

# SALT LAKE CITY COUNCIL STAFF REPORT

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**DATE:** August 8, 2006

**SUBJECT:** Petition Nos. 400-05-46, 400-05-47, and 490-06-15 – A request by Mike Miller, representing Flying J Inc., requesting the closure of a portion of 800 West Street, vacating an alley, and vacating portions of the Klenke’s Addition Subdivision and Riverside Subdivision located at 850 West 2100 South.

**STAFF REPORT BY:** Jennifer Bruno, Policy Analyst

**AFFECTED COUNCIL DISTRICTS:** District 2

**ADMINISTRATIVE DEPT:  
AND CONTACT PERSON:** Community Development  
Ray McCandless, Principle Planner

**NOTICE REQUIREMENTS:** Newspaper advertisement once a week for 4 weeks prior to the Public Hearing

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## KEY ELEMENTS:

A. Key points in the Administration’s transmittal are the following:

1. The petitioner is requesting:
  - i. that Salt Lake City close and declare as surplus a portion of the 800 West Street right of way (Petition 400-05-46)
    - size: 33 ft wide by 191.3 ft long (6,307.95 sq. ft.)
    - Just over half of the above square footage is right-of-way that had been deeded to the City (by the previous subdivision, see #3) for future right of way on 800 West, but never developed (33 ft wide by 105 ft long – 3,465 sq. ft.)
    - Flying J, Inc. intends to purchase the western half of the street. The abutting property owner intends to purchase the eastern half (see letter in Transmittal dated March 1, 2006, from Mr. Jerry Seiner).
  - ii. vacate the alley on the north size of Klenke’s Addition Subdivision (Petition 400-05-47)
    - size: 11.95 ft wide by 782 ft long (9,344.9 sq. ft.)
  - iii. Vacate portions of the Klenke’s Addition Subdivision and Riverside subdivision which are affected by the petitioner’s property (Petition 490-06-15)
2. The petitioner would incorporate it into his adjacent development located in the C-G (General Commercial) zoning district.
3. Flying J, Inc, is redeveloping a property located at approximately 850 West 2100 South Street into the “Flying J Travel Plaza.” Upon completing initial surveying for this development, the petitioner discovered that there is an alley and a part of a street right-of-way that were dedicated to the City as part of a subdivision plat created in 1890 (Klenke’s Addition Subdivision). Although these rights of way were recorded, they were never built as platted – they only exist on paper.

4. The intent of Flying J, Inc is to consolidate and then re-subdivide the property into two lots, one for the main Travel Plaza, and the second for a future commercial pad site.
    - Proposed Lot 1 – Travel Plaza – 12.170 acres
    - Proposed Lot 2 (pad site) – 1.034 acres
  5. The Planning staff report made the following findings:
    - i. The proposed street closure is consistent with the applicable City Master Plans.
    - ii. The proposed street closures and alley vacations will not deny access to adjacent properties, and the property will be sold at fair market value.
    - iii. Allowing the consolidation of this property will allow development that will enhance the streetscape along 2100 South, as well as improve traffic conditions on the site, without affecting traffic circulation in the immediate area.
    - iv. The street closure will not have a negative effect on the City's ability to deliver emergency services.
  6. The Planning Commission staff report notes that the proposed alley vacation meets 3 of the 4 possible policy considerations (one being required per City Code), detailed as follows:
    - i. The alley does not physically exist, though it is legally recorded on an applicable plat;
    - ii. The continued function of the property as an alley does not serve as a positive urban design element.
    - iii. The petitioners are proposing to restrict the general public from use of the alley in order to better facilitate development of their business, which will in turn, provide services to the community.
- B. The petitioner's property is zoned CG (General Commercial). The properties immediately to the North, South, East and West of the petitioner's property are also zoned CG. The surrounding land uses in all directions are commercial, with 2100 South and Hwy 201 to the South of the site.
- C. The Engineering and Transportation Divisions, Fire and Police Departments, Property Management, and Public Utilities reviewed the proposal and recommended approval of the street closure subject to City standards and specific requirements.
- D. The Glendale Community Council discussed the petition on February 15, 2006, and did not have any concerns with the proposed requests.
- E. On April 12, 2006, the Planning Commission voted to recommend approval of the proposed alley vacation, street closure, and subdivision plat vacation, and approve the 2-lot subdivision, contingent upon City Council approval of the street and alley closures.
- F. Three ordinances have been prepared by the City Attorney's office subject to conditions of approval identified by the Planning Commission. The City Recorder is instructed not to record the ordinances until the conditions have been met and certified by the Planning Director and the City Property Manager.
- G. As noted by the Administration, both the Utah Code and local ordinances regulate review and approval of street closure applications and the disposition of surplus property. The

Planning Commission must consider and make a recommendation to the Mayor regarding the disposition of the surplus property. According to Salt Lake City Code, the City shall retain title to the surplus property until the land is sold at fair market value or other acceptable compensation is provided. In addition, this section of the Code requires that the City Council be offered an opportunity to request a public hearing prior to the final disposition of the surplus property by the Mayor.

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

1. Council Members may wish to consider adjusting the Council's street closure policy to ensure a consistent policy direction with streets and alleys. (Please refer to the next section for the Council's street closure policy.) Planning staff has indicated to Council staff that the current street closure procedure does not require Community Council notification and review. In this case, though, the Community Council did review the issue. (Currently, the Planning Commission agenda is mailed to Community Council Chairs. A Planning Commission hearing notice is mailed to property owners within a 300-foot radius of a proposed street closure.) During the Council's alley policy discussions, Council Members adopted the following modifications for alley closures or vacations:
  - a. Shift the focus to consideration of a proposed request with demonstrated public benefit rather than supporting closure/vacation whenever possible.
  - b. Require an evaluation and documented demonstration of public interest versus private interest. The standard should be to demonstrate an over-riding public purpose, rather than an over-riding private interest.
  - c. Include neighborhood and community council review and comment as part of the public process prior to the Administration formalizing their recommendation to the City Council.

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

- A. The Council's street closure policy includes the following:
  1. It is Council policy to close public streets and sell the underlying property. The Council does not close streets when that action would deny all access to other property.
  2. The general policy when closing a street is to obtain fair market value for the land, whether the abutting property is residential or commercial.
  3. There are instances where the City has negotiated with private parties to allow the parties to make public improvements in lieu of a cash payment. The Council and the Administration consider these issues on a case-by-case basis.
  4. There should be sufficient public policy reasons that justify the sale and/or closure of a public street, and it should be sufficiently demonstrated by the petitioner that the sale and/or closure of the street would accomplish the stated public policy reasons.
  5. The City Council should determine whether the stated public policy reasons outweigh alternatives to the sale or closure of the street.
- B. The West Salt Lake Master Plan (1995) identifies the subject property as General Commercial "CG." The current land uses and zoning are consistent with the future land use designation.

- C. The Salt Lake City Transportation Master Plan does not identify 800 West Street as a major street in the future, nor does it identify the alley as such.
- D. The purpose of the General Commercial District (CG) is to provide an environment for a variety of commercial uses, some of which involve the outdoor display/storage of merchandise or materials.
- E. 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.

## **BUDGET RELATED FACTS:**

- A. The Administration's transmittal notes that the applicant has stated an intent to purchase the property at fair market value in order to secure the property. It is the responsibility of the applicant to obtain an appraisal report and work with Property Management. The adjacent property owner has also stated an intent to purchase a portion of the property.

## **CHRONOLOGY:**

Please refer to the Administration's transmittal for a complete chronology of events relating to the proposed street closure:

- December 22, 2005                      Petitions 400-05-46, and 400-05-47 received
- March 2, 2006                              Petitions 490-06-15, and 490-06-16 received
- April 12, 2006                              Planning Commission Hearing
- May 24, 2006                                Transmittal received from Administration

cc: Rocky Fluhart, Sam Guevara, DJ Baxter, Rick Graham, LeRoy Hooton, Tim Harpst, Max Peterson, Louis Zunguze, Alexander Ikefuna, Brent Wilde, Doug Wheelwright, Cheri Coffey, Ray McCandless, Barry Esham, Marge Harvey, Janice Jardine


File Location: Community Development Dept., Planning Division, Street Closures, Flying J Inc, 800 West Street

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:** May 19, 2006  
**FROM:** Louis Zunguze, Community Development Director   
**RE:** Petitions 400-05-46, 400-05-47, and 490-06-15 by Mike Miller, representing Flying J Inc., requesting to close a portion of 800 West Street, vacate an alley, and vacate portions of the Klenke's Addition Subdivision and Riverside Subdivision located at approximately 850 West 2100 South in a General Commercial "CG" Zoning District

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

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

**DOCUMENT TYPE:** Ordinance

**BUDGET IMPACT:** None

**DISCUSSION:**

**Issue Origin:** Flying J, Inc., is redeveloping a property located at approximately 850 West 2100 South Street as a new Flying J Travel Plaza. Upon completing a survey of the property, the applicant discovered that there is an alley and part of a street right-of-way that were dedicated to the City as part of a subdivision plat that was created in 1890 called the Klenke's Addition Subdivision. Although the subdivision plat was recorded, the alley and the street were never built as platted. The subdivision lots, street, and alley exist only on paper. The Flying J property also includes a part of the Riverside Subdivision which is an old "farming tract survey reference plat".

The applicant wishes to consolidate the various Flying J owned parcels and eliminate any City ownership in the property being re-developed as the Travel Plaza. Therefore, the applicant is requesting that the City:

1. Close and declare as surplus property the portion of the 800 West Street right-of-way which was created by the Klenke's Addition Subdivision, including parcel of City-owned property which was not platted by the subdivision but was subsequently deeded to the City for future extension of 800 West Street (Petition 400-05-46);

2. Vacate the alley on the north side of the Klenke's Addition Subdivision (Petition 400-05-47); and
3. Vacate portions of the Klenke's Addition Subdivision and Riverside Subdivision which are affected by the Flying J property (Petition 490-06-15).

The Planning Commission subsequently approved on April 12, 2006, Flying J's request to re-subdivide the total property into two lots; one for the main Travel Plaza and a second lot for a future commercial pad site. This re-subdivision will be finalized only if the Council grants the above stated street closure, and the alley and the partial subdivision vacation requests.

**Analysis:** The analysis of the petitions being considered by the City Council is as follows:

**1. Petition 400-05-46: Street Closure and Declaration of Surplus Property**

The applicant is requesting that Salt Lake City close and declare as surplus property the portion of 800 West Street that was dedicated as part of the Klenke's Addition Subdivision. The proposed closure also includes a 33 foot (33') wide by 104.95 foot (104.95') long parcel of land that was deeded to the City for future right-of-way on 800 West. However, neither the street nor the City-owned parcels were ever improved. They exist only on paper and have been used as a maneuvering area for the Flying J Company for many years. The proposed street closure, including the City-owned parcel measures 33 feet (33') wide by 191.31 feet (191.31') long, and consists of approximately 6,307.95 square feet. Neither piece of property is required to provide required access to any other properties.

**2. Petition 400-05-47: Alley Vacation**

The applicant is requesting that Salt Lake City vacate an alley on the north side of the Klenke's Addition Subdivision that was dedicated to the City when the subdivision plat was originally recorded in 1890. The alley measures 11.95 feet (11.95') wide by 782 feet (782') long and consists of approximately 9,344.9 square feet.

The applicant is requesting that all of the alley and west half of the street, (including the City-owned parcel on 800 West Street), be incorporated into the Flying J property. The applicant has requested that the east side of the closed street be sold to the abutting property owner to the east. The abutting property owner, Jerry Seiner, has submitted a letter indicating that they are willing to purchase the east half of the street and City-owned parcel, a copy of which is included with the Planning Commission Staff Report (Attachment 5).

**3. Petition 490-06-15: Partial Subdivision Plat Vacation**

The applicant is requesting that the portions of the Riverside and Klenke's Addition Subdivision plats affected by the Flying J property be vacated. The Flying J site is located on several pieces of property that are comprised of portions of the Riverside Subdivision, which is an old farming tract survey, and the Klenke's Addition Subdivision. The existing property lines do not follow the subdivision lot lines as originally platted. As this action affects a dedicated street and alley, City Council approval is required as discussed in the Planning Commission Staff Report (Attachment 5).

**Master Plan Considerations:** The applicable Master Plans for this property include the West Salt Lake Community Master Plan and the Salt Lake City Transportation Master Plan. The West

Salt Lake Generalized Future Land Use map identifies this property as General Commercial (CG). The current land use and zoning are consistent with the future land use designation as shown in the Master Plan. The Transportation Master Plan's Major Street Plan does not anticipate the need to utilize 800 West Street at this location nor the alley in the future. 2100 South Street and 900 West Street at this location are improved City streets and serve as the main collectors for the area.

#### **PUBLIC PROCESS:**

The request was reviewed by the Glendale Community Council on February 15, 2006, as indicated in the attached letter in the Staff Report to the Planning Commission. The Community Council did not have any concerns with the proposed requests (Attachment 5). The Planning Commission held a Public Hearing on this item on Wednesday, April 12, 2006, and recommended approval of the alley vacation, street closure, and subdivision plat vacation and approved the 2-lot subdivision. Approval of the 2-lot subdivision was granted subject to approval of the petitions to close the street and vacate the alley and subdivision plats located on the Flying J property.

#### **RELEVANT ORDINANCES:**

- *Utah Code Section 10-8-8 Streets, parks, airports, parking facilities, public grounds, and pedestrian malls*  
Utah Code Section 10-8-8 authorizes the legislative body to vacate public streets.
- *Salt Lake City Code Chapter 2.58 - City-Owned Real Property*  
The disposition of surplus property is authorized under Chapter 2.58 of the Salt Lake City Code. The Salt Lake City Council Policy Guidelines for Street Closures and Findings lists five policies to be considered when closing a public street. These policies should be analyzed prior to closing a City-owned street. The five policies are discussed in detail starting on page 6 of the Planning Commission Staff Report (see Attachment 5).
- *Salt Lake City Code Chapter 14.52 - Disposition of City Owned Alleys*  
The disposition of City owned alleys is authorized under Chapter 14.52 of the Salt Lake City Code. When evaluating requests to close or vacate public alleys, the City considers whether or not the continued use of the property as a public alley is in the City's best interest. The policy considerations for alley vacations are listed in Section 14.52.02 of the Salt Lake City Code. In considering whether an alley should be vacated, the disposition must satisfy at least one of the four policy considerations discussed on page 8 of the Planning Commission Staff Report (see Attachment 5). Section 14.52.030(B) of the Salt Lake City Code states that in making a recommendation to the City Council concerning a City owned alley, a positive recommendation should include an analysis of 8 factors. These factors are discussed and detailed in the Planning Commission Staff Report beginning on page 10 (Attachment 5).

- *Utah Code Section 10-9a-608 - Vacating or changing a subdivision plat and Salt Lake City Code Title 20.31.090 - Standards For Approval of Amendment Petition*  
*Utah Code, Section 10-9a-608 and Salt Lake City Code Title 20.31.090 - Standards For Approval of Amendment Petition outline the requirements to vacate a subdivision plat involving streets.*

Utah Code requires Planning Commission review and City Council approval to vacate the portions of the subdivision plats being considered. The standards for an amendment petition are contained in the Salt Lake City Code, Section 20.31.090. There are six standards that must be met in order for an amendment petition to be approved. These standards, including an analysis and findings for each, are in the Planning Commission Staff Report beginning on page 12 (Attachment 5).



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## **1. CHRONOLOGY**

## PROJECT CHRONOLOGY

- December 22, 2005      Petitions 400-05-46 and 400-05-47 received.  
March 2, 2006            Petitions 490-06-15 and 490-06-16 received
- January 6 & 9, 2006    Petitions 400-05-46 and 400-05-47 assigned.  
March 6, 2006            Petitions 490-06-15 and 490-06-16 assigned
- January 10, 2006        Petitions 400-05-46 and 400-05-47 - request for City  
  departmental comments sent.  
March 7, 2006            Petitions 490-06-15 and 490-06-16 - request for City  
  departmental comments sent.
- March 28, 2006         Notices for the April 12, 2006 Planning Commission hearing  
  mailed.
- April 12, 2006            Planning Commission Hearing.
- April 18, 2006            Ordinances requested from the City Attorney.
- April 26, 2006            Draft ordinances returned from the City Attorney.
- May 4, 2006              City Council Transmittal packet completed by the Project  
  Planner.

## **2. ORDINANCES**

SALT LAKE CITY ORDINANCE

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

(Closing and abandoning the alley generally located between 850 West and 900 West on 2100 South (on the North Side of the Klenke's Addition Subdivision))

AN ORDINANCE CLOSING AND ABANDONING THE ALLEY GENERALLY LOCATED BETWEEN 800 WEST AND 900 WEST ON 2100 SOUTH (ON THE NORTH SIDE OF THE KLENKE'S ADDITION SUBDIVISION), PURSUANT TO PETITION NO. 400-05-47.

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

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

SECTION 1. Closing and Abandoning Alley. A portion of alley generally located between 800 West and 900 West and 2100 South (on the North side of the Klenke's Addition Subdivision), which is the subject of Petition No. 400-05-47, and which is more particularly described on Exhibit "A" attached hereto, be, and the same hereby is, closed and abandoned and declared no longer needed or available for use as an alley.

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

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

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

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

Passed 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

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date May 8, 2006  
By Melanie Reif

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CHIEF DEPUTY CITY RECORDER

(SEAL)

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

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

I:\Ordinance 06\Closing the alley on the North side of the Klenke's Addition Subdivision between 800 West and 900 West on 2100 South - 05-08-06 clean.doc



EXHIBIT A

ALLEY VACATION PARCEL FLYING J 9/1/05

NORTH ALLEY WAY OF KLENKE'S ADDITION SUBDIVISION AS RECORDED WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER, SAID ALLEY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 24 OF SAID KLENKE'S ADDITION SUBDIVISION, AND RUNNING THENCE NORTH  $89^{\circ}55'05''$  WEST ALONG THE NORTHERLY LINE OF SAID LOT 24 AND SAID SUBDIVISION 694.71 FEET TO THE EASTERLY LINE OF 900 EAST STREET; THENCE ALONG SAID EASTERLY LINE THE FOLLOWING (2) COURSES: (1) NORTH  $42^{\circ}10'06''$  WEST 4.36 FEET, (2) NORTH  $00^{\circ}32'32''$  EAST 8.72 FEET; THENCE SOUTH  $89^{\circ}55'05''$  EAST 697.55 FEET; THENCE SOUTH  $00^{\circ}01'27''$  EAST 11.95 FEET TO THE POINT OF BEGINNING.

*5/1/05*

CONTAINS: 8,331 SQ.FT. OR 0.191 ACRES

SALT LAKE CITY ORDINANCE

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

(Closing and abandoning a portion of 800 West between 2050 South and 2100 South)

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF 800 WEST FROM APPROXIMATELY 2050 SOUTH TO 2100 SOUTH, PURSUANT TO PETITION NO. 400-05-46.

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

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

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

SECTION 1. Closing and Abandoning Street. A portion of 800 West from approximately 2050 South to 2100 South, which is the subject of Petition No. 400-05-46, and which is more particularly described on Exhibit "A" attached hereto, and the same hereby is, closed and abandoned and declared no longer needed or available for use as a street.

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

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

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

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 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 May 8, 2006  
By Melanie Heif

(SEAL)

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

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

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EXHIBIT A

**OVERALL AS-SURVEYED DESC. FOR STREET CLOSURE (5/01/2006)**

BEGINNING AT A POINT ON THE EASTERLY LINE OF LOT 10 RIVERSIDE PLAT, AS RECORDED WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER, SAID POINT BEING NORTH 00°00'59" WEST 104.95 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 10 RIVERSIDE PLAT, SAID POINT ALSO BEING SOUTH 89°59'15" WEST ALONG THE SECTION LINE 1005.47 FEET AND NORTH 00°00'59" WEST 117.39 FEET FROM THE SOUTHEAST CORNER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 89°55'05" WEST 33.00 FEET TO A POINT ON THE EAST LINE EXTENSION OF LOT 24 KLENKE'S ADDITION, AS RECORDED WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER; THENCE SOUTH 00°00'59" EAST ALONG SAID EAST LINE EXTENSION AND EAST LINE OF SAID LOT 24 KLENKE'S ADDITION 191.31 FEET TO THE NORTHERLY LINE OF 2100 SOUTH STREET, AS CONVEYED BY QUIT CLAIM DEED, RECORDED JANUARY 28, 1999, IN BOOK 8241 ON PAGE 982 OF THE OFFICIAL RECORDS AS PROJECT NO. SP-15-7(116)304 AS ON FILE WITH THE UTAH DEPARTMENT OF TRANSPORTATION; THENCE NORTH 89°48'33" EAST ALONG SAID NORTHERLY LINE 33.00 FEET TO A POINT ON THE EASTERLY LINE EXTENSION OF SAID LOT 10, THENCE NORTH 00°00'59" WEST ALONG SAID EASTERLY LINE EXTENSION AND SAID EASTERLY LINE OF LOT 10, 191.16 FEET TO THE POINT OF BEGINNING.

*Rev 5/1/06*

CONTAINS: 6,311 SQ. FT.

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2006  
(Vacating a portion of the Riverside and Klenke's Addition Subdivisions)

AN ORDINANCE APPROVING THE VACATION OF A PORTION OF THE  
RIVERSIDE AND KLENKE'S ADDITION SUBDIVISIONS, AS REQUIRED BY SECTION  
10-9a-608, UTAH CODE ANNOTATED, PURSUANT TO PETITION NO. 490-06-15.

WHEREAS, Petition No. 490-06-15 was filed with the City, requesting the City to allow the vacation of a portion of the Riverside and Klenke's Addition Subdivisions; and

WHEREAS, one hundred percent of the owners of the property within and adjacent to the subdivisions have not consented to the vacation; and

WHEREAS, the City Council has held a public hearing after giving the required notices and has reviewed the vacation which has been previously preliminarily approved by the Planning Commission on April 12, 2006;

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

SECTION 1. Approval of Proposed Subdivision Vacation. The City hereby approves the proposed vacation of a portion of the Riverside and Klenke's Addition Subdivisions as conditionally approved by the Planning Commission on April 12, 2006.

SECTION 2. Effective Date. This Ordinance shall become effective on the date of its first publication and shall be recorded with the Salt Lake County Recorder.

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

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

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

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

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

\_\_\_\_\_  
MAYOR

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

(SEAL)

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

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

APPROVED AS TO FORM  
Salt Lake City Attorneys Office  
Date May 8, 2006  
By [Signature]

### **3. NOTICES OF CITY COUNCIL PUBLIC HEARING**



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

Posted \_\_\_\_\_  
By \_\_\_\_\_

**NOTICE OF PUBLIC HEARING**

On \_\_\_\_\_, the Salt Lake City Council will hold a public hearing to consider petition numbers 400-05-46, 400-05-47 and 490-06-15, a request by Flying J Inc. requesting to close and declare as surplus property, a portion of 800 West Street, vacate an alley and vacate portions of the Klenke's Addition Subdivision and Riverside Subdivision for property located at approximately 850 West 2100 South Street in a General Commercial "CG" Zoning District.

The City Council is holding an advertised public hearing to receive comments regarding the petition requests. During this hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

**DATE:**  
**TIME:**  
**PLACE:** ROOM 315  
City and County Building  
451 South State Street  
Salt Lake City

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

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Mr. Ray McCandless at 535-7282; TDD 535-6021.

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

## MEMORANDUM

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To: Lynn Valdez  
Newspaper Corporation  
From: Salt Lake City Council's Office  
Re: **SPECIAL NOTICES - 010 – CLASSIFIED ADS**  
Date:

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Please run the following ad, once a week for four consecutive weeks \_\_\_\_\_, in both papers

### NOTICE OF PUBLIC HEARING

On \_\_\_\_\_, the Salt Lake City Council will hold a public hearing to consider petition numbers 400-05-46, 400-05-47 and 490-06-15, a request by Flying J Inc. requesting to close and declare as surplus property, a portion of 800 West Street, vacate an alley and vacate portions of the Klenke's Addition Subdivision and Riverside Subdivision for property located at approximately 850 West 2100 South Street in a General Commercial "CG" Zoning District.

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

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Mr. Ray McCandless at 535-7282; TDD 535-6021.

### **3. C. MAILING LIST AND LABELS**

AS [redacted]



15232260030000  
U D T  
450 N STATE ST  
SALT LAKE CITY UT 84114

15144520070000  
LOPEZ, LAWRENCE F  
943 W JEWELL AVE  
SALT LAKE CITY UT 84104

15144520450000  
1932 S LLC  
244 W 400 S  
SALT LAKE CITY UT 84101

15232260070000  
UTAH DEPARTMENT OF  
4501 S 2700 W  
TAYLORSVILLE UT 84119

15144520200000  
HAWK SUPPLY, INC  
950 W 2100 S  
WEST VALLEY UT 84119

15144530020000  
DIEHL, RICHARD L  
PO BOX 9226  
SALT LAKE CITY UT 84109

15144510160000  
MAXFIELD, LAURIE A &  
14439 S VANTAGE CIR  
BLUFFDALE UT 84065

15144520210000  
PUGH, STEVEN L  
930 W 2100 S  
WEST VALLEY UT 84119

15144530030000  
VALLEY STORAGE COMPANY  
1915 S 900 W  
SALT LAKE CITY UT 84104

15144510170000  
UTAH JEWELL, LLC  
PO BOX 2222  
TACOMA WA 98401

15144520220000  
ZION'S FIRST NATIONAL BANK  
PO BOX 30709  
SALT LAKE CITY UT 84130

15144530040000  
VALLEY STORAGE COMPANY  
1911 S 900 W  
SALT LAKE CITY UT 84104

15144510180000  
URRY, DELMAR & JANET A  
2464 S 800 E  
SALT LAKE CITY UT 84106

15144520330000  
JJACK INVESTMENTS, LLC  
PO BOX 25114  
SALT LAKE CITY UT 84125

15144530060000  
CASTANEDA, AMADEO &  
1939 S 900 W  
SALT LAKE CITY UT 84104

15144510200000  
REDDICK, RICHARD R &  
5963 S JORDAN CANAL RD  
TAYLORSVILLE UT 84118

15144520350000  
CARD INVESTMENTS LLC  
960 W 2100 S  
WEST VALLEY UT 84119

15144530140000  
CFJ PROPERTIES  
1104 COUNTRY HILLS DR  
OGDEN UT 84403

15144510210000  
PARAMOUNT INVESTMENT, INC  
10633 AUSTIN BLUFF AVE  
LAS VEGAS NV 89144

15144520360000  
BLUE BEACON INTERNATIONAL  
PO BOX 856  
SALINA KS 67402

15144530150000  
VALLEY STORAGE CO  
1911 S 900 W  
SALT LAKE CITY UT 84104

15144520050000  
ALL AMERICAN LEASING LLC  
PO BOX 27911  
SALT LAKE CITY UT 84127

15144520380000  
CARD INVESTMENTS LLC  
960 W 2100 S  
WEST VALLEY UT 84119

15144530180000  
CFJ PROPERTIES  
PO BOX 1108  
HOUSTON TX 77251

15144520060000  
ALBOT, D W &  
44 S WHITE FLOWER WY  
WEST VALLEY UT 84120

15144520440000  
ALL AMERICAN LEASING LLC  
PO BOX 27911  
SALT LAKE CITY UT 84127

15144760030000  
HARRINGTON & COMPANY  
PO BOX 25723  
SALT LAKE CITY UT 84125

List of ownership was compiled by the Salt Lake County Recorder's office, with a copy being sent to the city it pertains to. Any  
modification or deletion will be tracked and appropriate action taken. Feb2006Page 1 of 2

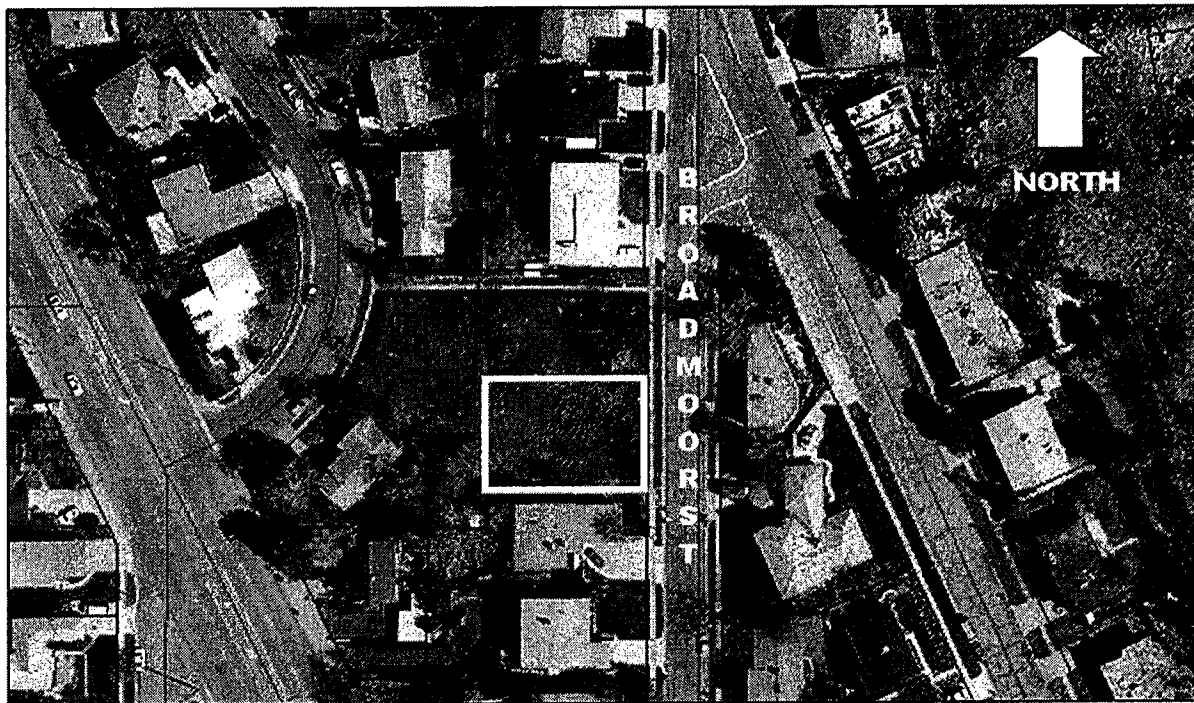
**4. PLANNING COMMISSION AGENDA  
FOR APRIL 12, 2006**

**AGENDA FOR THE  
SALT LAKE CITY PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building at 451 South State Street  
Wednesday, April 12, 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, March 22, 2006.
2. **REPORT OF THE CHAIR AND VICE CHAIR**
3. **REPORT OF THE DIRECTOR**
4. **PUBLIC NOTICE AGENDA** Salt Lake City Property Conveyance Matters
  - a) Utah Department of Transportation (UDOT) and Salt Lake City Public Utilities Department—UDOT is requesting the purchase of real property owned by Salt Lake City, consisting of six parcels totaling approximately seven acres and used as a drainage canal, for use as part of the Davis County Legacy Highway project. The property in question is located just north of the existing I-215 West highway corridor and on both the east and west sides of Redwood Road. All of the property is located within Davis County. This property was part of a previous condemnation action which has now lapsed, and is now being purchased at fair market value, under terms acceptable to Public Utilities. Public Utilities staff intends to approve the sale, with the City receiving replacement easements for the Drainage Canal use. (Staff — Doug Wheelwright at 535-6178 or [doug.wheelwright@slcgov.com](mailto:doug.wheelwright@slcgov.com) and Karryn Greenleaf at 483-6769 or [karryn.greenleaf@slcgov.com](mailto:karryn.greenleaf@slcgov.com))
  - b) Utah Transit Authority (UTA) and Salt Lake City Property Management – UTA and the City are negotiating an Interlocal Agreement that would provide for the transfer of the fee title property ownership of the City to UTA for the property used for the Intermodal Hub operation. The property transfer involves two parcels totaling approximately 16.57 acres located on the west side of 600 West Street, between 200 South and approximately 700 South Streets. Under the terms of the agreement, the City will receive compensation for the property equal to fair market value, which involves non-monetary considerations including the agreement by UTA to finance a large portion of the cost of extending light rail service from the Delta Center Station to the Intermodal Hub and the assumption by UTA of all the City's current obligations relating to the Intermodal Hub. The City-owned property is addressed as 300 South and 600 West, and zoned General Commercial (CG). The Interlocal Agreement including the property transfer requires approval by the City Council. The City Administration intends to recommend the proposed property transfer to the Planning Commission and City Council. (Staff – Doug Wheelwright at 535-6178 or [doug.wheelwright@slcgov.com](mailto:doug.wheelwright@slcgov.com) and Matthew Williams at 535-6447 or [matthew.williams@slcgov.com](mailto:matthew.williams@slcgov.com))
5. **PUBLIC HEARINGS**
  - a) **Petition 410-06-03** — A Conditional Use Request for a Landfill Gas to Renewable Energy Facility by Landfill Energy Systems (in conjunction with the Salt Lake Valley Landfill). The request is for the development and operation of an electric generator facility located at approximately 5950 West California Avenue, directly adjacent to the existing Landfill Facility in the M-1 (Light Manufacturing) Zoning District. This project site is also located within the T Transitional Overlay District. (Staff – Marilynn Lewis at 535-6409 or [marilynn.lewis@slcgov.com](mailto:marilynn.lewis@slcgov.com))
  - b) **Petition # 400-06-07** — Salt Lake City Corporation is requesting a text amendment to the Salt Lake City Zoning Ordinance to allow ambulance services in the Commercial, Manufacturing and Special Purpose Districts. (Staff – Kevin LoPiccolo at 535-6003 or [kevin.lopiccolo@slcgov.com](mailto:kevin.lopiccolo@slcgov.com))
  - \* c) **Petitions 400-05-46, 400-05-47, 490-06-15 and 490-06-16** — A request by Mike Miller, representing Flying J Inc., that Salt Lake City close and declare as surplus property, a portion of 800 West Street at approximately 2100 South Street (Petition No. 400-05-46), vacate an alley on the north side of the Klenke's Addition Subdivision (Petition No. 400-05-47), vacate a portion of the Klenke's Addition Subdivision and Riverside Subdivision (Petition No. 490-06-15), and grant preliminary subdivision approval of a two-lot minor subdivision (Petition No. 490-06-16) located at approximately 850 West 2100 South in a General Commercial (CG) zoning district. (Staff – Ray McCandless at 535-7282 or [ray.mccandless@slcgov.com](mailto:ray.mccandless@slcgov.com))
  - d) **Petition 400-06-08** — Salt Lake City Council initiated a request to amend existing provisions of the Salt Lake City Zoning Ordinance relating to single- and two-family land uses in City Council District Three that may contribute to incompatible residential infill development within the Special Pattern Residential 1 (SR-1) Zoning District. The proposed amendments include creating a subcategory of the SR-1 Zoning District for those properties currently zoned SR-1 in City Council District Three to address general lot and bulk issues including building height, yard requirements, and accessory building standards. This petition would also amend the zoning maps to implement the above referenced amendments to the SR-1 Zoning District for all properties within the Capitol Hill and Avenues Planning Communities currently zoned SR-1. The Capitol Hill and Avenues Planning Communities are generally located between I-15 and North Campus Drive from South Temple to the north City limits. (Staff: Joel Paterson at 535-6141 or [joel.paterson@slcgov.com](mailto:joel.paterson@slcgov.com))
  - e) **Petition No. 490-06-03** — A request by Aaron Olsen for a Subdivision Amendment, at the property located at 1932 and 1934 South Broadmoor Street, in order to subdivide Lot Three of the Indian Terrace Subdivision (amended Lots 24 and 26) into two lots in order to facilitate the construction of a twin home in the Special Development Pattern Residential (SR-1) zoning district. (Staff – Sarah Carroll at 535-6260 or [sarah.carroll@slcgov.com](mailto:sarah.carroll@slcgov.com))





**6. UNFINISHED BUSINESS**

The next scheduled Planning Commission meeting will be April 26, 2006. This information can be accessed at [www.slcgov.com/CED/planning](http://www.slcgov.com/CED/planning).

*Salt Lake City Corporation complies with all ADA guidelines. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this Planning Commission Meeting. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Planning at (801) 535-7757 or TDD (801) 535-6021.*

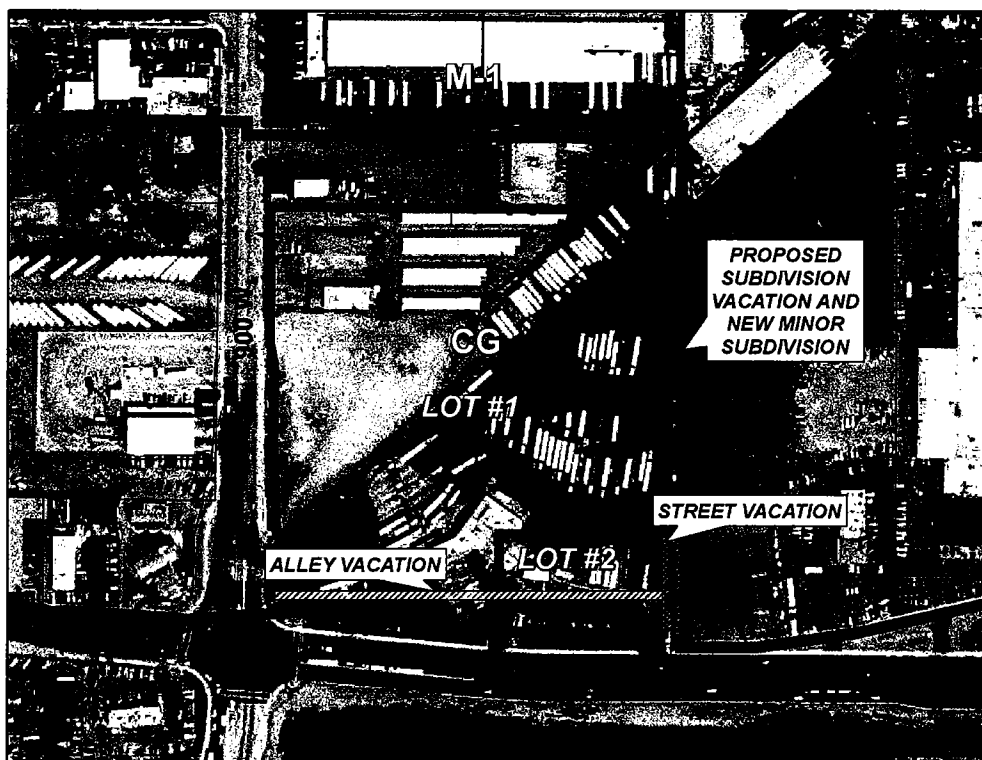
**5. STAFF REPORT FOR THE APRIL 12, 2006  
PLANNING COMMISSION MEETING**

**DATE:** April 12, 2006

**TO:** Salt Lake City Planning Commission

**FROM:** Ray McCandless, Principal Planner at 535-7282 or  
ray.mccandless@ci.sl.ut.us

**RE:** A REQUEST BY MIKE MILLER, REPRESENTING FLYING J INC., THAT SALT LAKE CITY CLOSE AND DECLARE AS SURPLUS PROPERTY A PORTION OF 800 WEST STREET AT APPROXIMATELY 2100 SOUTH STREET (PETITION NO. 400-05-46), VACATE AN ALLEY ON THE NORTH SIDE OF THE KLENKE'S ADDITION SUBDIVISION (PETITION NO. 400-05-47), VACATE A PORTION OF THE KLENKE'S ADDITION SUBDIVISION AND RIVERSIDE SUBDIVISION (PETITION NO. 490-06-15) AND, PRELIMINARY SUBDIVISION APPROVAL OF A 2- LOT MINOR SUBDIVISION (PETITION NO. 490-06-16) LOCATED AT APPROXIMATELY 850 WEST 2100 SOUTH IN A GENERAL COMMERCIAL (CG) ZONING DISTRICT



**PETITION NUMBERS:** 400-05-46 Street Closure  
400-05-47 Alley Vacation  
490-06-15 Partial Subdivision Vacation  
490-06-16 Preliminary Subdivision

**APPLICANT:** Mike Miller, PDG Inc.

**STATUS OF APPLICANT:** Flying J Representative

**PROJECT LOCATION:** Approximately 850 West 2100 South

**COUNCIL DISTRICT:** District 2, Councilmember Van Turner

**COMMUNITY COUNCIL:** Glendale Community Council

**SURROUNDING ZONING DISTRICTS:**

**North -** CG  
**South -** CG  
**East -** CG  
**West -** CG

**SURROUNDING LAND USES:**

**North -** Commercial  
**South -** 2100 South and Hwy. 201  
**West -** Commercial  
**East -** Commercial

**REQUESTED ACTION/PROJECT DESCRIPTION:**

The applicant is requesting Planning Commission approval of four petitions: A street closure, alley vacation, subdivision vacation and new minor subdivision approval. The Planning Commission's recommendation concerning the proposed street closure, alley vacation and subdivision vacation will be forwarded to the City Council for final approval. The Planning Commission is the approval body for the minor subdivision request. A description of each petition is as follows:

**1. Petition 400-05-46, Street Closure and Declaration of Surplus Property**

The applicant is requesting that Salt Lake City close and declare as surplus property, a portion of 800 West Street at approximately 2100 South. The proposed street closure is located in this area of commercial uses. The street has never been improved. It exists only on paper and has been used as a maneuvering area for the Flying J company for many years. It is not required to provide required access to any other properties. The proposed street closure measures 33 feet wide by 191.15 feet long (approximately 6,307.95 square feet).

## **2. Petition 400-05-47, Alley Vacation**

The applicant is also requesting that Salt Lake City vacate an alley on the north side of the Klenke's Addition Subdivision that was dedicated to the City when the subdivision plat was originally recorded. The alley measures 11.95 feet wide by 782 feet long and consists of approximately 9,344.9 square feet.

The applicant is requesting that all of the alley and west half of the street be incorporated into the Flying J property. The applicant has requested that the east side of the closed street be sold to the abutting property owner to the east. The abutting property owner, Jerry Seiner, has submitted a letter indicating that they are willing to purchase the east half of the street (See attachment 5).

## **3. Petition 490-06-15, Partial Subdivision Plat Vacation**

The flying J site is located on three adjoining pieces of property that are comprised of portions of the Riverside Subdivision and the Klenke's Addition Subdivision. The existing property lines do not follow the subdivision lot lines as originally platted and a number of site improvements such as gas pump islands and parking areas have been installed over several lots and do not comply with current zoning requirements.

Given this, the applicant is requesting that the portions of the Riverside and Klenke's Addition Subdivision plats affected by the Flying J property be vacated and replatted as a new minor subdivision. As this action affects a dedicated street and alley, Planning Commission recommendation and City Council approval are required.

## **4 Petition 490-06-16, Minor Subdivision**

Flying J is also requesting preliminary subdivision approval of a 2-lot minor subdivision. Lot 1 consists of 12.170 acres. Lot 2 is a pad site consisting of 1.034 acres. Planning Commission approval of the preliminary subdivision plat is required as noted above.

### **APPLICABLE LAND USE REGULATIONS:**

#### **Salt Lake City Code:**

Chapter 2.58 of the Salt Lake City Code regulates the disposition of surplus City-owned real property.

Chapter 14.52 of the Salt Lake City Code regulates the disposition of City-owned alleys.

Title 20, Subdivision Ordinance outlines the subdivision approval process and standards.

#### **Utah Code:**

Section 10-8-8 regulates a request for action to vacate, narrow, or change name of street or alley.

Section 10-9a-608 outlines the requirements to vacate a subdivision plat involving streets.

## MASTER PLAN SPECIFICATIONS:

**West Salt Lake Community Master Plan:** The subject property is located within the West Salt Lake Master Plan area. The West Salt Lake Generalized Future Land Use map identifies this property as General Commercial "CG". The current land use and zoning are consistent with the future land use designation as shown in the Master Plan.

**Salt Lake City Transportation Master Plan:** The Transportation Master Plan's Major Street Plan does not anticipate the need to utilize 800 West Street at this location nor the Alley in the future. 2100 South Street and 900 West at this location are improved City streets and serve as the main collectors for the area. Neither 800 West Street or the alley is necessary to the City as a public right-of-way. This position is supported by the Major Street Plan and departmental comments.

## COMMENTS:

The following applicable City agencies were contacted regarding the proposed street closure and alley vacation: Engineering, Fire, Police, Property Management, Public Utilities, Transportation, Building Permits, Airport and the Glendale Community Council. The following is a summary of the comments/concerns received:

- A. **Engineering:** The Engineering Division does not have any concerns with the street or alley closure but is working with the Building Permits and Licensing Division addressing a proposed drive approach on 900 West. The Engineering Division is currently reviewing the proposed subdivision vacation and subdivision plat.
- B. **Fire:** The Fire Department has no objection to the proposed street closure or alley vacation.
- C. **Police:** The Police Department does not anticipate that the proposals will have a negative impact on the delivery of police services or public safety.
- D. **Property Management:** The Property Management Division is currently working with Flying J to develop a lease agreement for the temporary usage of the alley and street until a formal decision on the alley and street closure is made by the Planning Commission and City Council. *Update: The City Council approved the lease agreement on April 4, 2006.*
- E. **Public Utilities:** The Public Utilities Department has checked water, sewer and storm drainage maps and there are no public utilities in the street or alley proposed to be vacated. The Public Utilities Department has no objection to the proposed street closure or alley vacation.

- F. Transportation:** The alley has not functioned as a public transportation corridor. The roadway section on 800 West services only one parcel and is not contributory to public service. The 800 West Street abutting this parcel to the east has no history of access and is presently serviced by the 2100 South public roadway. The Transportation Division recommends approval of the street closure and alley vacation.

Concerning the proposed subdivision and subdivision vacation, the Transportation Division requires the cross access easement to be shown between lot 1 and lot 2 along with the closure of the 800 West access to match the approved site functions and circulation permit plans dated 12/16/2005. The approved plan indicates only one shared driveway access to 2100 South aligning with the west property line of lot 2.

**G. Permits and Zoning:**

1. Public Utilities approval is required. Three sets of civil drawings will need to be submitted to the Public Utilities Department. Two approved sets of drawings must be returned to the Building Permits Office to obtain building permits.
2. Provide a 'Subdivision Screening Sheet' from the Planning Division showing that all subdivision issues have been approved and recorded. This is for existing lots to be combined, any lot line adjustments, the new reserve parcel to be created, and the cross-access easement to be created between the new main parcel and the new reserve parcel.
3. Engineering Division approval is required for new curbs, gutters, public sidewalks, and driveway approaches, and for closing old driveway approaches.
4. Transportation Division approval is required for parking lot layout, circulation, handicapped ramps, handicapped parking stalls, bicycle racks, pedestrian access from the public sidewalk, etc.
5. Street lighting approval by the Salt Lake City Transportation Division is required.

- H. Airport:** The Department of Airports has no concerns with the proposed requests.

- I. Community Council:** The Glendale Community Council supports the proposed street closure and alley vacation as indicated in the attached letter dated February 15, 2006 (Attachment 3). A request for Community Council review on the proposed subdivision vacation and new subdivision was forwarded to the Community Council on March 11, 2006. The Community Council contacted Staff via telephone on March 13, 2006 and does not have any concerns with either the proposed subdivision vacation or new subdivision request.

## **ANALYSIS AND FINDINGS:**

The area of the street closure and alley vacation is to be incorporated into the Flying J property to facilitate the redevelopment of the site. Currently, the alley and street function as part of the Flying J site. The street and alley exist only on paper and have never been developed.

In reviewing this request, the Planning Commission will need to consider whether the street should be closed and the alley should be vacated as requested. The Planning Commission's recommendation will be forwarded to the City Council for final review and decision action.

### **A. Petition 400-05-46, Street Closure and Declaration of Surplus Property**

The Planning Commission will need to review the street closure request as it relates to the following Salt Lake City Council Policy Guidelines for Street Closures and Findings.

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

- 1. It is the policy of the City Council to close public streets and sell the underlying property. The Council does not close streets when the action would deny all access to other property.**

**Discussion:** Closing the subject street will not deny access to any adjacent property. Access to adjacent properties will still be available from 2100 South. The property will be sold at fair market value.

**Finding:** The proposed street closure will not deny access to adjacent properties and the property will be sold at fair market value.

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

**Discussion:** The property must be sold at a fair market value. This was mentioned to the applicant in an e-mail message dated February 15, 2006. The applicants will need to contact the Salt Lake City Property Management Division which will determine the fair market value of the alley and street. One half of the street, the western half, will be sold to Flying J. The eastern half will be sold to the abutting property owner, Jerry Seiner. Mr. Seiner has indicated that he is willing to purchase the east half of the street as indicated in the attached letter dated March 1, 2006 (Attachment 5).

**Finding:** The property must be sold at a fair market value.

- 3. There should be sufficient public policy reasons that justify the sale and/or closure of a public street, and it should be sufficiently demonstrated by the**



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

**Discussion:** Closing the street will allow more maneuvering room for the new building and improve on site vehicular circulation. In addition, development of the site will require that site improvements be installed which will contribute towards upgrading the property and the streetscape along 2100 South. Vacating the street will help to upgrade the site and bring it into compliance with current zoning standards which justifies the closure of the public street.

**Finding:** In addition to improving on-site traffic circulation, future development of the site will improve the appearance of the streetscape along 2100 South.

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

**Discussion:** The public policy reasons supporting closure of the street are discussed in section 3 above. In addition to improving the appearance of 2100 South Street frontage by redeveloping the site, the street has never been improved since the Klenke's Addition Subdivision plat was recorded in 1890 and there are no plans to improve it at this time. The street does not serve as access to this or any adjoining property.

The alternative to closing the street is to keep it in public ownership and improving it. However, given the discussion above, the reasons supporting closure of the street outweigh the need to retain it in public ownership.

**Finding:** Given that the street was never needed in the past nor is it anticipated that the street will be needed in the future, the best alternative is closing the street. This request complies with this standard.

**Summary of Planning Staff Findings for the Street Closure:**

- A. The street closure is consistent with the applicable City Master Plans.
- B. All owners of property that abut the proposed street closure have been notified about the street closure petition.
- C. The street closure will not have a negative effect on traffic circulation in the immediate area as proposed.
- D. The street closure will not have a negative effect on the City's ability to deliver emergency services.
- E. The street closure will help to improve the area given that the site will be redeveloped.

## **B. Petition 400-05-47, Alley Vacation**

Chapter 14.52 of the Salt Lake City Code regulates the disposition of City-owned alleys. When evaluating requests to close or vacate public alleys, the City considers whether or not the continued use of the property as a public alley is in the City's best interest. Noticed public hearings are held before both the Planning Commission and City Council to consider the potential adverse impacts created by a proposal. Once the Planning Commission has reviewed the request, their recommendation is forwarded to the City Council for consideration.

The Planning Commission must also make a recommendation to the Mayor regarding the disposition of the property. If the Commission recommends that an alley property be declared surplus, the property should be disposed of according to Section 2.58 City-Owned Real Property of the Salt Lake City Code.

### **Identification and Analysis of Issues**

The existing alley was created as part of the Klenke's Addition Subdivision that was recorded in 1890. It runs east and west and has been used as part of the Flying J site for many years as the southernmost gas pump island, driveway and parking area is directly on the alley (see Attachment 2, Site Plans ). According to the Salt Lake City departmental comments, there are no public utilities located within the alley. The alley does not serve to access any other adjoining property.

### **Code Criteria / Discussion**

The City Council has final decision authority with respect to alley vacations and closures. A positive recommendation from the Planning Commission requires an analysis and positive determination of the following factors:

Section 14.52.02 of Salt Lake City Code: Salt Lake City Council policy considerations for closure, vacation or abandonment of City owned alleys.

The City will not consider disposing of its interest in an alley, in whole or in part, unless it receives a petition in writing which demonstrates that the disposition satisfies at least one of the following policy considerations:

- A. Lack of Use. The City's legal interest in the property appears of record or is reflected on an applicable plat; however, it is evident from an on-site inspection that the alley does not physically exist or has been materially blocked in a way that renders it unusable as a public right-of-way.**

**Discussion:** As mentioned previously, the City's legal interest in the alley appears as a result of recordation of the Klenke's Subdivision plat. The alley does

not physically exist nor has it materially been blocked in a way that renders it unusable as a public right-of-way.

**Finding:** The subject alley meets this policy consideration.

**B. Public Safety. The existence of the alley is substantially contributing to crime, unlawful activity or unsafe conditions, public health problems, or blight in the surrounding area.**

**Discussion:** The existence of the alley does not contribute to crime, unlawful activity or unsafe conditions, public health problems, or blight in the surrounding area as it functions as part of the existing Flying J site.

**Finding:** The existence of the alley does not contribute to crime, unlawful activity or unsafe conditions, public health problems, or blight in the surrounding area.

**C. Urban Design. The continuation of the alley does not serve as a positive urban design element.**

**Discussion:** The applicants propose to redevelop the site. Incorporating the alley into the proposed site design will create a positive urban design element.

**Finding:** A continued function of the property as an alley does not serve as a positive urban design element.

**D. Community Purpose. The petitioners are proposing to restrict the general public from use of the alley in favor of a community use, such as a neighborhood play area or garden.**

**Discussion:** The purpose of vacating the alley to incorporate it into the proposed redevelopment of the Flying J property. The alley will become private property for a business, which is a type of community use; for which access will be restricted accordingly. However, since it is on a commercial property, and will generally be used by the public and because vacating the alley will facilitate the redevelopment of the site, the community purpose is served.

**Finding:** As the alley will be incorporated into the proposed redevelopment of the Flying J facility the community purpose is served as the business will provide services for the general community.

**Overall Summary Pertaining to Section 14.52.02:** The petition meets Policy Considerations A, C and D as outlined above, and thus satisfies at least one of the policy considerations, as required by Section 14.52.02 of the City Code.

**Section 14.52.030 (B) of Salt Lake City Code: Public Hearing and Recommendation from the Planning Commission.**

Upon receipt of a complete petition, a public hearing shall be scheduled before the Planning Commission to consider the proposed disposition of the City owned alley property. Following the conclusion of the public hearing, the Planning Commission shall make a report and recommendation to the City Council on the proposed disposition of the subject alley property. A positive recommendation should include an analysis of the following factors:

- 1. The City police department, fire department, transportation division, and all other relevant City departments and divisions have no objection to the proposed disposition of the property;**

**Discussion:** Staff requested input from pertinent City departments and/or divisions. These comments are attached to this staff report as Attachment 4, Comments Received From City Departments/Divisions.

**Finding:** The applicable City departments and divisions have reviewed this request and have no objections to vacating the alley property.

- 2. The petition meets at least one of the policy considerations stated above;**

**Finding:** The petition meets Consideration A, C and D as required in Section 14.52.020 of the Code and as outlined above.

- 3. The petition must not deny sole access or required off-street parking to any adjacent property;**

**Discussion:** The petition does not deny any access or access to any off-street parking to any adjacent property.

**Finding:** Sole access to any adjacent property will not be denied.

- 4. The petition will not result in any property being landlocked;**

**Finding:** No landlocked parcels will be created.

- 5. The disposition of the alley property will not result in a use which is otherwise contrary to the policies of the City, including applicable master plans and other adopted statements of policy which address, but which are not limited to, mid-block walkways, pedestrian paths, trails, and alternative transportation uses;**

**Discussion:** The disposition of the alley property will not result in a use which is otherwise contrary to the policies of the City, including applicable master plans.

The property is zoned General Commercial which allows commercial businesses. The General Commercial zoning is also consistent with the future land use map of the West Salt Lake Community Master Plan which identifies this property as commercial. There are no mid block walkways, pedestrian paths, trails affected by the alley nor does the alley vacation affect alternative transportation uses.

The West Salt Lake Community Master Plan encourages closure of unused alleys. The Master Plan states that "The petition is evaluated in terms of the alley's present and future use. If a need for the alley is determined to exist, the petition is usually denied" (page 8 of the Master Plan). At this location, Flying J owns both sides of the alley and the both the alley and street have been used as part of the Flying J site for many years.

**Finding:** The proposal will not result in a use that is inconsistent with pertinent or applicable policies of the City.

- 6. No opposing abutting property owner intends to build a garage requiring access from the property, or has made application for a building permit, or if such a permit has been issued, construction has been completed within 12 months of issuance of the building permit;**

**Finding:** This is not an issue since Flying J owns both sides of the alley.

- 7. The petition furthers the City preference for disposing of an entire alley, rather than a small segment of it; and**

**Discussion:** The Planning Commission is being asked to consider vacating the entire segment of the east-west alley thereby meeting this policy.

**Finding:** The petition request involves disposing of an entire alley and is therefore consistent with this policy.

- 8. The alley is not necessary for actual or potential rear access to residences or for accessory uses.**

**Finding:** The alley is not necessary for rear access to residences or for accessory uses.

**Section 14.52.040 (B) of Salt Lake City Code: High Density Residential Properties And Other Nonresidential Properties:**

**If the alley abuts properties which are zoned for high density residential use or other nonresidential uses, the alley will be closed and abandoned, subject to payment to the city of the fair market value of that alley property, based upon the value added to the abutting properties.**

**Discussion:** Staff is recommending that the property be sold at fair market value as determined by the Salt Lake City Property Management Division.

**Finding:** The property must be sold at fair market value.

### **C. Petition 490-06-15, Subdivision Plat Vacation**

The flying J site consists of several parcels of land which have been assembled over time from portions of various other parcels in the Riverside Subdivision and Klenke's Addition Subdivision.

The applicant proposes to consolidate all of the Flying J property into two parcels of land. This requires that the portions of old subdivision plats in Flying J's ownership be amended by vacating the old plats and recording a new subdivision plat. Because a street is involved, Planning Commission review and City Council approval is required to vacate the portions of the plats being considered (Utah Code, Section 10-9a-608).

Chapter 20.31.090 of the Salt Lake City Subdivision Ordinance outlines the requirements for amendment petitions.

#### **20.31.090 Standards For Approval Of Amendment Petition:**

An amendment petition shall be approved only if it meets all of the following requirements:

##### **A. The amendment will be in the best interests of the City.**

**Analysis:** The proposed subdivision vacation and minor subdivision will be in the best interests of the City because an unused alley and part of a street that has historically not been used by the public or adjoining property owners will be vacated and incorporated into the flying J property. In addition, the proposed subdivision vacation will eliminate old lot lines in the Klenke's Addition Subdivision and Riverside Subdivision that do not relate to how the property will function when the site is redeveloped.

**Finding:** Staff finds that the proposed amendment will be in the best interests of the City.

##### **B. All lots comply with all applicable zoning standards.**

**Analysis:** The property is located in a General Commercial "CG" Zoning District. The proposed lots comply with zoning regulations for the General Commercial "CG" Zoning District.

**Finding:** Staff finds that the proposed lots comply with all applicable zoning standards.

**C. All necessary and required dedications are made.**

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

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

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

**Analysis:** All plans for required public improvements including water supply and sewage disposal must be submitted and approved prior to approval of the final plat.

**Finding:** Staff finds that the requirements for the construction of any required public improvements must be met as part of the final plat process.

**E. The amendment complies with all applicable laws and regulations.**

**Analysis:** The proposed subdivision vacation and new minor subdivision complies with all applicable laws and regulations.

**Finding:** The proposed amendment complies with all applicable laws and regulations.

**F. The amendment does not materially injure the public or any person and there is good cause for the amendment. (Ord. 7-99 § 23, 1999)**

**Analysis:** The proposed street closure, alley vacation, subdivision plat vacation and minor subdivision will not materially injure the public or any persons and there is good cause for the amendment as approval of these requests will facilitate the redevelopment of the property.

**Finding:** Staff finds that the proposed amendment does not materially injure the public or any person and there is good cause for the amendment.

**D. Petition 490-06-16, Preliminary Minor Subdivision (Requires Planning Commission Approval Only)**

Chapter 20.20 of the Salt Lake City Subdivision Ordinance outlines the requirements for minor subdivision approval.

According to Section 20.20.020 Required Conditions And Improvements of the Salt Lake City Subdivision Ordinance, a minor subdivision shall conform to the following standards:

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

**Analysis:** The area surrounding the property is a well established commercial area which is characterized by large commercial lots. The proposed subdivision is in keeping with the established development pattern in the area.

**Finding:** Staff finds that the character of the surrounding area is well defined and that the proposed minor subdivision conforms to this general character.

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

**Analysis:** The proposed lots comply with zoning regulations for the General Commercial "CG" Zoning District.

**Finding:** Staff finds that the proposed lots comply with all applicable zoning standards.

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

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

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

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

**Analysis:** All plans for required public improvements including water supply and sewage disposal must be submitted and approved prior to approval of the final plat.



**Finding:** Staff finds that the requirements for the construction of any required public improvements must be met as part of the final plat process.

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

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

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

**RECOMMENDATION:**

**Petitions requiring Planning Commission Recommendation and City Council**

**Approval:**

Based on the analysis and findings presented in this Report, Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to approve Petitions 400-05-46, 400-05-47 and 490-06-15 subject to the following conditions:

1. That all applicable City Codes and Salt Lake City departmental requirements be met including providing the necessary easements for any existing or future utility infrastructure.
2. That the street closure be sold to the abutting property owners and that the ordinance be conditioned upon payment to the City of fair market value of the street property, consistent with Salt Lake City Code 2.58.

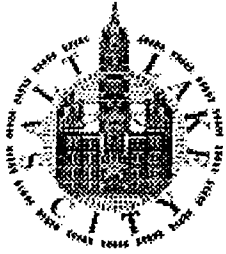
**Petition requiring Planning Commission Approval Only:**

Staff recommends that the Planning Commission grant preliminary minor subdivision approval of the proposed 2-lot minor subdivision, petition 490-06-16 subject to recordation of a final subdivision plat.

**Attachments:**

1. Application forms
2. Site plans
3. Community Council letter
4. Comments received from City Departments/Divisions
5. Letter from the abutting property owner
6. Preliminary subdivision plat

ATTACHMENT 1  
APPLICATION FORMS



# Street Closure

FOR OFFICE USE ONLY

Petition No.	400-05-46	
Receipt No.	Amount \$	300
Date Received	12/22/05	
Reviewed by	J LWA	

SALT LAKE CITY PLANNING

Date \_\_\_\_\_

Location of the subject street 350 W 2100 S. SLC, UT 84119

Name of Applicant MIKE MILLER Phone (801) 624-1289

Address of Applicant 1104 COUNTRY HILLS DR. OGDEN, UT 84103

E-mail address of Applicant MIKE.MILLER@FLYING5.COM Cell / Fax (801) 624-1289

**Please include with the application:**

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

**If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition.**

**Sidwell maps and names of property owners are available at:**

Salt Lake County Recorder  
2001 South State Street, Room N1600  
Salt Lake City, UT 84190-1051  
Telephone: (801) 468-3391

**File the complete application at:**

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

Signature of Applicant  
or authorized agent

Title of agent

KENT WITHER WITH McNEIL ENG  
CELL → 631-3732 - 255-7700 EXT 136



# Alley Vacation or Closure

OFFICE USE ONLY	
Petition No. <u>400-05-47</u>	
Receipt No. _____	Amount: <u>200</u>
Date Received: <u>10/22/05</u>	
Reviewed By: <u>J. Lew</u>	
Project Planner: _____	

SALT LAKE CITY PLANNING

Address of Subject Property: 850W. 2100 S. SLK. UT 84119

Name of Applicant: MIKE MULLER Phone: 801-624-1289

Address of Applicant: 1104 COUNTRY HILLS DR. OGDEN, UT 84403

E-mail Address of Applicant: MIKE.MULLER@FLYINGJ.COM Cell/Fax: 801-624-1299

Applicant's Interest in Subject Property: OWNER'S REPRESENTATIVE

Name of Property Owner: FLYING J, LLC. Phone: 801-624-1000

Address of Property Owner: 1104 COUNTRY HILLS DR. OGDEN, UT 84403

Email Address of Property Owner: \_\_\_\_\_ Cell/Fax: \_\_\_\_\_

Are there any multi-family residential uses (three or more dwelling units) or non residential uses that abut the alley?  
 Yes  No

If yes, have the property owners been notified about the City's "close and sell" method of disposition (As defined in the attached process information sheet)? Yes  No

**Please include with the application:**

- ✓ 1. A response to the questions on the back of this form. If the applicant does not own property adjacent to the alley, please include the applicant's interest in the request.
- ② The name, address and Sidwell number of all property owners on the block must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair. **Payment in the amount to cover first class postage for each address for two mailings is due at time of application.**
- 3. The name, address and signatures of all owners of property abutting the subject alley who support the petition. You may use the sample petition accompanying this application or provide your own. **Please note that the property owners must sign (not occupants who rent) and the petition must include the signatures of no less than 80 percent of the abutting property owners.**
- ✓ 4. A property ownership map (known as a Sidwell map) showing the area of the subject alley. On the map, please:
  - ✓ a. Highlight the subject alley.
  - n/a b. Indicate with a colored circle or dot the property owners who support the petition.
- ✓ 5. A legal description of the subject alley may be required.
- ✓ 6. If applicable, a signed, notarized statement of consent from property owner authorizing applicant to act as an agent.
- ✓ 7. Filing fee of \$200.00, due at time of application.

If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition

Sidwell maps & names of property owners are available at:

Salt Lake County Recorder  
 2001 South State Street, Room N1600  
 Salt Lake City, UT 84190-1051  
 Telephone: (801) 468-3391

File the complete application at:

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

Signature of Property Owner [Signature]  
 Or authorized agent



# Subdivision Vacation

OFFICE USE ONLY	
Petition No. 490-06-15	
Receipt No. 211658	Amount: 500.00 FEE
Date Received: 3.2.06	14 <sup>04</sup>
Reviewed By: WEX	514 <sup>04</sup> 1007
Project Planner:	

SALT LAKE CITY PLANNING

**Subdivision Name:**

Authorized Contact Person: MICHAEL T. MILLER Phone: (801) 624-1289

Address of Contact Person: 1104 COUNTRY HILLS DRIVE OGDEN, UTAH 84403

E-mail Address of Contact Person: MIKE.MILLER@FLYINGJ.COM Cell/Fax: CELL# (801) 725-2223

Name of Property Owner: PDG, INC PROPERTY DEVELOPMENT GROUP Phone: (801) 624-1289

Property Address: 2100 SOUTH 850 WEST, SALT LAKE CITY, UTAH

Petitioner's Engineer: MCNEIL ENGINEERING Phone: @ (801) 255-7700

Address of Engineer: 6895 SOUTH 900 EAST MIDVALE, UT 84047

E-mail Address of Engineer MIKE@MCNEILENG.COM Cell/Fax: (801) 255-7700 EXT 137

County Tax ("Sidwell #"): 15 -14 - 476 - 015 Zoning: Acreage:

**Please include with the application:**

1. A letter addressed to the Mayor which includes a request to vacate a subdivision, or a portion thereof, and the reason for the request.
2. The names and addresses of all property owners located within the subject subdivision and those within four-hundred fifty (450) feet of the subject property. The name, address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair(s). If you are within 600 feet of a neighboring Community Council's boundary, then the neighboring Community Council Chair must be notified as well. **The cost of first class postage for each address is due at the time of application. Please do not provide postage stamps.**
3. The signature of each of those owners who consent to the petition.
4. Ten (10) copies of a drawing illustrating the area to be vacated.
5. A legal boundary description of area to be vacated, certified as accurate by a Registered Land Surveyor, Professional Engineer, or Title Abstractor.
6. A current Sidwell Map (with aerial photograph and ownership lines) showing the entire subject area.
7. Filing fee of \$300.00 plus \$100.00 per lot is required at the time of application.

If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition

County tax parcel ("Sidwell") maps and names of property owners are available at:

Salt Lake County Recorder  
2001 South State Street, Room N1600  
Salt Lake City, UT 84190-1051  
Telephone: (801) 468-3391

File the complete application at:

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

Signature of Authorized Contact Person: \_\_\_\_\_

Signature of Property Owner \_\_\_\_\_

Or authorized agent

SALT LAKE CITY PLANNING

# Preliminary Subdivision Minor Process

Non Residential  Residential

OFFICE USE ONLY	
Petition No.	490-06-16
Receipt No.	211657 Amount \$500 <sup>00</sup> FEE
Date Received:	3.2.06 14 <sup>00</sup> PM
Reviewed By:	UFX
Project Planner:	514 <sup>00</sup> TOTAL

Name of Subdivision: \_\_\_\_\_ No. of Lots: \_\_\_\_\_

Name of Applicant: MICHAEL T. MILLER Phone: (801) 624-1289

Address of Applicant: 1104 COUNTRY HILLS DRIVE OGDEN, UTAH 84403

E-mail Address of Applicant: MIKE.MILLER@FLYINGT.COM Cell/Fax: CELL (801) 725-2223

Name of Property Owner: DIX INC. PROPERTY DEVELOPMENT GROUP Phone: (801) 624-1289

Address of Subject Property: 2100 SOUTH 960 WEST SALT LAKE CITY, UTAH

Subdivision Engineer: MCNEIL ENGINEERING Phone: (801) 255-7700

Address of Engineer: ~~MCNEIL ENGINEERING~~ 6895 SOUTH 900 EAST MIDVALE, UT 84047

E-mail Address of Engineer: MIKE@MCNEILENG.COM Cell/Fax (801) 255-7700 - EXT 137

County Tax ("Sidwell #"): 15-14-476-015 Zoning: \_\_\_\_\_ Acreage: \_\_\_\_\_

**Please include with the application:**

1. The names and addresses of all property owners located within four-hundred fifty feet (450 ) of the subject parcel(s).  
 The name, address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair. **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
  2. A legal description of the boundaries of the subject property together with a legal description of each of the proposed lots.
  3. Ten (10) copies of a preliminary plat drawing showing the land to be subdivided, properly and accurately drawn to scale, certified as accurate by a Registered Land Surveyor or Professional Engineer.
  4. One (1) 11 x 17 (reduced) copy of the plans.
  5. A current Sidwell Map (with aerial photography and ownership lines) showing the entire area of the proposed subdivision.
- Filing fee of \$300.00 plus \$100.00 per lot is required at time of application.**

If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition.

County tax parcel ("Sidwell") maps and names of property owners are available at:

Salt Lake County Recorder  
2001 South State Street, Room N1600  
Salt Lake City, UT 84190-1051  
Telephone: (801) 468-3391

File the complete application at:

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

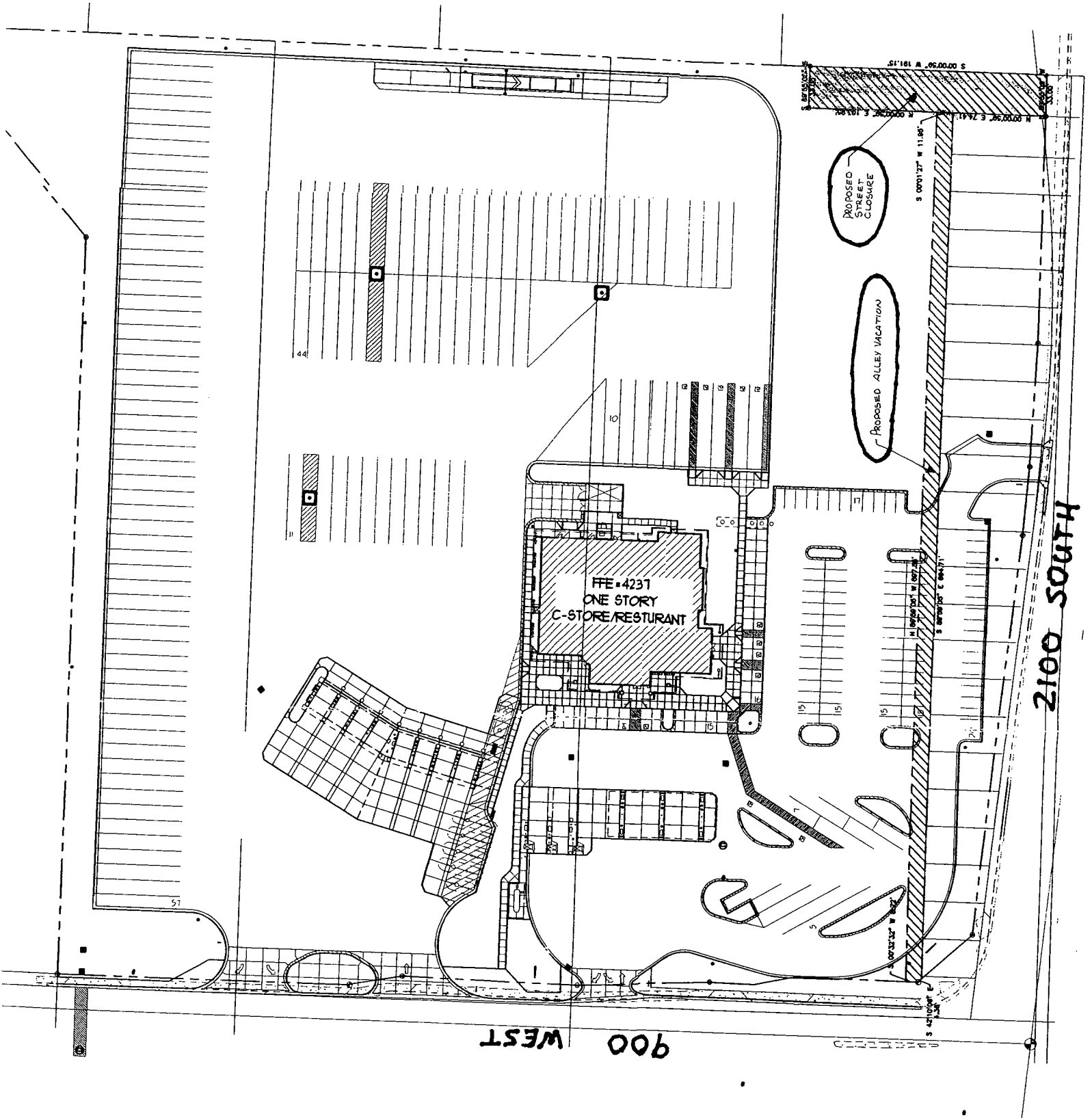
Signature of Property Owner \_\_\_\_\_

Or authorized agent

**ATTACHMENT 2  
SITE PLANS**

A N

CONCEPT SITE PLAN



2100 SOUTH

900 WEST

FFE #4231  
ONE STORY  
C-STORE/RESTURANT

PROPOSED  
STREET  
CLOSURE

PROPOSED ALLEY/VACATION

S 00°01'27" W 11.66'

S 00°00'12" W 11.66'

S 42ND ST

57

44

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15

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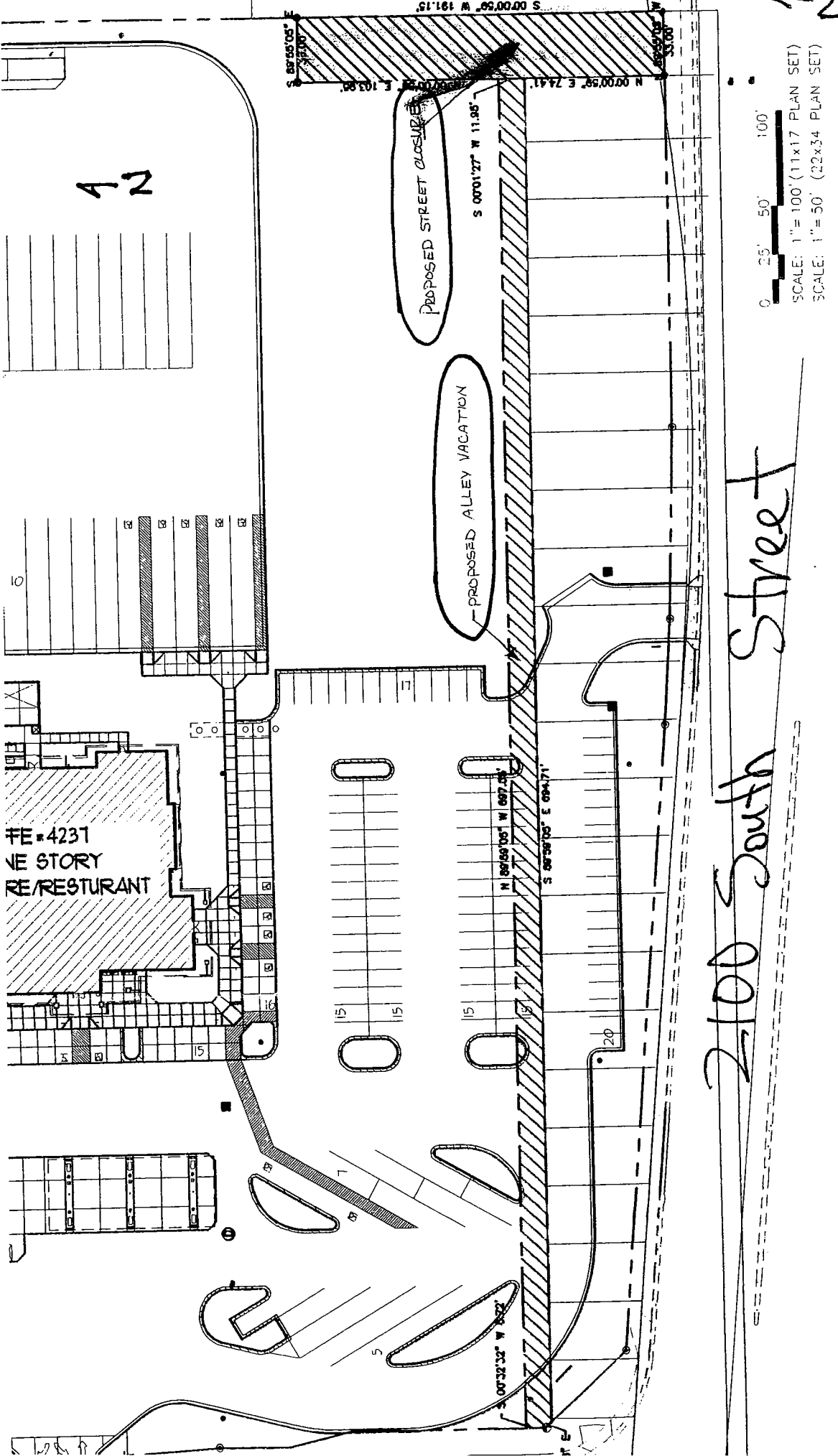
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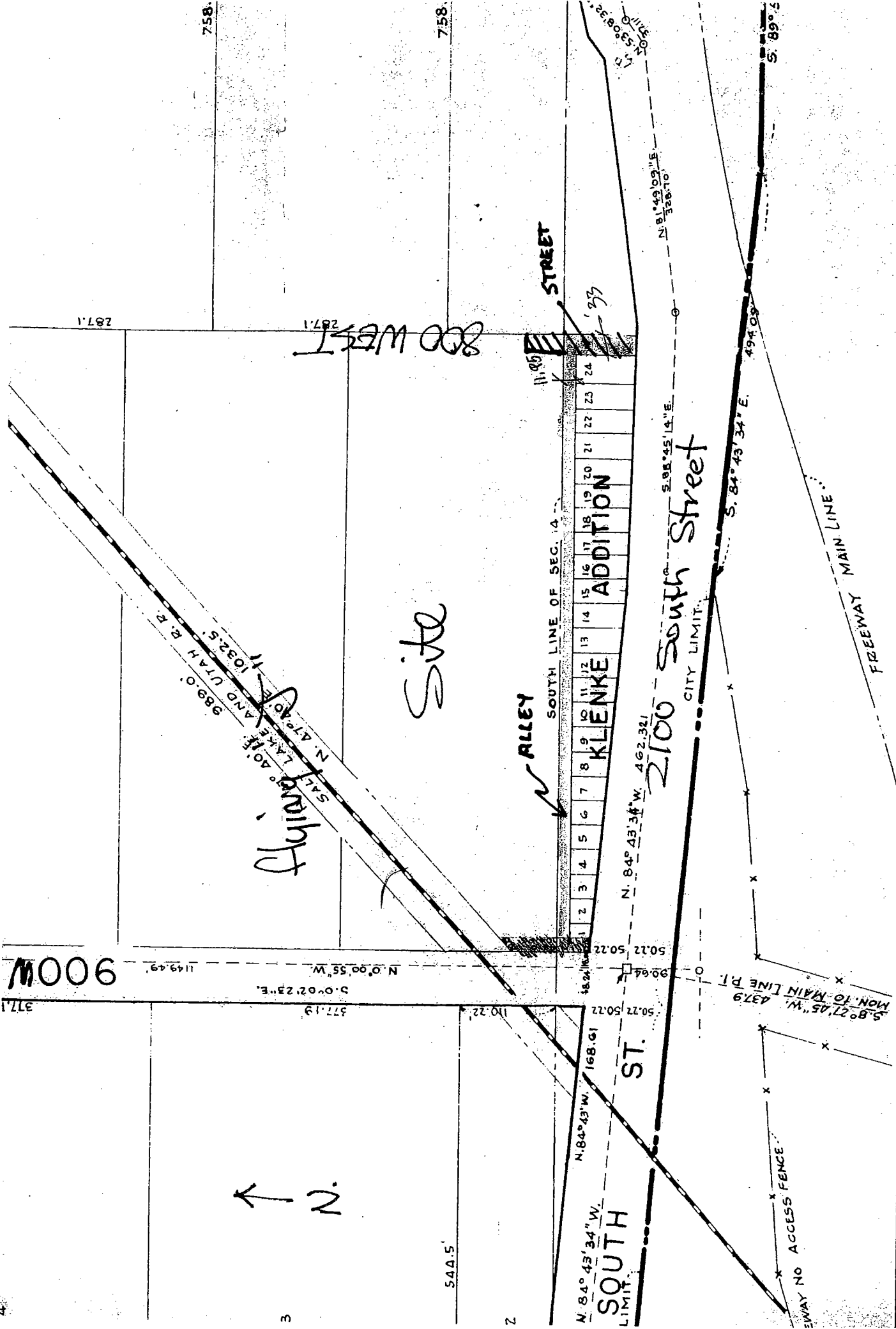
15





PROPOSED SITE PLAN SHOWING THE  
 LOCATION OF THE STREET VACATION/CLOSURE  
 AND ALLEY VACATION

Sheet No. 91 6/20/22



↑ N.

Site

Highway 40th AND UTAH R. R.

800 WEST

SHOWS THE LOCATION OF THE  
KLENKE ADDITION SUBDIVISION

ATTACHMENT 3  
COMMUNITY COUNCIL LETTER

### Consultation with Neighborhood Organizations

Salt Lake City has established a policy of encouraging public participation in the planning process at all levels. In keeping with this policy, Section 5-1.2 of the Zoning Ordinance recognizes the importance of notification to neighborhood organizations by requiring that the applicant provide "a signed statement from the appropriate neighborhood organization that the applicant has met with that organization and explained the development proposal for which approval is being sought". The following form is provided for this purpose.

#### STATEMENT

At its regularly schedule meeting held on WEDNESDAY the 15<sup>TH</sup> OF FEBRUARY 06  
Community Council heard a presentation by MIKE MILLER, PDG INC.  
concerning a petition requesting CLOSE AN OLD ALLEY AND PART OF  
A STREET - 850 WEST 2100 SOUTH  
which affects property located within this neighborhood.

GLENDALE COMMUNITY COUNCIL

By: Randy J. Sorensen

Its: \_\_\_\_\_

Comments/Concerns: THE GLENDALE COMMUNITY COUNCIL  
GIVES ITS OK TO GO AHEAD WITH  
THIS PROJECT.

ATTACHMENT 4

COMMENTS RECEIVED FROM CITY DEPARTMENTS/DIVISIONS

ENGINEERING

**McCandless, Ray**

**From:** Smith, Craig  
**Sent:** Wednesday, March 08, 2006 2:16 PM  
**To:** McCandless, Ray  
**Subject:** RE: Flying J Street / Alley Closures  
**Categories:** Program/Policy

don't have any concerns with the street and alley closure, however, I do have additional comments addressing the drive approach or trucks on 900 west, which I will take up with Alan Hardman.

**From:** McCandless, Ray  
**Sent:** Wednesday, March 08, 2006 1:24 PM  
**To:** Smith, Craig  
**Subject:** FW: Flying J Street / Alley Closures

Craig,

Do you have any departmental concerns with this street and alley closure?

Thanks

Ray

**From:** McCandless, Ray  
**Sent:** Tuesday, January 10, 2006 4:35 PM  
**To:** Boskoff, Nancy; Clark, Luann; Dinse, Rick; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Oka, Dave; Querry, Chuck; Rutan, Ed; Zunguze, Louis; Pack, Russ  
**Cc:** Wheelwright, Doug; LoPiccolo, Kevin  
**Subject:** Flying J Street / Alley Closures

All:

Flying J is requesting that the City close and declare as surplus property an alley and part of a street located at approximately 850 West 2100 South. The street and alley were dedicated to the City in the late 1800's when the Glenke's Addition Subdivision plat was recorded. The street and alley only exist on paper and currently appear and function as part of the existing Flying J business. Flying J plans to redevelop the property sometime in the near future. However, in order to redevelop the site, the street and alley need to be closed as proposed.

A site drawing was sent to the departments identified in the attached document. Please let me know if you need additional information. I would appreciate any departmental comments by January 27, 2005.

Thank You.

Fire

**McCandless, Ray**

---

**From:** Larson, Bradley  
**Sent:** Wednesday, January 25, 2006 6:53 PM  
**To:** McCandless, Ray  
**Subject:** Petitions 400-05-47 and 400-05-46 / Flying J Street and Alley closures

Ray,

The Fire Department has no objections to the above named petitions.

Thank you.

Brad Larson  
Deputy Fire Marshal  
Salt Lake City Fire Department  
Fire Prevention Bureau  
Phone 801-799-4162  
Cell 801-550-0147

**McCandless, Ray**

---

**From:** Guess, Kim  
**Sent:** Friday, January 20, 2006 12:25 PM  
**To:** McCandless, Ray  
**Subject:** Petition 400-05-47

I do not anticipate that this proposed for a street and alley closure will have a negative impact on the delivery of police services or public safety - KIM



**McCandless, Ray**

---

**From:** Guess, Kim  
**Sent:** Tuesday, March 14, 2006 3:02 PM  
**To:** McCandless, Ray  
**Subject:** Flying J Subdivision

It does not appear that this planning proposal will have a significant impact on police services at this time - KIM

Public Utilities

**McCandless, Ray**

---

**From:** Stewart, Brad  
**Sent:** Thursday, January 19, 2006 11:42 AM  
**To:** McCandless, Ray  
**Cc:** Garcia, Peggy  
**Subject:** Petitions 400-05-07 and 400-05046 Flying J street and alley closure.  
**Categories:** Program/Policy

Ray,

Public Utilities has checked water, sewer and storm drainage maps and there appear to be no public utilities in the street / alley proposed to be vacated. Public Utilities has no objection to the closure.

Brad

**McCandless, Ray**

---

**From:** Garcia, Peggy  
**Sent:** Thursday, March 16, 2006 5:04 PM  
**To:** McCandless, Ray  
**Subject:** Petition #400-06-15 and Petition #400-06-15  
**Categories:** Program/Policy

Ray,

Salt Lake City Public Utilities has reviewed the above-mentioned plans and finds no conflicts with the water , sewer or storm drainage.

If you need any further assistance please contact me.

Thanks,

*Peggy Garcia  
Contracts Supervisor  
Salt Lake City Public Utilities  
(801) 483-6727*

TRANSPORTATION

**McCandless, Ray**

---

**From:** Walsh, Barry  
**Sent:** Thursday, January 12, 2006 2:46 PM  
**To:** McCandless, Ray  
**Cc:** Young, Kevin; Smith, Craig; Larson, Bradley; Garcia, Peggy; Williams, Matthew  
**Subject:** Pet 400-05-46 & 47  
**Categories:** Program/Policy

January 12, 2006

Ray McCandless, Planning

Re: Petition 400-05-46 and 400-05-47 by Flying "J" to close and declare surplus an alley and part of a street at 850 West 2100 So.

The transportation division comments and recommendations are for approval or the proposal as follows:

The alley shown has not functioned as a public transportation corridor and the roadway section, proposed 800 West, services only one parcel and is not contributory to public service. The 800 west abutting parcel to the east has no history of access and is presently serviced by the 2100 South public roadway.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.  
Craig Smith, Engineering  
Brad Larson, Fire  
Peggy Garcia, Utilities  
Matt Williams, Property Management  
File

3/22/2006

TRANSPORTATION

**McCandless, Ray**

**From:** Walsh, Barry  
**Sent:** Monday, March 13, 2006 1:18 PM  
**To:** McCandless, Ray  
**Cc:** Young, Kevin; Weiler, Scott; Smith, Craig; Garcia, Peggy; Leydsman, Wayne; Williams, Matthew; Butcher, Larry  
**Subject:** Flying J Sub  
**Categories:** Program/Policy

March 13, 2006

Ray McCandless, Planning

Re: Flying "J", Subdivision Vacation (petition 490-06-15) and Preliminary Minor Subdivision review (Petition 400-06-6)

The division of transportation review comments and recommendations are as follows:

Per our last review of petition 400-05-47 and 400-05-46, letter dated 12/12/2006 enclosed, we recommended approval of the closure and vacation of the 800 West location and the east west alley to comply with the current Flying "J" site plan development revisions.

The plat enclosed requires the cross easement to be shown between lot 1 and lot 2 along with the closure of the 800 West access to match the approved site functions and circulation permit plans dated 12/16/2005. The approved plan indicates only one shared driveway access to 2100 South aligning with the west property line of lot 2.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.  
 Scott Weiler, P.E.  
 Craig Smith, Engineering  
 Peggy Garcia, Utilities  
 Wayne Leydsman, Fire  
 Matt Williams, Property Management  
 Larry Butcher, Permits  
 File

January 12, 2006

Ray McCandless, Planning

Re: Petition 400-05-46 and 400-05-47 by Flying "J" to close and declare surplus an alley and part of a street at 850 West 2100 So.

The transportation division comments and recommendations are for approval of the proposal as follows:

The alley shown has not functioned as a public transportation corridor and the roadway section, proposed 800 West, services only one parcel and is not contributory to public service. The 800 west abutting parcel to the east has no history of access and is presently serviced by the 2100 South public roadway.

3/22/2006

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.  
Craig Smith, Engineering  
Brad Larson, Fire  
Peggy Garcia, Utilities  
Matt Williams, Property Management  
File

SALT LAKE CITY BUILDING SERVICESZoning Review

Log Number: 200119

Date: February 15, 2005

Project Name: Flying J Travel Plaza

Project Address: 2025 South 900 West

Contact Person: Mike Miller

Fax Number: (801) 624-1299

Phone Number: (801) 624-1290

E-mail Address: mike.miller@flyingj.com

Zoning District: CG

Reviewer: Alan Hardman Phone: 535-7742

Comments

**Please respond in writing to each of the items below.  
Revise the plans where appropriate.**

1. Public Utilities approval required. Submit three sets of civil drawings to Peggy Garcia at 1530 South West Temple. Phone 483-6727. Two approved sets must be returned to this office to obtain building permit.
2. Provide 'screening sheet' from the Planning Division showing that all subdivision issues have been approved and recorded. This is for existing lots to be combined, any lot line adjustments, the new reserve parcel to be created, and the cross-access easement to be created between the new main parcel and the new reserve parcel. Contact a subdivision planner. Phone 535-7757.
3. Engineering Division approval required for new curbs, gutters, public sidewalks, and driveway approaches, and for closing old driveway approaches. Contact Craig Smith at 535-7995.
4. Transportation Division approval required for parking lot layout, circulation, handicapped ramps, handicapped parking stalls, bicycle racks, pedestrian access from the public sidewalk, etc. Contact Barry Walsh at 535-7102.
5. Street lighting approval required. Contact Gordon Haight at 535-7147.

**McCandless, Ray**

---

**From:** Butcher, Larry  
**Sent:** Monday, March 13, 2006 3:47 PM  
**To:** McCandless, Ray  
**Cc:** Goff, Orion  
**Subject:** Flying J Subdivision / Petition 400-06-16  
**Categories:** Program/Policy

Ray:

have no zoning comments.

.arry



**McCandless, Ray**

*Airport*

---

**From:** McCandless, Allen  
**Sent:** Tuesday, March 14, 2006 10:28 AM  
**To:** McCandless, Ray  
**Cc:** Pack, Russ; Domino, Steve  
**Subject:** RE: Flying J - Request for Departmental Comments

Ray,  
The proposed Flying J site, located on the Northeast corner of 900 West and 2100 South, is not within any established Salt Lake City airport influence zone. No aviation is required. Regarding the proposal, there are no known conflicts with airport operations. Thank you for providing this airport review request.

-Allen McCandless, Planning Manager

---

**From:** Pack, Russ  
**Sent:** Tuesday, March 07, 2006 4:28 PM  
**To:** Domino, Steve; McCandless, Allen  
**Subject:** FW: Flying J - Request for Departmental Comments

Thanks for your help.

Russ

---

**From:** McCandless, Ray  
**Sent:** Tuesday, March 07, 2006 3:16 PM  
**To:** Boskoff, Nancy; Clark, Luann; Dinse, Rick; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Oka, Dave; Pack, Russ; Querry, Chuck; Rutan, Ed; Zunguze, Louis  
**Cc:** LoPiccolo, Kevin; Wheelwright, Doug  
**Subject:** Flying J - Request for Departmental Comments

All:

Please see the attached request for departmental comment letter and attachments concerning the Flying J site at approximately 900 West 2100 South. Your departmental comments by March 17, 2006 would be appreciated.

Thank you.

Ray McCandless  
Planning Division  
35-7282

Airport

**McCandless, Ray**

---

**From:** Pack, Russ  
**Sent:** Tuesday, January 10, 2006 4:37 PM  
**To:** McCandless, Ray  
**Subject:** RE: Flying J Street / Alley Closures

No comments from the Airport Department.

Russ

---

**From:** McCandless, Ray  
**Sent:** Tuesday, January 10, 2006 4:35 PM  
**To:** Boskoff, Nancy; Clark, Luann; Dinse, Rick; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Oka, Dave; Querry, Chuck; Rutan, Ed; Zunguze, Louis; Pack, Russ  
**Cc:** Wheelwright, Doug; LoPiccolo, Kevin  
**Subject:** Flying J Street / Alley Closures

All:

Flying J is requesting that the City close and declare as surplus property an alley and part of a street located at approximately 850 West 2100 South. The street and alley were dedicated to the City in the late 1800's when the Clenke's Addition Subdivision plat was recorded. The street and alley only exist on paper and currently appear and function as part of the existing Flying J business. Flying J plans to redevelop the property sometime in the near future. However, in order to redevelop the site, the street and alley need to be closed as proposed.

A site drawing was sent to the departments identified in the attached document. Please let me know if you need additional information. I would appreciate any departmental comments by January 27, 2005.

Thank You.

ATTACHMENT 5  
LETTER FROM ABUTTING PROPERTY OWNER

*Making friends to last a lifetime.*  
**JERRY SEINER**  
DEALERSHIPS

Rec'd 3/2/06

*GJ Seiner*

Gerald J. Seiner  
President

March 1, 2006

Ray McCandless  
Community Planning/Land Use Transportation  
Salt Lake City Planning & Zoning  
451 South State Street  
Salt Lake City, UT 84111

Re: Vacation of Road at approximately 800 West 2100 South, SLC  
Flying J and Jerry Seiner Chevrolet, Inc.

Dear Mr. McCandless:

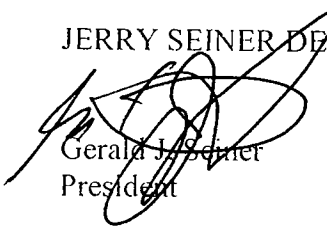
Jerry Seiner Chevrolet, Inc. is willing to purchase the one-half of the roadway proposed to be vacated which butts the Seiner property at approximately 800 West 2100 South.

We understand that Flying J has a pending proposal for the vacation of that roadway, which we support.

Please contact Dorothy C. Pleshe at 952-5890 if you need any further information.

Sincerely,

JERRY SEINER DEALERSHIPS

  
Gerald J. Seiner  
President

Cc: Mike Miller  
Russ Workman  
Dorothy Pleshe



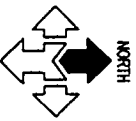
1530 South 500 West • Salt Lake City, Utah 84115 • (801) 952-5700 Fax: 956-3234 • [www.gmguy.com](http://www.gmguy.com)

CHEVROLET OLDSMOBILE CADILLAC HUMMER BUICK PONTIAC GMC ISUZU COMMERCIAL TRUCK ADCRAFTER COMMUNICATIONS

ATTACHMENT 6  
PRELIMINARY SUBDIVISION PLAT

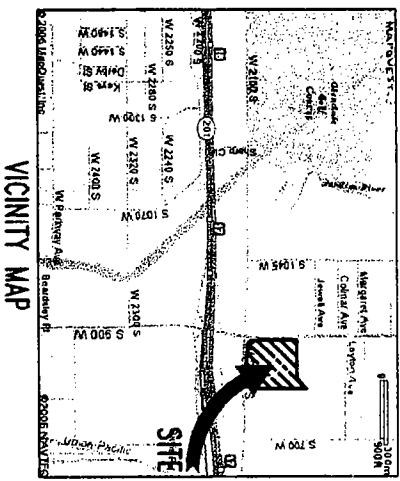
FLYING "J" SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BEAS & REDBORN



LEGEND

- ROAD SECTION CORNER MARKER
ROAD 3/4" DIA. AND TOP OF MET. AND BRASS OR EBI PILE
ROAD BRASS OR MARKER
UNPAVED LANE
CENTRIKALE
BOUNDARY LINE
LOT LINE
ADJOINT PROPERTY LINE
ECCENTRIC LINE MARKER



McNEIL ENGINEERING & LAND SURVEYING, L.C.
PROFESSIONAL CIVIL ENGINEERING & LAND SURVEYING SERVICES
6948 SOUTH WILSON AVENUE, UTAH 84119

Approval form for BOARD OF HEALTH with fields for APPROVED THIS DAY OF AUGUST 20 and DIRECTOR S.L.D. BOARD OF HEALTH.

Approval form for CITY PLANNING DIRECTOR with fields for APPROVED THIS DAY OF AUGUST 20 and CITY PLANNING DIRECTOR.

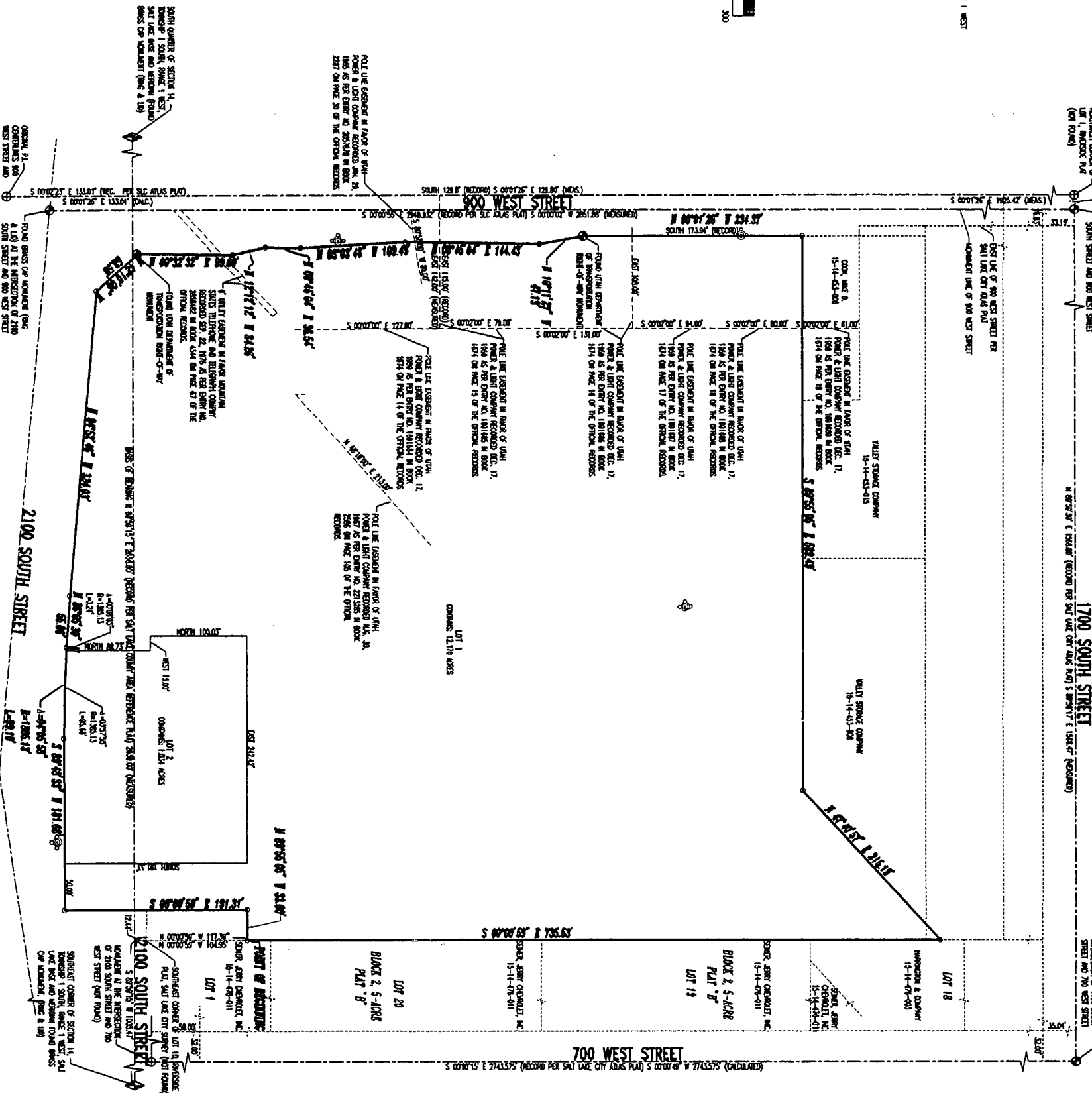
Approval form for CITY ENGINEERING DIVISION with fields for APPROVED THIS DAY OF AUGUST 20 and CITY ENGINEER.

Approval form for CITY DEPT. OF PUBLIC UTILITIES with fields for APPROVED THIS DAY OF AUGUST 20 and CITY ENGINEER.

Approval form for CITY ATTORNEY with fields for APPROVED AS TO FORM THIS DAY OF AUGUST 20 and CITY ATTORNEY.

Approval form for CITY MANOR with fields for APPROVED THIS DAY OF AUGUST 20 and CITY MANOR.

Approval form for SALT LAKE COUNTY RECORDER with fields for RECORDED BY and FILED BY.



FLYING "J" SUBDIVISION

Boundary description text detailing the legal description and boundaries of the lots and streets shown in the plat.

OWNERS' DEDICATION

Affirmation text by the owners dedicating the streets and easements shown in the plat to the public.

CORPORATE ACKNOWLEDGMENT text for the subdivision.



CORPORATE ACKNOWLEDGMENT

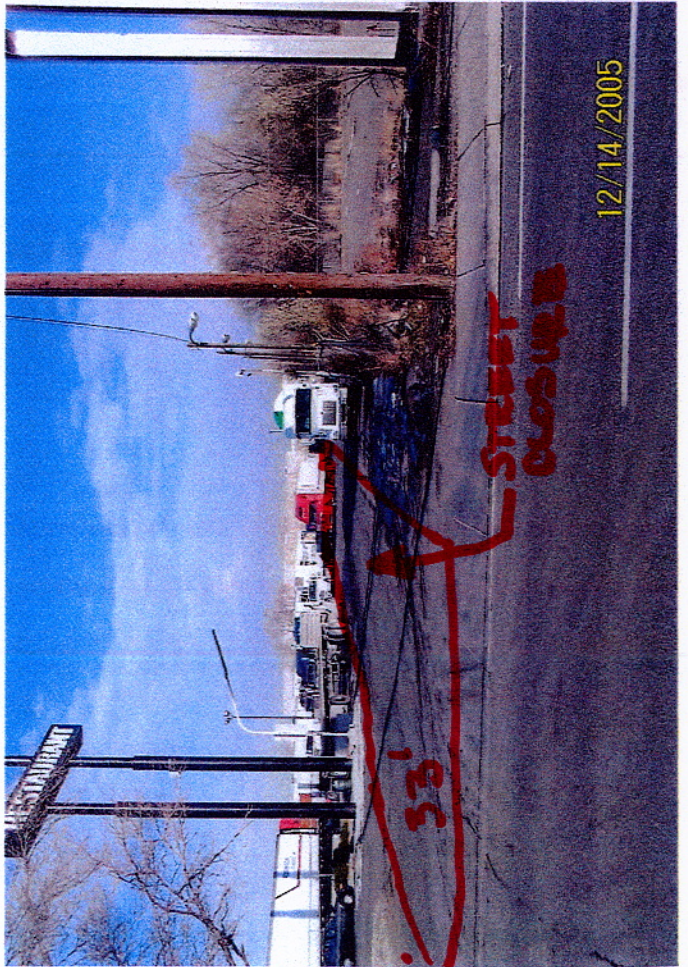
Corporate acknowledgment text for the subdivision.

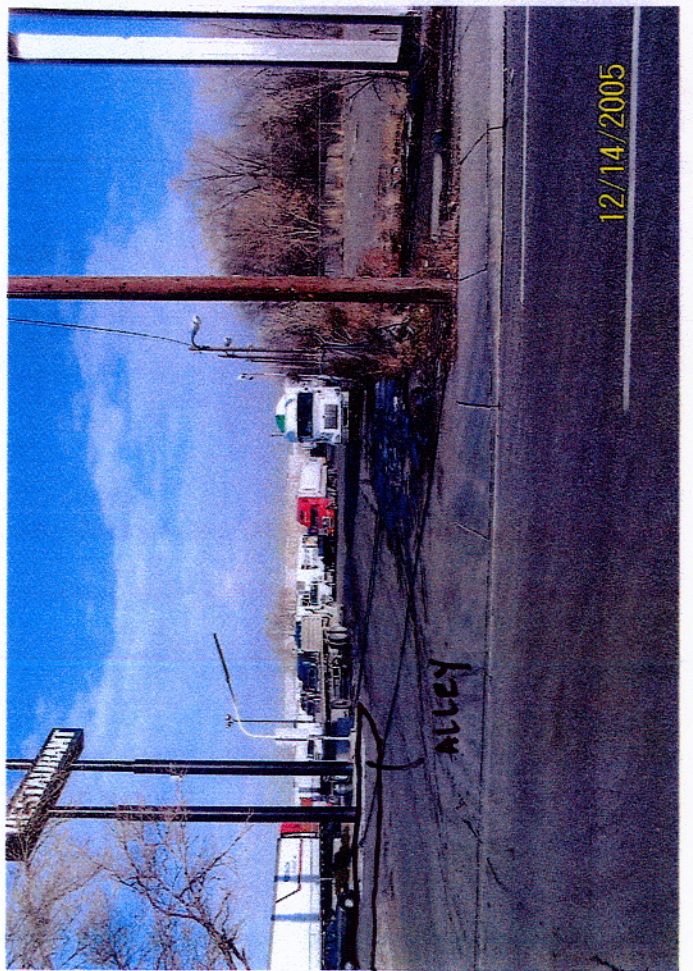
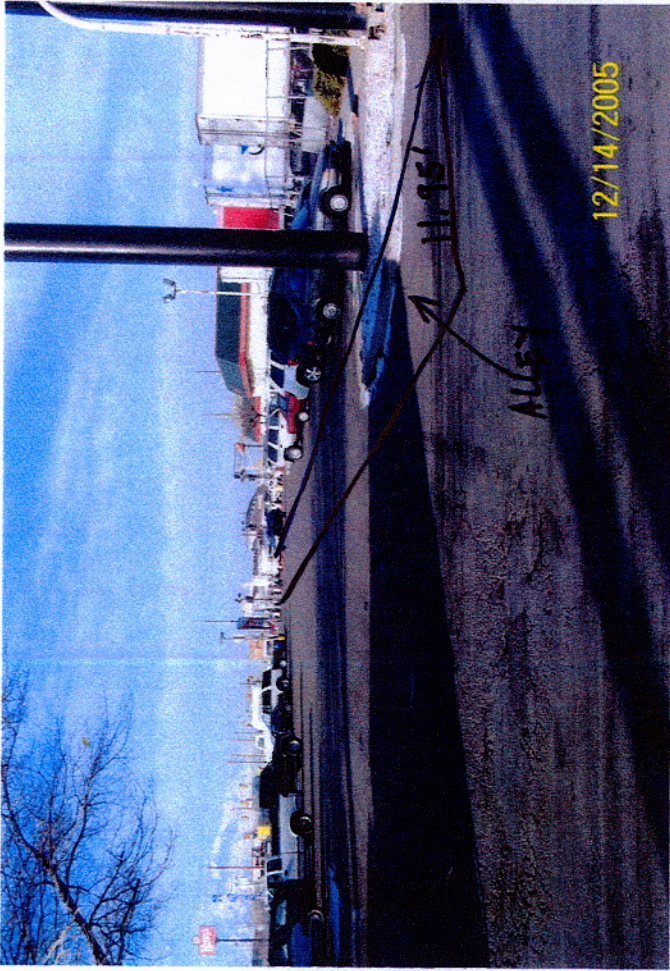
CORPORATE ACKNOWLEDGMENT

Corporate acknowledgment text for the subdivision.

FLYING "J" SUBDIVISION

Final subdivision information including location and recording details.







**6. PLANNING COMMISSION MINUTES FOR  
APRIL 12, 2006**

**Based upon the findings of fact and discussion, Commissioner Seelig made a motion that the Planning Commission send a favorable recommendation to the City Council to adopt the proposed text amendment as presented in Exhibit One of the Staff Report. The motion was seconded by Commissioner Diamond. All voted "Aye". The motion passed.**

**Petitions 400-05-46, 400-05-47, 490-06-15 and 490-06-16 — A request by Mike Miller, representing Flying J Inc., that Salt Lake City close and declare as surplus property, a portion of 800 West Street at approximately 2100 South Street (Petition No. 400-05-46), vacate an alley on the north side of the Klenke's Addition Subdivision (Petition No. 400-05-47), vacate a portion of the Klenke's Addition Subdivision and Riverside Subdivision (Petition No. 490-06-15), and grant preliminary subdivision approval of a two-lot minor subdivision (Petition No. 490-06-16) located at approximately 850 West 2100 South in a General Commercial (CG) Zoning District.**

(This item was heard at 6:35 p.m.)

Chairperson Noda clarified that the discussion and motion will be all encompassing in relation to the four petitions. Chairperson Noda recognized Ray McCandless, Principal Planner, as Staff representative.

Mr. McCandless stated that the request submitted by Flying J includes numerous property ownership issues. He noted that the property owner had an A.L.T.A. survey done and discovered an 1890 subdivision plat, entitled the Klenke's Addition Subdivision. An alley was recorded along the north side of the 24 platted lots. In reference to an aerial photograph, Mr. McCandless stated that Flying J has cleared the site and proposes to develop a new Travel Plaza on the property. He stated that the alley is still in existence and has been used as part of the site. A portion of 800 West is also being requested to be vacated as part of the proposal. Mr. McCandless stated that, as part of Flying J's request, they would also like to subdivide the property into two lots. The second lot, to be located on 2100 South will be a future pad site (no future development is proposed at this time for the second lot).

Staff is requesting approval of the above petitions, (alley vacation, street closure and subdivision plat vacation) subject to:

- 1) All applicable City Codes and Salt Lake City departmental requirements are met including providing the necessary easements for any existing or future utility infrastructure.
- 2) The street closure be sold to the abutting property owners and that the ordinance be conditioned upon payment to the City of fair market value of the street property, consistent with Salt Lake City Code 2.58.

Staff is also recommending minor subdivision approval with the condition of recordation of final subdivision plat and that the other petitions are approved.

Mr. Mike Miller, Flying J, gave a short background of the history and success of Flying J and their development of travel plazas. Originally, the company wanted to complete the new construction in phases, but came across difficulty and time constraints and chose to vacate the site to begin new again. The travel plaza will be a medium-sized facility to include a section for cars and trucks. Mr. Miller also stated that clean, well-maintained and well-lit facilities are the pride of Flying J. He also provided some site elevations of other existing facilities and clarified that the lighting will be downlighting.

Chairperson Noda requested comments from Community Council Chairs and the public. There was no response to the request for comments.

Chairperson Noda then read a written comment from Dorothy Pleshe, "In support of #400-04-46, 47, 490-06-15 and 490-06-16 on behalf of Jerry Seiner Chevrolet, Inc."

Commissioner Diamond requested clarification regarding the Jerry Seiner purchase of the road. He also requested to know the landscape requirement around the property.

Mr. McCandless stated that the street will be sold to both Jerry Seiner and Flying J. Commissioner De Lay noted that the approval of the Commission relating to these requests do not include consideration of the landscape requirements.

At 6:48 p.m., Chairperson Noda closed the Public Hearing and the Commission began the Executive Session.

**Based on the analysis and findings, Commissioner De Lay made a motion for the Planning Commission to forward a favorable recommendation to the City Council with regards to Petitions 400-05-46, 400-05-47, and 490-06-15 subject to the following conditions:**

- 1) **That all applicable City Codes and Salt Lake City departmental requirements be met including providing the necessary easements for any existing or future utility infrastructure.**
- 2) **That the street closure be sold to the abutting property owners and that the ordinance be conditioned upon payment to the City of fair market value of the street property, consistent with Salt Lake City Code 2.58.**

**Commissioner Forbis seconded the motion. All voted "Aye". The motion passed.**

**Commissioner De Lay also made a motion that the Planning Commission grant preliminary minor subdivision approval of the proposed two-lot minor subdivision, Petition No. 490-06-16 subject to recordation of a final subdivision plat. Commissioner Forbis seconded the motion. All voted "Aye". The motion passed.**

*(Petition 400-06-03 was heard prior to 400-06-08 due to the amount of public input anticipated.)*

At 7:30 p.m., Mr. Wheelwright mentioned to the Commissioners that Craig Galli had contacted him prior to the meeting to be excused due to work conflicts.

Petition 400-06-08 — Salt Lake City Council initiated a request to amend existing provisions of the Salt Lake City Zoning Ordinance relating to single- and two-family land uses in City Council District Three that may contribute to incompatible residential infill development within the Special Pattern Residential 1 (SR-1) Zoning District. The proposed amendments include creating a subcategory of the SR-1 Zoning District for those properties currently zoned SR-1 in City Council District Three to address general lot and bulk issues including building height, yard requirements, and accessory building standards. This petition would also amend the zoning maps to implement the above referenced amendments to the SR-1 Zoning District for all properties within the Capitol Hill and Avenues Planning Communities currently zoned SR-1. The Capitol Hill and Avenues Planning Communities are generally located between I-15 and North Campus Drive from South Temple to the north City limits.

*(This item was heard at 7:31 p.m.)*

Chairperson Noda recognized Joel Paterson, Planning Programs Supervisor, as Staff representative. Mr. Paterson presented a short background relating to the Compatible Infill Ordinance Standards adopted in December 2005. He noted that Ordinance 90 was permanent, while Ordinance 91 was established to temporarily allow additional time for the Wasatch Hollow Community Council area and the Greater Avenues and Capitol Hill areas to continue work developing neighborhood based zoning standards that the community councils were working on. Mr. Paterson added that Wasatch Hollow has not submitted their proposal, but is anticipated for submission in the upcoming summer months. Mr. Paterson acknowledged the submission of the Avenues and Capitol Hill's joint proposal to create new standards for the SR-1 areas. Mr. Paterson clarified that an overlay zone was not being proposed, rather a text amendment to create a subsection of the SR-1 zone (SR-1A). A zoning map amendment is also being proposed to place the SR-1A zoning classification on the areas currently zoned SR-1 in the Avenues and Capitol Hill Community Council areas. Mr. Paterson added that a text and map amendment create ease of use for the individuals involved with future development in the SR-1 zoning of the respective areas.

**7. NOTICES FOR THE APRIL 12, 2006 PLANNING  
COMMISSION MEETING**

**AGENDA FOR THE  
SALT LAKE CITY PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building at 451 South State Street  
Wednesday, April 12, 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.

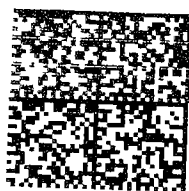
1. **APPROVAL OF MINUTES from Wednesday, March 22, 2006.**
2. **REPORT OF THE CHAIR AND VICE CHAIR**
3. **REPORT OF THE DIRECTOR**
4. **PUBLIC NOTICE AGENDA Salt Lake City Property Conveyance Matters**
  - a) Utah Department of Transportation (UDOT) and Salt Lake City Public Utilities Department—UDOT is requesting the purchase of real property owned by Salt Lake City, consisting of six parcels totaling approximately seven acres and used as a drainage canal, for use as part of the Davis County Legacy Highway project. The property in question is located just north of the existing I-215 West highway corridor and on both the east and west sides of Redwood Road. All of the property is located within Davis County. This property was part of a previous condemnation action which has now lapsed, and is now being purchased at fair market value, under terms acceptable to Public Utilities. Public Utilities staff intends to approve the sale, with the City receiving replacement easements for the Drainage Canal use. (Staff — Doug Wheelwright at 535-6178 or [doug.wheelwright@slcgov.com](mailto:doug.wheelwright@slcgov.com) and Karryn Greenleaf at 483-6769 or [karryn.greenleaf@slcgov.com](mailto:karryn.greenleaf@slcgov.com))
  - b) Utah Transit Authority (UTA) and Salt Lake City Property Management – UTA and the City are negotiating an Interlocal Agreement that would provide for the transfer of the fee title property ownership of the City to UTA for the property used for the Intermodal Hub operation. The property transfer involves two parcels totaling approximately 16.57 acres located on the west side of 600 West Street, between 200 South and approximately 700 South Streets. Under the terms of the agreement, the City will receive compensation for the property equal to fair market value, which involves non-monetary considerations including the agreement by UTA to finance a large portion of the cost of extending light rail service from the Delta Center Station to the Intermodal Hub and the assumption by UTA of all the City's current obligations relating to the Intermodal Hub. The City-owned property is addressed as 300 South and 600 West, and zoned General Commercial (CG). The Interlocal Agreement including the property transfer requires approval by the City Council. The City Administration intends to recommend the proposed property transfer to the Planning Commission and City Council. (Staff – Doug Wheelwright at 535-6178 or [doug.wheelwright@slcgov.com](mailto:doug.wheelwright@slcgov.com) and Matthew Williams at 535-6447 or [matthew.williams@slcgov.com](mailto:matthew.williams@slcgov.com))
5. **PUBLIC HEARINGS**
  - a) **Petition 410-06-03** — A Conditional Use Request for a Landfill Gas to Renewable Energy Facility by Landfill Energy Systems (in conjunction with the Salt Lake Valley Landfill). The request is for the development and operation of an electric generator facility located at approximately 5950 West California Avenue, directly adjacent to the existing Landfill Facility in the M-1 (Light Manufacturing) Zoning District. This project site is also located within the T Transitional Overlay District. (Staff – Marilynn Lewis at 535-6409 or [marilynn.lewis@slcgov.com](mailto:marilynn.lewis@slcgov.com))
  - b) **Petition # 400-06-07** — Salt Lake City Corporation is requesting a text amendment to the Salt Lake City Zoning Ordinance to allow ambulance services in the Commercial, Manufacturing and Special Purpose Districts. (Staff – Kevin LoPiccolo at 535-6003 or [kevin.lopiccolo@slcgov.com](mailto:kevin.lopiccolo@slcgov.com))
  - c) **Petitions 400-05-46, 400-05-47, 490-06-15 and 490-06-16** — A request by Mike Miller, representing Flying J Inc., that Salt Lake City close and declare as surplus property, a portion of 800 West Street at approximately 2100 South Street (Petition No. 400-05-46), vacate an alley on the north side of the Klenke's Addition Subdivision (Petition No. 400-05-47), vacate a portion of the Klenke's Addition Subdivision and Riverside Subdivision (Petition No. 490-06-15), and grant preliminary subdivision approval of a two-lot minor subdivision (Petition No. 490-06-16) located at approximately 850 West 2100 South in a General Commercial (CG) zoning district. (Staff – Ray McCandless at 535-7282 or [ray.mccandless@slcgov.com](mailto:ray.mccandless@slcgov.com))
  - d) **Petition 400-06-08** — Salt Lake City Council initiated a request to amend existing provisions of the Salt Lake City Zoning Ordinance relating to single- and two-family land uses in City Council District Three that may contribute to incompatible residential infill development within the Special Pattern Residential 1 (SR-1) Zoning District. The proposed amendments include creating a subcategory of the SR-1 Zoning District for those properties currently zoned SR-1 in City Council District Three to address general lot and bulk issues including building height, yard requirements, and accessory building standards. This petition would also amend the zoning maps to implement the above referenced amendments to the SR-1 Zoning District for all properties within the Capitol Hill and Avenues Planning Communities currently zoned SR-1. The Capitol Hill and Avenues Planning Communities are generally located between I-15 and North Campus Drive from South Temple to the north City limits. (Staff: Joel Paterson at 535-6141 or [joel.paterson@slcgov.com](mailto:joel.paterson@slcgov.com))

# NOTICE OF HEARING

Salt Lake City Planning Division  
Planning Commission Secretary  
451 South State Street, Rm. 406  
Salt Lake City, UT 84111 RM

016H16501573  
\$00.390  
03/28/2006  
Mailed From 84111  
US POSTAGE

Hasler



1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. In order to be considerate of everyone attending the meeting, public comments are limited to 3 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Written comments are welcome and will be provided to the Planning Commission in advance of the meeting if they are submitted to the Planning Division prior to noon the day before the meeting. Written comments should be sent to:  

Salt Lake City Planning Director  
451 South State Street, Room 406  
Salt Lake City, UT 84111
4. Speakers will be called by the Chair.
5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
6. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. Salt Lake City Corporation complies with all ADA guidelines. If you are planning to attend the public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City 48 hours in advance of the meeting and we will try to provide whatever assistance may be required. Please call 535-7757 for assistance.

# Cedar City business park set

Deseret Morning News  
A new economic development area in Cedar City provides for the development of 700 acres of land, which is planned as an intermodal business park, connecting railroad, trucking and air on your lily pad for a better interest rate? Mountain America announces the return of our **One Jump Term Deposit**.


area, called Port 15 Utah. Port 15 is a partnership effort of Quantum Development of Cedar City and the administration. The project is planned over the next 17 years. It is expected to bring 7,000 new jobs to the area.

- Jump up to a higher rate one time should rates increase.
- Gives you peace of mind and the most leap for your frog

Call toll-free 1-800-748-4302 for more information, or visit our Web site today. *It's just too easy!*

# 4.70%

ANNUAL PERCENTAGE YIELD BASED ON 4.60% INTEREST RATE




notice is hereby given that the undersigned will sell, to satisfy lien of the owner, at public sale by competitive bidding on April 5, 2006 at 1:30 a.m. of the Extra Space Storage facility located at:

8308 South 700 East  
Sandy, UT 84070  
(801) 566-8844

**SALT LAKE CITY PLANNING COMMISSION PUBLIC HEARING**

On Wednesday, April 12, 2006, at 5:45 P.M., the Salt Lake City Planning Commission will hold a public hearing to consider the following petitions for the Flying J property located at approximately 850 West 2100 South:

- Petition No. 400-05-46, that Salt Lake City close and declare as surplus property, a portion of 800 West Street at approximately 2100 South Street; Petition No. 400-05-47, to vacate an alley on the north side of the Klenke's Addition Subdivision; Petition No. 400-06-15, to vacate a portion of the Klenke's Addition Subdivision and Riverside Subdivision; and, Petition No. 490-06-16, a request for preliminary subdivision approval of a 2-lot minor subdivision in a general commercial "C-G" zoning district.

The public hearing of the Planning Commission will be held in Room 326, of the Salt Lake City and County Building, 451 South State Street, Salt Lake City, Utah. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Mr. Roy McCandless at 335-7282; TDD 535-6021; 82022JEG

Public Comment Period for the Emery County Landfill

Emery County is requesting a renewal of their permit to operate of the Class I Landfill located near Castle Dale, Utah approximately 2.4 miles north of the intersection of State Highway 29 and Danish Bench Road. The landfill may accept non-hazardous solid waste including municipal solid waste, commercial waste, industrial waste, construction/demolition waste, and special waste as stipulated by the permit.

Public Comment Period for the Emery County Landfill

The Division of Solid and Hazardous Waste has reviewed the permit renewal application and a draft renewal application, the Division is providing a public comment period to receive input on the application draft permit. The public comment period on the 20, 2006. A public hearing may be held if, within 15 days of publication of this notice, a request is made to the Executive Secretary in writing and meets the requirements of Utah Administrative Code R315-311-3.

Accelerate your car sales.

69% of adults who plan to buy a new vehicle in...

Public Comment Period for the Emery County Landfill

Copies of the application and the draft permit are available for public review during normal business hours at the following locations.

Earlier Monday, Glisan finished his fourth day of testimony after acknowledging he had assured Lay and company directors that Enron had adequate access to cash to operate in October 2001 as scrutiny increased from regulators and Wall Street. Oct. 22, 2001, that Enron had immediate access to \$1.5 billion and could seek more, which appeared to contradict his testimony last week that he had given Lay a much darker financial forecast. He said then that he had advised his boss in a separate...

Prosecutor Leo Wise played audiotapes of telephone calls Skilling made to Jimmors Monday during which an anxious Skilling told the broker he wanted to sell 500,000 Enron shares quickly because "the market is dropping now." Skilling also told Ray on the call, "You can't do anything if you have material inside information, but that's true for any human being on the planet, and that's a decision I have to make." Skilling lawyer Ron Woods tried to show his client sold stock on that date because...

On Sept. 17, 2001, and said he wanted to sell 500,000 shares. However, Skilling had called Ray on Sept. 6 before the attacks, and said he wanted to sell 200,000 Enron shares. That sale wasn't executed because Skilling told Ray he was no longer an officer at Enron, and therefore didn't have to report trades to the Securities and Exchange Commission. The broker wanted a letter from Enron verifying that, and Skilling said he...

**PRECIPITATION 0.00**  
Partly cloudy  
**75/48**  
Partly cloudy  
**55/35**  
Partly cloudy  
**62/40**  
**MONDAY**  
73°-85°  
73°-85°  
73°-85°  
**SUNDAY**  
73°-85°  
73°-85°  
73°-85°

**ENRON**

**Walgreen earnings are up a healthy 7%**

**100% Secured by Real Estate**  
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<p><b>070—Legal Notices</b></p>	<p><b>070—Legal Notices</b></p>	<p><b>070—Legal Notices</b></p>	<p><b>070—Legal Notices</b></p>
<p><b>SALT LAKE CITY PLANNING COMMISSION PUBLIC HEARING</b></p> <p>On Wednesday, April 12, 2006, at 5:45 P.M., the Salt Lake City Planning Commission will hold a public hearing to consider the following petitions for the Flying J property located at approximately 850 West 2100 South. Petition No. 400-05-46, that Salt Lake City close and declare as surplus property, a portion of 800 West Street at approximately 2100 South Street; Petition No. 400-05-47, to vacate an alley on the north side of the Klenke's Addition Subdivision; Petition No. 490-06-15, to vacate a portion of the Klenke's Addition Subdivision and Riverside Subdivision; and, Petition No. 490-06-16, a request for preliminary subdivision approval of a 2-lot minor subdivision in a general commercial "C-G" zoning district.</p> <p>The public hearing of the Planning Commission will be held in Room 326, of the Salt Lake City and County Building, 451 South State Street, Salt Lake City, Utah. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Mr. Ray McCaffrey at 535-7282; TDD 385-6021; 82022JEG.</p> <p>CALL WANT ADS 237-2000</p>	<p><b>SYNOPSIS OF SALT LAKE CITY ORDINANCE 12 OF 2006</b></p> <p>The Salt Lake City Council at its March 7, 2006 meeting adopted an ordinance rezoning properties generally located at 466 East 500 South from Residential/Office District (RO) to High Density Multi-Family Residential District (RMF-75), 517-533 South Denver Street from Moderate/High Density Multi-Family Residential District (RMF-45) to High Density Multi-Family Residential District (RMF-75) and 516-524 South 500 East from Moderate/High Density Multi-Family Residential District (RMF-45) to High Density Multi-Family Residential District (RMF-75), and amending the Central Community Master Plan pursuant to Petition No. 400-05-06.</p> <p>Copies of the ordinance in its entirety are available for review in the City Recorder's Office, Room 415, City County Building, 451 South State Street, Salt Lake City, Utah, during regular business hours.</p> <p>This ordinance shall take effect on the date of its first publication.</p> <p>(P 06-5)</p> <p>Published: March 28, 2006 8202ZOVX</p> <p>PUBLICIDAD CLASIFICADA HACE MAS COSAS PARA MAS PERSONAS QUE CUALQUIER OTRA FORMA DE PUBLICIDAD.</p>	<p><b>CITY OF TAYLORSVILLE NOTICE OF PUBLIC HEARING</b></p> <p>NOTICE IS HEREBY GIVEN of a public hearing to be held in the Taylorsville Council Chambers, 2600 West Taylorsville Boulevard, Taylorsville, Utah, Wednesday, April 26, 2006, at 6:30 p.m. before the Taylorsville City Council to consider amending a portion of Title 13, entitled Zoning of the City of Taylorsville Ordinance, as follows:</p> <p>The Planning Commission has recommended approval to the Taylorsville City Council to provide an amendment to Chapter 13.37, Historic Preservation Commission section 13.37.030 A, Historic Sites Designated. The following structure or site is hereby designated as a historic site:</p> <p>1488 West 4800 South containing 2.5 acres (Taylorsville Bannion Heritage Center, formerly Jones Dairy)</p> <p>This file 3706 is available for public inspection and may be examined during normal business hours at the city offices of Taylorsville, 2600 West Taylorsville Boulevard, Telephone 963-5400; 8202ZQ1J</p>	<p>NOTICE: NEXTEL process of fulfillment balances require two... 15-foot-mounted telecommunication towers to be at 2000 Wadsworth Blvd. City of Salt Lake City, 84123; 8202ZOVX</p> <p><b>PUBLIC HEARING</b></p> <p>The Draper City will hold a public hearing to consider a budget for 2006 on April 4, 2006 at 7:00 p.m. or thereafter as they can be heard. Draper City Hall, East Pioneer Draper, Utah 84021; 8202Z1V</p> <p>PUBLICIDAD CLASIFICADA HACE MAS COSAS PARA MAS PERSONAS QUE CUALQUIER OTRA FORMA DE PUBLICIDAD.</p>
<p>Trade</p>	<p>Accelerate</p>	<p>CALL WANT ADS <b>237-2000</b></p>	<p>Yo e is re</p>



LOCALEARNINGS

Deseret Morning News

Several companies with Utah ties have reported earnings in the last few days.

Q Comm

Orem-based prepaid transaction processor Q Comm International Inc. on Friday reported a net loss of \$2.0 million, or 47 cents per share, for the 2005 fourth quarter.

Revenue totaled \$11.8 million, up from \$8.2 million in the prior-year quarter.

For all of 2005, the company reported a net loss of \$8.6 million, or 11.54¢ per share, on revenue of \$46.3 million.

For the 2006 first quarter, the company expects revenue of \$13 million to \$14 million, or 1 cent per share, for 2006.

TenFold

Salt Lake-based TenFold Corp. reported a net loss of \$2.2 million, or 5 cents per share, for the 2005 fourth quarter. That compares with a loss of \$892,000, or 2 cents per share, for the 2004 fourth quarter.

Revenues totaled \$909,000, down from \$1.3 million in the year-earlier quarter.

For all of 2005, TenFold reported a net loss of \$5.4 million, or 12 cents per share, on revenues of \$5.7 million.

That compares with net income of \$3.4 million, or 6 cents per share, on revenues of \$17.6 million for 2004.

The company licenses technology for application and services development.

Pacific WebWorks

Salt Lake-based Pacific WebWorks Inc. on Friday reported net income of \$279,766 for the quarter ended Dec. 31. That compares with \$124,818 for the same quarter in 2004.

The company also said revenue for the entire year 2005 totaled \$5.9 million, up 163 percent from 2004.

Pacific WebWorks provides a suite of software programs for small businesses.

Cimetrix

Salt Lake-based Cimetrix Inc. on Friday reported a net loss of \$706,000, or 2 cents per share, for 2006.

That compares with net income of \$164,000, or 1 cent per share, for 2004.

Sales totaled \$4.67 million, up from \$4.5 million in 2004.

In the fourth quarter, sales totaled \$1.53 million, or \$1.27 million in the earlier quarter. Cimetrix designs, develops and markets software for automation software.

Allied Resources

Salt Lake-based Allied Resources Inc. on Friday reported net income of \$1.2 million, or 1 cent per share, for 2004.

million, or 22 cents per share, for the year ended Dec. 31.

The company said the increase was attributable to an increase in oil and gas prices and provision for an income tax asset of \$943,000, less increases in general and administrative expenses and production costs.

Allied is involved in the exploration, development, production and sale of oil and gas derived from properties located in a pair of West Virginia counties.

Security National

Salt Lake-based Security National Financial Corp. on Friday reported net earnings of \$3.5 million, or 54 cents per share, for the year ended Dec. 31. That compares with \$2.1 million, or 34 cents per share, in 2004.

Revenue grew 11 percent to \$130 million.

The company has three business segments: life insurance, cemeteries and mortgages.

Preparing for the cooling season early?? You deserve to be REWARDED. FREE 10 yr Parts & Labor Warranty on Package System. HARTMAN HEATING AND AIR CONDITIONING Commercial • Residential

Moulding FX your home! Solid Knotty Alder Doors. We make our doors right here in Utah. Over 1000 Ready Alder Doors in stock!

Legal Notices

070—Legal Notices. NOTICE OF PUBLIC HEARING. NOTICE OF PUBLIC HEARING. NOTICE OF PUBLIC HEARING. NOTICE OF PUBLIC HEARING.

NOTICE OF TRUSTEE'S SALE. The following described real property will be sold at public auction to the highest bidder... SECTION 000000 NOTICE TO BIDDERS. SECTION 000000 NOTICE TO BIDDERS.

Desperate To End Lifelong Pain And Fatigue From Fibromyalgia? SALT LAKE CO.—Are you tired of suffering and playing "trial & error" with dangerous medications?

ANNOUNCING THE RETURN OF OUR HIGH HOPPIN' One Jump Term Deposit. 18-MONTH. 4.85% ANNUAL PERCENTAGE YIELD BASED ON 4.75% INTEREST RATE.

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Utah's Largest Marketplace Classifieds 237-2000. BE SURE TO SEE YOUR LOCAL REALTOR FOR THE BEST DEAL IN TOWN.

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n fibromyalgia  
giving hope to  
call toll-free



**SALT LAKE CITY  
PLANNING COMMISSION  
PUBLIC HEARING**

On Wednesday, April 12, 2006, at 5:45 P.M., the Salt Lake City Planning Commission will hold a public hearing to consider the following petitions for the Flying J property located at approximately 850 West 2100 South: Petition No. 400-05-46, that Salt Lake City close and declare as surplus property, a portion of 800 West Street at approximately 2100 South Street; Petition No. 400-05-47, to vacate an alley on the north side of the Klenke's Addition Subdivision; Petition No. 490-06-15, to vacate a portion of the Klenke's Addition Subdivision and Riverside Subdivision; and, Petition No. 490-06-16, a request for preliminary subdivision approval of a 2-lot minor subdivision in a general commercial "C-G" zoning district.

The public hearing of the Planning Commission will be held in Room 326, of the Salt Lake City and County Building, 451 South State Street, Salt Lake City, Utah. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Mr. Ray McCandless at 535-7282; TDD 535-6021. 8202ZJEG

**NOTICE**

An emergency hazardous waste treatment permit (# UT-015-2006) has

**JORDAN SCHOOL  
DISTRICT  
INVITATION TO BID**

Sealed proposals will be received by the Chief Procurement Officer of Jordan School District, 9150 South 500 West, Sandy, Utah 84070-2538; until 1:30 p.m. on Wednesday, April 12, 2006, for the following:

\* BID NO. 19DK6  
HILLCREST HIGH SCHOOL  
HALL LOCKERS

Bid specifications may be obtained from the Purchasing Department. Bids are also available on our website:

<http://jcd.purchasing.jordan.k12.us>. The District reserves the right to reject any or all proposals and to waive any informality or technicality in any proposal in the interest of the District.

Richard E. Field  
Chief Procurement Officer  
8202Z\*W2U

**NOTICE OF PUBLIC  
HEARING:**

Notice is hereby given that Draper City will hold a public hearing before the City Council on Tuesday, April 18, 2006 to receive public comment on a request by Draper City to amend the text of the Draper City Municipal Code regarding permitted uses in the CI (Commercial Interchange) zone, Table 9-11-1.

The hearing will be held at Draper City Hall, 1020 East Pioneer Road, on Tuesday, April 18, 2006 at 7:00 p.m. Inquiries may contact Dan Boles at the Draper City offices, 576-6335.

Attest:

**COTTONWOOD  
PUBLIC**

Notice that Cottonwood will hold a public hearing before the Commission on Friday, April 14, 2006, at 5:45 p.m. in the Cottonwood Office, Union 32006, concerning the matter of the proposed development of a general commercial "C-G" zoning district. Any interested parties should direct their comments to the Cottonwood Office at 545-

ATTEST:  
8202ZK

**COTTONWOOD  
PUBLIC**

Notice that Cottonwood will hold a public hearing before the Commission on Friday, April 14, 2006, at 5:45 p.m. in the Cottonwood Office, Union 32006, concerning the matter of the proposed development of a general commercial "C-G" zoning district. Any interested parties should direct their comments to the Cottonwood Office at 545-

ATTEST:  
8202ZL

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**MICRON**

Continued from D12

dominated by South Korea's Samsung Electronics Co. The company attributed a drop in second-quarter revenue and gross margin from fiscal year. Chief Financial Officer William Stover said on the call Monday

**ENRON**

Continued from D12

deprecating, even telling jurors that he was admitted to Harvard Business School "by some huge mistake." Later, he sounded like a business executive. Andrew Rastow and a few others who skammed millions from secret schemes

and that bad publicity coupled with lost market confidence sank the company. "I know of no reason Enron would have to resort to fraud," Skilling said.

In staccato fashion, Petrocelli asked Skilling if he ever destroyed documents or computers, set up offshore


**BUSINESS BRIEFLY**

**Grant money available to fight West Nile virus**

The Utah Department of Agriculture and Food has announced that \$150,000 in

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ANNUAL PERCENTAGE YIELD BASED ON 4.75%

**070—Legal Notices**

**SALT LAKE CITY PLANNING COMMISSION PUBLIC HEARING**

On Wednesday, April 12, 2006, at 5:45 P.M., the Salt Lake City Planning Commission will hold a public hearing to consider the following petitions for the Plving of property located at approximately 850 West 2100 South, Petition No. 400-05-22, that Salt Lake City close and declare as surplus property a portion of 800 West Street at approximately 2100 South Street, Petition No. 400-05-27, to vacate an alley on the north side of the Klenke's Addition Subdivision, Petition No. 490-06-15, to vacate a portion of the Klenke's Addition Subdivision and Riverside Subdivision, and Petition No. 490-06-16, a request for preliminary subdivision approval of a 2-lot minor subdivision in a general commercial "C-2" zoning district.

The public hearing of the Planning Commission will be held in Room 326 of the Salt Lake City and County Building, 451 South State Street, Salt Lake City, Utah. People with disabilities may make requests for reasonable accommodations no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests or additional information, please contact: Murray McGinnis, 535-7282, TDD: 335-6071, 820272JEC.

**INVITATION TO BID CITY LIBRARY**

HVAC Units for The City Library. The Salt Lake City Public Library System seeks bids on replacing certain existing Lennox HVAC units at three of its libraries: Chapin, Day, Riverside and Sprague. Copies of the scope of work may be obtained from the 5th Floor Reception Desk of the Main Library, Downtown, 210 East 400 South. A pre-bid conference is scheduled at 9:00 a.m. on Thursday, 13 April 2006. All contractors who intend to submit

**070—Legal Notices**

**PUBLIC NOTICE**

Treatment Variance Request for Formerly Characteristic Wastes Containing PCBs Greater Than 100 mg/Kg. EnergySolutions, LLC Mixed Waste Facility as The Executive Secretary of the Utah Solid and Hazardous Waste Control Board has received a site-specific treatment variance request, submitted by EnergySolutions, LLC for the Mixed Waste Facility.

Background: The Mixed Waste Facility proposes to receive soils containing formerly characteristic hazardous waste for metal wastes (D004-B031) and also containing Polychlorinated Biphenyls (PCBs) at levels greater than 100 mg/kg as underlying hazardous constituents.

If this soil was not formerly characteristic for the metal wastes contained only PCBs at these levels, then EnergySolutions would be permitted to dispose of the waste.

Federal rules allow this waste to be disposed without further treatment. However, the State of Utah has not adopted these rules. The State's decision was based on the onerous amount of analytical work that would be required. Rather than follow the federal rules, the State left open the one-time, site-specific treatment variance option.

EnergySolutions estimates that it may receive up to 3,000 cubic yards of this type of waste this year.

Final disposal of the waste will occur in the Mixed Waste Disposal Cell at the EnergySolutions Mixed Waste Facility.

The treatment variance request is available for review at the Division of Solid and Hazardous Waste office, located in the Marjorie Cannon Health Building, 288 North 1450 West, Salt Lake City, Utah, between the hours of 8:00 a.m. and 5:00 p.m., and at other times upon request. The public comment period begins April 11, 2006, and will end on May 10, 2006. Comments should be addressed to Dennis R. Downs, Executive Secretary, Utah Solid and Hazardous Waste Control Board, P.O. Box 144880, Salt Lake City, Utah 84114-4880.

A hearing on this variance request will be held on April 20, 2006, at the Tooele County Health Department Building at 7:00 p.m.

Consideration of this request will be made at the May 10, 2006 meeting of the Utah Solid and Hazardous Waste Control Board.

For additional information regarding the treatment variance request, contact Chris Willoughby of the Department of Environmental Quality, Division of Solid and Hazardous Waste at (801) 536-8170. In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communication aids and services) should contact Charlene Campbell, Office of Human Resources at 536-4413 (TDD) 536-4414 or 820300 AG.

**070—Legal Notices**

**NOTICE OF TRUSTEES**

The following described real property is being sold by public auction to the highest bidder payable in lawful money. Auctioned at the time of sale, the east main entrance of the Utah Courthouse, 450 South State Street, Monday, May 1, 2006, at the hour of 10:00 a.m. for the purpose of satisfying the original executed by valuation of the estate of the late Mrs. Mary E. Gordan, 1006 South 200 West, Salt Lake County, Utah, and other interests in LOT 311, BLOCK 6, SUNDAY GORDON TO THE OFFICIAL RECORDS OF THE SALT LAKE COUNTY CLERK'S OFFICE, 137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200.

The current beneficiary of the trust is: Marion L. Bates, successor trustee, Scitney Reading Bates Hansen & Rasmussen Gateway Tower West, 15 West Temple, Ste. 600, P.O. Box 11429, Salt Lake City, Utah 84144. Telephone: (801) 331-7870. Business Hours: 9:00 a.m. to 5:00 p.m. Trustee No. 94084-8168415277402-820272NOP.

Marion L. Bates, successor trustee  
Scitney Reading Bates Hansen & Rasmussen  
Gateway Tower West  
15 West Temple, Ste. 600  
P.O. Box 11429  
Salt Lake City, Utah 84144  
Telephone: (801) 331-7870  
Business Hours: 9:00 a.m. to 5:00 p.m.  
Trustee No. 94084-8168415277402-820272NOP.

**NOTICE**

A notice of Intent for the following plant in accordance with RC307-401, Utah Air Quality Code (UAQC), has been received for the Executive Secretary, Utah Air Quality Control Board.

Tru Grinding, Inc.  
P.O. Box 617  
Salt Lake City, Utah 84171  
Locations: Various Locations Throughout Utah

Project Description: Addition of Screen Aggregators AO-DAGE-AN2142005-05

This plant would emit all air pollutants less than 100 tons per year.

The engineering evaluation has been so the project would not result in adverse impacts. It is the intent of the Executive Secretary to approve the project.

The source can operate at various locations in the State of Utah. There will be no NAQS violation from this plant.

**070—Legal Notices**

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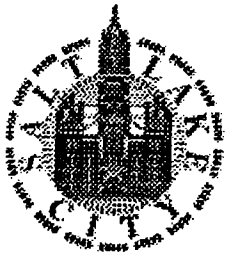
Make a plan for

UPAZLP naclegal@nacorp.com • 237-2720

## **8. ORIGINAL PETITIONS**

**PETITION CHECKLIST**

<u>Date</u>	<u>Initials</u>	<u>Action Required</u>
<u>12/29/05</u>	<u>ADH</u>	Petition delivered to Planning
<u>1/6/06</u>	<u>RW</u>	Petition assigned to: <u>RAY</u> <u>1-6-06-Assigned</u>
<u>4/12/06</u>	<u>RW</u>	Planning Staff or Planning Commission Action Date
<u>5/10/06</u>	<u>RW</u>	Return Original Letter and Yellow Petition Cover
<u>5/10/06</u>	<u>RW</u>	Chronology
<u>5/10/06</u>	<u>RW</u>	Property Description (marked with a post it note)
<u>NA</u>	<u>RW</u>	Affected Sidwell Numbers Included
<u>5/10/06</u>	<u>RW</u>	Mailing List for Petition, include appropriate Community Councils
<u>5/10/06</u>	<u>RW</u>	Mailing Postmark Date Verification
<u>5/10/06</u>	<u>RW</u>	Planning Commission Minutes
<u>5/10/06</u>	<u>RW</u>	Planning Staff Report
<u>5/10/06</u>	<u>RW</u>	Cover letter outlining what the request is and a brief description of what action the Planning Commission or Staff is recommending.
<u>5/10/06</u>	<u>RW</u>	Ordinance Prepared by the Attorney's Office
<u>5/10/06</u>	<u>RW</u>	Ordinance property description is checked, dated and initialed by the Planner. Ordinance is stamped by Attorney.
<u>Roy McCallister</u>		Planner responsible for taking calls on the Petition
_____	_____	Date Set for City Council Action _____
_____	_____	Petition filed with City Recorder's Office



# Street Closure

FOR OFFICE USE ONLY

Petition No.	<u>400-05-46</u>
Receipt No.	Amount \$ <u>300</u>
Date Received	<u>12/22/05</u>
Reviewed by	<u>JLW</u>

SALT LAKE CITY PLANNING

Date \_\_\_\_\_

Location of the subject street 850 W 2100S. SLC, UT 84119

Name of Applicant MIKE MILLER Phone (801) 624-1289

Address of Applicant 1107 COUNTRY HILLS DR. OGDEN, UT 84403

E-mail address of Applicant MIKE.MILLER@FLYINGS.COM Cell / Fax (801) 624-1289

**Please include with the application:**

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

**If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition.**

**Sidwell maps and names of property owners are available at:**

Salt Lake County Recorder  
2001 South State Street, Room N1600  
Salt Lake City, UT 84190-1051  
Telephone: (801) 468-3391

**File the complete application at:**

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

Signature of Applicant *Kent Wither* Title of agent \_\_\_\_\_  
of authorized agent

KENT WITHER WITH McNEIL ENG.

CELL → 801-2732-255-7700 EXT 136

REMARKS

**Petition No.** 400-05-46

*By* Mike Miller

Is requesting a Street Closure  
located at 850 West 2100 South.

*Date Filed*

*Address*

**PETITION CHECKLIST**

<u>Date</u>	<u>Initials</u>	<u>Action Required</u>
<u>12/29/05</u>	<u>DAH</u>	Petition delivered to Planning
<u>1/9/06</u>	<u>Rm</u>	Petition assigned to: <u>RAY</u> <u>1-9-06</u> Assigned
<u>4/12/06</u>	<u>Rm</u>	Planning Staff or Planning Commission Action Date
<u>5/10/06</u>	<u>Rm</u>	Return Original Letter and Yellow Petition Cover
<u>5/10/06</u>	<u>Rm</u>	Chronology
<u>5/10/06</u>	<u>Rm</u>	Property Description (marked with a post it note)
<u>NA</u>	<u>Rm</u>	Affected Sidwell Numbers Included
<u>5/10/06</u>	<u>Rm</u>	Mailing List for Petition, include appropriate Community Councils
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<u>5/10/06</u>	<u>Rm</u>	Planning Staff Report
<u>5/10/06</u>	<u>Rm</u>	Cover letter outlining what the request is and a brief description of what action the Planning Commission or Staff is recommending.
<u>5/10/06</u>	<u>Rm</u>	Ordinance Prepared by the Attorney's Office
<u>5/10/06</u>	<u>Rm</u>	Ordinance property description is checked, dated and initialed by the Planner. Ordinance is stamped by Attorney.
<u>Rm, McCandless</u>		Planner responsible for taking calls on the Petition
_____	_____	Date Set for City Council Action _____
_____	_____	Petition filed with City Recorder's Office





# Alley Vacation or Closure

### OFFICE USE ONLY

Petition No.	400-05-47	
Receipt No.		Amount: 200
Date Received:	10/22/05	
Reviewed By:	J. Lew	
Project Planner:		

SALT LAKE CITY PLANNING

Address of Subject Property: 890W. 2100 S. SLC, UT 84119

Name of Applicant: MIKE MULLER Phone: 801-624-1289

Address of Applicant: 1104 COUNTRY HILLS DR. OGDEN, UT 84403

E-mail Address of Applicant: MIKE.MULLER@FLYINGJ.COM Cell/Fax: 801-624-1299

Applicant's Interest in Subject Property: OWNER'S REPRESENTATIVE

Name of Property Owner: FLYING J, LLC. Phone: 801-624-1000

Address of Property Owner: 1104 COUNTRY HILLS DR. OGDEN, UT. 84403

Email Address of Property Owner: \_\_\_\_\_ Cell/Fax: \_\_\_\_\_

Are there any multi-family residential uses (three or more dwelling units) or non residential uses that abut the alley?

Yes  No

If yes, have the property owners been notified about the City's "close and sell" method of disposition (As defined in the attached process information sheet)? Yes  No

#### Please include with the application:

- ✓ 1. A response to the questions on the back of this form. If the applicant does not own property adjacent to the alley, please include the applicant's interest in the request.
- ② <sup>N/A</sup> The name, address and Sidwell number of all property owners on the block must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair. **Payment in the amount to cover first class postage for each address for two mailings is due at time of application.**
- 3. The name, address and signatures of all owners of property abutting the subject alley who support the petition.
- <sup>N/A</sup> 4. You may use the sample petition accompanying this application or provide your own. **Please note that the property owners must sign (not occupants who rent) and the petition must include the signatures of no less than 80 percent of the abutting property owners.**
- ✓ 4. A property ownership map (known as a Sidwell map) showing the area of the subject alley. On the map, please:
  - ✓ a. Highlight the subject alley.
  - <sup>N/A</sup> b. Indicate with a colored circle or dot the property owners who support the petition.
- ✓ 5. A legal description of the subject alley may be required.
- ✓ 6. If applicable, a signed, notarized statement of consent from property owner authorizing applicant to act as an agent.
- ✓ 7. Filing fee of \$200.00, due at time of application.

If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition

Sidwell maps & names of property owners are available at:

Salt Lake County Recorder  
 2001 South State Street, Room N1600  
 Salt Lake City, UT 84190-1051  
 Telephone: (801) 468-3391

File the complete application at:

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

Signature of Property Owner

Or authorized agent

REMARKS

**Petition No.** 400-05-47

*By* Mike Miller

Is requesting an Alley Vacation or  
Closure located at 850 West 2100  
South.

*Date Filed*

*Address*



# Subdivision Vacation

OFFICE USE ONLY	
Petition No.	490-DB-15
Receipt No.	211658 Amount: 500.00 FEE
Date Received:	3-2-06 14 <sup>00</sup>
Reviewed By:	WY 514 <sup>00</sup>
Project Planner:	

SALT LAKE CITY PLANNING

**Subdivision Name:**

Authorized Contact Person: MICHAEL T. MILLER Phone: (801) 624-1289

Address of Contact Person: 1104 COUNTRY HILLS DRIVE OGDEN, UTAH 84403

E-mail Address of Contact Person: MIKE.MILLER@FLYINGJ.COM Cell/Fax: CELL# (801) 725-2223

Name of Property Owner: PDG INC PROPERTY DEVELOPMENT GROUP Phone: (801) 624-1289

Property Address: 2100 SOUTH 850 WEST, SALT LAKE CITY, UTAH

Petitioner's Engineer: MCNEIL ENGINEERING Phone: (801) 255-7700

Address of Engineer: 6895 SOUTH 900 EAST MIDVALE, UT 84047

E-mail Address of Engineer MIKE@MCNEILENG.COM Cell/Fax: (801) 255-7700 EXT 137

County Tax ("Sidwell #"): 15-14-476-015 Zoning: Acreage:

**Please include with the application:**

1. A letter addressed to the Mayor which includes a request to vacate a subdivision, or a portion thereof, and the reason for the request.
2. The names and addresses of all property owners located within the subject subdivision and those within four-hundred fifty (450) feet of the subject property. The name, address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair(s). If you are within 600 feet of a neighboring Community Council's boundary, then the neighboring Community Council Chair must be notified as well. **The cost of first class postage for each address is due at the time of application. Please do not provide postage stamps.**
3. The signature of each of those owners who consent to the petition.
4. Ten (10) copies of a drawing illustrating the area to be vacated.
5. A legal boundary description of area to be vacated, certified as accurate by a Registered Land Surveyor, Professional Engineer, or Title Abstractor.
6. A current Sidwell Map (with aerial photograph and ownership lines) showing the entire subject area.
7. Filing fee of \$300.00 plus \$100.00 per lot is required at the time of application.

If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition

County tax parcel ("Sidwell") maps and names of property owners are available at:

Salt Lake County Recorder  
2001 South State Street, Room N1600  
Salt Lake City, UT 84190-1051  
Telephone: (801) 468-3391

File the complete application at:

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

Signature of Authorized Contact Person: \_\_\_\_\_

Signature of Property Owner \_\_\_\_\_

Or authorized agent