required by the fire code official.

**506.2 Key box maintenance.** The operator of the building shall immediately notify the fire code official and provide the

## FIRE SERVICE FEATURES

new key when a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

→ **508.3 Fire flow.** Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method. *See APX B'*

### SECTION 507 HAZARDS TO FIRE FIGHTERS

**507.1 Trapdoors to be closed.** Trapdoors and scuttle covers, other than those that are within a dwelling unit or automatically operated, shall be kept closed at all times except when in use.

**508.4 Water supply test.** The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system.

**507.2 Shaftway markings.** Vertical shafts shall be identified as required by this section.

→ **508.5 Fire hydrant systems.** Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.6.

**507.2.1 Exterior access to shaftways.** Outside openings accessible to the fire department and which open directly on a hoistway or shaftway communicating between two or more floors in a building shall be plainly marked with the word SHAFTWAY in red letters at least 6 inches (152 mm) high on a white background. Such warning signs shall be placed so as to be readily discernible from the outside of the building.

**508.5.1 Where required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

**507.2.2 Interior access to shaftways.** Door or window openings to a hoistway or shaftway from the interior of the building shall be plainly marked with the word SHAFTWAY in red letters at least 6 inches (152 mm) high on a white background. Such warning signs shall be placed so as to be readily discernible.

#### Exceptions:

**Exception:** Marking shall not be required on shaftway openings which are readily discernible as openings onto a shaftway by the construction or arrangement.

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

**507.3 Pitfalls.** The intentional design or alteration of buildings to disable, injure, maim or kill intruders is prohibited. No person shall install and use firearms, sharp or pointed objects, razor wire, explosives, flammable or combustible liquid containers, or dispensers containing highly toxic, toxic, irritant or other hazardous materials in a manner which may passively or actively disable, injure, maim or kill a fire fighter who forcibly enters a building for the purpose of controlling or extinguishing a fire, rescuing trapped occupants or rendering other emergency assistance.

**508.5.2 Inspection, testing and maintenance.** Fire hydrant systems shall be subject to periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall comply with approved standards.

**508.5.3 Private fire service mains and water tanks.** Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with NFPA 25 at the following intervals:

1. Private fire hydrants (all types): Inspection annually and after each operation; flow test and maintenance annually.
2. Fire service main piping: Inspection of exposed, annually; flow test every 5 years.
3. Fire service main piping strainers: Inspection and maintenance after each use.

### SECTION 508 FIRE PROTECTION WATER SUPPLIES

→ **508.1 Required water supply.** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

**508.5.4 Obstruction.** Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

**508.2 Type of water supply.** A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow.

**508.2.1 Private fire service mains.** Private fire service mains and appurtenances shall be installed in accordance with NFPA 24.

**508.5.5 Clear space around hydrants.** A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

**508.2.2 Water tanks.** Water tanks for private fire protection shall be installed in accordance with NFPA 22.

**508.5.6 Physical protection.** Where fire hydrants are subject to impact by a motor vehicle, guard posts or other approved means shall comply with Section 312.

## APPENDIX B

## FIRE-FLOW REQUIREMENTS FOR BUILDINGS

*The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.*

SECTION B101  
GENERAL

**B101.1 Scope.** The procedure for determining fire-flow requirements for buildings or portions of buildings hereafter constructed shall be in accordance with this appendix. This appendix does not apply to structures other than buildings.

SECTION B102  
DEFINITIONS

**B102.1 Definitions.** For the purpose of this appendix, certain terms are defined as follows:

**FIRE FLOW.** The flow rate of a water supply, measured at 20 pounds per square inch (psi) (138 kPa) residual pressure, that is available for fire fighting.

**FIRE-FLOW CALCULATION AREA.** The floor area, in square feet (m<sup>2</sup>), used to determine the required fire flow.

SECTION B103  
MODIFICATIONS

**B103.1 Decreases.** The fire chief is authorized to reduce the fire-flow requirements for isolated buildings or a group of buildings in rural areas or small communities where the development of full fire-flow requirements is impractical.

**B103.2 Increases.** The fire chief is authorized to increase the fire-flow requirements where conditions indicate an unusual susceptibility to group fires or conflagrations. An increase shall not be more than twice that required for the building under consideration.

**B103.3 Areas without water supply systems.** For information regarding water supplies for fire-fighting purposes in rural and suburban areas in which adequate and reliable water supply systems do not exist, the fire code official is authorized to utilize NFPA 1142 or the *International Urban Wildland Interface Code*.

SECTION B104  
FIRE AREA

**B104.1 General.** The fire-flow calculation area shall be the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of a building, except as modified in Section B104.3.

**B104.2 Area separation.** Portions of buildings which are separated by fire walls without openings, constructed in accordance with the *International Building Code*, are allowed to be considered as separate fire-flow calculation areas.

**B104.3 Type IA and Type IB construction.** The fire-flow calculation area of buildings constructed of Type IA and Type IB construction shall be the area of the three largest successive floors.

**Exception:** Fire-flow calculation area for open parking garages shall be determined by the area of the largest floor.

## SECTION B105

## FIRE-FLOW REQUIREMENTS FOR BUILDINGS

**B105.1 One- and two-family dwellings.** The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet (344.5 m<sup>2</sup>) shall be 1,000 gallons per minute (3785.4 L/min). Fire flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet (344.5 m<sup>2</sup>) shall not be less than that specified in Table B105.1.

**Exception:** A reduction in required fire flow of 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system.

**B105.2 Buildings other than one- and two-family dwellings.** The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1.

**Exception:** A reduction in required fire flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 of the *International Fire Code*. Where buildings are also of Type I or II construction and are a light-hazard occupancy as defined by NFPA 13, the reduction may be up to 75 percent. The resulting fire flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration as specified in Table B 105.1.

SECTION B106  
REFERENCED STANDARDS

ICC	IBC	International Building Code	B104.2, Table B105.1
ICC	IFC	International Fire Code	B105.2
ICC	IUWIC	International Urban-Wildland Interface Code	B103.3
NFPA	1142	Standard on Water Supplies for Suburban and Rural Fire Fighting	B103.3

## FIRE-FLOW REQUIREMENTS FOR BUILDINGS

TABLE B105.1  
MINIMUM REQUIRED FIRE FLOW AND FLOW DURATION FOR BUILDINGS<sup>a</sup>

FIRE-FLOW CALCULATION AREA (square feet)					FIRE FLOW (gallons per minute) <sup>c</sup>	FLOW DURATION (hours)
Type IA and IB <sup>b</sup>	Type IIA and IIIA <sup>b</sup>	Type IV and V-A <sup>b</sup>	Type IIB and IIB <sup>b</sup>	Type V-B <sup>b</sup>		
0-22,700	0-12,700	0-8,200	0-5,900	0-3,600	1,500	2
22,701-30,200	12,701-17,000	8,201-10,900	5,901-7,900	3,601-4,800	1,750	
30,201-38,700	17,001-21,800	10,901-12,900	7,901-9,800	4,801-6,200	2,000	
38,701-48,300	21,801-24,200	12,901-17,400	9,801-12,600	6,201-7,700	2,250	
48,301-59,000	24,201-33,200	17,401-21,300	12,601-15,400	7,701-9,400	2,500	
59,001-70,900	33,201-39,700	21,301-25,500	15,401-18,400	9,401-11,300	2,750	
70,901-83,700	39,701-47,100	25,501-30,100	18,401-21,800	11,301-13,400	3,000	3
83,701-97,700	47,101-54,900	30,101-35,200	21,801-25,900	13,401-15,600	3,250	
97,701-112,700	54,901-63,400	35,201-40,600	25,901-29,300	15,601-18,000	3,500	
112,701-128,700	63,401-72,400	40,601-46,400	29,301-33,500	18,001-20,600	3,750	4
128,701-145,900	72,401-82,100	46,401-52,500	33,501-37,900	20,601-23,300	4,000	
145,901-164,200	82,101-92,400	52,501-59,100	37,901-42,700	23,301-26,300	4,250	
164,201-183,400	92,401-103,100	59,101-66,000	42,701-47,700	26,301-29,300	4,500	
183,401-203,700	103,101-114,600	66,001-73,300	47,701-53,000	29,301-32,600	4,750	
203,701-225,200	114,601-126,700	73,301-81,100	53,001-58,600	32,601-36,000	5,000	
225,201-247,700	126,701-139,400	81,101-89,200	58,601-65,400	36,001-39,600	5,250	
247,701-271,200	139,401-152,600	89,201-97,700	65,401-70,600	39,601-43,400	5,500	
271,201-295,900	152,601-166,500	97,701-106,500	70,601-77,000	43,401-47,400	5,750	
295,901-Greater	166,501-Greater	106,501-115,800	77,001-83,700	47,401-51,500	6,000	
—	—	115,801-125,500	83,701-90,600	51,501-55,700	6,250	
—	—	125,501-135,500	90,601-97,900	55,701-60,200	6,500	
—	—	135,501-145,800	97,901-106,800	60,201-64,800	6,750	
—	—	145,801-156,700	106,801-113,200	64,801-69,600	7,000	
—	—	156,701-167,900	113,201-121,300	69,601-74,600	7,250	
—	—	167,901-179,400	121,301-129,600	74,601-79,800	7,500	
—	—	179,401-191,400	129,601-138,300	79,801-85,100	7,750	
—	—	191,401-Greater	138,301-Greater	85,101-Greater	8,000	

For SI: 1 square foot = 0.0929 m<sup>2</sup>, 1 gallon per minute = 3.785 L/m, 1 pound per square inch = 6.895 kPa.

- a. The minimum required fire flow shall be permitted to be reduced by 25 percent for Use Group R.  
 b. Types of construction are based on the *International Building Code*.  
 c. Measured at 20 psi.

## APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION

*The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.*

### SECTION C101 GENERAL

**C101.1 Scope.** Fire hydrants shall be provided in accordance with this appendix for the protection of buildings, or portions of buildings, hereafter constructed.

### SECTION C102 LOCATION

**C102.1 Fire hydrant locations.** Fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets.

### SECTION C103 NUMBER OF FIRE HYDRANTS

**C103.1 Fire hydrants available.** The minimum number of fire hydrants available to a building shall not be less than that listed in Table C105.1. The number of fire hydrants available to a complex or subdivision shall not be less than that determined by spacing requirements listed in Table C105.1 when applied to fire apparatus access roads and perimeter public streets from which fire operations could be conducted.

### SECTION C104

#### CONSIDERATION OF EXISTING FIRE HYDRANTS

**C104.1 Existing fire hydrants.** Existing fire hydrants on public streets are allowed to be considered as available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads.

### SECTION C105

#### DISTRIBUTION OF FIRE HYDRANTS

**C105.1 Hydrant spacing.** The average spacing between fire hydrants shall not exceed that listed in Table C105.1.

Exception: The fire chief is authorized to accept a deficiency of up to 10 percent where existing fire hydrants provide all or a portion of the required fire hydrant service.

Regardless of the average spacing, fire hydrants shall be located such that all points on streets and access roads adjacent to a building are within the distances listed in Table C105.1.

**TABLE C105.1  
NUMBER AND DISTRIBUTION OF FIRE HYDRANTS**

FIRE-FLOW REQUIREMENT (gpm)	MINIMUM NUMBER OF HYDRANTS	AVERAGE SPACING BETWEEN HYDRANTS <sup>a, b, c</sup> (feet)	MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE TO A HYDRANT <sup>d</sup>
1,750 or less	1	500	250
2,000-2,250	2	450	225
2,500	3	450	225
3,000	3	400	225
3,500-4,000	4	350	210
4,500-5,000	5	300	180
5,500	6	300	180
6,000	6	250	150
6,500-7,000	7	250	150
7,500 or more	8 or more <sup>e</sup>	200	120

For SI: 1 foot = 304.8 mm, 1 gallon per minute = 3.785 L/min.

- a. Reduce by 100 feet for dead-end streets or roads.
- b. Where streets are provided with median dividers which can be crossed by fire fighters pulling hose lines, or where arterial streets are provided with four or more traffic lanes and have a traffic count of more than 30,000 vehicles per day, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis up to a fire-flow requirement of 7,000 gallons per minute and 400 feet for higher fire-flow requirements.
- c. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.
- d. Reduce by 50 feet for dead-end streets or roads.
- e. One hydrant for each 1,000 gallons per minute or fraction thereof.

### APPENDIX D

## FIRE APPARATUS ACCESS ROADS

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

#### SECTION D101 GENERAL

**D101.1 Scope.** Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code*.

#### SECTION D102 REQUIRED ACCESS

**D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).

#### SECTION D103 MINIMUM SPECIFICATIONS

**D103.1 Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm). See Figure D103.1.

**D103.2 Grade.** Fire apparatus access roads shall not exceed 10 percent in grade. *MAY 10% Grade*

Exception: Grades steeper than 10 percent as approved by the fire chief.

**D103.3 Turning radius.** The minimum turning radius shall be determined by the fire code official.

**D103.4 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

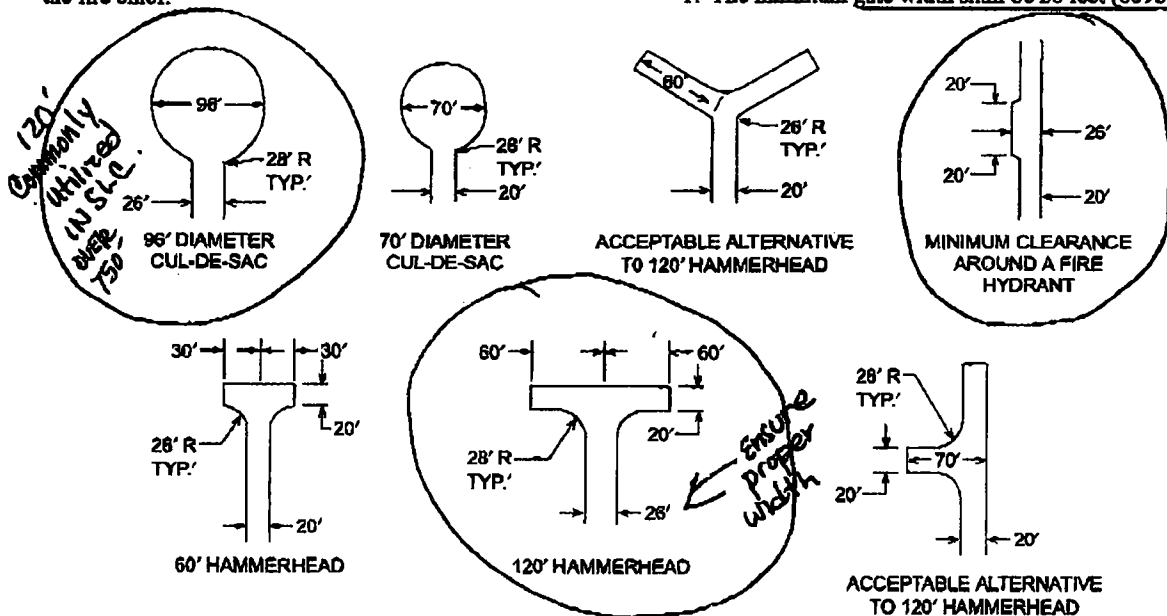
TABLE D103.4  
REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

For SI: 1 foot = 304.8 mm.

**D103.5 Fire apparatus access road gates.** Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet (6096 mm).



For SI: 1 foot = 304.8 mm.

FIGURE D103.1  
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

## APPENDIX D

2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools.
7. Locking device specifications shall be submitted for approval by the fire code official.

**D103.6 Signs.** Where required by the fire code official, fire apparatus access roads shall be marked with permanent **NO PARKING—FIRE LANE** signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

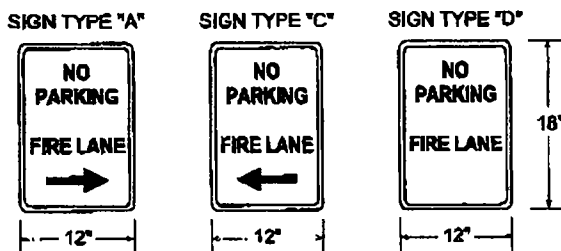


FIGURE D103.6  
FIRE LANE SIGNS

**D103.6.1 Roads 20 to 26 feet in width.** Fire apparatus access roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a fire lane.

**D103.6.2 Roads more than 26 feet in width.** Fire apparatus access roads more than 26 feet wide (7925 mm) to 32 feet wide (9754 mm) shall be posted on one side of the road as a fire lane.

## SECTION D104

## COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

**D104.1 Buildings exceeding three stories or 30 feet in height.** Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least three means of fire apparatus access for each structure.

**D104.2 Buildings exceeding 62,000 square feet in area.** Buildings or facilities having a gross building area of more than

62,000 square feet (5760 m<sup>2</sup>) shall be provided with two separate and approved fire apparatus access roads.

**Exception:** Projects having a gross building area of up to 124,000 square feet (11,520 m<sup>2</sup>) that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems.

**D104.3 Remoteness.** Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

## SECTION D105

## AERIAL FIRE APPARATUS ACCESS ROADS

**D105.1 Where required.** Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

**D105.2 Width.** Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height.

**D105.3 Proximity to building.** At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.

## SECTION D106

## MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

**D106.1 Projects having more than 100 dwelling units.** Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

**Exception:** Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2 of the *International Fire Code*.

**D106.2 Projects having more than 200 dwelling units.** Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

## SECTION D107

## ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

**D107.1 One- or two-family dwelling residential developments.** Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with



## APPENDIX D

separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

**Exceptions:**

1. Where there are 30 or fewer dwelling units on a single public or private access way and all dwelling units are protected by approved residential sprinkler systems, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

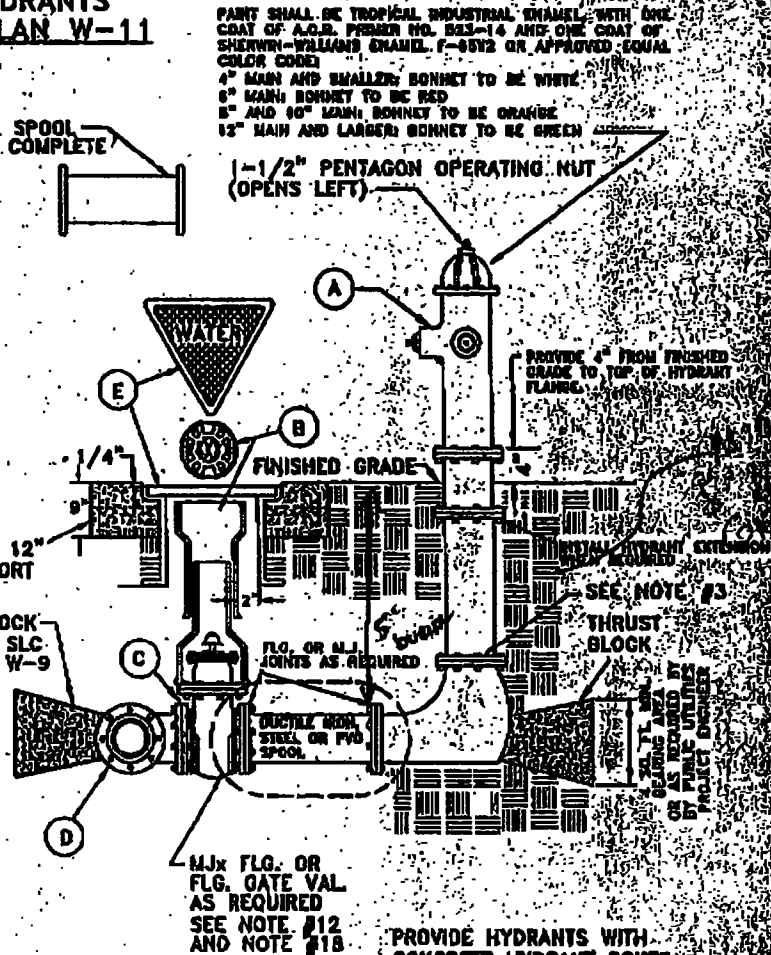
**NOTES:**

1. ALL WORK MUST BE INSPECTED BY SALT LAKE CITY PUBLIC UTILITIES PRIOR TO BACKFILL.
2. HYDRANT THRUST BLOCK REQUIRED WITH A MINIMUM OF 4 SQUARE FEET BEARING ON UNDISTURBED SOIL.
3. DRAIN HOLES TO REMAIN CLEAN FROM OBSTRUCTION. PLACE A MINIMUM OF 1/3 CU. YD. OF CLEAN 1/2" MINUS GRAVEL PLACED AROUND HYDRANT BASE AND DRAIN.
4. B.C. 4-1/2" STREAMER NOZZLE TO FACE THE STREET.
5. FIRE HYDRANTS SHALL BE INSTALLED IN SUCH A MANNER THAT THE HYDRANT FLANGE IS 4 IN. ABOVE FINISHED GRADE. PROVIDE ADJUSTMENTS AS REQUIRED.
6. THE SALT LAKE CITY FIRE DEPARTMENT SHALL BE NOTIFIED AS SOON AS A HYDRANT IS PLACED IN SERVICE.
7. HYDRANT BARREL SHALL BE PAINTED WITH 2 COATS OF C.A. 50 COAL TAR ENAMEL. THE HYDRANT CAPS AND BARREL SHALL BE PAINTED YELLOW WITH BARNETT'S BASE PAINT AND TONGUE OR THIMBLER. THE PAINT SHALL BE TROPICAL INDUSTRIAL ENAMEL WITH ONE COAT OF A.C.B. PRIMER NO. 825-14 AND ONE COAT OF LEMON YELLOW ENAMEL 7-6512 SHERWIN WILLIAMS OR EQUAL. REFER TO SPECIFICATIONS 09910 AND 013985 FOR COATINGS.
8. STANDARD DRILLING - CAST FLANGES, ANSI/AWWA C110 125# / A21.10 125#.
9. STANDARD DRILLING - STEEL FLANGES, ASA B 10.5 180#.
10. STEEL PIPE SPOOL - SCH. 40 STEEL PIPE. REFER TO SPECIFICATIONS 09910 PIPELINE COATING AND 013985 PIPE BONDING WELDING TO BE PER AWWA C207. STEEL FLANGES TO BE PER ASA B18.3 AND COMPATIBLE WITH ASA B18.7 CAST FLANGES. INSTALL STEEL SPOOLS WHICH DIRECTED TO 00-80 BY PUBLIC UTILITIES FIELD REPRESENTATIVE OR AS SHOWN OR CALLED FOR ON PROJECT PLANS AND SPECIFICATIONS.
11. SUPPLY AND INSTALL JOINT RESTRAINTS AND THRUST BLOCKS AS REQUIRED BY SALT LAKE CITY PUBLIC UTILITIES.
12. GATE VALVES TO BE IN ACCORDANCE WITH AWWA C509.
13. ALL EXPOSED BOLTS TO BE COATED WITH CHEVRON FM GREASE #1 OR EQUAL AND ENCASED WITH HEAT SHRINK TUBING REFER TO SPECIFICATIONS 09910 AND 06385.
14. SUPPLY AND INSTALL PIPING, TEE, MJ RIEVES OR TRANSITION COUPLINGS AS REQUIRED FOR CONNECTION TO EXISTING WATERMAIN.
15. ALL DUCTILE IRON PIPE TO BE IN ACCORDANCE WITH ANSI/AWWA-C110/A21.10 CLASS B2.
16. ALL PVC PIPE TO BE IN ACCORDANCE WITH AWWA C900 SDR 10 SPECIFICATIONS (MRL OPERATING PRESSURE 150 P.S.I.).
17. CAST IRON TRAFFIC BOX TO BE INSTALLED WHEN VALVE IS INSTALLED IN TRAFFIC AREA.
18. WHEN SPOOL LENGTH IS GREATER THAN 16 FT., TWO GATE VALVES WILL BE REQUIRED, ONE AT THE MAIN CONNECTION AND ONE AT THE FIRE HYDRANT BASE.
19. ENSURE THAT THERE IS NO DIRECT CONTACT BETWEEN CONCRETE SUPPORT AND CAST IRON VALVE BOX RISER.
20. SUBSTITUTIONS TO BE SUBMITTED TO SALT LAKE CITY PUBLIC UTILITIES FOR ACCEPTANCE.
21. ALL WORK AND MATERIALS TO BE IN ACCORDANCE WITH ANSI/AWWA C501 AND SALT LAKE CITY PUBLIC UTILITIES MINIMUM REQUIREMENTS.
22. SUPPLY AND INSTALL ALL MATERIALS NECESSARY TO CONNECT THE HYDRANT TO THE NEW OR EXISTING WATERMAIN AND REMOVE ANY EXISTING HYDRANT CONNECTIONS AND PIPE RESTORATION AS REQUIRED BY SALT LAKE CITY PUBLIC UTILITIES.

**FIRE HYDRANTS  
DETAIL PLAN W-11**

N.T.S.

FLANGED STEEL SPOOL  
PER NOTE #10 COMPLETE



PART SHALL BE TROPICAL INDUSTRIAL ENAMEL, WITH ONE COAT OF A.C.B. PRIMER NO. 825-14 AND ONE COAT OF SHERWIN-WILLIAMS ENAMEL 7-6512 OR APPROVED EQUAL COLOR CODES:  
 4" MAIN AND SMALLER; BONNET TO BE WHITE  
 6" MAIN; BONNET TO BE RED  
 8" AND 10" MAIN; BONNET TO BE ORANGE  
 12" MAIN AND LARGER; BONNET TO BE GREEN

1-1/2" PENTAGON OPERATING NUT  
(OPENS LEFT)

INSTALL 9" x 12" CONC. SUPPORT

THRUST BLOCK  
SIZED PER SLC STD. PLAN W-9

PROVIDE 4" FROM FINISHED GRADE TO TOP OF HYDRANT FLANGE

SEE NOTE #3  
SEE NOTE #12  
SEE NOTE #18  
SEE NOTE #19  
SEE NOTE #20  
SEE NOTE #21  
SEE NOTE #22

PROVIDE HYDRANTS WITH CONCRETE HYDRANT BOXES W/CAST IRON DECKS AS REQUIRED BY SALT LAKE CITY PUBLIC UTILITIES. CONTRACTOR SHALL PROVIDE PLANS AND DETAIL DWG'S TO SLC PU FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.

**LEGEND**

ITEM	DESCRIPTION	PART NUMBER	ITEM	DESCRIPTION	PART NUMBER
A	FLANGE OR MJ FIRE HYDRANT AS REQUIRED	MUELLER SUPER CENTURION AWWA/ANSI C502 DRY BARREL	14	GATE VALVE WITH 2" X 2" OPERATING NUT.	MUELLER 6" RESILIENT SEAT GATE VALVE
B	3 PIECE CAST IRON VALVE BOX WITH TRAFFIC BOX	TYLER 6838 (SCREW TYPE RISER BORN IN TRAFFIC AREAS)	15	MJx FLANGE TEE WITH ACCESSORIES	MAN FLO. TEE ANSI/AWWA C110/A21.10 WITH 125 POUND FLANGE
C	3 PIECE CI VALVE BOX IN NON-TRAFFIC AREAS	SLP VEDA 541 SLP (SLIP TYPE VALVE BOX) UPON APPROVAL BY SLC. PU.	16	CAST IRON TRAFFIC BOX (TRAFFIC AREAS ONLY)	SPANISH FORK FOUNDRY 578 099

REV. NO.	
NO. AUTHORIZED BY	
REVISIONS	
MADE BY	
DATE	
SALT LAKE CITY CORPORATION	
STANDARD PLAN W-11	

# COMMUNITY COUNCIL

**Carroll, Sarah**

---

**From:** Dave Mortensen [mortensen@biology.utah.edu]  
**Sent:** Monday, January 23, 2006 1:56 PM  
**To:** Carroll, Sarah  
**Subject:** Re: Romney Annexation

On 1/18/06 9:43 AM, "Carroll, Sarah" <Sarah.Carroll@slcgov.com> wrote:

Dave Mortensen:

Will the Community Council be providing a statement regarding the Annexation request? I have to schedule this for the Planning Commission as soon as possible in order to meet the deadline set by the annexation agreement (120 days).

Thank you,  
Sarah Carroll  
Associate Planner  
801-535-6260  
sarah.carroll@slcgov.com

Sarah,

As of now our community council does not have a statement regarding the Romney annexation.

Dave

## 6. Newspaper Notice

# Legal Notices

notlegal@nacepn.com • 237-9720

<b>070—Legal Notices</b>	<b>070—Legal Notices</b>	<b>070—Legal Notices</b>	<b>070—Legal Notices</b>	<b>070—Legal Notices</b>	<b>070—Legal Notices</b>	<b>070—Legal Notices</b>
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Pursuant to 64-13a-4 UCA, a public hearing will be held on Monday, February 13, 2006 at 10:00 am at Utah Correctional Industries located at 1400 S. Pony Express Rd. Draper, UT 84020. This hearing will be to provide opportunity for persons or organizations to express comments, concerns, support or recommendations regarding a proposed work program for Utah Correctional Industries. This program will provide work opportunities for state inmates in a service related industry. 8202YLP7

**SALT LAKE CITY PLANNING COMMISSION PUBLIC HEARING**

On Wednesday 22 February, 2006 at 5:45 P.M., the Salt Lake City Planning Commission will hold a public hearing to take comment and consider recommending approval of a request for annexation as well as the appropriate zoning and a master plan amendment relating to the area proposed for annexation. The area proposed for annexation consists of approximately 405.59 acres of land and is located in the vicinity of 2982 East Benchmark Drive (east of approximately 3000 East and from approximately 2100 to 2600 South). The recommended zoning for the proposed annexation consists of three zones: Natural Open Space (NOS), Open Space (OS) and Foothills Residential (FR-2). If the area is annexed, a subdivision will be developed under FR-2 zoning at a future date. The subdivision will include the development of new cul-de-sacs at the east end of Benchmark Drive and Soenic Drive. Phase I will be a 13-lot single-family residential site at the end of Benchmark Drive. Phase II will be a four-lot single-family residential site at the end of Soenic Drive.

If the annexation is approved the East Bench Community Zoning Map, the East Bench Master Plan and the Arcadia Heights, Benchmark and H Rock Small Area Plan will be amended to include this area and reflect the proposed subdivision lots.

The hearing will be held in Room 326 of the Salt Lake City and County Building, 451 South State Street. All persons interested and present will be given an opportunity to be heard in this matter. Accessible parking and entrance are located on the east side of the building. Hearing impaired individuals who wish to attend this meeting should contact our TDD service number, 535-6021, four days in advance so that an interpreter can be provided. For further information regarding this hearing, call Sarah Carroll at 535-6260. 8202YNZV

**NOTICE OF TRUSTEE'S SALE APN: 20-24-256-005 Trust No. 1077307-07 Ref. Courtine M. Watts TRA: Loan No. 0600536397. IMPORTANT NOTICE TO PROPERTY OWNER: YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED December 05, 2002. 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 March 01, 2006, at 11:30am, James H. Woodall, as duly appointed Trustee under a Deed of Trust recorded December 06, 2002, as Instrument No. 8449150, in Book 1669, Page 3769, of the Official Records in the office of the County Recorder of Salt Lake County, State of Utah, executed by Courtine M. Watts An Unmarried Woman, 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 65, Oquirrh Shadows n. 8, according to the official plat thereof on file and of record in the Salt Lake county recorder's office. The street address and other common designation of the real property described above is purported to be: 5019 West 6515 South West Jordan UT 84084. Estimated Total Debt as of March 01, 2006 is \$119,764.10. 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: Mortgage Electronic Registration Systems, Inc. The record owner of the property as of the recording of the Notice of Default is: Courtine M. Watts. Dated: December 29, 2005. James H. Woodall 10653 River Front Parkway, Suite 290 South Jordan UT 84095 (801) 254-9450 (800) 245-1886 (Hotline) Hours: 9:00 A.M. - 5:00 P.M. Signature/by: James H. Woodall, Trustee R-124587 02/01/06, 8202YAUJ**

**NOTICE OF TRUSTEE'S SALE APN: 28-07-202-013 Trust No. 1078997-07 Ref. Charles Paul Corlett TRA: Loan No. 0000549808. IMPORTANT NOTICE TO PROPERTY OWNER: YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED November 15, 2002. 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 March 01, 2006, at 11:30am, James H. Woodall, as duly appointed Trustee under a Deed of Trust recorded December 20, 2002, as Instrument No. 8468082, in Book 8707, Page 0299, of the Official Records in the office of the County Recorder of Salt Lake County, State of Utah, executed by Charles Paul Corlett, 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 33, American Villa no. 1, according to the official plat thereof on file and record in Salt Lake county recorder's office. \*Loan modification recorded on 7/28/2005 doc#: 9444080 book: 9165 page: 2317. The street address and other common designation of the real property described above is purported to be: 9475 South David Street Sandy UT 84070. Estimated Total Debt as of March 01, 2006 is \$148,374.52. 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: Mortgage Electronic Registration Systems, Inc. The record owner of the property as of the recording of the Notice of Default is: Charles Paul Corlett. Dated: January 29, 2006. James H. Woodall 10653 River Front Parkway, Suite 290 South Jordan UT 84095 (801) 254-9450 (800) 245-1886 (Hotline) Hours: 9:00 A.M. - 5:00 P.M. Signature/by: James H. Woodall, Trustee R-124918 02/01/06, 02/08/06, 02/15/06, 8202YAUJ**

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 7:00 A.M. to 5:00 P.M.  
**FRIDAY**

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 237-2000

# Legal Notices

naclera@nacorp.com • 237-7700

070—Legal Notices	070—Legal Notices	070—Legal Notices	070—Legal Notices	070—Legal Notices	070—Legal Notices	070—Legal Notices
<p><b>NOTICE</b></p> <p>Salt Lake City hereby gives notice that on January 11, 2006 the Salt Lake City Council accepted an annexation petition known as Parley's Pointe Annexation, Petition No. 400-05-4 for approximately 405.59 acres of land located in the vicinity of 2982 East Benchmark Drive (east of approximately 3000 East and from approximately 2100 South to 2600 South) in the southeastern foothills adjacent to Salt Lake City. The petition was filed in the City Recorder's Office on January 11, 2006 and certified on January 31, 2006. The City may grant the petition of annexation if no written protests are filed with the County Boundary Commission (County Clerk's Office) by the specific date by which protests must be filed is March 2, 2006. Property owners may protest if their property is 1) located in the unincorporated area, within 1/2 mile of the area proposed for annexation; 2) includes at least 25% of private land, and 3) is of equal or greater value to at least 5% of all real property located within 1/2 mile of the area proposed for annexation. The area will be withdrawn from Salt Lake County and Salt Lake City will provide fire protection, paramedic, and emergency services.</p> <p>Protests must be filed with the County Clerk's Office at 2001 South State Street, Suite 5200, Salt Lake City, Utah, 84190-1050 and a copy of the protest delivered to the Salt Lake City Recorder at 451 South State Street, Room 415, Salt Lake City, Utah 84111. The petition is available for inspection and copying from 7:30 a.m. to 5:00 p.m. Monday through Friday at the City Recorder's Office, 451 South State Street, Salt Lake City, Utah 84111.</p> <p>Publish: February 8, 15 &amp; 22, 2006 8202YMM9</p> <p><b>MIDVALE CITY NOTICE OF PUBLIC MEETING</b></p> <p>The public is invited to attend a public hearing before the Midvale City Planning Commission on Wednesday, February 22nd, 2006 at 7:00 pm in the Midvale City Council Chambers located at 655 West Center Street, Midvale, Utah. The Planning Commission will be considering a Preliminary Master Planned Development request by Waites Cannon to develop the property at 377 S. 7200 South into 22-24 multiple family units.</p> <p>All interested parties are invited to attend the meeting or contact Brian Tucker in the Midvale City Planning and Zoning Department at (801) 367-7229 for more information.</p> <p>Publish: February 8th, 2006 8202YMM9</p>	<p><b>SALT LAKE CITY PLANNING COMMISSION PUBLIC HEARING</b></p> <p>On Wednesday 22 February, 2006 at 5:45 P.M., the Salt Lake City Planning Commission will hold a public hearing to take comment and consider recommending approval of a request for annexation as well as the appropriate zoning and a master plan amendment relating to the area proposed for annexation. The area proposed for annexation consists of approximately 405.59 acres of land and is located in the vicinity of 2982 East Benchmark Drive (east of approximately 3000 East and from approximately 2100 to 2600 South). The recommended zoning for the proposed annexation consists of three zones: Natural Open Space (NOS), Open Space (OS) and Foothills Residential (FR-2). If the area is annexed, a subdivision will be developed under FR-2 zoning at a future date. The subdivision will include the development of new cul-de-sacs at the east end of Benchmark Drive and Scenic Drive. Phase 1 will be a 13-lot single-family residential site at the end of Benchmark Drive. Phase II will be a four-lot single-family residential site at the end of Scenic Drive.</p> <p>If the annexation is approved the East Bench Community Zoning Map, the East Bench Master Plan and the Arcadia Heights, Benchmark and H Rock Small Area Plan will be amended to include this area and reflect the proposed subdivision lots.</p> <p>The hearing will be held in Room 326 of the Salt Lake City and County Building, 451 South State Street. All persons interested and present will be given an opportunity to be heard in this matter. Accessible parking and entrance are located on the east side of the building. Hearing impaired individuals who wish to attend this meeting should contact our TDD service number, 535-6021, four days in advance so that an interpreter can be provided. For further information regarding this hearing, call Sarah Carroll at 535-6260. 8202YJZW</p> <p>Public hearings schedule for Popular Proportional Selection of Presidential Electors initiative.</p> <p>For Box Elder, Cache, and Rich Counties, the public hearing will be held at Logan City Building, Municipal Council Chambers, 255 North Main, Logan, Utah 84321, February 16, 2006 @ 7:00 PM.</p> <p>For Beaver, Garfield, Iron, Kane, and Washington Counties the public hearing will be held at Southern Utah University, 227 Centrum Building, 351 W. University Blvd., Cedar City, Utah 84720, February 15, 2006 @ 8:00 PM.</p> <p>For Summit, Utah, and Wasatch Counties, the public hearings will be held at Summit County Court House, Conference Room 164 (East End), 60 N. Main Street, Coalville, Utah 84017, February 8, 2006 @ 7:00 PM.</p> <p>And</p> <p>Provo City Council Chambers, 351 West Center Street, Provo, Utah 84601, February 17, 2006 @ 12:00PM.</p> <p>For Juab, Millard, Piute, Sanpete, Sevier, and Wayne Counties, the public hearing will be held at Sanpete County Commission Room, 160 North Main, Manti, Utah 84642, February 15, 2006 @ 2:00PM.</p> <p>For Carbon, Emery, Grand, San Juan Counties, the public hearing will be held at Carbon County Building, Court Room, 120 East Main, Price, Utah 84501, February 14, 2006 @ 7:00 PM.</p> <p>For Daggett, Duchesne, and Uintah Counties, the public hearing will be held at Duchesne County Building, Commission Chambers, 734 N. Center Street, Duchesne, UT 84021, February 14, 2006 @ 2:00 PM.</p> <p>For Davis, Morgan, Salt Lake, Tooele, and Weber Counties the public hearing will be held at University of Utah, Hinkley Institute of Politics, 260 S. Central Campus Dr. Room 255, Salt Lake City, Utah 84112, February 16, 2006 @ 10:00 AM. 8202YJFX</p>	<p><b>NOTICE TO CONTRACTORS</b></p> <p>Sealed proposals will be received at the office of the City Recorder, Room 415, City/County Building, 451 South State Street, until 2:00 P.M. local prevailing time on Wednesday, February 22, 2006, or in Room 315, City Council Chambers, 451 South State Street until 2:00 P.M. for Two Tank Projects - Recast Interior of the South Eastwood Tank located at 3650 Eastwood Drive (3390 South), Project No. 51344461, and the East Mount Olym-Tus Tank (Full Tank Rehabilitation with Rafter and Structural Repairs) located at 4500 South 3800 East, Project No. 51344135.</p> <p>Bids will be publicly opened in Room 315, City/County Building, 451 South State Street, at or about 2:00 P.M. local prevailing time on Wednesday, February 22, 2006, by the Salt Lake City Recorder.</p> <p>On the outside of the envelope, the bidder shall indicate the nature of the bid and include the bidders return mailing address.</p> <p>A 5 percent bid bond will be accepted in lieu of a certified check. Bid bonds/checks will be returned to unsuccessful bidders after tabulation and award of the contract.</p> <p>Instructions to Bidders: Specifications and plans may be obtained at the Department of Public Utilities Engineering Office, 1530 South West Temple, Room 101, on February 10, 2006. A \$10.00 non-refundable deposit will be required for each complete set.</p> <p><b>ATTENTION TO CONTRACTORS:</b> On Tuesday, February 14, 2006, at 10:00 A.M., at the Department of Public Utilities, 1530 South West Temple, Salt Lake City, Utah a prebid meeting will be held. All contractors are invited to attend to obtain relevant information concerning the project. Guidelines for bidding will be explained and questions pertinent to the contract, bonds, plans, specifications will be discussed.</p> <p><b>NON-DISCRIMINATION IN EMPLOYMENT:</b> Bidders on this work will be required to comply with the President's Executive Order No. 11246, and the provisions of Executive Order No. 11375, Section 3 of the Housing and Urban Development Act of 1968 and 24 CFR Part 135 as included therein. The requirements for bidders and contractors under these regulations are explained in the specifications.</p> <p>The right is reserved to reject any or all bids.</p> <p>First Publication: February 4, 2006 Last Publication: February 8, 2006 8202YJ39</p>	<p><b>NOTICE</b></p> <p>A notice of intent for the following project submitted in accordance with §R307-401-1, Utah Administrative Code (UAC), has been received for consideration by the Executive Secretary, Utah Air Quality Board:</p> <p>Company Name: Kennecott Utah Copper Corporation (KUCC) Location: 11500 West 2100 South Magna Project Description: KUCC has requested approval to install an emergency generator to the refinery AO DAQE-AN0346026-05, dated February 23, 2005. The generator will be a Liquid Propane (LP) fired emergency generator. KUCC has also requested that the small heating equipment that is less than 5 MMBTU/hr be included for informational purposes. The proposed emergency generator will provide backup power to critical communication systems during times when the primary power supply is lost. Support communication systems include telephones, computer networks, badge readers, fire alarms, pump station telemetry and miscellaneous data telemetry circuits at the Refinery.</p> <p>Salt Lake County is a Non-attainment area of the National Ambient Air Quality Standards (NAAQS) for PM10 and SO2, and is a Maintenance area for Ozone. Title V of the 1990 Clean Air Act applies to this source. The Title V operating permit for this source shall be amended prior to operation of the emergency generator. The emissions will increase in tons per year (tpy) as follows: NOx = 0.28, CO = 1.12, and VOC = 0.04. The changes in emissions will result in the following, in tons per year, potential to emit totals: NOx = 42.82, CO = 27.74, and VOC = 5.28.</p> <p>The completed engineering evaluation and air quality impact analysis showed that the proposed project meets the requirements of federal air quality regulations and the State air quality rules. The Executive Secretary intends to issue an Approval Order pending a 30-day public comment period. The project proposal, estimate of the effect on local air quality and draft Approval Order are available for public inspection and comment.</p>	<p><b>NOTICE TO CONTRACTORS</b></p> <p>Sealed proposals will be received at the office of the City Recorder, Room 415, City/County Building, 451 South State Street, until 2:00 P.M. local prevailing time on Wednesday, February 22, 2006, or in Room 315, City Council Chambers, 451 South State Street until 2:00 P.M. for the installation of approximately 3,125 lineal feet of 6-inch, 8-inch, and 16-inch ductile iron pipe water main replacements located at Lakeline Drive (2950 East) - Hyland Hills Road (2130 South) to 1985 South, Project No. 513504713; Broadmoor Street (2640 East) - Wasatch Drive (1920 South) to 2100 South, Project No. 513504714; and Belaire Drive (2910 East) - Scenic Drive (2278 South) to Glen Oaks Drive (2180 South), Project No. 513504888.</p> <p>Bids will be publicly opened in Room 315, City/County Building, 451 South State Street, at or about 2:00 P.M. local prevailing time on Wednesday, February 22, 2006, by the Salt Lake City Recorder.</p> <p>On the outside of the envelope, the bidder shall indicate the nature of the bid and include the bidders return mailing address.</p> <p>A 5 percent bid bond will be accepted in lieu of a certified check. Bid bonds/checks will be returned to unsuccessful bidders after tabulation and award of the contract.</p> <p>Instructions to Bidders: Specifications and plans may be obtained at the Department of Public Utilities Engineering Office, 1530 South West Temple, Room 101, on February 10, 2006. A \$10.00 non-refundable deposit will be required for each complete set.</p> <p><b>ATTENTION TO CONTRACTORS:</b> On Monday, February 13, 2006, at 11:00 A.M., at the Department of Public Utilities, 1530 South West Temple, Salt Lake City, Utah a prebid meeting will be held. All contractors are invited to attend to obtain relevant information concerning the project. Guidelines for bidding will be explained and questions pertinent to the contract, bonds, plans, specifications will be discussed.</p> <p><b>NON-DISCRIMINATION IN EMPLOYMENT:</b> Bidders on this work will be required to comply with the President's Executive Order No. 11246, and the provisions of Executive Order No. 11375, Section 3 of the Housing and Urban Development Act of 1968 and 24 CFR Part 135 as included therein. The requirements for bidders and contractors under these regulations are explained in the specifications.</p> <p>The right is reserved to reject any or all bids.</p> <p>First Publication: February 8, 2006 Last Publication: February 12, 2006 8202YJ0L</p>	<p><b>NOTICE TO THE PUBLIC OF PUBLIC HEARING AND AVAILABILITY OF ENVIRONMENTAL DOCUMENT</b></p> <p>On the proposed improvements to the State Street (SR-89) Railroad Bridge in Pleasant Grove, UT UDOT Project No. STP-0089(76)300E</p> <p>The Utah Department of Transportation herewith advises all interested persons or groups that an official Public Hearing will be held for this project. The proposed project involves replacing the Railroad Bridge over US-89 (State Street) and roadway related improvements between 200 South and Geneva Road (SR-114) in Pleasant Grove, Utah.</p> <p>The public hearing will be held: Wednesday, February 15, 2006 5:30 p.m. to 7:30 p.m. Jacobs Senior Citizen Center (242 West 200 South, Pleasant Grove, Utah)</p> <p>The hearing will be in an open house format. Members of the public are invited to attend at any time during this period and are encouraged to provide comments on the project.</p> <p>Information to be presented at the hearing will include: a discussion of the project location, the design alternatives considered, other information gathered during the environmental study, and the preferred transportation solution. Appropriate illustrative materials will be available for review. During the hearing, verbal and/or written testimony will be received from all interested persons or groups regarding the features of the proposed project or its social, economic, and environmental effects.</p> <p>A Draft Environmental Document has also been prepared for this project defining the scope of the project, alternatives, any potential for environmental impact, and mitigation measures which might reduce adverse environmental impacts. Copies of this document are available for review at the following locations:</p> <ul style="list-style-type: none"> <li>Pleasant Grove City Offices (70 South 100 East, Pleasant Grove, UT 84062)</li> </ul>	<p><b>Accelerate your car sales.</b></p>

**Accelerate your car sales.**

- Pleasant Grove City Offices (70 South 100 East, Pleasant Grove, UT 84062)

## **7. City Council Resolution Cover Letter**

A. LOUIS ZUNGUZE  
DIRECTOR


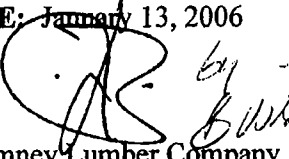
BRENT B. WILDE  
DEPUTY DIRECTOR

# SALT LAKE CITY CORPORATION

DEPT. OF COMMUNITY DEVELOPMENT  
OFFICE OF THE DIRECTOR

ROSS C. "ROCKY" ANDERSON  
MAYOR

## COUNCIL TRANSMITTAL

**TO:** Rocky Fluhart, Chief Administrative Officer  **DATE:** January 13, 2006  
**FROM:** Louis Zunguze, Community Development Director  
**RE:** Petition #400-05-41: Parley's Pointe Annexation by Romney Lumber Company,  
REVISED 

**STAFF CONTACT:** Sarah Carroll, Associate Planner, at 535-6260 or  
sarah.carroll@slcgov.com

**RECOMMENDATION:** That the City Council accept the resolution receiving the Parley's  
Pointe Annexation petition for purposes of City Council review

**DOCUMENT TYPE:** Resolution

**BUDGET IMPACT:** None

### DISCUSSION:

**Issue Origin:** The Romney property is being annexed as the result of a settlement agreement relating to a longstanding lawsuit. The settlement agreement states that the Romney property will be annexed into Salt Lake City within 120 days of receiving an application for annexation. The petition is that the City receive the proposed Parley's Pointe Annexation petition for purposes of City Council review as Petition #400-05-41 to consider annexing approximately 405.59 acres of unincorporated land into the corporate limits of Salt Lake City.

The annexation area is located in the vicinity of 2982 East Benchmark Drive (east of approximately 3000 East and from approximately 2100 to 2600 South) in the southeastern foothills adjacent to Salt Lake City. The petition was filed by Romney Lumber Company and Robert and Honora Carson, the property owners of a majority of property in the proposed annexation area. State law does not allow islands or peninsulas of unincorporated land to be created when an annexation occurs. Therefore, six other parcels of land will also be annexed with this proposal.

**Analysis:** The petition meets all of the State's criteria for annexation in that it is contiguous to the current City boundary, the petition has been signed by property owners representing a majority of real property and representing over one-third of the assessed valuation as listed in the current County Assessment rolls, and the area is included in the City's annexation policy



declaration. The revised annexation petition and annexation plat eliminate potentially isolated islands of un-incorporated territory and do not create any peninsulas of un-incorporated territory, both of which are prohibited by State Code.

**Master Plan Considerations:** This annexation petition will require an amendment to the Arcadia Heights Small Area Master Plan.

**Subject Parcels:** 16-23-226-004-4001, 16-23-226-004-4002, 16-23-201-013, 16-23-201-014, 16-23-201-016, 16-23-201-017, part of 16-23-201-018, 16-23-201-019 and 16-23-400-001

### **PUBLIC PROCESS:**

The first step in the annexation process is for the City Council to either accept or deny a resolution to receive the proposed annexation for purposes of City Council review. If accepted, the City Recorder will certify the petition and a notice will be published describing the petition and indicating that the City may annex the subject property if no protest is filed within the statutory protest period of 30 days. The Planning Commission will also hold a Public Hearing to evaluate the annexation area and make recommendations to the City Council on the appropriate zoning for the property and to consider recommending amendments to the adopted land use Master Plan, if the area is annexed. Review and approval of the zoning recommendation and Master Plan amendment will follow the standard process.

### **RELEVANT ORDINANCE(S):**

Section 10-2 Part 4 of the Utah Code outlines the process for annexation. State Law, Section 10-9a-24, Notice of public hearings and public meetings to consider general plan or modifications, outlines the criteria for noticing an amendment. Salt Lake City Ordinance 21A.50, Standards for general amendments, outlines the criteria for zoning map amendments.

Included in this transmittal are the following attachments:

1. Annexation Petition
2. Annexation Plat
3. Settlement and Annexation Agreement (without exhibits)
4. Vicinity Map
5. Resolution Accepting the Annexation with Exhibit of Legal Description of Annexation Area

## 8. Public Comment

Dear Commissioners and Planning Staff,

This letter is written on behalf of myself and my husband Louis R. Barrows, residing at 2119 South Lakeline Dr, in support of Petition No. 400-05-41. Our backyard is one of the acre lots identified in this petition, so we are particularly concerned as to the zoning designation placed on our backyard. We request that the FR-3 zone be placed on our parcel as it is our eventual intent to combine the parcels. The Lakeline parcel is in the FR-3 zone and in order to join these parcels the zoning should be the same. We do not feel that the open space zones should be used as a "holding zone".

Since the purchase of our home in 1988 it has been our intent to eventually annex the back parcel and combine our property into a single lot. In the past we were discouraged by SLC planning staff from attempting a single parcel annexation, and we were assured that all the adjoining land was going to be annexed. Evidently the time is now. Having served on the Arcadia Heights Neighborhood Council and as a Planning Commissioner during the adoption of the East Bench Small Area Master Plan, I am familiar with the history of this hillside.

Several items to consider regarding the FR-3 designation:

- Homeowner's desire to combine parcels previously in two different jurisdictions.
- The County parcel has buildable area, <30% grade, on a portion of the parcel
- FR-3 allows homeowners to expand the rear portion of their home
  - geologically constrained (the back half of our home has no basement due to rock sub ground)
  - current height restriction does not allow vertical expansion
  - existing FR-3 zone requires a 30 foot rear yard; our home is now ~35 ft from the boundary between the county and city parcel

Unfortunately, we are unable to attend your meeting due to my school obligations. We ask that you carefully consider our request.

Sincerely,  
Andrea and Louis Barrows

**5C. PLANNING  
COMMISSION  
Agendas/Minutes February 22, 2006**

**AGENDA FOR THE  
SALT LAKE CITY PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building at 451 South State Street  
Wednesday, February 22, 2006, 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, February 8, 2006.**

**2. REPORT OF THE CHAIR AND VICE CHAIR**


**3. REPORT OF THE DIRECTOR**

- a) Dave Oka – 2006 Strategic Goals with the Planning Commission.
- b) Kevin LoPiccolo – Ordinance review of the definition of solid fencing/screening.

**4. PUBLIC NOTICE AGENDA Salt Lake City Property Conveyance Matters**

- a) Mr. Richard Shiemberg and the Salt Lake City Public Utilities Department - Mr. Shiemberg is requesting to relocate a portion of a 12" water main that bisects the property located at approximately 400 East Capitol Park Avenue. A new easement will be dedicated to the City in place of the old easement which is an equal value property trade. This proposal is to facilitate a remodel / new building on the site. This transaction is being submitted to the Planning Commission for appropriate public review pursuant to Section 10-8-2(4) of the Utah Code. The Public Utilities Department intends to approve the request. (Staff – Doug Wheelwright at 535-6178 or [doug.wheelwright@slcgov.com](mailto:doug.wheelwright@slcgov.com)).

**5. PUBLIC HEARINGS**

-  a) **Petition No. 400-05-41**, by Romney/Carson to annex approximately 405.59 acres of land into the corporate limits of Salt Lake City. The area proposed for annexation is located in the vicinity of 2982 East Benchmark Drive (east of approximately 3000 East and from approximately 2100 to 2600 South). The Planning Commission will consider an amendment to the *East Bench Master Plan* to incorporate the property into the East Bench Planning Community and amend the *Arcadia Heights, Benchmark & H Rock Small Area Plan* relating to the future land use map as well as make a recommendation on the appropriate zoning for this land. (Staff- Sarah Carroll at 535-6260 or [sarah.carroll@slcgov.com](mailto:sarah.carroll@slcgov.com)).
- b) **Petition 410-739** The Boyer Company requests a planned development approval to construct an office building (approximately five stories in height), located between Rio Grande and 500 West Streets along the north side of 200 South Street, in a GMU zoning district. The site is presently vacant. This petition was previously heard on August 10, 2005. The petition is being reopened with a revised design. (Staff – Doug Dansie at 535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com)).

**6. UNFINISHED BUSINESS**

The next scheduled Planning Commission meeting will be March 8, 2006. This information can be accessed at [www.slcgov.com/CED/planning](http://www.slcgov.com/CED/planning).

**SALT LAKE CITY  
PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building  
451 South State Street, Salt Lake City, Utah  
Wednesday, February 22, 2006**

Present for the Planning Commission were Laurie Noda (Chairperson), Tim Chambless, Babs De Lay, John Diamond, Robert Forbis Jr., Peggy McDonough (Vice Chairperson), Kathy Scott, Craig Galli, and Prescott Muir. Jennifer Seelig was excused from the meeting.

Present from the Planning Division were Alexander Ikefuna, Planning Director; Cheri Coffey, Deputy Planning Director; Doug Wheelwright, Deputy Planning Director; Kevin LoPiccolo, Zoning Administrator; Doug Dansie, Principal Planner; Sarah Carroll, Associate Planner; and Cindy Rockwood, Senior Planning Secretary.

A roll is being kept of all who attended the Planning Commission Meeting. Chairperson Noda called the meeting to order at 5:46 p.m. Minutes are presented in agenda order and not necessarily as cases were heard by the Planning Commission. Audio recordings of Planning Commission meetings are retained in the Planning Office for an indefinite period of time.

A field trip was held prior to the meeting. Planning Commissioners present were Tim Chambless, Peggy McDonough, Laurie Noda, Kathy Scott and Robert Forbis Jr. Planning Division Staff present were Doug Wheelwright, Doug Dansie and Sarah Carroll.

**PUBLIC HEARINGS**

**Petition # 400-05-41 — A request by Romney/Carson to annex approximately 405.59 acres of land into the corporate limits of Salt Lake City. The area proposed for annexation is located in the vicinity of 2982 East Benchmark Drive (east of approximately 3000 East and from approximately 2100 to 2600 South). The Planning Commission considered an amendment to the East Bench Master Plan to incorporate the property into the East Bench Community and amend the Arcadia Heights, Benchmark & H Rock Small Area Plan relating to the future land use map as well as make a recommendation on the appropriate zoning and amend the East Bench Community zoning map.**

(This item was heard at 6:52 p.m.)

Commissioner Chambless disclosed that he has been a long time resident of the area adjacent to the proposed annexation property and a neighbor for a period of time to one of the applicants. He did not feel that either relationship would hinder his ability to be objective in this matter. The Commission concurred.

Chairperson Noda recognized Doug Wheelwright and Sarah Carroll as representatives of the Planning Staff. At 5:48 p.m., Lynn Pace, City Attorney, made comments to this petition. The comments are included in the Public Hearing portion of these minutes.

Mr. Pace stated that the property proposed for annexation has a legal history and a recent settlement agreement was reached. This agreement was reached by the property owners and the City to address the approval of some aspects of the plan, in particular the roads and subdivision design. Also, with the annexation into the City the development would comply with the City Zoning Ordinance. Another result of the annexation is that the development of the lots would be on the City water and sewer lines, rather than using septic tanks.

Planning Staff is requesting a recommendation on the annexation of the property, the amendments to the Master Plan and the Zoning Maps. Several aspects of the proposal have been addressed in the settlement agreement, including: size and number of lots and the roadway configuration. Mr. Pace stated that if concern is raised regarding the proposed design, the Commission may voice the concern, but changes may result in more litigation.

Commissioner McDonough asked Mr. Pace if the Planning Commission should have concern regarding the subject property.

Mr. Pace stated that the Commission has the right to a recommendation, but given a favorable or unfavorable recommendation, the proposal will be submitted to the City Council because of the long litigation history. Mr. Pace stated that the two conditions required in the agreement are 1) the County will approve the subdivision and the roadway; and 2) the City will provide water and sewer lines. Prior to the agreement, and the proposed annexation, the County would be held accountable for the determination of density and lot size. By annexing the property into the City, fewer homes are permitted. Lots 14a, 14b, and 15 will be notably larger than the others, but will not be built upon. The lots will be platted by the County, but the agreement provides that upon approval of the subdivision the land will be donated. Public trails will also be dedicated to complete the Shoreline Trail through that corridor. There will also be a donation of approximately 260 acres of Open Space. The area will be gated with free pedestrian and bicycle access.

Mr. Pace stated that some areas will be zoned as Open Space. The City will not be held accountable for the maintenance of those properties, but a conservation easement would be in place to prevent any development on the properties. The properties will be the responsibility of the Home Owners Association.

Mr. Wheelwright noted that no planting or augmentation of plant materials would be allowed on locations where the easement is applicable. Open Space parcels intended to be donated for Open Space Preservation are perpetual Open Space parcels A, B, and C (totaling 260 acres). The Open space parcels within the subdivisions will be included in the FR-2 zoning area. The public access easement will be granted through the plat.

Mr. Pace noted that a buildable area will be designated on each lot once the property is platted. The remainder of the lot will be Open Space.

Commissioner Chambless asked if any of the dwellings would be visible from Interstate 80.

Mr. Pace stated the possibility of seven of the seventeen properties being visible was very probable. Mr. Pace noted that the first ten lots were divided in half to cluster the homes and will force smaller homes to be developed. Just beyond the ridgeline three larger lots will most likely accommodate larger homes.

Commissioner Diamond requested information about the slope requirement of the subject properties.

Mr. Wheelwright confirmed that the plat will be approved through the County regulations, leaving the decision of slope requirements to the County. The City Planning Division will be responsible for the Zoning distinctions. The City Permits Division will be responsible for approval of building material, height, and the amount of development accomplished within the buildable area. The buildable area will be fixed by the County's process of plat approval.

Mr. Pace added that the lots would be considered "grandfathered" into the City as buildable areas as delineated in the County plat approval. The contour maps have illustrated that the 30 percent slope requirement has been met.

Mr. Wheelwright noted that seven additional properties would be included in the annexation, including some along Lakeline Drive. These owners have acquired approximately one acre parcels adjacent to the rear of their lots and because the state law prohibits the creation of islands, the properties will be "forced into annexation".

The properties not owned by Romney Lumber Company will be zoned as Open Space instead of Natural Open Space. Open Space zoning does not allow for residential development.

At 6:52 p.m., Ms. Carroll presented a brief synopsis of the proposal referring to exhibit three of the staff report. The exhibit included a color-coded map of the proposed zoning for the annexation area. The proposed subdivisions will be platted at the County prior to the annexation. FR-2 zoning would be

consistent with the abutting neighborhood and consistent with the proposed lots, which range in size from .42 acres to larger than one acre. The property that will be conveyed for Open Space protection will be zoned Natural Open Space to prohibit any further development.

Ms. Carroll stated that the Master Plan and the Zoning Map would be required to be amended to include this area. She also confirmed that the Jack Jensen property would be annexed into the proposed annexation boundary.

Chairperson Noda noted that there were no members of the public or community councils who desired to speak. The Planning Commission went into Executive Session.

Commissioner Chambless noted that being a resident of the area, he would appreciate the improvement proposed by the annexation. Commissioner Diamond asked Commissioner Chambless if there was much public input in the area in relation to this property. Commissioner Chambless stated that the H Rock Community is an active, concerned community, while the Arcadia Heights community struggles to obtain a quorum for their meeting.

Ms. Carroll stated that Staff attended the combined H Rock and Arcadia Heights & Benchmark Community Council meetings and held an open house, at which Planning Staff presented the proposed annexation, the proposed subdivisions and zoning, and the terms of the settlement agreement. The meetings were well attended and the presentation helped to describe the impact of less development and provided many attendees with consolation regarding the proposed annexation. Being included in the City water and sewer systems were very important and noted factors at the meetings.

**Motion for Petition 400-05-41**

**Based on the analysis and findings in the Staff Report and the recommended conditions, Commissioner Galli made a motion to transmit a favorable recommendation to the City Council. The motion was seconded by Commissioner Forbis. All voted "Aye". The motion passed.**



**6. ORIGINAL  
PETITION**

PETITION NO. 400-05-44

### PETITION CHECKLIST

<u>Date</u>	<u>Initials</u>	<u>Action Required</u>
<u>11/21/05</u>	<u>DA</u>	Petition delivered to Planning
<u>11/23/05</u>	<u>SC</u>	Petition assigned to: <u>Sarah Carroll</u>
<u>2/22/06</u>	<u>SC</u>	Planning Staff or Planning Commission Action Date
<u>3/20/06</u>	<u>SC</u>	Return Original Letter and Yellow Petition Cover
<u>3/20/06</u>	<u>SC</u>	Chronology
<u>3/20/06</u>	<u>SC</u>	Property Description (marked with a post it note)
<u>3/20/06</u>	<u>SC</u>	Affected Sidwell Numbers Included
<u>3/20/06</u>	<u>SC</u>	Mailing List for Petition, include appropriate Community Councils
<u>3/20/06</u>	<u>SC</u>	Mailing Postmark Date Verification
<u>3/20/06</u>	<u>SC</u>	Planning Commission Minutes
<u>3/20/06</u>	<u>SC</u>	Planning Staff Report
<u>3/20/06</u>	<u>SC</u>	Cover letter outlining what the request is and a brief description of what action the Planning Commission or Staff is recommending.
<u>3/21/06</u>	<u>SC</u>	Ordinance Prepared by the Attorney's Office
<u>3/20/06</u>	<u>SC</u>	Ordinance property description is checked, dated and initialed by the Planner. Ordinance is stamped by Attorney.
<u>Sarah Carroll</u>		Planner responsible for taking calls on the Petition
_____	_____	Date Set for City Council Action _____
_____	_____	Petition filed with City Recorder's Office

**PETITION NO.** 400-05-41

By Romney Lumber Company

Is requesting an Annexation for the property located at approximately 3000 East 2300 South.

*Date Filed* \_\_\_\_\_

*Address* \_\_\_\_\_