

APR 03 2006



## ROWLAND HALL • ST. MARK'S SCHOOL

INDEPENDENT • COLLEGE PREP • BEGINNING SCHOOL - UPPER SCHOOL • FOUNDED 1880

April 3, 2006

Salt Lake City Council  
451 S. State Street, Room 304  
Salt Lake City, Utah 84111

Re: Petitions 400-05-08 and 400-05-09, Rowland Hall-St. Mark's School  
Request to Rezone Property at 1443 East Sunnyside Avenue from Open  
Space OS to Institutional I and to Amend the East Bench Master Plan

Honorable Members of the Salt Lake City Council:

Representatives of Rowland Hall-St. Mark's School attended the Council's March 7, 2006 meeting at which you discussed our petitions with your staff.<sup>i</sup> At that meeting several council members mentioned the importance of open space, and identified it as a key issue to be considered. As the Planning Staff Report recognizes, our proposal for development of the property promises "an end use with significant open space amenities".<sup>ii</sup>

In order to ensure continued open space use of the property, RHSM proposes to set aside half of the land we are purchasing from Mt. Olivet Cemetery Association to be an open and green area for posterity, the enjoyment of our citizens, and the beauty of our city by means of two complementary legal commitments.

First, RHSM requests that the portion of the subject property shown graphically on Exhibit A to this letter be zoned Open Space at such time you choose to grant our petitions. This property is one-third of the total property we are purchasing.

Second, RHSM will enter into deed restrictions, covenants, and conditions with respect to the remainder of the property. In this deed restriction we intend that at any time at least twenty-five percent of the

property, which would still be zoned Institutional after the Council grants our petitions and creates the new permanent Open Space zone described by Exhibit A, would have no buildings or vehicle parking. These restrictions would expressly provide that they could not be modified or amended without the approval of the Salt Lake City Corporation.

By these two legal commitments, fifty-percent of the property we are purchasing from Mt. Olivet Cemetery would for all practical purposes be open space. One-third of the property would be protected by fixed open space zoning. Sixteen point seven percent of the property would be protected by the deed restriction but would allow RHSM, when it eventually builds a school building, the flexibility to shape the additional open space as need and convenience should dictate.

We hope this proposal assures the Council of our citizenship, sincerity, and good faith.

Our view of using the Mt. Olivet Property would confine buildings to the northern part of the property. This is likely to have less impact on the neighborhood than some uses already permitted by open space zoning which could otherwise be located just across Sunnyside from residences. These could be crematoriums, mausoleums, a bar/restaurant serving a golf course, or an adjunct of the Hogle Zoo.

RHSM intends to construct athletic fields in the south-most portion of the Mt. Olivet Property as soon as our fund raising and long range site planning permit. We will not wait to create the playing fields until the time a high school and middle school could be built. It is our expectation that once these fields are available, RHSM would be able to modify or relinquish its lease with Salt Lake City for the use of the Sunnyside Park soccer field. Furthermore, RHSM will offer access to soccer league teams and neighborhood children in a manner consistent with our long-standing practice at both the Lincoln Street and McCarthy Campuses.

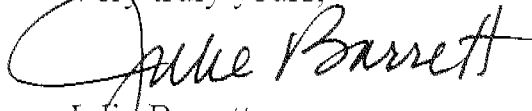
At the same March 7 City Council meeting, we noted that several members of the Council were interested in whether either the East Bench Master Plan or the Open Space Master Plan give any direction to aid in making judgments about differentiating open space. We respectfully offer this observation. The Open Space Master Plan of 1992 makes a specific reference to the property RHSM is purchasing from Mt. Olivet Cemetery. The Plan states that to complete the Transvalley Corridor, a pathway should run along the North side of Sunnyside Avenue at this property. Furthermore, it says that development on this property "should be monitored to assure the

(Transvalley) corridor is kept wide enough for adequate walkways and Open Space.”<sup>iii</sup> We suggest that by this specific reference to the property the plan gives direction to policy makers and sufficient support within the master plan itself to grant our petitions.

As a further consideration, the property RHSM is purchasing from Mt. Olivet Cemetery is not natural, pristine open space. Historically, it has been used for agriculture and presently is a temporary deposit for landscaping waste. Thus is it distinguishable in its intrinsic value from the North Salt Lake land which the Council has recently considered. Further differentiating the Mt. Olivet property from the North Salt Lake land is that the latter forms part of the foothills which are identified as one of the central focuses of the “policies, recommendations and land use plan portions of the Open Space Plan”.<sup>iv</sup>

We look forward to the opportunity of further discussions at the April 4<sup>th</sup> City Council meeting.

Very truly yours,



Julie Barrett  
Assistant Head, RHSM

cc. RHSM Board of Trustees

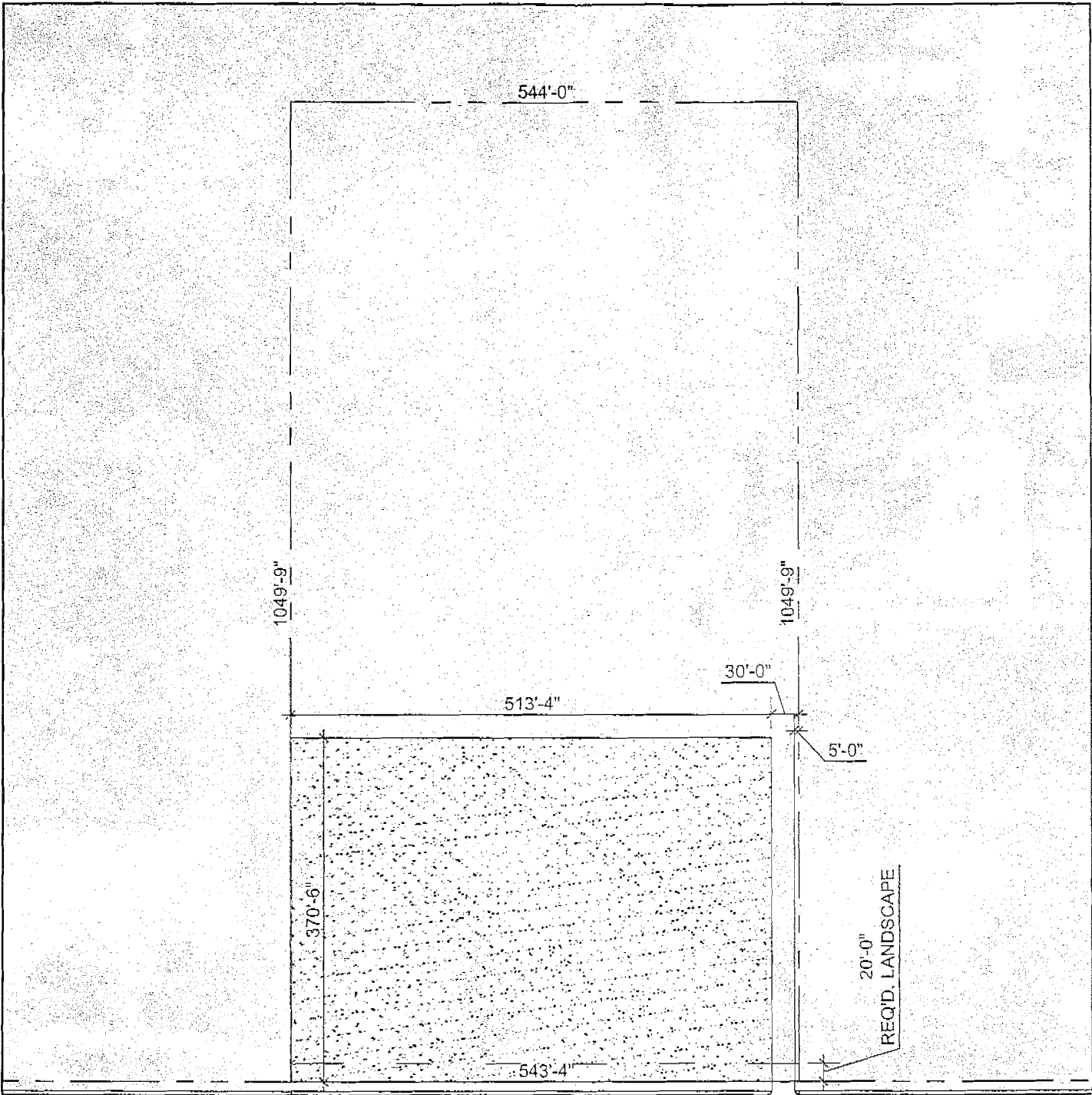
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<sup>i</sup> Staff attending the meeting was Janice Jardine, Everett Joyce, and Rick Graham, among others.

<sup>ii</sup> Planning Commission Staff Report, Petitions 400-05-08 and 400-05-09, dated November 21, 2005, Everett L. Joyce, AICP, page 13.

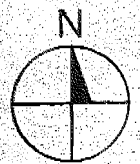
<sup>iii</sup> Map 10, Transvalley Foothills Section, Open Space Master Plan of 1992.

<sup>iv</sup> Open Space Plan, Ordinance No. 79 of 1992, page 3, “Plan Concept”.



SUNNYSIDE AVENUE

**ACREAGE**  
 TOTAL: 13.087 acres  
 OPEN SPACE: 4.362 acres



ROWLAND HALL: Mount Olivet Cemetery Parcel

March 28, 2006

