



Staff Report

PLANNING DIVISION

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Appeals Hearing Officer
From: Diana Martinez, Principal Planner, diana.martinez@slcgov.com or 801-718-8720
Date: June 15, 2023
Re: PLNAPP2023-00303 – Appeal of Planning Commission’s Decision on the Conditional Use Application -PLNPCM2022-00053

Appeal of Planning Commission Decision

PROPERTY ADDRESS: 2111 S. 1300 E.

PARCEL ID: 16-20-230-001-0000 & 16-20-230-003-0000

MASTER PLAN: [Sugar House Master Plan](#)

ZONING DISTRICT: [CB - Community Business District](#)

OVERLAY DISTRICT: [Groundwater Source Protection Overlay District](#)

APPELLANT: Nate Abbott with Galloway US, representing the leasee Kum & Go Company

Attached is the documentation submitted for an appeal (PLNAPP2023-00303) regarding the decision of the Planning Commission to deny a Conditional Use Application for a Gas Station use at the property located at approximately 2111 S. 1300 E. (PLNPCM2022-00053).

BACKGROUND AND PROJECT DESCRIPTION:

Nathan Abbott with Galloway US, representing the leasee Kum & Go, requested approval of a Conditional Use application for a gas station to be located at approximately 2111 South 1300 East. The proposed project would consist of a 3,957-square-foot convenience store in the northwest corner of the property, three (two-sided) gas pumps in the south area, and underground fuel storage tanks along the east property line. The subject property is approximately 0.83 acres combined (36,155 square feet) in size and is in the CB- Community Business Zoning District.

This request requires Planning Commission approval of the Conditional Use for a Gas Station use. Planning Staff determined that the use request does not meet the applicable standards or the intent of the Sugar House Master Plan, nor can it successfully mitigate adverse impacts to the adjoining property & water resources, Sugar House Park & Parley’s Creek, and therefore, planning staff recommended the Planning Commission deny the Conditional Use request.

April 12, 2023, Planning Commission Meeting:

The Planning Commission heard the request at the April 12, 2023 meeting. The Planning Commission denied the Conditional Use request based on the findings listed in the staff report, the information presented, and input received during the public hearing, and because the potential for detrimental impacts to the environment near the site cannot be mitigated, as referenced in the staff report for Considerations one through eight.

A video recording of the April 12, 2023, Planning Commission meeting can be viewed here - <https://www.youtube.com/watch?v=HTg1YCvoZqI> (27:18 to 1:49:22). The minutes from the April 12, 2023, meeting can be found [HERE](#).

The Staff Report for the April 12, 2023 meeting can be found [HERE](#).

BASIS FOR APPEAL:

The appellant’s application and brief are included in [Attachment B](#), and the City Attorney’s response to the appeal is included in [Attachment C](#).

This is an appeal of a Planning Commission decision. Therefore, the Appeal Hearing Officer’s decision must be made based on the record. This is not a public hearing; therefore, no public testimony shall be taken, and no new information should be disclosed.

ATTACHMENTS:

[ATTACHMENT A: Vicinity Map](#)3

[ATTACHMENT B: Appeal Application & Documentation from The Appellant](#).....4

[ATTACHMENT C: City Attorney’s Brief](#).....8

[ATTACHMENT D: Record of Decision](#).....9

[ATTACHMENT E: Minutes From April 12, 2023 Meeting](#).....11

[ATTACHMENT F: Staff Report from the April 12, 2023 meeting, and Other Supporting Documents Provided To The Planning Commission](#) 12

NEXT STEPS:

If the Appeals Hearing Officer upholds the decision, the decision of the Planning Commission stands. If the Planning Commission’s decision is not upheld, the matter could be remanded to the Planning Commission for further review. The decision the Appeals Hearing Officer makes can be appealed to the Third District Court within 30 days.

ATTACHMENT A: Vicinity Map



ATTACHMENT B: Appeal Application & Documentation from The Appellant

APPEAL OF A DECISION

IMPORTANT INFORMATION



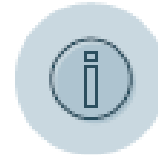
CONSULTATION

Available prior to submitting an application. For questions regarding the requirements, email us at zoning@slc.gov.



SUBMISSION

Submit your application online through the [Citizen Access Portal](#). Learn how to submit online by following the [step-by-step guide](#).



REQUIRED FEES

- \$285 filing fee submitted within required appeal period. Additional required notice and hearing fees will be assessed after submission.

APPLICANT INFORMATION

ADDRESS OF SUBJECT PROPERTY

2111 S 1300 E

DECISION APPEALED

4/12/2023-Planning Commission Denial-CUP #PLNPCM2022-00053

NAME OF APPELLANT

Nathan Abbott, Galloway US / Kum & Go, L.C.

PHONE

303.770.8884

MAILING ADDRESS

15500 Greenwood Plaza Blvd, Suite 200, Greenwood Village, CO 80111

EMAIL

Nathanabbott@gallowayus.com

APPELLANT'S INTEREST IN PROPERTY (owner's consent required)

Owner Architect* Contractor* Other*

IF OTHER, PLEASE LIST

Tenant

NAME OF PROPERTY OWNER (if different from appellant)

ROMNEY FARR PROPERTIES INC.

PHONE

MAILING ADDRESS

1052 Oak Hills Way, Salt Lake City UT 84018

EMAIL

pmrfarr@gmail.com

OFFICE USE

CASE NUMBER BEING APPEALED

RECEIVED BY

DATE RECEIVED

APPEALED DECISION MADE BY

Administration Historic Landmark Commission Planning Commission

DISCLAIMER: PLEASE NOTE THAT ADDITIONAL INFORMATION MAY BE REQUIRED BY THE PROJECT PLANNER TO ENSURE ADEQUATE INFORMATION IS PROVIDED FOR STAFF ANALYSIS. ALL INFORMATION REQUIRED FOR STAFF ANALYSIS WILL BE COPIED AND MADE PUBLIC, INCLUDING PROFESSIONAL ARCHITECTURAL OR ENGINEERING DRAWINGS, FOR THE PURPOSES OF PUBLIC REVIEW BY ANY INTERESTED PARTY.

ACKNOWLEDGMENT OF RESPONSIBILITY

1. This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application will be processed under the name provided below.
2. By signing the application, I am acknowledging that I have read and understood the instructions provided for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that the documents provided are considered public records and may be made available to the public.
3. I understand that my application will not be processed until the application is deemed complete by the assigned planner from the Planning Division. I acknowledge that a complete application includes all of the required submittal requirements and provided documents comply with all applicable requirements for the specific applications. I understand that the Planning Division will provide, in writing, a list of deficiencies that must be satisfied for this application to be complete and it is the responsibility of the applicant to provide the missing or corrected information. I will keep myself informed of the deadlines for submission of material and the progress of this application.
4. I understand that a staff report will be made available for my review prior to any public hearings or public meetings. This report will be on file and available at the Planning Division and posted on the Division website when it has been finalized.

NAME OF APPLICANT

Nathan Abbott, Galloway US / Kum & Go, L.C.

EMAIL

nathanabbott@gallowayus.com

MAILING ADDRESS

15500 Greenwood Plaza Blvd, Suite 200, Greenwood Village, CO 80111

PHONE

303.770.8884

APPLICATION TYPE

Conditional Use Permit

SIGNATURE



DATE

4/24/2023

LEGAL PROPERTY OWNER CONSENT

If the applicant is not the legal owner of the property, a consent from property owner must be provided. Properties with a single fee title owner may show consent by filling out the information below or by providing an affidavit.

Affirmation of sufficient interest: I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

LEGAL DESCRIPTION OF SUBJECT PROPERTY

See attached legal description

NAME OF OWNER

ROMNEY FARR PROPERTIES INC.

EMAIL

pmrfar@gmail.com

MAILING ADDRESS

1052 Oak Hills Way, Salt Lake City UT 84018

SIGNATURE



DATE

04/18/2023

1. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
2. If a joint venture or partnership is the fee owner, attach copy of agreement authorizing action on behalf of the joint venture or partnership.
3. If a Home Owner's Association is the applicant then the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CC&Rs.

DISCLAIMER: BE ADVISED THAT KNOWINGLY MAKING A FALSE, WRITTEN STATEMENT TO A GOVERNMENT ENTITY IS A CRIME UNDER UTAH CODE CHAPTER 76-B, PART 5. SALT LAKE CITY WILL REFER FOR PROSECUTION ANY KNOWINGLY FALSE REPRESENTATIONS MADE PERTAINING TO THE APPLICANT'S INTEREST IN THE PROPERTY THAT IS THE SUBJECT OF THIS APPLICATION.

SUBMITTAL REQUIREMENTS

Please provide the following information with your application. Confirm that you have included each of the requirements listed below by adding a check mark for each item.

CHECK	STAFF	REQUIREMENTS (21A.16.030.A)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A written description of the alleged error and the reason for this appeal, see page 2 .

INCOMPLETE INFORMATION WILL NOT BE ACCEPTED

INITIALS **DISCLAIMER:** I ACKNOWLEDGE THAT SALT LAKE CITY REQUIRES THE ITEMS ABOVE TO BE SUBMITTED BEFORE MY APPLICATION CAN BE PROCESSED. I UNDERSTAND THAT PLANNING WILL NOT ACCEPT MY APPLICATION UNLESS ALL OF THE FOLLOWING ITEMS ARE INCLUDED IN THE SUBMITTAL PACKAGE.

[Handwritten signature]

LEGAL DESCRIPTION:

A PART OF BLOCK 46, 10-ACRE PLAT "A", BIG FIELD SURVEY, SALT LAKE CITY, UTAH,
FURTHER DESCRIBED AS FOLLOWS:

BEGINING AT A POINT ON THE EAST RIGHT OF WAY LINE OF 1300 EAST STREET WHICH IS 66.00 FEET EAST AND 264.00 FEET SOUTH AND 45.05 FEET NORTH 84°15'00" EAST FROM THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 46; RUNNING THENCE NORTH 0°01'00" WEST 235.41 FEET ALONG SAID EAST RIGHT OF WAY TO THE SOUTH RIGHT OF WAY LINE OF 2100 SOUTH STREET; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE (4) FOUR COURSES AS FOLLOWS: NORTH 89°51'00" EAST 33.31 FEET TO A POINT OF CURVATURE, EASTERLY ALONG THE ARC OF A 766.20 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 51.16 FEET (CENTRAL ANGLE EQUALS 3°49'33" AND LONG CHORD BEARS NORTH 87°56'14" EAST 51.15 FEET), NORTH 2.84 FEET AND EAST 66.58 FEET TO A POINT ON THE EAST SECTION LINE OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SLB&M; THENCE SOUTH 0°13'44" WEST 225.07 FEET ALONG SAID SECTION LINE; THENCE SOUTH 84°15'00" WEST 150.80 FEET TO THE POINT OF BEGINNING.

CONTAINS: 34,648 SQ. FT. OR 0.795 ACRES

ADMINISTRATIVE HEARING OF A LAND USE APPEAL
(Appealing Petition No. PLNPCM2022-00053)

April 24, 2023

Appellant:	Kum & Go /Galloway US
Decision Making Entity:	Salt Lake City Planning Commission
Address Related to Appeal:	2111 South 1300 East Salt Lake City, Utah
Request:	Appealing the Planning Commission’s denial of Kum & Go’s Conditional Use Application
Brief Prepared By:	Christopher R. Hogle (#7223) 222 S. Main Street, Suite 2200 Salt Lake City, Utah 84101 Telephone: (801) 799-5800 crhogle@hollandhart.com

Appellant, by and through legal counsel, respectfully submits the following petition for review. This petition is submitted in support of Appellant’s appeal (“Appeal”) of the Conditional Use Permit Denial (“Denial”) by the Salt Lake City Planning Commission (the “Planning Commission”) of the application designated as Petition PLNPCM2022-00053 (“Application”) on April 12, 2023. The appeal is to the duly appointed Hearing Officer acting as the Land Use Appeal Authority of Salt Lake City, pursuant to Chapter 21A.06 of the Salt Lake City Code. Appellant will show in this Appeal that the Denial was illegal, arbitrary, and capricious.

Land Use Appeals Hearing Officer’s Jurisdiction and Authority

The appeals hearing officer, established pursuant to § 21A.06.040 of the Salt Lake City Code, is the City’s designated land use appeal authority on appeals of Planning Commission decisions, as provided in Chapter 21A.16 of the Salt Lake City Code. “Any person adversely

affected by any final decision made by the Planning Commission under this title may file a petition for review of the decision with the land use appeals authority within ten (10) days after the decision is rendered.” Salt Lake City Code § 20.48.120.

Standard of Review for Appeals to the Appeals Hearing Officer

In accordance with § 21A.16.030.A of the Salt Lake City Code, an appeal made to the appeals hearing officer “shall specify the decision appealed, the alleged error made in connection with the decision being appealed, and the reasons the appellant claims the decision to be in error, including every theory of relief that can be presented in district court.”

“The standard of review for an appeal . . . shall be de novo. The appeals hearing officer shall review the matter appealed anew, based upon applicable procedures and standards for approval, and shall give no deference to the decision below.” Salt Lake City Code § 21.A.16.030.I.1. “The appeals hearing officer shall review the decision based upon applicable standards and shall determine its correctness.” *Id.* § 21A.16.030.I.2.b. The appeals hearing officer must reverse the decision if “it is not supported by substantial evidence in the record or it violates a law, statute, or ordinance in effect when the decision was made.” *Id.* § 21A.16.030.I.2.c.

The overarching “applicable standard” is set forth in Utah’s Municipal Land Use, Development, and Management Act (“MLUDMA”). “A municipality may not impose a requirement or standard on a conditional use that conflicts with a provision of this chapter or other state or federal law.” Utah Code Ann. § 10-9a-507(1)(b). Utah Code Ann. § 10-9a-507 further provides:

(1)(a) A municipality may adopt a land use ordinance that includes conditional uses and provisions for conditional uses that require compliance with *objective* standards set forth in an applicable ordinance.

....

(2)(a)(i) A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to *mitigate the reasonably anticipated detrimental effects* of the proposed use in accordance with applicable standards.

(ii) The requirement described in Subsection (2)(a)(i) to reasonably mitigate anticipated detrimental effects of the proposed conditional use *does not require elimination of the detrimental effects*.

(Emphasis added.) MLUDMA further provides:

If a land use regulation does not *plainly restrict* a land use application, *the land use authority shall interpret and apply the land use regulation to favor the land use application*.

Utah Code Ann. § 10-9a-306(2) (emphasis added); *see also Rogers v. West Valley City*, 2006 UT App 302, ¶ 15, 142 P.3d 554 (“[B]ecause zoning ordinances are in derogation of a property owner’s common-law right to unrestricted use of his or her property, provisions therein restricting property uses should be strictly construed, and provisions permitting property uses should be liberally construed in favor of the property owner.” (Quoting *Brown v. Sandy City Bd. of Adjustment*, 957 P.2d 207, 210 (Utah Ct. App. 1998); *Patterson v. Utah County Bd. of Adjustment*, 893 P.2d 602, 606 (Utah Ct. App. 1995)); *Carrier v. Salt Lake County*, 2004 UT 98, ¶ 31, 104 P.3d 1208.

MLUDMA demands a level of rigor in land use authority factual finding. “A decision is arbitrary and capricious unless the decision is supported by substantial evidence in the record.” Utah Code Ann. § 10-9a-801(3)(c). “Substantial evidence” is evidence that “is beyond a scintilla” and that “a reasonable mind would accept as adequate to support a conclusion.” *Id.* § 10-9a-103(67). Speculation and public clamor are *not* substantial evidence. *McElhaney v. City of Moab*, 423 P.3d 1284, 1291-1293 (Utah 2017); *Davis Cty. v. Clearfield City*, 756 P.2d 704, 712-13 (Utah Ct. App. 1988).

Background

Appellant submitted its Application seeking conditional use approval for a gas station (the “Use”) located at 2111 South 1300 East (the “Property”). In doing so, Appellant engaged with the City planning staff through a collaborative process. The Appellant and the City had a positive relationship which included multiple meetings and on-going email correspondence. As exemplified in multiple emails regarding the Application (see Exhibit “1”), this relationship was collaborative. The interaction between Appellant and the City included submittals and revisions the Appellant made in the spirit of cooperation, such as flipping the building so that the main entrances are closer to 2100 South and 1300 East (similar to the CVS Pharmacy on the northwest side of the intersection (Staff Report, last page of Att. D)), and revising the internal floor plan and decreasing the overall square footage of the store by approximately 800 square feet—from 4,745 square feet to 3,957 square feet—and eliminating two parking stalls, changed the number of fuel dispensers from four (4) to three (3), reducing the Use’s “intensity.” The Appellant agreed to work with the City to provide pedestrian access to and from the park, improve bike lanes, and add textured and colored walkways. In September 2022, the Appellant made additional changes to lighting levels and landscaping. On November 1, 2022, the fourth and final Conditional Use Permit application was submitted to Salt Lake City, integrating changes from the September 19, 2022 meeting.

During this time, impacts were suggested, and mitigation strategies were discussed in a collaborative manner. Importantly, the Appellant accepted reasonable mitigation strategies—the bioswale on the south side of the site, as proposed by the Public Utilities Department.

This collaboration was in stark contrast to the Staff Report and the subsequent Planning Commission meeting.

Planning Staff prepared a report for the Commission's April 12, 2023 meeting in which Staff provided seven "Considerations" to recommend denial of the Application and an eighth Consideration "if this proposal is approved." Staff Report at 18.

The Appellant submitted a response to the Staff Report on April 11, 2023, which is attached hereto as Exhibit 2.

The Application was presented to the Planning Commission on April 12, 2023. Video of the commission's April 12, 2023 public meeting is part of the record of this matter and is found at <https://www.youtube.com/watch?v=HTglYCv0zqI> (0:00:00 to 1:49:39). At the April 12, 2023 meeting, Staff presented an overview of the Conditional Use Permit and offered a recommendation to deny based on the eight "Considerations" in the Staff Report. (*See* Video of April 12, 2023 Planning Commission Meeting at 0:28:34 to 0:43:46).

Appellant, represented by attorney Christopher R. Hogle, provided materials and information regarding the Conditional Use Permit and the Use's ability to mitigate reasonably anticipated detrimental impacts. (*See* Video of April 12, 2023 Planning Commission Meeting at 0:44:39 to 0:55:03.)

Following discussion, Commissioner Andra Ghent made a motion to table the decision on the application to give the Appellant additional time to respond to the Staff Report and materials (including a hydrogeologist's report, which the City held for almost a year before sending it to Appellant along with the March 27, 2023 Staff Report), and Commissioner Levi de Oliveira seconded the motion. Voting on the motion was halted when Commissioner Aimee Burrows offered a substitute motion and moved "that the Planning Commission deny the conditional use permit because the potential for detrimental impacts near the site cannot be substantially mitigated." Commissioner Aimee Burrows based her motion to deny on all eight

“Considerations” in the Staff Report, even the eighth Consideration which is not a basis for denial, but was instead presented “if this proposal is approved.” Staff Report at 18. The Commissioners then voted on the substitute motion, which passed with a 9-1 vote. (*See* Video of April 12, 2023 Planning Commission Meeting at 1:46:23 to 1:49:39).

Even When Marshaled, the Grounds Relied Upon for the Alleged Impacts and Inability of the Use to Mitigate Impacts Lack Substantial Evidentiary Support in the Record.

Consideration 1. In defiance of the City’s Table of Uses for the Community Business (“CB”) zoning district—which allows a “Gas station” at the Property’s precise location (Salt Lake City Code § 21A.33.030), the Staff Report concluded that “this use is not appropriate for the location” because the Use would have features typical of gas stations. The Staff Report describes Sugar House Park and the Hidden Hollow Natural Area without presenting any substantial evidence of reasonably anticipated detrimental effects to them posed by the Use.

Consideration 2. For the notion that there is groundwater that the Use would impact, the Staff Report states that the Property is located in a Secondary Recharge Area protected by the Groundwater Source Protection Overlay Ordinance.

However, a property’s location within the secondary recharge area does not mean that there is groundwater that might be impacted by a specific use on a specific site. It only means that further study is required through a review process administered and enforced by the Public Utilities Department.¹ Furthermore, the Staff Report disregards Appellant’s robust groundwater protection plan to mitigate impacts from surface run-off and subsurface releases.

¹ The Staff Report’s portrayal of drinking water sources is utterly lacking in substantial evidentiary support. It fails to even acknowledge the existence of, according to an attachment to the Report, the “tetrachloroethene (PCE) groundwater plume . . . detected in the deep drinking water aquifer beneath Sugar House Park” and the contamination “detected in the Sugar House Park Municipal well . . . since the late 1980s” that caused the well “to be shut down shortly after discovering the PCE in 1988.” Staff Report, Att. K at 3.

Consideration 3. For the allegation that the Use will impact groundwater, the Staff Report succumbs to the hasty generalization fallacy. According to the Staff Report, some (24%) of underground storage tanks were not in compliance, therefore, the Use’s underground storage tanks will fall out of compliance. The Staff Report includes a table that shows most of the releases were from “unknown” causes or surface spills. “Unknown” is not substantial evidence of a reasonably anticipated detrimental effect, and surface spills will be effectively mitigated through the Use’s robust surface water containment and treatment measures, described below. Most of the other causes were corrosion, but fiberglass tanks—the type of tank the Use will have—do not corrode. Only two of the releases were caused by tank and hose damage, and but no information is provided as to the type or age of tank or hose. *See Ex. A to Response to Staff Report, attached hereto as Exhibit 2.* There are several problems with the Staff Report’s reasoning, as addressed herein. Appellant uses top-of-the-line, double-walled fiberglass petroleum tanks, hoses with no unions, and other protections that must be kept compliant with all state requirements. *Id.*

Consideration 4. In this consideration, the Staff Report cites “the possibility of surface water runoff from the gas station.” A mere “possibility” is inherently speculative. Condition 4 also asserts that Parley’s Creek would be at risk, but that assertion is based on nothing more than an unsubstantiated conclusion that stormwater and runoff from this site goes directly to Parley’s Creek. Staff Report, Att. F. Moreover, it disregards the Use’s multiple lines of surface water protections, as further addressed herein.

Consideration 5. The Staff Report argues that the Use is too vehicular-intense for the Property. It relies on no traffic impact study that the City commissioned; it relies solely on the Traffic Impact Study (“TIS”) presented by the Applicant. The Staff Report misconstrues the TIS

and ignores relevant provisions that show that Use would have no significant impacts to traffic, as demonstrated below.

Consideration 6. The Planning Staff expressed concerns about the route that the fuel trucks will take after they leave the Property. This is based on speculation; there is no evidence provided with respect to the roads that will be traversed (they are major thoroughfares, like 2100 South, which routinely accommodate truck traffic) and the number of deliveries that will occur. No evidence was provided by the City that the path of the fuel trucks was exceptionally dangerous. Even if there were an impact, it can be mitigated with conditions, such as limiting the Use to one fuel delivery per day between 7:00 am and 10:00 pm.

Consideration 7. The Staff Report states that the Use is a vehicular-focused development that would generate more traffic than a high-volume sit-down restaurant and is not consistent with the policies of the Sugar House Master Plan. No substantial evidence supports those assertions. Impacts to air quality are asserted without any mention of the ambient conditions, including the arid and breezy setting. The Staff Report included a 2022 letter from Rebecca Brown, PG, Senior Hydrogeologist that suggests an air quality impact, but hydrogeologists study subsurface conditions, not air quality.² The letter does not qualify as substantial evidence of an air quality impact. Furthermore, gas stations are expressly allowed at this Property, and gas stations necessarily involve vehicles.

To address Staff's concerns, the Use was reduced in store size and in parking area, reduced fueling positions, and the store will be a single, ground floor level retail close to the sidewalk, similar to the CVS Pharmacy on the northwest side of the intersection,³ and in contrast

² Though Staff received the letter in April 2022, it inexplicably withheld it from the Appellant until it was presented as an attachment to the March 27, 2023 Staff Report.

³ Staff Report, last page of Att. D.

to the existing use at the Property.⁴ The Use will better facilitate a more walkable community. The Use also includes indoor seating and additional outdoor seating can be added for pedestrians and bicyclists. Air quality concerns are addressed by the underground storage tank venting and proposed layout of the site.

Consideration 8. The Staff Report suggests, “if this proposal is approved,” “having a significantly upgraded landscaping buffer” is advisable. Staff Report at 18. On its face, Consideration 8 is not a basis to deny the Application. Consideration 8 includes suggestions “if this proposal is approved.” Appellant has demonstrated its willingness to engage with the Staff on landscaping. It has engaged with the City on multiple design aspects and expressed willingness to further discussions regarding landscaping. Notably, the Park itself contains a vast landscaped buffer between the Use and areas where recreational activities occur. Staff Report, third page of Att. D.

Discussion

The Denial is illegal and arbitrary and capricious. It is illegal because:

- The Planning Commission failed to follow Utah law, which requires that, unless land use regulations plainly restrict a land use application, the Planning Commission must interpret and apply regulations to favor the application. Nothing in the City’s land use regulations plainly restrict the Application, so the Planning Commission was required to interpret and apply the regulations to favor it.

- The Planning Commission held the Appellant to a higher standard than allowed.

Conditional use applications need not address speculative impacts, and they need not

⁴ *Id.* first, second and fourth pages of Att. D.

eliminate reasonably anticipated impacts. They need only “mitigate,”—i.e., lessen the severity of—reasonably anticipated detrimental effects.

- The Denial was predicated on the Groundwater Source Protection Ordinance, but that Ordinance is for the Public Utilities Department to administer and enforce (because it has the experience and expertise necessary to do so).

The Planning Commission’s decision also was arbitrary and capricious:

- There is no substantial evidence in the record supporting the Planning Commission’s findings that impacts to ground water, surface water, air and traffic are reasonably anticipated detrimental effects. For example, there is no substantial evidence in the record that the proposed gas station is in a flood plain and would impact drinking water quality.⁵ Also, there is no substantial evidence that the proposed gas station would impact traffic, particularly considering that would be involved with permitted uses or the City’s desired use for the property: a high-volume sit-down restaurant.
- There is no substantial evidence in the record that any reasonably anticipated detrimental effects cannot be mitigated with reasonable conditions that are proposed, or that could be imposed.

A. The Planning Commission’s denial of the Conditional Use Application is illegal.

“A decision is illegal if the decision is: (A) based on an incorrect interpretation of land use regulation; or (B) contrary to law.” *Id.* § 10-9a-801(3)(c). The Planning Commission’s Denial of the Conditional Use Permit was illegal under Utah law.

⁵ Substantial evidence on this point would a FEMA floodplain map. Staff did not present one, but had it done so, it would have conclusively shown that the Property is not within a floodplain. *See* Firmette att. as Exhibit 3.

First, the Denial disregards Utah law favoring the rights of landowners. Unless a land use is “plainly restrict[ed]” by land use regulations, the land use authority must apply its land use regulations to favor it. Utah Code Ann. § 10-9a-306(2) (“If a land use regulation does not plainly restrict a land use application, the land use authority shall interpret and apply the land use regulation to favor the land use application.”). Moreover, if there is any ambiguity in a municipality’s land use ordinances, it must be resolved in the landowner’s favor:

“[B]ecause zoning ordinances are in derogation of a property owner’s common-law right to unrestricted use of his or her property, provisions therein restricting property uses should be strictly construed, and provisions permitting property uses should be liberally construed in favor of the property owner.”

Rogers, 2006 UT App 302, ¶ 15, 142 P.3d 554 (quoting *Brown*, 957 P.2d at 210; *Patterson*, 893 P.2d at 606)); *Carrier v. Salt Lake County*, 2004 UT 98, ¶ 31 (“Since zoning ordinances are in derogation of a property owner’s use of land, we are also cognizant that any ordinance prohibiting a proposed use should be strictly construed in favor of allowing the use.”).

Here, the Staff Report and Planning Commission did the opposite of what Utah law requires. The Staff Report concedes that the Use “Complies” with CUP Standard 1, which requires that “[t]he use complies with applicable provisions of this title.” The Staff “Finding” is that the Use “Complies with Conditions.” Staff Report, Att. F. Nevertheless, Staff and the Commission responded to the Application with open hostility and refused to interpret and apply land use regulations in favor of the land use application.

In fact, the Staff Report (and the Commission for basing its Denial on that Report) effectively nullifies City land use regulations. City Code allows a gas station at the Property’s precise location. The City’s zoning map places the Property within the CB District. The City’s Table of Uses for the CB District allows a “Gas station.” Salt Lake City Code § 21A.33.030. The Code defines “gas station” as “[a] principal building site and structures *for the sale and*

dispensing of motor fuels or other petroleum products and the sale of convenience retail.” *Id.* § 21A.62.040 (emphasis added). In open defiance of the CB District Table of Uses, the Staff Report in Consideration 1 asserts that “this use is not appropriate for the location.” Staff Report at 5. The Commission denied the Application essentially because the Use would “[s]ell and dispense motor fuels or other petroleum products.” Rather than applying land use regulations to favor the land use application, the Commission did the opposite—its Denial effectively nullifies the allowance of a gas station at the Property’s location codified in § 21A.33.030.⁶

Second, the Planning Commission held the Appellant to a higher standard than allowed. Conditional use applications need not address speculative impacts. Only “reasonably anticipated detrimental effects” need be addressed. Utah Code Ann. § 10-9a-507(2)(a)(i). Moreover, applicants need not *eliminate* reasonably anticipated impacts. “The requirement described in Subsection (2)(a)(i) to reasonably mitigate anticipated detrimental effects of the proposed conditional use *does not require elimination of the detrimental effects.*” *Id.* § 10-9a-507(2)(a)(i). They need only “mitigate”—i.e., lessen the severity of—reasonably anticipated detrimental effects.

Neither the Staff nor the Commission bothered to demonstrate that the impacts they identified were “reasonably anticipated.” They had no expertise or experience to assess impacts to water sources, and they introduced no substantial evidence of water in any zone that could be

⁶ Attachment F to the Staff Report, for example, alleges that the Use is incompatible with the Sugar House Master Plan because that Plan calls for “a low intensity use,” and “[a] gas station use is high intensity.” See Staff Report, Att. F, discussion of Standard 3. The City Council must be deemed to have understood the “intensity” of gas stations when it enacted land use regulations that allow for a gas station at the Property’s precise location. Furthermore, “intensity” is a woefully vague term for which the City has promulgated no “objective standards” to apply. Utah Code Ann. § 10-9a-507(1)(a). Thus, it was illegal for the Commission to deny the Application on that basis.

impacted by the Use. This is exemplified by Commissioner Amy Barry’s contention that the Use is flawed because it is unable to “mitigate unknown leaks.” (*See* Video of April 12, 2023 Planning Commission Meeting at 1:30:37 to 1:31:10). Considerations 1, 2, 3 and 4 of the Staff Report rely on “groundwater” without bothering to establish the existence of any at or close enough to the Property to be affected. Nor is there any evidence of traffic impacts posed by the Use. The only traffic study was presented by the Appellant, which disproved any significant impact by the Use to traffic. Succumbing to public clamor, the Staff and the Planning Staff identified impacts that are utterly speculative.

What’s more, Staff and the Commission held the Appellant to an impossible standard in direct conflict with MLUDMA. “The requirement described in Subsection (2)(a)(i) to reasonably mitigate anticipated detrimental effects of the proposed conditional use *does not require elimination of the detrimental effects.*” Utah Code Ann. § 10-9a-507(2)(a)(i). For example, the Staff Report finds that the Use’s effects cannot be mitigated because “there is no guarantee that a gas tank leak and/or surface water runoff will not infiltrate the park’s soil, water or storm drain. . . .” Staff Report, Att. F, discussion of Standard 4. The Staff Report also asserts that “there is no definitive way to keep leaks from happening.” *Id.* at 11. Under MLUDMA, impacts need only be mitigated, not eliminated.

Third, another basis for the Commission’s Denial—Considerations 2 and 3 in the Staff Report—purports to apply the Groundwater Source Protection Overlay District Ordinance, § 21A.34.060, and impacts to groundwater presumed to exist merely because the Property is the vast area designated by that Ordinance as the “Secondary Recharge Area.” That Ordinance, however, makes clear that it is for the Public Utilities Department (or the Health Department upon request) to apply, not the Planning Division. Salt Lake City Code § 21A.34.060.F., I.11.

The Public Utilities Department is the City division designated to administer and enforce that Ordinance, and since the Ordinance's enactment 25 years ago, the Public Utilities Department has developed the experience and expertise necessary to identify the existence of groundwater, assess whether the surrounding hydrogeologic conditions shield it or make it vulnerable, and evaluate a use's reasonably anticipated detrimental effects on it. Here, the record includes no report from the Public Utilities Department identifying any groundwater at or near the Property, assessing the surrounding hydrogeologic conditions, and evaluating the Use's potential groundwater impacts. The absence of a such a report not only renders Considerations 2 and 3 of the Staff Report speculative, but it demonstrates that the Planning Division illegally arrogated to itself authority to administer and enforce the Groundwater Source Protection Overlay District Ordinance.

B. The Planning Commission's denial of the Conditional Use Application is arbitrary and capricious.

The Planning Commission's decision to deny Appellant's Conditional Use Permit is arbitrary and capricious due to the lack of substantial evidence regarding impacts on traffic, ground water, surface water, and air quality. Staff failed to present substantial evidence of impacts and, if there were any, evidence that the anticipated detrimental effects cannot be mitigated by reasonable conditions proposed, or that could be imposed. "A decision is arbitrary and capricious unless the decision is supported by substantial evidence in the record." Utah Code Ann. § 10-9a-801(3)(c). "Substantial evidence" is evidence that "is beyond a scintilla" and "a reasonable mind would accept as adequate to support a conclusion." *Id.* § 10-9a-103(67); *Martinez v. Media- Paymaster Plus*, 2007 UT 42, ¶ 35, 164 P.3d 384; *Patterson*, 893 P.2d at 604 n.6.

Substantial evidence is not public clamor or speculation, which are insufficient grounds upon which to deny a conditional use permit. *McElhaney v. City of Moab*, 423 P.3d 1284, 1291-1293 (Utah 2017); *Davis Cty. v. Clearfield City*, 756 P.2d 704, 712-13 (Utah Ct. App. 1988).

i. Impacts

The Planning Commission denied the Appellant’s Conditional permit due to vague and unsubstantiated claims of supposed impacts. The supposed impacts are to groundwater, surface water, air quality and traffic. The Commission’s grounds for such impacts are speculative and conclusory; they are a far cry from “substantial evidence” that “is beyond a scintilla,” which “a reasonable mind would accept as adequate to support a conclusion.” Utah Code Ann. § 10-9a-103(67).

(1) Groundwater Impacts

The alleged groundwater impacts are based on nothing more than the placement of the Property in the vast Secondary Recharge Area generally mapped in the Groundwater Source Protection Overlay Ordinance, Appx. C to the Staff Report. But a property’s location within the Secondary Recharge Area does not mean that there is groundwater that might be impacted by a specific use at a specific site. It merely means that further study is required through a review process administered and enforced by the Public Utilities Department. Under the Ordinance, gas stations are not “prohibited” in the Secondary Recharge Area; they are merely “Restricted,” which means that a gas station in that area might nevertheless be approved after “review and approval” informed by “comments and recommendations from the Public Utilities Department.” Salt Lake City Code § 21A.34.060, Appx. B. In fact, there is a Chevron gas station on southeast corner of the same intersection adjacent to the Property and within the Secondary Recharge Area. Staff Report, last page of Att. D. There is no evidence of actual groundwater to be affected.

The only evidence in the record disproves the presence of groundwater at or near the Property. According to the Geotech Report dated January 17, 2022 by GSH Geotechnical, Inc., soil lithology in borings B-1 and B-6 consist of silty clay to 7-8' below ground surface. *See* April 11, 2023 Response to Staff Report at 14-15, attached as Exhibit 2. This is favorable to prevent a potential surface release from leaching vertically if exposed surface soil is impacted, which is highly unlikely at the proposed location. Location B-6 located just east of the underground storage tank basin is shielded by a 3.5' layer of silty clay 23-26.5 feet below ground surface. The deepest soil boring was drilled to 41 feet below grade, and no groundwater was encountered at any of the 11 boring locations. Thus, depth to water at the site is greater than 41 feet, and it would take a rare, catastrophic release to impact the groundwater in this area. There is no substantial evidence in the record to the contrary.

(2) Surface Water Impacts

Conditions 1, 2, 3, and 4 of the Staff Report rely on Parley's Creek as the supposed surface water that would be affected by the Use. Such alleged impact is based on comments attributed to Jason Draper of the Public Utilities Department in Attachment H to the Staff Report, that stormwater and runoff from this site goes directly to Parley's Creek. That is a conclusion rather than evidence that "a reasonable mind would accept as adequate to support a conclusion." Utah Code Ann. § 10-9a-103(67). Record evidence refutes the notion that the Property is within a floodplain. *See* Exhibits 3 and 4.

(3) Air Quality Impacts

There is no study of ambient air conditions sufficient to conclude that the Use would adversely impact air quality. Had Staff presented one, it undoubtedly would have acknowledged that Salt Lake City has a semi-arid climate (semi-desert) with an average wind speed of nearly 20 MPH, and Utah is the second driest state in the country behind Nevada. Ex. A to Response to

Staff Report, attached hereto as Exhibit 2. The less humidity, the more the evaporation rate of gasoline exceeds the condensation rate. The stronger the wind, the more gasoline molecules disperse and evaporate more quickly. *Id.*

(4) Traffic Impacts

A Traffic Impact Study (“TIS”) was prepared and submitted as part of the review process that included an analysis of the existing and future intersections that would be affected by the proposed development. The TIS was conducted adhering to current best practices of study. It concludes that the proposed use would have little impact on the existing signal and due to the use may even improve operations of the existing signal. No queuing, safety or operational concerns were identified and a reduction of access points over the existing conditions would improve safety and circulation for the site and immediate traffic network. The proposed Use would attract most of its traffic from existing users of the network. These are referred to as “pass-by trips.” As an example, getting gas on the way home from work results in the majority of traffic already being on the network and creating minimal new traffic. The Staff Report itself confirms this: “gas stations are not destination spots. Most patrons stop at gas stations and convenience stores on their way from other targeted stops. . . .” Staff Report at 15. In comparison, most of the trips associated with the current restaurant use are considered primary trips and would place additional burdens on the network. A gas station use draws from traffic already existing and would be a less impactful use than many others, including ones that are expressly permitted, such as a high-volume restaurant with a drive-thru. *See* Staff Report, last page of Att. D.

The Staff Report alleges:

The study was conducted last year when the Sizzler was inoperable and there were no counts taken from the subject property because there were no cars entering or exiting the property. The traffic impact study cannot be reasonably relied upon to provide meaningful understanding of the potential impacts.

This statement does not represent best practice in traffic engineering. The purpose of the TIS is to understand the total impacts of the proposed use. While providing a comparison to any existing use on site is helpful, ultimately the analysis is conducted as if any proposed development was new to the site. In practice, if the Sizzler was operational when counts were taken, the trips would have been removed from the site entrances and the surrounding network in the analysis so that the full impacts of the proposed use could be understood. The Sizzler being vacant provides the best opportunity to fully understand potential impacts of the proposed land use. Moreover, if a comparison was made to the proposed use and a fully operational restaurant the impacts would be shown to be *even less burdensome* to the 2100 South/1300 East intersection. The Commission claimed that they “felt” the results were inaccurate due to Staff’s claim herein, but the TIS was conducted adhering to the latest and best practice of traffic impact study. There is no substantial evidence in the record to the contrary.

The Staff Report asserts that a Level of Service (“LOS”) “E” is an unacceptable level of service for the network, implying that the proposed Use is the culprit. This assertion is false and is not supported by the TIS. The LOS is already E, and the Use would have virtually no impact on it.

Table 6-1 “Total Future 2023 Intersection Level of Service Summary” on page 43 of the TIS provides a comparison of LOS of the study intersections in Background 2023 (without the Use) and Total Future 2023 (with the Use).

Table 6-1
K&G 2506
Total Future 2023 Intersection Level of Service Summary (1) (2)

Intersection	Operating Condition	Street Name	Approach/Movement	Background 2023		Total Future 2023		
				AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour	
1	E 2100 S/ S 1300 E	SIGNAL	E 2100 S	EBL	E (63.5)	E (60.0)	E (63.5)	E (60.0)
				EBT	D (44.4)	D (51.0)	D (44.5)	D (51.7)
				EBTR	F (80.8)	F (298.1)	F (80.8)	F (298.1)
			E 2100 S	WBL	D (54.5)	E (55.5)	D (54.5)	E (55.5)
				WBT	C (30.5)	D (35.3)	C (30.5)	D (35.3)
				WBTR	C (30.6)	D (35.3)	C (30.6)	D (35.3)
			S 1300 E	NBL	B (16.5)	C (22.0)	B (16.6)	C (22.7)
				NBT	C (20.9)	C (22.0)	C (21.3)	C (23.3)
				NBR	A (5.6)	B (11.0)	A (5.7)	B (11.1)
			S 1300 E	SBL	B (18.0)	C (20.6)	B (18.2)	C (20.9)
				SBT	C (24.4)	C (31.0)	C (24.6)	C (31.3)
				SBTR	C (24.4)	C (31.0)	C (24.6)	C (31.3)
			Overall				C (30.9)	E (55.1)
2	SITE ACCESS/ S 1300 E	STOP	SITE ACCESS	WBR	A [0.0]	A [0.0]	C [19.6]	D [26.1]
				NBT	A [0.0]	A [0.0]	A [0.0]	A [0.0]
				NBR	A [0.0]	A [0.0]	A [0.0]	A [0.0]
				SBT	A [0.0]	A [0.0]	A [0.0]	A [0.0]
3	E 2100 S/ SITE ACCESS	STOP	E 2100 S	EBT	A [0.0]	A [0.0]	A [0.0]	A [0.0]
				EBTR	A [0.0]	A [0.0]	A [0.0]	A [0.0]
				WBT	A [0.0]	A [0.0]	A [0.0]	A [0.0]
				NBR	A [0.0]	A [0.0]	B [12.4]	C [16.1]

Notes: (1) Numbers in brackets [] represent delay at unsignalized intersections in seconds per vehicle.
(2) Numbers in parenthesis () represent delay at signalized intersections in seconds per vehicle.

As Table 6-1 shows, the intersection *without the Use* would operate with 55.1 seconds of delay, which equates to LOS “E.” *With the Use*, traffic added the overall operation of the signal has zero effect, and the intersection would continue to operate at LOS “E” with 55.1 seconds of delay.

A CUP application need only show that reasonably anticipated detrimental effects of the proposed use would be mitigated; it does not need to show that pre-existing detrimental effects would be mitigated. For approval, a conditional use need not improve existing conditions.

Staff falsely claims that the proposed use “is too vehicular intense for the site.” Staff, however, provided no objective criteria for the claim for “intensity,” so it was illegal for the Commission to rely on this claim. See Utah Code Ann. § 10-9a-507(1)(a). Nor is there any substantial evidence to support the claim. The Commission may have relied on Staff’s claim that the use would degrade levels of service at the signal. There is no evidence presented by Staff or

in the TIS that substantiates the claim. On the contrary, the TIS clearly shows minimal impact to the signal due to the proposed use.

As established by the TIS, the Use would generate, upon completion and full occupancy the following⁷:

Intersection of 1300 E & 2100 S		
	AM	PM
Total Entering Volume	3175	4332
Existing Trips from Site	26	14
Projected Trips from Site	35	34
Kum & Go Trips as % of total trips	1.1%	0.8%
Net New Trips (Kum & Go trips – existing site trips)	9	20
Net New Trips as % of Total Trips	0.3%	0.5%

Thus, under total future traffic conditions, all study intersections, including proposed site connections, would operate at levels of service consistent with background conditions. The Use would not substantially impact the surrounding network and would improve safety to the network by consolidating existing access points to the Property.

Consideration 6 of the Staff Report focused on the routes of fuel trucks making deliveries to the Use. The Staff Report reads as if 1300 East and 2100 South were low-grade neighborhood streets, which the Use would make noisy and unsafe. There is no substantial evidence in the record to support that false notion. To substantiate its claim, the Staff Report should have presented data about the characteristics of 1300 East and 2100 South. No such data is included in the record. Had it done so, it would reveal that these streets are already extensively used by delivery trucks. According to Utah Statewide Traffic Volume Historic and Forecast from

⁷ See Figures 3-1, 5-1, and 5-2 of the TIS.

Wasatch Front Regional Council, the segment of 2100 S between 1700 E and 2100 E shows a 2024 forecasted Average Daily Traffic “(ADT)” of 21,000 and a Single Unit Truck Percentage of 11.4% and a Combined Unit Truck Percentage of 5.8%.⁸ Therefore, this section of road is already utilized by truck traffic. The Appellant’s additional fuel deliveries would not substantially impact the number of trucks on this section of road.

Importantly, the roadways have been designed by the City to handle significant traffic:

- 2100 South is a divided six-lane roadway east of 1300 East and an undivided four-lane roadway west of 1300 East. The posted speed limit is 30 mph in the vicinity of the Property. The roadway is classified by the City as an arterial providing east-west connection through the region and access to a number of commercial developments. See Salt Lake City Transportation Master Plan – Major Street Plan: Roundary Functional Classification, Approved July 17, 2006. <http://www.Slcdocs.com/Planning/MasterPlans/TMP.pdf>.
- 1300 East is a divided six-lane roadway south of 2100 South and an undivided two-lane roadway north of 2100 South. The posted speed limit is 30 mph in the vicinity of the subject site. The roadway also is classified by the City as an arterial and provides north-south connection through the region to commercial and residential developments alike. *Id.*
- The intersection with 2100 South operates under signalized control.

2100 South serves as a primary east-west connection to get users to/from I-80, I-15, commercial areas, and residential areas along its length. The roadway is designed to carry a mix of traffic to

⁸ <https://data.wfrc.org/datasets/utah-statewide-traffic-volume-historic-and-forecast/explore?location=40.727062%2C-111.836878%2C16.00>

support multiple types of users including heavy vehicles such as the UTA 21 Bus Line.

https://www/slc.gov/transportation/wp-content/uploads/sites/11/2021/07/SLC-TMP_FULL_FINAL.pdf. 2100 South is designed for this type of heavy vehicle traffic.⁹

ii. Mitigation

The findings that the Use is unable to mitigate reasonably anticipated detrimental effects also lack substantial evidentiary support.

(1) Groundwater Mitigation

Especially here, the Denial lacks substantial evidentiary support. It succumbs to the hasty generalization fallacy. According to the Staff Report, some (24%) of underground storage tanks were not in compliance, therefore, the Use's underground storage tanks will fall out of compliance. There are several problems with the Staff Report's reasoning.

First, the Staff Report glosses over the fact that most underground storage tanks (76% according to the Staff's analysis) have no compliance issues. Thus, even under the Staff's reasoning, it is far more likely that the Use's underground storage tanks will comply with Underground Storage Tank ("UST") standards.

Second, the Denial conflates noncompliance with unmitigable impacts. None of the supposed impacts listed in the Staff Report are unmitigable. Apparently, most underground storage tanks (76% according to the Staff Report) are well-equipped to prevent leaks, and so will the Use's.

⁹ Staff alleged that the speed restrictions along 2100 S were a reason to be concerned about heavy vehicle traffic from the site. A speed restriction would suggest that the roadway operates more safely. In contrast there would be concerns if heavy vehicles were expected to be going higher speeds. The Commission claims that the low speeds makes for a less safe condition which is an incorrect understanding of safety along roadways.

As shown in the Appellant's Narrative and Site Development Drawings, and as further depicted in Exhibit A to its Response to the Staff Report, attached hereto as Exhibit 2, the safeguards used as a standard of practice for Appellant include tanks, piping and associated dispensing equipment, all manufactured and installed according to industry standards. The Appellant demonstrated it uses top of the line fiberglass petroleum tanks as its USTs, which are in compliance with all state requirements. The Appellant's UST system has been designed with state-of-the-art protections.

The data relied upon by the Commission was flawed as none of releases in the Staff Report was due to spill or overflow of tank and/or piping. So according to this data, contrary to the Staff Report and commentary from the Commission, it is very rare for a fiberglass tank to have a release. Delivery spill protection is accomplished with double wall spill containment at each fill connection and testable overflow prevention valves set at 95% of the tank capacity.

Each dispenser is protected by a minimum of four 4-foot steel pipe bollards. Emergency fire/shear valves are located on the product lines at each dispenser connection and have both a shear section and fusible link to provide vehicle impact and fire protection. If the valve is sheared off, or if the fusible link is melted, the poppet of the valve closes and stops the flow of fuel. Dispensing hoses are protected with break-away valves to provide protection against drive-offs (nozzle/hose left in tank after fueling), and dispensing nozzles are automatic shut-off, pressure sensitive, and are only activated when the dispenser has been authorized and pumping system energized.

Leak detection and regulatory compliance are provided by an Automatic Tank Gauge system ("ATG"). Functions/components are as follows:

- In-tank leak detection and water detection – capable of continuous statistical leak detection and .1 gph precision leak testing;
- Continuous electronic pressure leak detection on product lines – positive shut down if leak condition is detected;
- Continuous electronic monitoring of piping containments (liquid sensors in each containment);
- Continuous electronic monitoring of tank interstitial space (liquid sensors); and
- Inventory level monitoring of tanks.

Regulatory monitoring and reporting will be conducted by Seneca Environmental Services (“SES”) on behalf of the Appellant. All of the Appellant’s sites are remotely accessed and monitored. Any alarm conditions are identified and repairs and/or emergency response is coordinated with Appellant’s Facilities group and service provider. Emergency shut-off switches (“Estop”) are located at a minimum of three locations at each site—one inside at the sales counter (accessible to store employees) and two on the outside of the building on either side of the front door.

There is no substantial evidence in the record that these measures will not mitigate reasonably anticipated impacts to groundwater.

(2) Surface Water Mitigation

Currently, all stormwater on site is being released undetained and untreated. The Use will attenuate flows to reduce downstream impacts and improve water quality for downstream receiving waters. Appellant is installing a system containing storage, treatment, and metered release of storm water. This sequestration system allows storm runoff to be filtered prior to release. *See Exhibit E to Response to Staff Report, attached hereto as Exhibit 2.*

The Application and the Response to the Staff Report shows that the Use's onsite Stormwater Quality Treatment Train will capture spills and rainwater falling on site, treat the water to remove pollutants and sediment and release that water to the City's storm drain system. Water will be collected by a series of catch basins and conveyed through pipes to an underground storage unit where sediment is removed and water is stored prior to release. Water will be treated at various points in the treatment train to remove pollutants as shown in the Stormwater Quality Treatment Train diagram. *Id.*

As shown in Exhibit A of the Response to the Staff Report, attached hereto as Exhibit 2, the first line of defense includes a 65-gallon spill kit containing oil absorbing booms, pads, granular absorbent, gloves and an overpack drum will be readily available for Appellant's staff to quickly respond to surface spills. Per standard operating procedure, the Fire Department and SES will be called to activate Appellants' Emergency Response contractor, which is located a mere 13 minutes from the Property.

Another line of defense includes storm water inlet filters, FlexStorm Pure™, which remove 99% Total Suspended Solids ("TSS") and 97% Total Petroleum Hydrocarbons.

A third line of defense includes a 24" Manway Bottom Sump. This will contain liquids in place until they are removed.

The fourth line of defense includes a line stormwater filtering system that filters out sediment and can prevents contaminants from leaching into the ground.

Yet another of defense includes a 1,250-gallon oil water separator. Coalescing Plate Oil-water Separators ("CPS") utilize enhanced coalescing and gravitational separation to greatly improve oil-water separation in storm water runoff. In doing so, these specialized concrete vaults separate and intercept free oils and greases from storm water runoff before they reach any

local water or sewer systems. CPS units are intended for use on sites that have strict effluent criteria, and repeatable, verifiable performance is required.

These measures provide robust treatment that allows us to meet or exceed the storm water quality requirements and provide increased water quality in the stormwater leaving the site. There is no substantial evidence in the record that these approaches will not mitigate reasonably anticipated impacts to surface water.

In fact, the sole basis on which the Staff Report relies for surface water impacts—Mr. Draper’s comments in Attachment H—nowhere indicates that impacts to Parley’s Creek are unmitigable. On the contrary, Mr. Draper merely states that due Parley’s Creek, “[a]dditional Stormwater management, treatment and controls will be required,” which the Appellant proposes to apply.

(3) Air Quality Mitigation

As shown in the Application and Exhibit A of the Appellant’s Response to the Staff Report, attached hereto as Exhibit 2, all underground storage tank vents have Defender Series® Pressure/Vacuum (“P/V”) vents to regulate the pressure at which vapor is allowed to escape from the underground storage tank and the vacuum at which outside air is allowed to enter the tank. Stage I Vapor recovery is a control strategy to capture gasoline vapors that are released when gasoline is delivered to a storage tank. The vapors are returned to the tank truck as the storage tank is being filled with fuel, rather than released to the ambient air. Therefore, the risk of gasoline vapors eluding vapor controls and accumulating enough at ground level to flow as a condensed mass into a tunnel 200 feet away or even on site enough to make people feel sick is incredibly low to impossible.

There is no substantial evidence in the record that this equipment will not mitigate reasonably anticipated impacts to air quality.

(4) Traffic Mitigation

The Application proposes to consolidate the two existing access points along 1300 East to a single right-in/right-out. The consolidation of the two existing access points along 1300 East to a single right-in/right-out access point will reduce the points of potential conflict along 1300 East.

Staff claims that “the number of anticipated trips generated by the use jeopardizes the city’s future plans for pedestrian bicycle improvements on 1300 East and 2100 South.” Staff Report at 15. As with other Staff claims, no objective measure or substantial evidence to the “number of anticipated trips” that would be acceptable is presented. Nevertheless, the Applicant has agreed to work with the City to provide additional bicycle and pedestrian connections as requested. Additionally, by *reducing* the number of access points, which would *decrease* the number of conflict points for pedestrian and bicycle traffic. Other conditions that may be imposed that would lessen traffic impacts: limiting fuel deliveries to two times per day between 7:00 am and 10:00 pm.

There is no substantial evidence in the record that such measures do not mitigate reasonably anticipated detrimental effects to traffic flow.

CONCLUSION

Appellant’s Conditional Use Permit should be approved. The Planning Commission’s decision was illegal, arbitrary and capricious. The Planning Commission’s decision must be reversed.

DATED this 24th day of April, 2023.

HOLLAND & HART LLP

/s/ Christopher R. Hogle
Christopher R. Hogle

21314405_v5

EXHIBIT “1”

Timeline:

- July 29th, 2021:
Presubmittal Meeting with the City with Daniel Echeverria, Senior Planner and Anna Anglin, Principal Planner (not the Planner that we were assigned once we submitted). We initially planned for a ~4,000 sf C-store and 4 MPDs (gas pumps).

Pre-submittal Review Meeting

← What is a Pre-Submittal Meeting

A Pre-submittal meeting is an opportunity to meet with senior planning staff about your project – before or during creation of plans and drawings. **These meetings are informal and advisory only. No decisions are made and advice is not binding.**

We are available to discuss the following:

City Codes & Policies: What are the requirements for a zoning amendment? What are the requirements for new construction and major changes to a building in a Historic District? Do City Master Plans support the project?

Planning Processes & Procedures: What are the applicable planning processes to execute a project if it does not meet the zoning ordinance? Who is involved in the process? Who has the authority to approve the project? What is the timeframe of the project?

- November 1, 2021:
We requested a Development Review Team (DRT) meeting at the suggestion of Staff during our Presubmittal Meeting.

Development Review Team (DRT) Meeting

← What is a Development Review Team Meeting

Together Planning and Zoning, Building Services, Public Utilities, Transportation and Engineering divisions conduct these meetings to ensure project stakeholders and the City are thoroughly informed of how City requirements and considerations will impact a project, saving everyone time and money during project development. **These meetings are informal and advisory only. No decisions are made and advice is not binding.**

- January 14th, 2022:
First submittal for the CUP (which included a site plan package)
- February 14th, 2022:
First meeting with the Sugar House Land Use Committee.
 - 4,745 sf building (vestibule along north and west facade) with 12 parking stalls
- **April 7th, 2022:**
Staff received the letter from the Sugar House Park Authority + Technical Memo
- April 26th, 2022:
Second submittal for the CUP (which included an updated site plan package)
- Between April and August, 2022 we worked with Staff to make the following revisions:
 - Changes to the building
 - **Flipped building so that the main entrances are along 2100 S and 1300 E.**

- **Revised internal floorplan to open up directly into store**
 - **Decreased overall square footage by +/- 800 SF**, from 4,745 SF to 3,957 SF
 - **Reduced amount of parking by two stalls** – from 12 to 10 (9 standard + 1 ADA). Note: there are two EV-Ready stalls planned on the south side.
 - Added a textured/colored walkway at entrances.
 - Agreed to work with City to provide pedestrian access to/from park at a future date once the running path route has been established.
 - Agreed to coordinate with SLC Transportation and Engineering during future bike lane improvement projects
 - New bike lanes along 1300 E
 - Removal of eastbound lane along 2100 S to add a two-way bike facility across the access on 2100 S
- August 5th, 2022:
Third submittal for the CUP (which included an updated site plan package with revisions above)
- September 19, 2022:
Hosted our second meeting with the Sugar House Land Use Committee
 - Showed them renderings reflecting the changes and discussed concerns and made additional adjustments to the plan:
 - There were some concerns on the lighting levels in general, and under the fueling canopy specifically.
 - We reduced the canopy fixtures from the 23L (23,000 lumen) standard to the 13L (13,000 lumens) to reduce the average footcandles from 55+ to around 34 FC.
 - We also added a 6” rear shield to all the parking lot fixtures that already have the internal sharp cut-off louvers in order to reduce off-site light spill.
 - There were some comments stating that the community would like to see additional landscape screening between the Sugar House Park and the fueling station, specifically along southern and eastern property lines.
 - We added two (2) additional evergreen trees along the southern property line.
 - We added four (4) additional evergreen trees along the eastern property line and replaced two (2) deciduous trees with two (2) evergreen trees along the eastern property line.
 - The three species of evergreen trees added are Colorado Blue Spruce
- November 1, 2022:
Our 4th (final) CUP submittal to the City, was reflective of the changes made after the 2nd meeting with the Sugar House Land Use Committee

- A. Approval Standards: A conditional use shall be approved unless the planning commission, or in the case of administrative conditional uses, the planning director or designee, concludes that the following standards cannot be met:

1. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses.

Response: *The proposed use is compatible with the existing uses on this corner. This project is located at the southeast corner of 2100 S and 1300 E. All four corners of this intersection have auto-centric, commercial uses. There is a fast-food drive-thru restaurant on the northeast corner, zoned CB. A CVS Pharmacy occupies the northwest corner and is zoned Sugar House Business District 2 (CSHBD2). Directly adjacent to the west, across 1300 E, is an Extra Mart convenience store with eight (8) fueling stations and is zoned Sugar House Business District 1 (CSHBD1). The rear and side yards to the east and south are park land and zoned Open Space (OS). Landscape buffering and screening are provided along the east and south property edges in order to soften the transition to the park and provide screening between the park and the proposed development.*

Additionally, a Park and Gas Station are considered a similar land use type per definitions per section 21a.62.040:

LAND USE TYPE (SIMILAR LAND USE TYPE): *Land uses shall be considered to be similar land use types, if the uses are listed as a permitted or conditional use in the same land use tables within chapter 21A.33 of this title and the uses have similar off street parking requirements as defined in chapter 21A.44, "Off Street Parking, Mobility And Loading", of this title.*

- **Both Gas Station and Park are both listed in the CB Use Table.**
 - **Gas Station is a Conditional Use**
 - **Park is a Permitted Use**
- **Parking**
 - **Gas Station (Classified as "Retail Store" per planning):** **Minimum of 2 spaces per 1,000 sq. ft. Maximum of 125% of the minimum or 2.5 spaces per 1,000 sq. ft.**
 - **Park: No minimum & no maximum**

COMPATIBLE LAND USE: *A use of land and/or building(s) that, in terms of development intensity, building coverage, design, bulk and occupancy, traffic generation, parking requirements, access and circulation, site improvements, and public facilities and service demands, is consistent with and similar to neighboring uses and does not adversely affect the quality of life of persons in surrounding or nearby buildings.*

The proposed use is consistent with and similar to the neighboring uses:

- **Existing Chevron with C-Store & Car Wash on SWC**
 - 3,773 square foot C-store
 - 1.07 acre lot
 - 13 parking stalls
 - 8 MPDs
 - Car Wash
 - RI/RO onto 1300 E and 2100 S

- **Existing CVS on NWC**
 - 12,799 square foot building with a drive-thru pharmacy
 - 1.3 acre lot
 - 44 parking stalls
 - RI/RO onto 2100 S and 1300 E
 - NOTE: Entrance to CVS at the corner does not look operable

- **Existing KFC/A&W on NEC**
 - 2,980 square foot fast food drive thru
 - 0.89 acre lot
 - 29 parking stalls
 - RI/RO onto 2100 S and 1300 E

Historical use and compatibility (per AEEC Technical Memo dated April 6, 2022)

- **1854-1951: Park property was used to house a penal institution/prison.**
- **It appears that the northwest corner Property has been used for residential and commercial purposes not associated with the prison facility or park since at least 1911.**
- **1943: A small residence and several out-buildings also occupy the southern third of the property, as well as a gas station on the far northwest corner of the Property.**
- **1979-1985: The gas station appears to have been in operation on the northwest corner of the property.**
- **Sizzler appears to be constructed in 1973**

Other gas stations in Sugar House that have the same Land Use and zoning designations.

- **Exxon at 502 E 2100 S (Open 24 hours with C-Store, Car Wash and 4 MPDs)**
 - CB Zone District
 - Adjacent to R-1-5000: Single Family Residential zone district

- **Speedway at 2112 E 2100 S (Closes at midnight with C-Store and 4 MPDs)**
 - CB Zone District
 - Adjacent to SR-1: Special Development Pattern Residential

- ***Phillips 66 at 2276 E 2100 S (Closes at 6pm with C-store, auto shop and 2 MPDs)***
 - ***CB Zone District***
 - ***Across the street from single family residential zoned R-1-12000: Single Family Residential***

- ***Mavericks at 2680 S 2000 E (Open 24 hours with C-store and 4 MPDs)***
 - ***CB Zone District***

From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Thursday, February 24, 2022 2:45 PM
To: Nate Abbott
Subject: RE: (EXTERNAL) RE: KUM2506 - RE: Question

Hello Nate-

Sorry I haven't back to your calls. I have only received a few comments back from reviewers so far. I am off tomorrow, so I am hoping by Monday I will have all of them for you.

As a follow up note to last Mondays meeting. The Community Council does not think that it is necessary for you to go to their meeting on the 2nd of March, unless you think there is more to add to the presentation that you gave.

There is still a lot of opposition coming in for your project. Most of the issues are the incompatibility with the park; the fumes, noises and congestion of the station, and traffic increase from the station, among others.

After the meeting on Monday, my Director and my manager, who were both on that meeting call, were discussing the fact that the building does not meet the intent of the zoning ordinance for the building entrance ways. The intent is to walk through an entrance into the building. Not into a hallway, or foyer area. The design of the Kum & Go building entrances should be that the customers are walking immediately into the store.

After taking this to my team review, there was a lot of talk about the need for upgraded landscaping. Since this property abuts the park, there is a great need for a buffer from the gas station and the park, and therefore, more landscaping should be accounted for. Many of my co-planners called for more upgraded evergreen -4 season- screening along the property lines that buffer the park. The city's Urban Forestry reviewer is pointing out that roadway trees have been eliminated from your plan (this is will be sent with all the review comments).

There are still questions for mitigation of the traffic route that the tanker trucks will take once they leave the site. As I have mentioned, the area to the north is almost entirely residential until you get to the farther north area of Parley's Way. I have also talked with the transportation engineer about the circulation patterns for the vehicles that do stop at the site. What directions will they end up traveling and how will they make safe u-turns on 1300 east or 2100 south?

Lastly, the site plan does not address any connection with the park. Walkways, pedestrian pathways, these things would be make for a better connection to the park.

I still need to get the full set of plans from you. Perhaps I am just missing the store floorplan?

Thank you.
Diana

Diana Martinez

Principal Planner
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

Desk phone number: 801-535-7215
Email diana.martinez@slcgov.com

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From: Nathan Abbott <nathanabbott@gallowayus.com>
Sent: Thursday, February 24, 2022 9:50 AM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: (EXTERNAL) RE: KUM2506 - RE: Question

Hi Diana –

Hope all is well on your end! I just thought to check in with you to see if we are still on track to receive comments back tomorrow, 2/25. I seem to recall this date as when we could expect the City comments. Please correct me if I'm wrong.

Thank you,

Galloway

Nate

Abbott, LEED AP

SR. DEVELOPMENT SERVICES PROJECT MANAGER
SR. ASSOCIATE

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O 303.770.8884
nathanabbott@gallowayus.com
GallowayUS.com

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From: Nathan Abbott <nathanabbott@gallowayus.com>
Sent: Thursday, February 17, 2022 8:33 AM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: KUM2506 - RE: Question

Good Morning, Diana-

Thank you again for your time this past Monday night during our LU Committee meeting with the Sugar House community. I left you a VM on Tuesday hoping to catch up with you to get some feedback. Do you have some time today/tomorrow to catch up?

Thank you!

Galloway

Nate

Abbott, LEED AP

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From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Thursday, February 10, 2022 4:42 PM
To: Nathan Abbott <nathanabbott@gallowayus.com>
Subject: RE: (EXTERNAL) RE: Question

Wow! I was thinking that 4,700+ square feet was big for a convenience store.

Ok, thanks for that information. That is good for me to add.

Diana Martinez

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Planning Division

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From: Nathan Abbott <nathanabbott@gallowayus.com>
Sent: Thursday, February 10, 2022 4:40 PM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: RE: (EXTERNAL) RE: Question

Hi Diana –

This is a new concept for Kum & Go called the “bistro” prototype. It is smaller than their typical convenience store which is approximately 5,600 square feet. This particular store has also been adapted to fit the commercial design criteria in SLC. Additionally, only having three fueling stations is extremely rare for them. They typically would have at least four.

They try to keep the general look and feel of the aesthetic (materials, color, etc.) consistent for brand recognition purposes.

Hope that helps.

Thank you,

Galloway

Nate

Abbott, LEED AP

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From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Thursday, February 10, 2022 1:05 PM
To: Nathan Abbott <nathanabbott@gallowayus.com>
Subject: RE: (EXTERNAL) RE: Question

Sorry....yes. The design, building look.

I looked up same in Colorado and found them to be basically all looking the same. I just wanted to get an idea for my staff report.

Most chains have a similar look with not a lot of variation.

Thank you for that. I am sure I will have other questions.

Diana Martinez

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From: Nathan Abbott <nathanabbott@gallowayus.com>
Sent: Thursday, February 10, 2022 1:00 PM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: RE: (EXTERNAL) RE: Question

Hi Diana –

What do you mean by “about the same” – design aesthetic, size, operations, etc.? What additional info can we provide to you?

Thank you,

Galloway

Nate

Abbott, LEED AP

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From: Martinez, Diana <Diana.Martinez@slcgov.com>

Sent: Wednesday, February 9, 2022 5:41 PM

To: Nathan Abbott <nathanabbott@gallowayus.com>

Subject: RE: (EXTERNAL) RE: Question

Are all Kum & Go stores about the same?

Diana Martinez

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From: Nathan Abbott <nathanabbott@gallowayus.com>

Sent: Wednesday, February 9, 2022 12:11 PM

To: Martinez, Diana <Diana.Martinez@slcgov.com>

Subject: RE: (EXTERNAL) RE: Question

Hi Diana –

I was told that you can speak with the Owner's agent. That's all the info I have. Hope that helps!

Kip Paul
Cushman & Wakefield
801-303-5555
Kip.paul@cushwake.com

Galloway

Nate

Abbott, LEED AP

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From: Martinez, Diana <Diana.Martinez@slcgov.com>

Sent: Wednesday, February 9, 2022 11:07 AM

To: Nathan Abbott <nathanabbott@gallowayus.com>

Subject: RE: (EXTERNAL) RE: Question

Do you have a better email for the property owner? The one on the application came back. I want to ask her a question about the location prior to Sizzler being there.

Thanks.

Diana Martinez

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From: Nathan Abbott <nathanabbott@gallowayus.com>

Sent: Wednesday, February 9, 2022 9:42 AM

To: Martinez, Diana <Diana.Martinez@slcgov.com>

Subject: RE: (EXTERNAL) RE: Question

Hi Diana –

I misspoke. Kum & Go is actually under contract to lease the property from the current owner. They are not under contract to purchase the property.

Thank you,

Galloway

Nate

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From: Martinez, Diana <Diana.Martinez@slcgov.com>

Sent: Wednesday, February 9, 2022 9:34 AM

To: Nathan Abbott <nathanabbott@gallowayus.com>

Subject: RE: (EXTERNAL) RE: Question

Thank you.

I just want to get the facts straight for my staff report. We are getting a lot of people wondering if the City owns that property and if it is part of the park. So, I want to be able to confirm that it is under contract.

Diana Martinez

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From: Nathan Abbott <nathanabbott@gallowayus.com>
Sent: Wednesday, February 9, 2022 9:32 AM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: (EXTERNAL) RE: Question

Yes, they are.

Galloway

Nate

Abbott, LEED AP

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From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Wednesday, February 9, 2022 9:28 AM
To: Nathan Abbott <nathanabbott@gallowayus.com>
Subject: Question

Nate-

Can you tell me if Kum & Go is under contract to buy the property at 2111 So. 1300 E.?

Thank you.

Diana Martinez

Principal Planner
Planning Division

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Desk Phone Number: 801-535-7215
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From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Wednesday, April 27, 2022 4:15 PM
To: Nate Abbott
Subject: RE: (EXTERNAL) 2506 - 2nd CUP / Site Plan Submittal

It depends on reviews and necessary revisions.

On quick review, the floor plan still does not meet the intent of the ordinance. There is still a hallway before entering the store.

Diana Martinez

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From: Nate Abbott <nathanabbott@gallowayus.com>
Sent: Wednesday, April 27, 2022 4:13 PM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: RE: (EXTERNAL) 2506 - 2nd CUP / Site Plan Submittal

Thank you. So might we be able to get on the 6/22 agenda?



Nate Abbott LEED AP
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SR. ASSOCIATE

5500 Greenwood Plaza Blvd, Suite 200, Greenwood Village, CO 80111
O 303.770.8884
nathanabbott@gallowayus.com

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Our Denver office has moved! Please note our new address above.

From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Wednesday, April 27, 2022 4:11 PM
To: Nate Abbott <nathanabbott@gallowayus.com>
Subject: RE: (EXTERNAL) 2506 - 2nd CUP / Site Plan Submittal

It is typically a 14 day review.

The agendas are filled until the end of June right now.

Diana Martinez

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From: Nate Abbott <nathanabbott@gallowayus.com>
Sent: Wednesday, April 27, 2022 4:07 PM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: RE: (EXTERNAL) 2506 - 2nd CUP / Site Plan Submittal

Hi Diana –

When might we expect to receive comments? I have a 2nd round City review period of 10 days. Is that correct?

Additionally, do you think we can get on the May 25th PC Hearing Agenda?

Thank you!



Nate Abbott LEED AP
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SR. ASSOCIATE

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nathanabbott@gallowayus.com

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Our Denver office has moved! Please note our new address above.

From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Tuesday, April 26, 2022 5:28 PM
To: Nate Abbott <nathanabbott@gallowayus.com>
Subject: RE: (EXTERNAL) 2506 - 2nd CUP / Site Plan Submittal

Hello-
Received. I will route them out to City Reviewers tomorrow.

I will get back to you once I have reviewed.

Thank you.
Diana

Diana Martinez
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From: Nate Abbott <nathanabbott@gallowayus.com>
Sent: Tuesday, April 26, 2022 5:00 PM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Cc: Christian Michaelson <ChristianMichaelson@gallowayus.com>; Doug Staker <dougstaker@gallowayus.com>
Subject: (EXTERNAL) 2506 - 2nd CUP / Site Plan Submittal

Hi Diana –

I hope this reaches you well. Thank you for your patience as we revised our plans in order to respond to the 1st round comments.

Below is a link to our 2nd submittal. Please confirm receipt and let me know if we need to setup a call to go through anything.

Thank you!

Citrix Attachments

Expires October 23, 2022

2506 - CIVIL SET - PRELIMINARY - 04.26.2022.pdf	39.2 MB
2506 - COMMENT RESPONSE LETTER - 2022....26.pdf	317.8 KB
2506 - DRAINAGE REPORT - PRELIMINARY - ...022.pdf	1.8 MB
2506 - SWPPP - PRELIMINARY - 03.17.2022.pdf	2.9 MB

[Download Attachments](#)

Nate Abbott uses Citrix Files to share documents securely.



Nate Abbott LEED AP
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nathanabbott@gallowayus.com

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Our Denver office has moved! Please note our new address above.

From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Monday, April 4, 2022 8:42 AM
To: Nate Abbott <nathanabbott@gallowayus.com>
Subject: Status

Hello Nate-

Just checking in to see what the status is of your project. It has been about 30 days since I sent the reviewer comments, typically we expect revisions to be submitted within that time frame.

Can you give me an update on your revision status?

Thank you.
Diana

Diana Martinez

Principal Planner
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From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Tuesday, November 1, 2022 12:03 PM
To: Nate Abbott
Subject: RE: (EXTERNAL) 2506 - Kum & Go comments

4th submittal received.

Thank you.
Diana

Diana Martinez

Principal Planner
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
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Desk phone number: 801-535-7215
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From: Nate Abbott <nathanabbott@gallowayus.com>
Sent: Tuesday, November 1, 2022 10:27 AM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Cc: Christian Michaelson <ChristianMichaelson@gallowayus.com>; Doug Staker <dougstaker@gallowayus.com>
Subject: RE: (EXTERNAL) 2506 - Kum & Go comments

Hi Diana –

I hope this reaches you well. Thank you for your patience on this project as we worked to pull together our fourth submittal for the CUP/Site Plan. Linked below is our fourth submittal documents.

Please confirm receipt and let me know if you have any questions/comments at this time.

Thank you!

Citrix Attachments

Expires April 30, 2023

2506 - 4th SUBMITTAL COMMENT RESPONS....01.pdf	193.6 KB
2506 - CIVIL SET - PRELIMINARY - 10.04.2022.pdf	38.1 MB
2506 - FLOOR PLAN - 07.28.2022.pdf	2 MB
2506-City Comments to 3rd Submittal_2022....01.pdf	1.2 MB
2506-CUP Statement Memo_Revised_2022....01.pdf	174 KB
2506-NE Perspective.pdf	4.9 MB
2506-NW Perspective.pdf	4.3 MB
2506-SE Perspective.pdf	5.8 MB
2506-SW Perspective.pdf	4.4 MB

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Our Denver office has moved! Please note our new address above.

From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Thursday, September 29, 2022 11:29 AM
To: Nate Abbott <nathanabbott@gallowayus.com>
Subject: RE: (EXTERNAL) 2506 - Kum & Go comments

No, the site plan and elevations have changes as well. I would probably give the reviewers the normal two weeks, since we are swamped with projects and they probably would need that time. May be shorter.

But overall the staff report and redacting will require at least two weeks to finalize.

I would like to get the final set of plans to have for the community council and the open house page to show what the final proposal is.

I don't have any of the plans that were shown at the CC meeting.

Thanks,

Diana Martinez

Principal Planner
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

Desk phone number: 801-535-7215
Email diana.martinez@slcgov.com

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From: Nate Abbott <nathanabbott@gallowayus.com>
Sent: Thursday, September 29, 2022 11:25 AM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: RE: (EXTERNAL) 2506 - Kum & Go comments

Thank you, Diana –

The updates are to the landscape plan and photometric plan. Any idea on how long the review period would be? I can check with our team for the 11/9 meeting.

Thank you!



Nate Abbott LEED AP
SR. DEVELOPMENT SERVICES PROJECT MANAGER
SR. ASSOCIATE

5500 Greenwood Plaza Blvd, Suite 200, Greenwood Village, CO 80111
O 303.770.8884
nathanabbott@gallowayus.com

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From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Thursday, September 29, 2022 10:20 AM
To: Nate Abbott <nathanabbott@gallowayus.com>
Subject: RE: (EXTERNAL) 2506 - Kum & Go comments

Hello-

I won't be able to get you on the October 26th meeting. Once the revisions have been submitted, I will need to route them one final time to see if any of the reviewers have comments and then it will be two week for the staff report to be generated.

At the earliest, it might be the November 9th, but may have to be the second meeting.

Diana Martinez

Principal Planner
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From: Nate Abbott <nathanabbott@gallowayus.com>
Sent: Thursday, September 29, 2022 10:14 AM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: (EXTERNAL) 2506 - Kum & Go comments

Hi Diana –

I just wanted to give you a quick update that we are in the process of making some revisions to our plan set based on some of the community feedback. We would like to get our revised set back to you prior to you finalizing your Staff Report for the Planning Commission Hearing. If we anticipate getting on the agenda for the October 26th meeting, when do you need our final plan set and updated perspective drawings? We want to ensure you have ample time to include this information in your Staff Report.

Thank you,



Nate Abbott LEED AP
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SR. ASSOCIATE

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nathanabbott@gallowayus.com

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From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Monday, September 26, 2022 9:49 AM
To: Nate Abbott <nathanabbott@gallowayus.com>
Subject: Kum & Go comments

Good morning-

Nick Norris has received over 300 new emails in opposition to your application since that Tik Tok was released.

He is planning to respond to them, and then I will get them to redact for the Planning Commission. This will definitely be a while before I would be able to get them to you to see.

Just wanted to let you know.

Thanks,
Diana

Diana Martinez

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From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Monday, November 28, 2022 1:43 PM
To: Nate Abbott
Cc: Christian Michaelson
Subject: Storm drain/landscaping filtration system

<https://natureconservancy-h.assetsadobe.com/is/image/content/dam/tnc/nature/en/photos/parking-lot-bioretenion-dallas.jpg?crop=0%2C0%2C4032%2C2217&wid=2000&hei=1100&scl=2.016>

https://www.google.com/search?q=parking+lot+stormwater+green+infrastructure&rlz=1C1GCEU_enUS1013US1013&sxrf=ALiCzsZHM9xPZlpmVoVWHwSjbsheC_ljwg:1669050280338&source=Inms&tbm=isch&sa=X&ved=2ahUKEwixIMno4L7AhW0KH0KHbo_AIMQ_AUoAXoECAEQAw&biw=1536&bih=722&dpr=1.25#imgrc=F86W30HbHzPe-M

<https://blogs.bard.edu/cepblog/files/2022/04/parking-lot-rain-garden.jpeg>

<https://documents.deq.utah.gov/water-quality/stormwater/updes/DWQ-2019-000161.pdf>

Nate-

Thanks for meeting. Here are the links to the images that I showed you, and the Guide for the low impact development in Utah.

Like I mentioned, the Public Utilities reviewer would like to see a landscaped retention area in that south area of the property, next to the park, to be used as a secondary filtration system for any surface runoff.

This can be worked out at the permitting stage, but will be a condition of approval if the Planning Commission accepts it.

Thank you,
Diana

Diana Martinez

Principal Planner
Planning Division

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From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Monday, December 5, 2022 4:54 PM
To: Nate Abbott
Cc: Doug Staker; Christian Michaelson
Subject: RE: (EXTERNAL) RE: Requirement from Public Works

Again, this is from Public Utilities....Jason Draper.

Thank you...Enjoy your week off!

Diana

Diana Martinez

Principal Planner
Planning Division

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From: Nate Abbott <nathanabbott@gallowayus.com>
Sent: Monday, December 5, 2022 4:46 PM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Cc: Doug Staker <dougstaker@gallowayus.com>; Christian Michaelson <ChristianMichaelson@gallowayus.com>
Subject: (EXTERNAL) RE: Requirement from Public Works

Thank you, Diana –

One of our engineers checked the FEMA website and FEMA says this is flood Zone X. The BFE appears to be 4403 or so? Our FFE is 4419.83. Who can we discuss this with?

Please copy Doug and Christian as I will be out of the office for the remainder of the week.

Thank you,



I will be out on PTO starting December 6th and returning to the office on December 13th.



Nate Abbott LEED AP
 SR. DEVELOPMENT SERVICES PROJECT MANAGER
 SR. ASSOCIATE

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 ☎ 303.770.8884
nathanabbott@gallowayus.com

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Our Denver office has moved! Please note our new address above.

From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Monday, December 5, 2022 3:29 PM
To: Nate Abbott <nathanabbott@gallowayus.com>
Subject: Requirement from Public Works

Nate-
 This requirement is now required by Public Utilities:

- Property is located in the Special Flood Hazard Area or an area with increased flood risk and will require a Floodplain Development Permit. Floodplain permit application must be supplemented with the FIRM panel or FIRMette of the area showing the base flood elevation (obtained via FEMA). The subject property must also be clearly shown and labelled on the FIRM or FIRMette. Floodplain permit application must also be supplemented with a grading plan of the project clearly showing floodplain extents, base flood elevation, and finished floor elevation of the proposed building. Additional information may be requested after the initial review of the floodplain permit application. Plans will not be approved until the Floodplain Development Permit is approved.

Diana

Diana Martinez

Principal Planner
Planning Division

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From: Draper, Jason <Jason.Draper@slcgov.com>
Sent: Monday, January 16, 2023 12:09 PM
To: Doug Staker
Cc: Nate Abbott; Beitel, Kristeen; Christian Michaelson
Subject: Re: (EXTERNAL) 2506 - Kum & Go - 1300 E 2100 S Sugarhouse

Doug,

This review is for planning and evaluation and not for approval. Actual plans will be reviewed for compliance with the building permit.

We would like to see as much LID and green infrastructure as possible as well as redundant systems to prohibit offsite contamination from spilled fuel, oil, or other waste. Please evaluate for redundancy and if there are options for additional green infrastructure in the parking area landscape areas or possible decreasing parking to allow for this.

thank you,

Jason

Jason Draper, PE, CFM

Development Review Manager - Floodplain Administrator
Salt Lake City Department of Public Utilities

From: Doug Staker <dougstaker@gallowayus.com>
Sent: Tuesday, January 10, 2023 8:39 AM
To: Draper, Jason <Jason.Draper@slcgov.com>
Cc: Nate Abbott <nathanabbott@gallowayus.com>; Beitel, Kristeen <Kristeen.Beitel@slcgov.com>; Christian Michaelson <ChristianMichaelson@gallowayus.com>
Subject: RE: (EXTERNAL) 2506 - Kum & Go - 1300 E 2100 S Sugarhouse

Jason,

Just checking in, I don't believe we've seen a response from you on this yet. Could you please review the attached drainage plan and let us know if the added swale along the southern property boundary you requested will satisfy the LID pretreatment requirement?

Thanks,

Galloway

Doug Staker PE
CIVIL ENGINEERING PROJECT MANAGER
ASSOCIATE

172 N. East Promontory, Suite 274, Farmington, UT 84025
O 801.953.1357 C 801.644.2822
dougstaker@gallowayus.com

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From: Doug Staker <dougstaker@gallowayus.com>
Sent: Wednesday, December 14, 2022 9:40 AM
To: Draper, Jason <Jason.Draper@slcgov.com>

Cc: Nate Abbott <nathanabbott@gallowayus.com>; Beitel, Kristeen <Kristeen.Beitel@slcgov.com>

Subject: RE: (EXTERNAL) 2506 - Kum & Go - 1300 E 2100 S Sugarhouse

Hi Jason,

Hope you had some good time off. Have you had a chance to look this over to see if the swale at the south PL will satisfy your LID requirement?

We've seen some jurisdictions allow snouts as well.

I appreciate your recommendations.

Thanks for your help!



Doug Staker PE
CIVIL ENGINEERING PROJECT MANAGER

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From: Doug Staker <dougstaker@gallowayus.com>

Sent: Thursday, December 8, 2022 10:13 AM

To: Draper, Jason <Jason.Draper@slcgov.com>

Cc: Nate Abbott <nathanabbott@gallowayus.com>; Beitel, Kristeen <Kristeen.Beitel@slcgov.com>

Subject: RE: (EXTERNAL) 2506 - Kum & Go - 1300 E 2100 S Sugarhouse

Morning Jason,

We added a swale that will accommodate all the runoff that passes through the fueling canopy and over the fuel tanks along the south property line as you requested. Could you please verify from the attached drainage plan that this will suffice?

Let me know if you need more information.

Thanks,



Doug Staker PE
CIVIL ENGINEERING PROJECT MANAGER

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O 801.953.1357 C 801.644.2822
dougstaker@gallowayus.com

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From: Draper, Jason <Jason.Draper@slcgov.com>

Sent: Monday, December 5, 2022 4:12 PM

To: Doug Staker <dougstaker@gallowayus.com>

Cc: Nate Abbott <nathanabbott@gallowayus.com>; Christian Michaelson <ChristianMichaelson@gallowayus.com>;

Sydney Schanche <SydneySchanche@gallowayus.com>; Beitel, Kristeen <Kristeen.Beitel@slcgov.com>

Subject: RE: (EXTERNAL) 2506 - Kum & Go - 1300 E 2100 S Sugarhouse

Doug,

We would like to see treatment prior to discharge into stormtech system to limit oils and grease infiltrating. We also would like to see some effort for green infrastructure , raingarden, bioswale, disconnected roof drains, etc.

Jason Draper, PE, CFM

Salt Lake City Department of Public Utilities
1530 S. West Temple Street, Salt Lake City, Utah 84115
801.483.6751



From: Doug Staker <dougstaker@gallowayus.com>

Sent: Monday, December 5, 2022 2:54 PM

To: Draper, Jason <jason.draper@slcgov.com>

Cc: Nate Abbott <nathanabbott@gallowayus.com>; Christian Michaelson <ChristianMichaelson@gallowayus.com>; Sydney Schanche <SydneySchanche@gallowayus.com>

Subject: (EXTERNAL) 2506 - Kum & Go - 1300 E 2100 S Sugarhouse

Good afternoon, Jason,

We received a comment from you regarding LID for the Kum & Go Sugarhouse project. It was a request to have an LID swale along the south end of our site.

After looking at the site, it doesn't look like we'll be able to make that happen due to grades and the request by the city for multiple trees for screening purposes along that southern side of the site.

I've attached the drainage report that demonstrates that we are retaining the 80th percentile retention volume within the storm chamber system before releasing at the required 0.2 cfs per acre.

Please let us know if you have any further comments regarding LID or feel free to give me a call at the number below.

Thanks,



Doug StakerPE
CIVIL ENGINEERING PROJECT MANAGER

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dougstaker@gallowayus.com

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EXHIBIT “2”

April 11, 2023

Via email: Diana.Martinez@slcgov.com

Salt Lake City Planning Commission
City of Salt Lake
451 S. State Street
Salt Lake City, UT 84111

Re: Response to Planning Division Department of Community and Neighborhoods Staff Report for PLNPCM2022-00053 - Conditional Use Application (“Conditional Use Permit”)

Dear Commissioners:

This firm represents the applicant Kum & Go (“Applicant”) as it seeks conditional use approval for a gas station (the “Use”) that will be located at 2111 South 1300 East (the “Property”) in the above-referenced Conditional Use Application with Salt Lake City (the “City”). We are in receipt of the Staff Report, dated April 12, 2023 (the “Staff Report”), wherein the Salt Lake City planning staff recommended a denial of the Conditional Use Permit with respect to the application.

The Applicant had its Presubmittal Meeting with the City on July 29, 2021 with Daniel Echeverria, Senior Planner, and Anna Anglin, Principal Planner, and has engaged with the City most recently on November 1, 2022, when the final Conditional Use Permit was submitted, in addition to follow-up emails regarding the Conditional Use Permit.

The Applicant did not have adequate time for review, analysis, and preparation of a response to all the points in the Staff Report and attachments due to the complexity and breadth of the documents provided, and thus reserves the right to supplement this response. The Applicant did not receive the full Staff Report and other pertinent documents until Monday, March 27, 2023, at 4:14 p.m.¹ The Staff Report and other pertinent documents include the following:

- Staff Report (78 pages)
- Public Comments (553 pages)
- Letter from Sugar House Community Council dated March 1, 2023 (3 pages)
- Letter from the Sugar House Park Authority dated April 7, 2022 (8 pages)
- Exhibit A from the Sugar House Park Authority – AEEC Technical Memorandum dated April 6, 2022 (20 pages)

¹ E-mail from Diana Martinez to Nate Abbot (Monday, March 27, 2023, 4:14 PM).

Since delivery of that Staff Report, the Applicant has prepared a response to assist you in your consideration of the Conditional Use Permit at your April 12, 2023 meeting. Because the Staff Report erroneously advises a denial of the Conditional Use Permit, we feel compelled to offer this letter as a response to the Staff Report.

Additionally, Applicant has provided the following Exhibits to support this response:

- Exhibit A - Seneca Companies Environmental Response dated April 11, 2023
- Exhibit B - Corrected Site Location: Groundwater Recharge and Discharge Zones Salt Lake Valley, Utah
- Exhibit C - Utah DEQ Interactive Map – Estimated Secondary Recharge Zone
- Exhibit D - Franklin Fueling Systems Diagram
- Exhibit E - Stormwater Quality Treatment Train

In the interest of brevity, our response is presented in a “point-counterpoint” format. We request that this letter be made a part of the permanent record for all proceedings relating to the Conditional Use Permit, and hope that you find it useful in your deliberations on the Conditional Use Permit.

Executive Summary

The Applicant has successfully owned and operated fuel stations since 1959. Currently, there are approximately 400 fuel stations nationwide. Applicant is excited to partner with Salt Lake City and desires to continue to develop its presence in the greater community. The Conditional Use Permit for a fuel station is part of this desired growth and investment in the community.

Pursuant to Utah Code Ann. § 10-9a-507(2)(a)(i), an application for a conditional use permit can only be denied if the reasonably anticipated detrimental effects of a proposed conditional use cannot be mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.² A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate reasonably anticipated detrimental effects of the proposed use, in accordance with applicable standards.³ To be clear, there is no legal requirement to eliminate the detrimental effects.”⁴ Further, Salt Lake City Code states that conditional uses are allowed unless appropriate conditions cannot be applied which, in the judgment of the planning commission, would mitigate adverse impacts that may arise by introducing a conditional use on the particular site.⁵ Therefore, the Staff Report incorrectly recommended a denial of the Conditional Use Permit as Applicant can clearly demonstrate that reasonably anticipated detrimental effects can be mitigated.

Salt Lake City Code requires that a conditional use is approved if the following standards are met: (i) the use complies with applicable provisions of this title; (ii) the use is compatible, or

² UTAH CODE ANN. § 10-9a-507(2)(c).

³ UTAH CODE ANN. § 10-9a-507(2)(a)(i).

⁴ UTAH CODE ANN. § 10-9a-507(2)(a)(ii).

⁵ SALT LAKE CITY CODE § 21A.54.010 (A).

with conditions of approval can be made compatible, with surrounding uses; (iii) the use is consistent with applicable adopted city planning policies, documents, and master plans; and, (iv) the anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions.⁶

The Planning Commission has the authority to review (i) what potentially detrimental impacts of the proposed use are addressed by the standards found in Salt Lake City Code §21A.54.080(B)(1-15), and (ii) in applying those standards from the ordinance, decide what reasonable conditions should be imposed to accomplish the substantial mitigation of those detrimental impacts of the use.⁷

When a use is allowed in a zone as a conditional use, the community must assume that its legislative representatives found such use to be appropriate and beneficial within the specific zoning district and thus allowed the use even in light of potential detrimental impacts.⁸ Such discretion beyond that is outside of the scope of the authority of the Planning Commission; and the dangerous precedent it would set, should not be accepted by the City, and should not be relied upon to deny Applicant the necessary conditional use permit.

The City has failed to introduce substantial evidence stating anticipated detrimental impacts that cannot be mitigated. Utah law defines substantial evidence as evidence which is beyond a scintilla and a reasonable mind would accept as adequate to support a conclusion.⁹ Further, a land use decision shall be considered arbitrary and capricious unless it is supported by substantial evidence.¹⁰ The Applicant has shown, and will show, that any anticipated detrimental impacts can, in fact, be mitigated and that due to the lack of substantial evidence, denial of the Conditional Use Application will be considered arbitrary and capricious.

In conclusion, a prohibited use would not qualify for a conditional use permit. Pursuant to Utah Code Ann. § 10-9a-507(2)(a)(i), an application for a conditional use permit can only be denied if the reasonably anticipated detrimental effects of a proposed conditional use cannot be mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.¹¹ Applicant has demonstrated that the reasonably anticipated detrimental effects can be mitigated by the imposition of reasonable conditions. Therefore, the Conditional Use Permit should not be denied.

Staff Report Consideration No. 1: Conditional Use Purpose Statement Ordinance 21A.54.010 (“CUP Ordinance”).

Consideration No. 1 Response: The Staff Report concludes that the Use is not appropriate and should not be allowed in this location because potential adverse impacts exist that cannot be mitigated. The chief flaw with this argument is that it ignores the fact that through its adopted land use plan and as described in the City Code of Salt Lake City, Utah (“Salt Lake City Code”), the Use is allowed as a Conditional Use where the Property is located.

⁶ SALT LAKE CITY CODE § 21A.54.080(A)(1-4).

⁷ Craig M Call, J.D., *The Law and Practice of Conditional Uses*, The Utah Land Use Institute, 2022, <https://utahlanduse.org/wp-content/uploads/2022/06/Conditional-Uses-2022.2.pdf>

⁸ *Id.*

⁹ UTAH CODE ANN. § 10-9a-103(67).

¹⁰ *Bradley v. Payson City Corp.*, 70 P.3d 47, 52 (Utah 2003)

¹¹ UTAH CODE ANN. § 10-9a-507(2)(c).

The City Code provides that a “[g]as station” at the Property’s location is conditionally allowed. Salt Lake City Code § 21A.33.030 (“Gas station”). The Code defines “gas station” as “[a] principal building site and structures *for the sale and dispensing of motor fuels or other petroleum products and the sale of convenience retail.*” (Emphasis added.) In conditionally allowing a “[g]as station” at the precise location of the Property, the City already determined that any detrimental impacts associated with “the sale and dispensing of motor fuels or other petroleum products” at the location of the Property could be mitigated. If it hadn’t, the City would have *prohibited* a gas station at the Property’s location.

The Staff Report urges the Planning Commission to do just that: prohibit a gas station at the Property, in defiance of Salt Lake City Code § 21A.33.030. According to the Staff Report, no gas station should *ever* be allowed at the Property’s location. The Staff Report purports to use general considerations outlined in Salt Lake City Code § 21A.54.010 to nullify the determination made in § 21A.33.030, that a “[g]as station” at the Property is a use that can be made compatible with neighboring uses. The Staff Report therefore defies Salt Lake City Code.

Moreover, this reasoning is contrary to Utah law. Utah law imposes a strong presumption that a conditional use application will be granted. “If a land use regulation does not plainly restrict a land use application, the land use authority shall interpret and apply the land use regulation to favor the land use application.”¹² A land use authority shall approve a conditional use if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.¹³

Salt Lake City Code states that the listing of a conditional use does not constitute an assurance or presumption that such conditional use will be approved and that each proposed conditional use shall be evaluated on an individual basis.¹⁴ However, Salt Lake City Code also imposes the following standards for Conditional Uses:

A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards set forth in this section. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use shall be denied.¹⁵

Approval Standards – Salt Lake City Code §21A.54.080(A)(1-4).

Salt Lake City code requires that a conditional use must be approved if the following standards are met: (i) the use complies with applicable provisions of this title; (ii) the use is compatible, or with conditions of approval can be made compatible, with surrounding uses; (iii) the use is consistent with applicable adopted city planning policies, documents, and master plans; and, (iv) the anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions.¹⁶

¹² UTAH CODE ANN. § 10-9a-306(2).

¹³ UTAH CODE ANN. § 10-9a-507(2)(a)(i); *Krejci v. Saratoga Springs*, 322 P.3d 662 (Utah 2013).

¹⁴ SALT LAKE CITY CODE § 21A.54.100

¹⁵ SALT LAKE CITY CODE § 21A.54.080.

¹⁶ SALT LAKE CITY CODE § 21A.54.080(A)(1-4).

Standard 1. The use complies with applicable provisions of the Salt Lake City Code §21A.54.080(A).

The Staff Report confirmed that Applicant has demonstrated that the Use complies with the applicable provisions of the Salt Lake City Code. A Gas Station is a Conditional Use category in the CB Zone District and is permitted with Planning Commission approval.

Standard 2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses.

The Staff Report found that the Application does not comply for environmental reasons. The Applicant rejects this conclusion.

The Applicant has demonstrated that the Use is compatible with surrounding uses. The Property is located at the southeast corner of 2100 South and 1300 East. All four corners of this intersection have auto-centric, commercial uses. There is a fast-food drive-thru restaurant on the northeast corner, zoned CB. A CVS Pharmacy occupies the northwest corner and is zoned Sugar House Business District 2 (CSHBD2). Directly adjacent to the west, across 1300 East, is an Extra Mart convenience store with 16 fueling stations and is zoned Sugar House Business District 1 (CSHBD1). The rear and side yards to the east and south are park land and zoned Open Space (OS). Landscape buffering and screening are provided along the east and south property edges in order to soften the transition to the park and provide screening between the park and the proposed development.

Standard 3. The use is consistent with applicable adopted city planning policies, documents, and master plans.

The Staff Report finds that the Application does not comply because gas station use is high intensity and staff does not believe this meets the intent of the Sugar House Master Plan.

The Use is consistent with applicable adopted city planning policies, documents, and master plans. The subject property is zoned Community Business (CB) in the City Code of Salt Lake City, UT. Retail Goods and Service Establishments (Convenience Store) are permitted uses in the CB Zone District. A Gas Station is a Conditional Use category in the CB Zone District. The Guiding Principle for Growth in Plan Salt Lake is “(g)rowing responsibly, while providing people with choices about where they live, how they live, and how they get around.” The proposed development provides a choice related to how people get around and the method of transportation they choose to do so. Initiatives for Growth within Plan Salt Lake include locating new development in areas with existing infrastructure and amenities, such as transit and transportation corridors and promoting infill and redevelopment of underutilized land. The subject property is currently a vacant restaurant with existing infrastructure and amenities at the intersection of transit and transportation corridors.

The Sugar House Community Master Plan designates Future Land Use for the subject site as Mixed Use – Low Intensity. Low-Intensity Mixed Use allows an integration of residential with small business uses, typically at ground floor levels. Height limits generally include one-and two-story structures. The intent is to support more walkable community development patterns located near transit lines and stops. Proposed development and land uses within the Low-Intensity Mixed Use area must be compatible with the land uses and architectural features surrounding each site. The proposed convenience store and fuel station is limited to one-story structures. Additionally,

the building is pulled up to the street edges in order to create a more inviting and pedestrian-friendly access into the building and is reflective of a pedestrian-oriented development pattern. The Use is compatible with the surrounding land uses, with architectural design standards that meet or exceed the Commercial Design Standards (§ 21A.37) and the CB Zoning Standards (§ 21A.26.030).

Standard 4. The anticipated detrimental effects of the proposed Use can be mitigated by the imposition of reasonable conditions.

The Staff seems to believe that by simply raising a litany of horrors and worst-case scenario issues, this would somehow translate into establishing adverse impacts that cannot be mitigated. Nothing is further from the truth. The City has failed to introduce substantial evidence stating anticipated detrimental impacts that cannot be mitigated. Again, Utah law defines substantial evidence as evidence which is beyond a scintilla and a reasonable mind would accept as adequate to support a conclusion.¹⁷ The Applicant has shown, and will show, that any anticipated detrimental impacts can, in fact, be mitigated and that due to the lack of substantial evidence, denial of the Conditional Use Application will be considered arbitrary and capricious.¹⁸

Traffic. A Traffic Impact Study (“TIS”) was prepared and submitted as part of the review process that included an analysis of existing and future intersections that would be affected by the proposed development. The Application proposes to consolidate the two existing access points along 1300 East to a single right-in/right-out. Additionally, the site will continue to access via 2100 South at the existing right-in/right-out. These two access points will facilitate access and circulation throughout the site. The consolidation of the two existing access points along 1300 East to a single right-in/right-out access point will reduce the points of potential conflict along 1300 East.

In addition to the safety improvements provided by consolidating the existing entrances, the Use may provide additional safety and operational benefits to the network. It has been noted that a number of vehicles will make a northbound U-turn to access the existing Chevron gas station. Users would have the opportunity to utilize the proposed Use and not have to make potentially unsafe U-turn movements.

The proposed Use would attract most of its traffic from existing users of the network. These are referred to as pass-by trips. As an example, getting gas on the way home from work results in the majority of traffic already being on the network and creating minimal new traffic. In comparison, the current restaurant use, where the majority of trips would not already be on the network, and are considered primary trips. A gas station use draws from traffic already existing and would be a less impactful use than many others.

The TIS was conducted adhering to current best practices of study. It concludes that the proposed use would have little impact on the existing signal and due to the use may even improve operations of the existing signal. No queueing, safety or operational concerns were identified and a reduction of access points over the existing conditions would improve safety and circulation for the site and immediate traffic network. Therefore, what can be concluded from the TIS is that, from a traffic perspective, the use can be fully accommodated by the existing network and proposed site design.

¹⁷ Utah Code Ann. § 10-9a-103(67).

¹⁸ *Bradley v. Payson City Corp.*, 70 P.3d 47, 52 (Utah 2003).

Lighting. Based on community feedback, the lighting levels under the fueling canopy have been reduced from 23,000 lumens to 13,000 lumens in order to reduce the average footcandles from 55 FC to 34 FC. Additionally, Applicant also added a 6” rear shield to all the parking lot fixtures that already have the internal sharp cut-off louvers in order to reduce off-site light spill.

Drainage. Currently, all stormwater on site is being released undetained and untreated. Applicant will attenuate flows to reduce downstream impacts and improve water quality for downstream receiving waters. Applicant is installing a system containing storage, treatment, and metered release of storm water. This sequestration system allows storm runoff to be filtered prior to release. *See* [Exhibit E].

Environmental. Especially here, the Staff Report defies the evidence. It succumbs to the hasty generalization fallacy. According to the Staff Report, some (24%) of underground storage tanks were not in compliance, therefore, the Use’s underground storage tanks will fall out of compliance. There are several problems with the Staff Report’s reasoning.

First, the possibility of underground storage tank noncompliance was known when the City adopted § 21A.33.030 and placed the Property within the CB Zone. In doing so, the City must have determined that such possibility should not altogether prohibit a “[g]as station” at the Property.

Second, the Staff Report glosses over the fact that most underground storage tanks (76% according to the Staff’s analysis) have no compliance issues. Thus, even under the Staff’s reasoning, it is far more likely that the Use’s underground storage tanks will comply with UST standards.

Third, the Staff Report conflates noncompliance with unmitigable impacts. None of the supposed impacts listed in the Staff Report are unmitigable. Apparently, most underground storage tanks (76% according to the Staff Report) are well-equipped to prevent leaks, and so will the Use’s, as discussed below.

Detrimental Impacts

The Planning Commission has the authority to review (i) what potentially detrimental impacts of the proposed use are addressed by the standards found in Salt Lake City Code §21A.54.080(B)(1-15) and (ii) and in applying those standards from the ordinance, decide what reasonable conditions should be imposed to accomplish the substantial mitigation of those detrimental impacts of the use.¹⁹

There is no requirement to eliminate detrimental impacts. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards²⁰; absolute elimination of the detrimental effects is not necessary to demonstrate the reasonable mitigation of a detrimental effect.²¹

¹⁹ Craig M Call, J.D., *The Law and Practice of Conditional Uses*, The Utah Land Use Institute, 2022, <https://utahlanduse.org/wp-content/uploads/2022/06/Conditional-Uses-2022.2.pdf>

²⁰ UTAH CODE ANN. § 10-9a-507.

²¹ UTAH CODE ANN. §§ 10-9a-507(2)(a)(ii).

The standards to mitigate the detrimental impacts must be found in the ordinances and not conceived after a conditional use permit application has been received.²² Importantly, the detrimental impact must be proven by substantial evidence in the record.²³ Thus, Utah law demands that a Planning Commission interprets is tasked with considering a proposed conditional use and imposing conditions includes an appropriate interpretation of the relevant law and substantial evidence in the record.²⁴

Salt Lake City Code §21A.54.080(B)(1-15) demands the anticipated detrimental effects of a proposed use must be analyzed under the following:

1. **Salt Lake City Code §21A.54.080(B)(1)** requires that the proposed use is specifically authorized where it is located. Retail Goods and Service Establishments (Convenience Store) are permitted uses in the CB Zone District. A Gas Station is a Conditional Use in the CB Zone District (21A.33.030). Thus, the title specifically authorizes this use, as a conditional use where it is located.

While the City argues that environmental impacts to the park “could potentially be caused by the proposed gas station” and that said impacts could not be mitigated, the evidence shows exactly the opposite – that environmental impacts can in fact be mitigated.

2. **Salt Lake City Code §21A.54.080(B)(2)** requires that the proposed use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps. The Staff Report argues that the Sugar House Master Plan calls for the subject property to be a low intensity use and pedestrian orients, and that the Use is such that the detrimental impact cannot be mitigated.

The Staff Report is incorrect. The proposed project conforms to the requirements of applicable land use regulations. Further, it provides a mix of uses that will serve as an amenity to the surrounding neighborhoods. The 3,957± square foot convenience store will incorporate Applicant’s newest store concept with a high-quality product offerings and fresh food choices such as made-to-order pizzas, sandwiches, wraps, and bakery items cooked on-site. This “bistro” concept will have indoor seating for twelve (12), to include ADA seating. Five (5) employees are expected to work on-site during the highest shift. In addition to clean and convenient fueling offerings, there will also be various seasonal outdoor sales items and a propane tank exchange along the front facade of the building.

3. **Salt Lake City Code §21A.54.080(B)(3)** requires that the use is well suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area. The

²² Craig M Call, J.D., *The Law and Practice of Conditional Uses*, The Utah Land Use Institute, 2022, <https://utahlanduse.org/wp-content/uploads/2022/06/Conditional-Uses-2022.2.pdf>; OFFICE OF THE PROPERTY RIGHTS OMBUDSMAN, Advisory Op. 25, *Stapel and Cottonwood Heights City* (2007).

²³ *Ralph L. Wadsworth Constr. V. West Jordan City*, 999 P.2d 1240 (Utah Ct. App. 2000).

²⁴ Craig M Call, J.D., *The Law and Practice of Conditional Uses*, The Utah Land Use Institute, 2022, <https://utahlanduse.org/wp-content/uploads/2022/06/Conditional-Uses-2022.2.pdf>; *J.P. Furlong Co. v. Bd. of Oil, Gas & Mining*, 424 P.3d 858, 862 (Utah 2018).

Staff Report states that the size and scale of the proposal is compatible with the existing uses in the area.

The Staff Report found no detrimental impact.

4. **Salt Lake City Code §21A.54.080(B)(4)** requires that the mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed Use have been considered. The Staff Report found that like the current proposal, the surrounding structures in the surrounding area, were required to comply with zoning setbacks and design standards.

The Staff Report found no detrimental impact.

5. **Salt Lake City Code §21A.54.080(B)(5)** requires that access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows. After review of the Traffic Impact Study, the Staff Report determined that there is a detrimental impact that can be mitigated with conditions, including access points are right in/right out for both and textured pedestrian crosswalks for both entrances of subject property. The Applicant is complying and has also proposed to remove the northern most entrance along 1300 East.

The Staff Report found a detrimental impact that can be mitigated with conditions. Applicant has agreed to these conditions.

6. **Salt Lake City Code §21A.54.080(B)(6)** requires that the internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic.

The Staff Report found a detrimental impact that can be mitigated with conditions. Applicant has agreed to these conditions.

7. **Salt Lake City Code §21A.54.080(B)(7)** requires the site is designed to enable access and circulation for pedestrian and bicycles. There are concerns from the City regarding safety. By creating a safer connection location to the park from the gas station in the northeast area of the subject property and having a textured/cobbling sidewalk across the ingress/egresses, such safety concerns can be mitigated.

The Staff Report found a detrimental impact that can be mitigated with conditions. Applicant has agreed to these conditions.

8. **Salt Lake City Code §21A.54.080(B)(8)** requires that access to the site does not unreasonably impact the service level of any abutting or adjacent street. The City misconstrued Applicant's Traffic Impact Study and argues that the proposal would add a significant increase in the number of daily trips creating a detrimental impact that cannot be mitigated.

Applicant has shown that the Project would not unreasonably impact the level of service of the existing street network due to the nature of the redevelopment. The existing use is a primary trip or destination for traffic. The proposed Use, by contrast, draws the majority of its trips as pass-by trips, or said differently, trips that

are already present on the network that stop at the proposed use on the way to their primary destination. Fuel uses are “pass-by trips” in traffic engineering. The proposed change in use would not create a substantial difference in levels of service to the surrounding network. Additionally, the project proposes a consolidation of access points that will improve safety for the existing network.

Further, the proposed use potentially would improve safety and operations of the northbound left movement at the signal.

9. **Salt Lake City Code §21A.54.080(B)(9)** requires that the location and design of off-street parking complies with applicable standards of this Code.

The Staff Report found that there is no detrimental impact.

10. **Salt Lake City Code §21A.54.080(B)(10)** requires that utility capacity is sufficient to support the use at normal service levels. The Staff Report stated that Public Utilities has reviewed this proposal and has given requirements for meeting the normal service levels at this location. Applicant showed that the site is within a developed area with all utility infrastructure in place and the site currently has both water and sewer service. The Public Utilities Department has given a list of requirements that the Applicant must meet in order to mitigate any possible contamination to the Park, through surface run-off or underground gas tank leaks. The Public Utilities Department is also requiring that the Applicant add a second natural filtration system in the form of a landscaped retention basin at the south end of the subject property.

The Staff Report finding is that there is a detrimental impact that can be mitigated with conditions. Applicant has agreed to the conditions.

11. **Salt Lake City Code §21A.54.080(B)(11)** requires that the use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts. The Staff Report finding is that there is a detrimental impact that can be mitigated with conditions. The Applicant stated in its Application that the project will abide by the required buffers and setbacks. The Applicant has agreed to work with the Transportation Engineer to establish a safe and natural connection to the Park.

12. **Salt Lake City Code §21A.54.080(B)(12)** requires that the use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke.

The Staff Report found that the Use has a high potential for significantly impacting the quality of the air, soil and water of Sugar House Park; but there is no evidence supporting this. The Staff Report further argued that this impact cannot be totally mitigated to prevent fuel leaks—which seeks to hold the Applicant to a standard rejected in MLUDMA.

Speaking to sustainability, Applicant provides alternative fuel options at many of their sites in the form of electric charging stations. As part of this commitment to

consumer choices, Applicant is proposing two (2) “EV-ready” parking spaces, or 20% of the proposed 10 on-site parking stalls. The proposed EV-ready parking spaces shall have electrical conduit and sufficient electrical capacity for the future use of a minimum 200-volt electric vehicle charging station. This proposal is in line with the City’s EV Readiness Policy as part of the City’s Sustainability program. Applicant takes pride in their development and operations of their facilities.

As to mitigation, MLUDMA provides that an Applicant cannot be required to “eliminat[e] . . . detrimental effects” to secure conditional use approval.²⁵ If “reasonable conditions are proposed, or can be imposed, to mitigate,” i.e., to make less harsh or severe,²⁶ “the reasonably anticipated detrimental effects of a proposed use,” the use must be approved.²⁷ Here, the record shows that the risks the Staff Report identifies to fuel leaks and vapors can be made less harsh or severe with conditions the Applicant proposes.

Tanks, Piping, and Dispensing Equipment

As shown in the Applicant’s Narrative and Site Development Drawings, and as further depicted in Exhibit E, the safeguards used as a standard of practice for Applicant include tanks, piping and associated dispensing equipment, all manufactured and installed according to UL and industry standards as listed in PEI RP100. Delivery spill protection is accomplished with double wall spill containment at each fill connection and testable overfill prevention valves set at 95% of the tank capacity. Fuel dispensers are UL labeled and are mechanically anchored to the surrounding concrete drive. Each dispenser is protected by a minimum of four 4-foot steel pipe bollards. Emergency fire/shear valves (Franklin Fueling) are located on the product lines at each dispenser connection and have both a shear section and fusible link to provide vehicle impact and fire protection. If the valve is sheared off, the poppet of the valve closes and stops the flow of fuel. If the fusible link is melted, the poppet of the valve closes and stops the flow of fuel. Dispensing hoses are protected with break-away valves to provide protection against drive-offs (nozzle/hose left in tank after fueling) and dispensing nozzles are automatic shut-off, pressure sensitive and are only activated when the dispenser has been authorized and pumping system energized. Leak detection and regulatory compliance are provided by an automatic tank gauge system (ATG). Functions/components are as follows:

- In-tank leak detection and water detection – capable of continuous statistical leak detection and .1 gph precision leak testing
- Continuous electronic pressure leak detection on product lines – positive shut down if leak condition is detected
- Continuous electronic monitoring of piping containments (liquid sensors in each containment)

²⁵ UTAH CODE ANN. § 10-9a-507(2)(a)(ii).

²⁶ Mitigate Definition & Meaning – Merriam-Webster.

²⁷ UTAH CODE ANN. § 10-9a-507(2)(a)(i).

- Continuous electronic monitoring of tank interstitial space (liquid sensors)
- Inventory level monitoring of tanks

Regulatory monitoring and reporting is done by Seneca Environmental Services (SES) on behalf of the Applicant. All Applicant sites are remotely accessed and monitored daily. Any alarm conditions are identified and repairs and/or emergency response is coordinated with Applicant's Facilities group and service provider. Emergency shut-off switches (Estop) are located at a minimum of three (3) locations at each site, one (1) inside at the sales counter (accessible to store employees) and two (2) on the outside of the building on either side of the front door.

Vapor Control

As shown in Exhibit A, all UST vents have Defender Series® Pressure/Vacuum (P/V) vents regulate the pressure at which vapor is allowed to escape from the underground storage tank and the vacuum at which outside air is allowed to enter the tank. The P/V vent's internal rolling diaphragm delivers consistent and controlled cracking for both *low leak and high-pressure conditions*. *Stage I Vapor recovery* is a control strategy to capture gasoline vapors that are released when gasoline is delivered to a storage tank. *The vapors are returned to the tank truck as the storage tank is being filled with fuel, rather than released to the ambient air*. Salt Lake City has a semi-arid climate (semi-desert) with an average wind speed of nearly 20 MPH, and Utah is the second driest state in the country behind Nevada (Google). The less humidity, the more the evaporation rate of gasoline exceeds the condensation rate. The stronger the wind, the more gasoline molecules disperse and evaporate more quickly. Therefore, the risk of gasoline vapors getting past the vapor controls and accumulating enough at ground level to flow as a condensed mass into a tunnel 200 feet away or even on site enough to make people feel sick is incredibly low to impossible.

Onsite Storage Treatment Train

The primary purpose of the onsite Stormwater Quality Treatment Train is to capture rainwater falling on site, treat the water to remove pollutants and sediment and release that water to the storm drain system owned and maintained by Salt Lake City.

Water is collected by a series of catch basins and conveyed through pipes to an underground storage unit where sediment is removed and water is stored prior to release. Water is treated at various points in the treatment train to remove pollutants as shown in the Stormwater Quality Treatment Train diagram (see Exhibit E). This provides robust treatment that allows us to meet or exceed the storm water quality requirements and provide increased water quality in the stormwater leaving the site

The Staff Report erroneously held that the Use has a high potential for impacting the quality of air, soil, and water of Sugar House Park. Applicant has demonstrated that the detrimental impact can be mitigated.

13. **Salt Lake City Code §21A.54.080(B)(13)** requires that the hours of operation and delivery of the use are compatible with surrounding uses. The Staff Report finding is that there is a detrimental impact that can be mitigated with conditions. Applicant agrees to restrict delivery times to early morning or early evening hours.
14. **Salt Lake City Code §21A.54.080(B)(14)** requires that signs and lighting are compatible with, and do not negatively impact, surrounding uses. The Staff Report found no detrimental impact.
15. **Salt Lake City Code §21A.54.080(B)(15)** requires that the proposed use does not undermine preservation of historic resources and structures. The Staff Report found no detrimental impact.

Staff Report Consideration No. 2: Sugar House Park: Environmental Amenities. The Property is located in a Secondary Recharge Area protected by the Groundwater Source Protection Overlay District.

Consideration No. 2 Response: The Staff Report suggests that surface run-off from the Property that is not filtered properly will run into the storm drain and eventually end up in Parley’s Creek downstream through Hidden Hollow, creating a clear negative impact that cannot be mitigated. However, this is true of all surface run-off in the surrounding area, not just for the Use. Applicant has a robust groundwater protection plan to mitigate impacts from surface run-off.

Additionally, UDEQ Interactive map, attached as Exhibit C, shows UST sites within the secondary recharge zone. It should be noted the site is closer west to the discharge zone on the east side of the Jordan River than the AEEC map depicts.

See additional information regarding the robust groundwater protection plan to mitigate impacts from surface run-off in Consideration No. 4 Response below.

Staff Report Consideration No. 3: Environmental Concerns: Underground Storage Tanks (“USTs”). The main environmental concern is soil, water and air contamination caused by a release of petroleum from the USTs.

Consideration No. 3 Response: This third point in the Staff Report seems to be offered in support of the notion that the USTs will be non-compliant. Applicant uses top of the line Fiberglass Petroleum Tanks for USTs and are in compliance with all state requirements.

The Applicant’s UST System have been designed with the state-of-the-art protections. First of all, UST dispensing, containment, monitoring and spill prevention technology has come a long way since the 1998 ordinance provided in the Staff Report was adopted. Every component of the fuel system is secondarily contained with sensors to let the operator know of any concerns. Additional components include:

- **Overfill Protection Valve** – set to close at 95% tank capacity. Flapper valve shuts forcing the backpressure to stop fueling.
- **Double Wall Fiberglass USTs** – Secondary Containment (see tank diagram) with interstitial sensors. Tanks are pressure or vacuum tested and inspected by DEQ prior to being installed.

- **ATG** – Automatic Tank Gauge systems monitors 24/7, if the Electronic Line Leak Detectors detect a leak, the system shuts down. All leak detectors and monitoring equipment is inspected and tested according to UDEQ Regulations.
- **Secondary Containments** – 5-gallon spill buckets to prevent spillage from fueling, under dispenser containments (UDC) designed to contain any leaks from the dispenser, and STP’s sealed to the tank top meant to contain any leakage from the fuel pump.
- **Piping** – continuous double wall flex with all connection fittings located inside a secondary containment. Virtually no way for fuel to leak out of the pipe.
- **Discriminating Sensors** – any fluid including water within secondary containments (STP and UDC), the shuts system down.
- **“Sniffer” wells** – Applicant’s fuel system installation SOP includes the placement of 4” monitoring wells at two corners within the excavation during backfill. These wells can be inspected to detect the presence of petroleum vapors or free product.

All monitoring sensors will be inspected by Salt Lake Fire Department to confirm that all sensors are in place prior to the fuel system being put into operation.

Additionally, the “Summary Information for Release Sources and Causes” chart provided in the Staff Report is misleading. Most—29 of the 54 confirmed releases (53%)—are “unknown”, plus another 7 arose from corrosion. Dismissing the “unknown” events and knowing the proposed fuel system has all fiberglass components that cannot corrode, eliminates 36 of 54 release causes.

Of the remaining 18 sites, 2 are “other” via “other” or delivery problem, and 2 were due to damage of subgrade tank or piping, while all other 16 are surface spills as a result of dispenser or delivery scenarios which would be addressed by the 5 levels of Storm Runoff Mitigation defenses discussed earlier.

None of releases are due to spill or overflow of tank and/or piping. So according to this data, contrary to the staff report, it is very rare for a fiberglass tank to have a release.

Even if one denies the reality of the analysis of the Summary Information For Release Sources and Causes, this does not demand a denial of the Conditional Use Permit. A conditional use needs to “mitigate” the detrimental impacts, not eliminate each foreseeable detrimental impact. Here, the Staff is holding the Applicant to an incorrect standard, and the Applicant has demonstrated that through the type of USTs used and the protections in place, the detrimental impacts have been substantially mitigated.

Staff Report Consideration No. 4: Environmental Concerns. A Second Environmental Concern for having a gas station next to Sugar House Park is the possibility of surface water runoff from the gas station, contaminating the soils and water sources of the park.

Consideration No. 4 Response: The Applicant has multiple lines of defense in place to prevent contamination of the soils and water sources of the park. According to the Geotech Report dated January 17, 2022 by GSH Geotechnical, Inc., soil lithology in borings B-1 and B-6 consist

of silty clay to 7-8' below ground surface. This is favorable to prevent a potential surface release from leaching vertically if exposed surface soil is impacted, which is highly unlikely at the proposed location. Sands and gravels dominate to 41' in boring location B-1 north of the proposed USTs, however location B-6 located just east of the UST basin contains a 3.5' layer of silty clay from 23-26.5' below ground surface, which would assist in some level of confinement. The deepest soil boring was drilled to 41' below grade and groundwater was not encountered in any of the 11 locations. Groundwater is presumed to flow in a southwesterly direction.

Applicant also has significant Storm Water Runoff Mitigation in place. As shown in Exhibit A, the first line of defense includes a 65-gallon spill kit containing oil absorbing booms, pads, granular absorbent, gloves and an overpack drum will be readily available for Applicant's staff to quickly respond to surface spills. Per standard operating procedure, the Fire Department and Seneca Compliance will be called to activate Applicant's Emergency Response contractor, which is located only 13 minutes away from the property.

The second line of defense includes storm water inlet filters, FlexStorm Pure™ that remove 99% TSS and 97% Total Petroleum Hydrocarbons. Additionally, the third line of defense includes a 24" Manway Bottom Sump. This will contain liquids in place until they can be removed. The fourth line of defense includes a line stormwater filtering system that filters out sediment and can prevent contaminants from leaching into the ground.

The fifth line of defense includes a 1,250-gallon oil water separator. Coalescing plate oil-water separators (CPS) utilize enhanced coalescing and gravitational separation to greatly improve oil-water separation in storm water runoff. In doing so, these specialized concrete vaults separate and intercept free oils and greases from storm water runoff before they reach local water or sewer systems. CPS units are intended for use on sites that have strict effluent criteria and repeatable, verifiable performance is required.

Exhibit A further shows that Dispensing Equipment Protection includes the following:

- Concrete filled steel bollards around pumps, shear or breakaway valves automatically stop the flow of fuel to the dispenser if one is hit.
- Break Away Valves are designed for fuel hoses to fracture when a specific amount of lateral stress is applied. This means that should a vehicle drive-away during refueling, the valve assembly will separate into two Dry Break components. This minimizes spills, avoids fires, and stops expensive refueling and fuel management hardware being dragged off and destroyed should a drive-away occur.
- Shear Valves are installed on fuel-supply lines beneath dispensers at grade level to minimize hazards associated with collision or fire at the dispenser. If the dispenser is pulled over or dislodged by collision, the top of the valve breaks free at the integral shear groove, activating poppets that shut off the flow of fuel.

Lastly, Seneca Compliance Manager includes remote monitoring from Des Moines, IA to pull data and maintain compliance for all Applicant stores throughout the US. This gives Applicant the capability to conveniently provide annual reports of inspections from UDEQ and/or reports regarding any leaks from the UST system or spills on site. In accordance with all applicable regulations, any potential leak or spill within reportable limits would be reported to UDEQ.

By providing this information, we re-emphasize that the Applicant is committed to preventing contamination of the soils and water sources of the park and has a multi-level plan in place to mitigate any detrimental impacts.

Staff Report Consideration No. 5: Traffic Concerns: Vehicular increase to the 2100 South/1300 East Intersection

Consideration No. 5 Response: The Staff Report argues that the Use is too vehicular intense for the Property. Applicant disagrees.

The first point noted in the Staff Report in this Consideration is the following: *“The study was conducted last year when the Sizzler was inoperable and there were no counts taken from the subject property because there were no cars entering or exiting the property. The traffic impact study cannot be reasonably relied upon to provide meaningful understanding of the potential impacts.”* This statement is inaccurate and does not represent best practice in traffic engineering. The purpose of the TIS is to understand the total impacts of the proposed use. While providing a comparison to any existing use on site is helpful, ultimately the analysis is conducted as if any proposed development was new to the site. In practice, if the Sizzler was operational, when counts were taken, the trips would have been removed from the site entrances and the surrounding network in the analysis so that the full impacts of the proposed Use could be understood. The Sizzler being vacant provides the best opportunity to fully understand potential impacts of the proposed land use.

The Staff Report goes on to describe that LOS “E” is an unacceptable level of service for the network. It should be noted that the TIS specifically identifies the LOS “E” is due to background growth added to the network. Adding background growth helps capture any future developments or regional increases in traffic, which is best practice. The LOS “E” analyzed is not due to any site development. Said differently, if the site is never redeveloped or occupied again, and traffic continues to increase, the signal will degrade to LOS “E.” A review of background (without site) 2023 conditions versus total future (with site) 2023 shows no degradation of the signal. The TIS shows that the proposed development has only minor impacts to the existing signal.

Additionally, although not modeled, a fuel use at this location would decrease the number of northbound left U-turns that were observed at the signal accessing the fuel station to the west. The proposed Use potentially would improve safety and operations of the northbound left movement at the signal.

Fuel uses are not destination spots. This is ultimately a benefit to the traffic network. These are typically described as “pass-by trips” in traffic engineering. Vehicles that are already on the network that stop on their way to their primary destination. These are ultimately less impactful uses as they do not add new trips to the network. Destination uses, such as restaurants, create mostly new trips to the network which increase traffic throughout the network streets.

The design of the site accommodates the proposed trips as well as reduces the number of curb cuts (access points) than the existing use. Fewer curb cuts helps to provide for better pedestrian and bike experience as there are fewer conflict points that non-auto users have to be aware of. Fewer access locations and limited movements are high priorities when adhering to access management principles. The site design improves access management over the existing conditions.

The TIS was conducted adhering to current best practices of study. It concludes that the proposed Use would have little impact on the existing signal and due to the proposed Use may even improve operations of the existing signal. No queuing, safety or operational concerns were identified and a reduction of access points over the existing conditions would improve safety and circulation for the site and immediate traffic network. Therefore, what can be concluded from the TIS is that, from a traffic perspective, the proposed Use can be fully accommodated by the existing network and proposed site design.

Staff Report Consideration No. 6: Traffic Concerns: Fuel Truck Route After Leaving Subject Property

Consideration No. 6 Response: The Planning Staff has concerns about the route that the fuel trucks will take after they leave the subject property.

This consideration discusses the proposed fuel truck routes to get back to the highway. These trucks will need to take 2100 S to the east as discussed. The roadway is designated as a collector and two to three travel lanes in either direction depending on the segment. Collectors connect local roads to arterials and must balance access with mobility. This road serves as a primary east-west connection to get users to/from I-80, I-15, commercial areas, and residential areas along its length. The roadway is designed to carry a mix of traffic to support multiple types of users including heavy vehicles such as the UTA 21 Bus Line. A review of publicly available data from the Wasatch Front Regional Council (WFRC) shows 5% combined unit and 11% single unit trucks along the length of 2100 S. This would suggest that heavy vehicles are present on the roadway either as through trips as 2100 S is an east-west route for the region and also serving the commercial uses along this corridor.

The Operator has the ability to regulate when fuel deliveries are made. If a condition of approval was to limit the times, it would be recommended to limit them to off-peak hours.

Generally, this route includes collector road. Collector roads are intended for truck traffic and higher volume passenger vehicle traffic. If residents live on or near a collector road, such residents know that when purchasing their homes. Collector roads are not residential roads for a reason.

Lastly, if a reasonably anticipated detrimental effect is having large trucks on 2100 South and the impact on the safety of pedestrians, then Applicant can mitigate this concern by restricting large trucks to off peak hours. This is a reasonable mitigation of such a detrimental impact.

Staff Report Consideration No. 7: City Plan Policies. The Master Plan labels this subject Property as Low Intensity Mixed Use.

Consideration No. 7 Response: The Staff Report states that the subject proposal is a vehicular focused development that would generate more traffic than a high-volume sit-down restaurant and is not consistent with the policies of the Sugar House Master Plan.

The Use includes ground floor level retail that supports a more walkable community. The compatibility of the Use is demonstrated as the Use includes indoor and outdoor seating for pedestrians and bicyclists. The Use is consistent with applicable adopted city planning policies, documents, and master plans.

Additionally, the Use is created to support more walkable community development patterns located near transit lines and stops. The proposed convenience store and fuel station is limited to one-story structures and is designed to create an inviting and pedestrian-friendly access into the building and is reflective of a pedestrian-oriented development pattern. The Use is compatible with the surrounding land uses, with architectural design standards that meet or exceed the Commercial Design Standards (§ 21A.37) and the CB Zoning Standards (§ 21A.26.030).

Staff Report Consideration No. 8: Landscaping Buffer – for separation and storm drain filtration system.

Consideration No. 8 Response: The Staff Report states that because of the incompatibility of the gas station proposal use and the Sugar House Park, having a significantly upgraded landscaping buffer between the Use and the Sugar House Park is advisable.

Applicant is amenable to an upgraded landscaping buffer and will coordinate with the City to remedy this concern.

Decision

The Planning Staff recommended the denial of the Application to the Planning Commission. However, Utah law demands that a conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards.²⁸ Here, the reasonably anticipated detrimental effects of the Use can be mitigated with reasonable conditions as this response has demonstrated.

However, should the Planning Commission decide to approve this Application, the Planning Staff recommended adding the following list of conditions. This further support's Applicant's position that the detrimental impacts can be adequately mitigated; if not, the Planning Staff would not have recommended the following:

1. Monitoring sensors to be placed with the petroleum tanks for detecting a release of any level. This should be inspected by the Salt Lake City Fire Department to confirm that the sensors are in place.

Applicant utilizes a state of the art fueling system that is compliant with all local and State requirements, and detects releases in accordance with best practices as described in this response.

2. The landscaping along the east and south property lines should be upgraded to give an appropriate buffer between the gas station and the Park.

Applicant agrees to comply with this condition; provided, however, landscaping requirements shall be reasonable.

3. USTs should have over-fill prevention valves to protect, prevent and detect, any overfilling of fuels to the USTs.

Applicant agrees to this condition and has described the system in place in this response.

²⁸ UTAH CODE ANN. §10-9a-507.

4. Fiberglass tanks should be used for the underground storage fuel tanks, to ensure a greater durability and lifespan for the site.

Applicant agrees to this condition, as this is industry standard and best practice.

5. Building entrances facing 2100 South and 1300 East must remain open 100% of the time during business hours for customer access, since they are the main entrances for the building.

Applicant would agree to keep both entrances open during normal business hours, but there is no City requirement to have both open at all times. During late or early hours or when Applicant has minimal employee coverage, it may need to lock one of the entrances for safety reasons.

6. No fencing shall be permitted along the east or south property lines, which would create a delineated separation between the subject property and Sugar House Park.

Applicant agrees to this condition.

7. Work with the planning staff to create a safer park connection from the subject property for pedestrian traffic in the northeast area of the subject property, rather than the southeast corner connection near the gas pumps and more vehicular traffic.

Applicant has already agreed to collaborate with City.

8. Work with the transportation engineers on a trail connection to Sugar House Park.

Applicant has already agreed to collaborate with City.

9. Work with the transportation engineers on a bike connection along the frontage sidewalk along 1300 East.

Applicant has already agreed to collaborate with City.

10. For stormwater quality – because of the proximity to Parley’s Creek and the Sugar House Park Detention Pond, supplemental stormwater quality treatment is required on-site. The treatment must include both mechanical best management practices and green infrastructure (landscaping) as a secondary treatment and containment (detention basin) on-site prior to leaving the subject property and must be approved by the Public Utilities Department.

Applicant has already agreed to collaborate with City.

11. Applicant must provide annual reports of inspections from the DEQ (Department of Environmental Quality) and/or reports regarding any leaks from their USTs or spills on-site.

Applicant agrees to comply with all local and state law regarding leaks and has a robust system in place to monitor and address leaks.

12. The Salt Lake City Planning Division is to be notified within 24 hours of any leaks or spills that have occurred on the subject property, in addition to those agencies noted in Ordinance 21A.34.060.G.1.d. (21A.34.060).

To restate the notation above, Applicant agrees to comply with all local and state law regarding leaks and has a robust system in place to monitor and address leaks.

13. Deliveries to the subject property for goods and fuel are to be limited to the hours of 07:00 am-10:00 am and 06:00 pm-10:00 pm.

Applicant would agree to accept deliveries between 7:00 a.m. and 10:00 p.m., and it will collaborate with the City to determine ideal time outside of peak hours and agrees to plan deliveries during mutually agreeable hours. Deliveries between 10:00 a.m. and 6:00 p.m. would have no, or only a de minimus, impact on traffic.

14. The Applicant should be accountable for any cleanup and remediation of the subject property, Sugar House Park property, and any City property downstream of the site, should a leak or surface-runoff contamination occur.

Existing law already makes owners and operators accountable for releases of hazardous substances.

15. Proposed stamped internal-colored concrete shown across the ingress/egress points along 1300 East and 2100 South.

Applicant agrees to this condition.

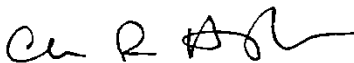
Summary

Lastly, Applicant would like to address the public commentary surround this Application. Utah law unambiguously states that that public clamor alone is not sufficient to deny a conditional use permit.²⁹

We thank you again for your review and careful consideration of the issues involved in this important matter. If you have any comments or questions, or would like to discuss further any of these items, please contact us.

Respectfully,

Holland & Hart LLP

A handwritten signature in black ink, appearing to read 'C. R. Hogle'.

Christopher R. Hogle
Partner

²⁹ *Davis City v. Clearfield*, 756 P.2d 704, 712 (Utah Ct. App. 1988).



cc: Ryan Halder (w/encls.) (via email)
Christian Michaelson (w/encls.) (via email)
Nate Abbott (w/encls.) (via email)
Michael C. Dimino (w/encls.) (via email)
Brian Horan (w/encls.) (via email)
Matt Wirthlin (w/encls.) (via email)
Havilah Coady (w/encls.) (via email)

21227554_v6

EXHIBIT “A”



DENVER BRANCH

200 S. RARITAN STREET WWW.SENECACO.COM
DENVER, CO 80223 STORE.SENECACO.COM
PHONE: 303-744-2125

The Complete Solution
April 10, 2023

Mr. Ryan Halder
Kum & Go L.C.
1459 Grand Ave.
Des Moines, IA 50309

submitted via email to Ryan Halder > ryan.halder@kumandgo.com

RE: CITY STAFF REPORT ENVIRONMENTAL RESPONSES FOR THE PROPOSED KUM & GO #2506 LOCATED AT 2111 SOUTH 1300 EAST, SALT LAKE CITY, UTAH

STORM RUNOFF MITIGATION

➤ LINE OF DEFENSE #1 – SPILL KIT

A 65-gallon spill kit containing oil absorbing booms, pads, granular absorbant, gloves and an overpack drum will be readily available for Kum & Go staff to quickly respond to surface spills. Per SOP the Fire Department and Seneca Compliance will be called to activate Kum & Go's Emergency Response contractor, who is located only 13 minutes away from the property.



The Complete Solution

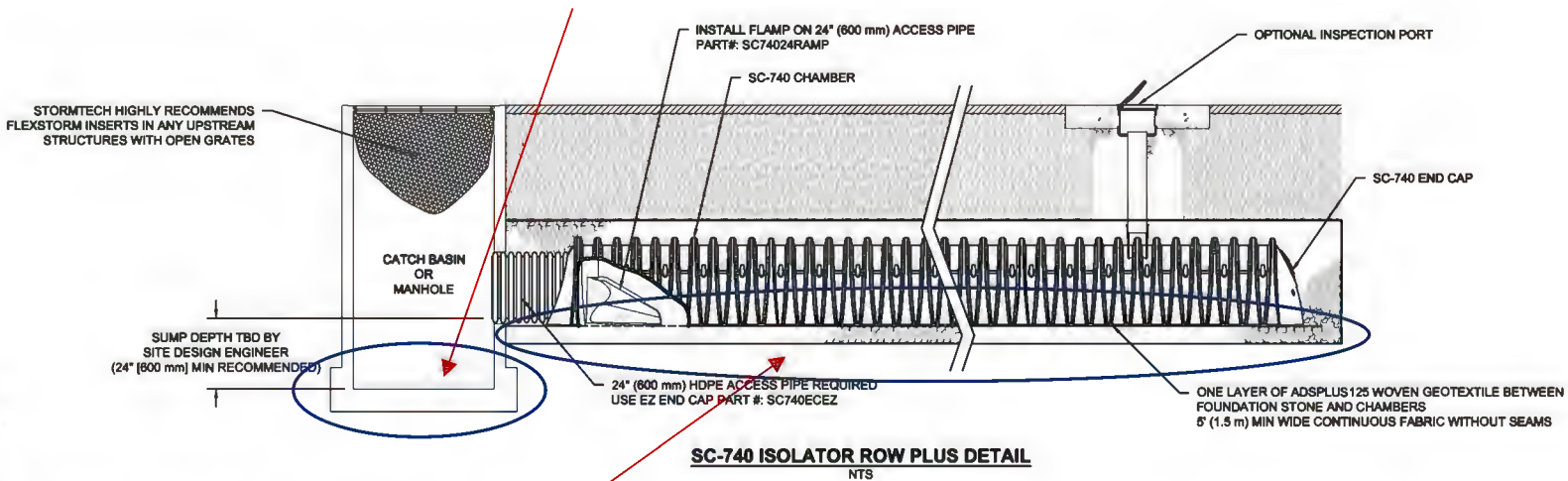
➤ **LINE OF DEFENSE #2 – STORM WATER INLET FILTERS**

FlexStorm Pure™ removes **99% TSS and 97% Total Petroleum Hydrocarbons.**



➤ **LINE OF DEFENSE #3 - 24" Manway Bottom Sump**

Will contain liquids in place until they can be removed.

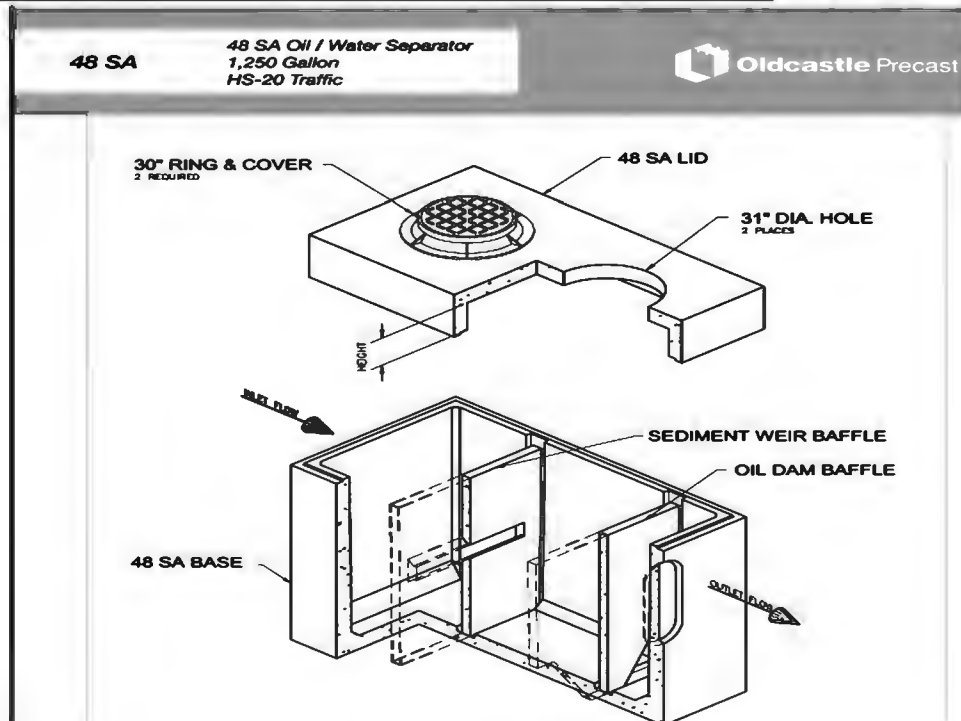


➤ **LINE OF DEFENSE #4 – LINE STORMWATER FILTERING SYSTEM**

Filters out sediment and can prevents contaminants from leaching into the ground

The Complete Solution

➤ **LINE OF DEFENSE #5 – 1,250-GALLON OIL WATER SEPARATOR**



Coalescing plate oil-water separators (CPS) utilize enhanced coalescing and gravitational separation to greatly improve oil-water separation in storm water runoff. In doing so, these specialized concrete vaults separate and intercept free oils and greases from storm water runoff before they reach local water or sewer systems. CPS units are intended for use on sites that have strict effluent criteria and repeatable, verifiable performance is required.



The Complete Solution

DENVER BRANCH

200 S. RARITAN STREET WWW.SENECACO.COM
DENVER, CO 80223 STORE.SENECACO.COM
PHONE: 303-744-2125

DISPENSING EQUIPMENT PROTECTION

- Concrete filled steel bollards around pumps, shear or breakaway valves automatically stop the flow of fuel to the dispenser if a one is hit.
- Break Away Valves are designed for fuel hoses to fracture when a specific amount of lateral stress is applied. This means that should a vehicle drive-away during refueling, the valve assembly will separate into two Dry Break components. This minimizes spills, avoids fires, and stops expensive refueling and fuel management hardware being dragged off and destroyed should a drive-away occur.
- Shear Valves are installed on fuel-supply lines beneath dispensers at grade level to minimize hazards associated with collision or fire at the dispenser. If the dispenser is pulled over or dislodged by collision, the top of the valve breaks free at the integral shear groove, activating poppets that shut off the flow of fuel.

GROUNDWATER PROTECTION

UDEQ Interactive map shows UST sites located within the secondary recharge zone. There are many other UST sites located within the Secondary Recharge Zone. It should be noted the site is closer west to the discharge zone on the east side of the Jordan River than the AEEC map depicts. There are no restrictions for the discharge zones, hence why there are many more UST sites in the discharge zone than the secondary recharge zone.

Site Geology - According to the Geotech Report dated January 17, 2022 by GSH Geotechnical, Inc., soil lithology in borings B-1 and B-6 consist of silty clay to 7-8' below ground surface. This is favorable to prevent a potential surface release from leaching vertically if exposed surface soil is impacted which is highly unlikely at the proposed location. Sands and gravels dominate to 41' in boring location B-1 north of the proposed USTs, however location B-6 located just east of the UST basin contains a 3.5' layer of silty clay from 23-26.5' bgs which would assist in some level of confinement. The deepest soil boring was drilled to 41' below grade and groundwater was not encountered in any of the 11 locations. Groundwater is presumed to flow in a southwesterly direction.

UST System Bells and Whistles – UST dispensing, containment, monitoring and spill prevention technology has come a long way since the 1998 ordinance was adopted. Every component of the fuel system is secondarily contained with sensors to let the operator know.

- **Overfill Protection Valve** – set to close at 95% tank capacity. Flapper valve shuts forcing the backpressure to stop fueling.
- **Double Wall Fiberglass USTs** > Secondary Containment (see tank diagram) with interstitial sensors. Tanks are pressure or vacuum tested and inspected by DEQ prior to being installed.
- **ATG** – Automatic Tank Gauge systems monitors 24/7, if the Electronic Line Leak Detectors detect a leak, the system shuts down. All leak detectors and monitoring equipment is inspected and tested according to UDEQ Regulations.
- **Secondary Containments** – 5-gallon spill buckets to prevent spillage from fueling, under dispenser containments (UDC) designed to contain any leaks from the dispenser, and STP's sealed to the tank top meant to contain any leakage from the fuel pump.

The Complete Solution

- **Piping** – continuous double wall flex with all connection fittings located inside a secondary containment. Virtually no way for fuel to leak out of the pipe.



- **Discriminating Sensors** - any fluid including water within secondary containments (STP and UDC), the shuts system down.
- **“Sniffer” wells** – Kum & Go fuel system installation SOP includes the placement of 4” monitoring wells at two corners within the excavation during backfill. These wells can be inspected to detect the presence of petroleum vapors or free product.

All monitoring sensors will be inspected by Salt Lake Fire Department to confirm that all sensors are in place prior to the fuel system being put into operation.

Other Worthy Mentions

- Seneca Compliance Manager – remote monitoring from Des Moines, IA to pull data and maintain compliance for all Kum & Go stores throughout the US. This gives Kum & Go the capability to conveniently provide annual reports of inspections from UDEQ and/or reports regarding any leaks from the UST system or spills on site. Within 24 hours, any potential leak or spill within reportable limits would be reported to UDEQ.

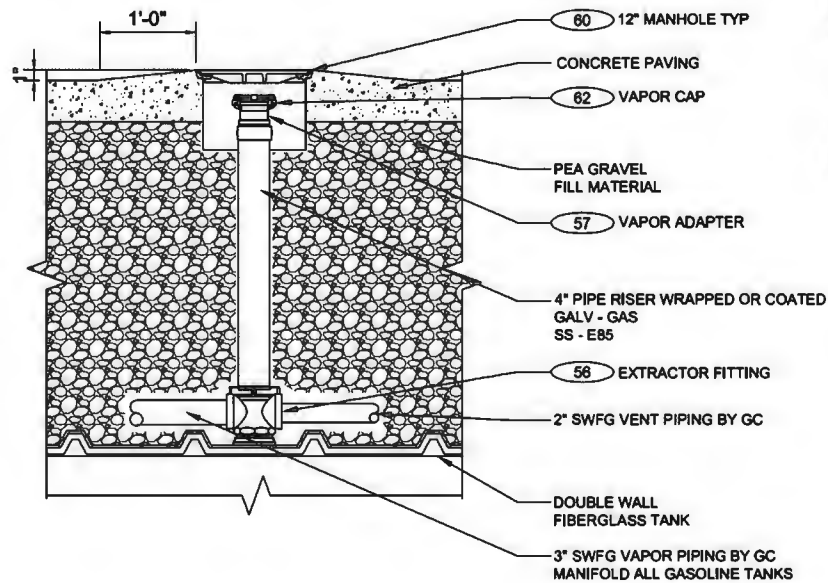
VAPOR CONTROL

- All UST vents have Defender Series® Pressure/Vacuum (P/V) vents regulate the pressure at which vapor is allowed to escape from the underground storage tank and the vacuum at which outside air is allowed to enter the tank. The P/V vent's internal rolling diaphragm delivers consistent and controlled cracking for both ***low leak and high-pressure conditions.***



- ***Stage I Vapor recovery*** is a control strategy to capture gasoline vapors that are released when gasoline is delivered to a storage tank. ***The vapors are returned to the tank truck as the storage tank is being filled with fuel, rather than released to the ambient air.***

The Complete Solution



- Salt Lake City has a semi-arid climate (semi-desert) with an average wind speed of nearly 20 MPH, and UT is the second driest state in the country behind Nevada (Google). The less humidity, the more the evaporation rate of gasoline exceeds the condensation rate. The stronger the wind, the more gasoline molecules disperse and evaporate more quickly. Therefore, the risk of gasoline vapors getting past the vapor controls and accumulating enough at ground level to flow as a condensed mass into a tunnel 200 feet away or even on site enough to make people feel sick is incredibly low to impossible.

The Complete Solution

STATS

- 29 of the 54 confirmed releases (53%) are “unknown”, plus another 7 due to corrosion. Dismissing the “unknown” events and knowing the proposed fuel system has all fiberglass components that cannot corrode, eliminates 36 of 54 release causes.
- Of the remaining 18 sites, 2 are “other” via “other” or delivery problem, and 2 were due to damage of subgrade tank or piping, while all other 16 are surface spills as a result of dispenser or delivery scenarios which would be addressed by the 5 levels of Storm Runoff Mitigation defenses discussed earlier.
- 0% of releases are due to spill or overfill of tank and/or piping. So according to this data, contrary to the staff report, it is very rare for a fiberglass tank to have a release.

Number Of Confirmed UST Releases:

54

Release Reporting Period Dates:

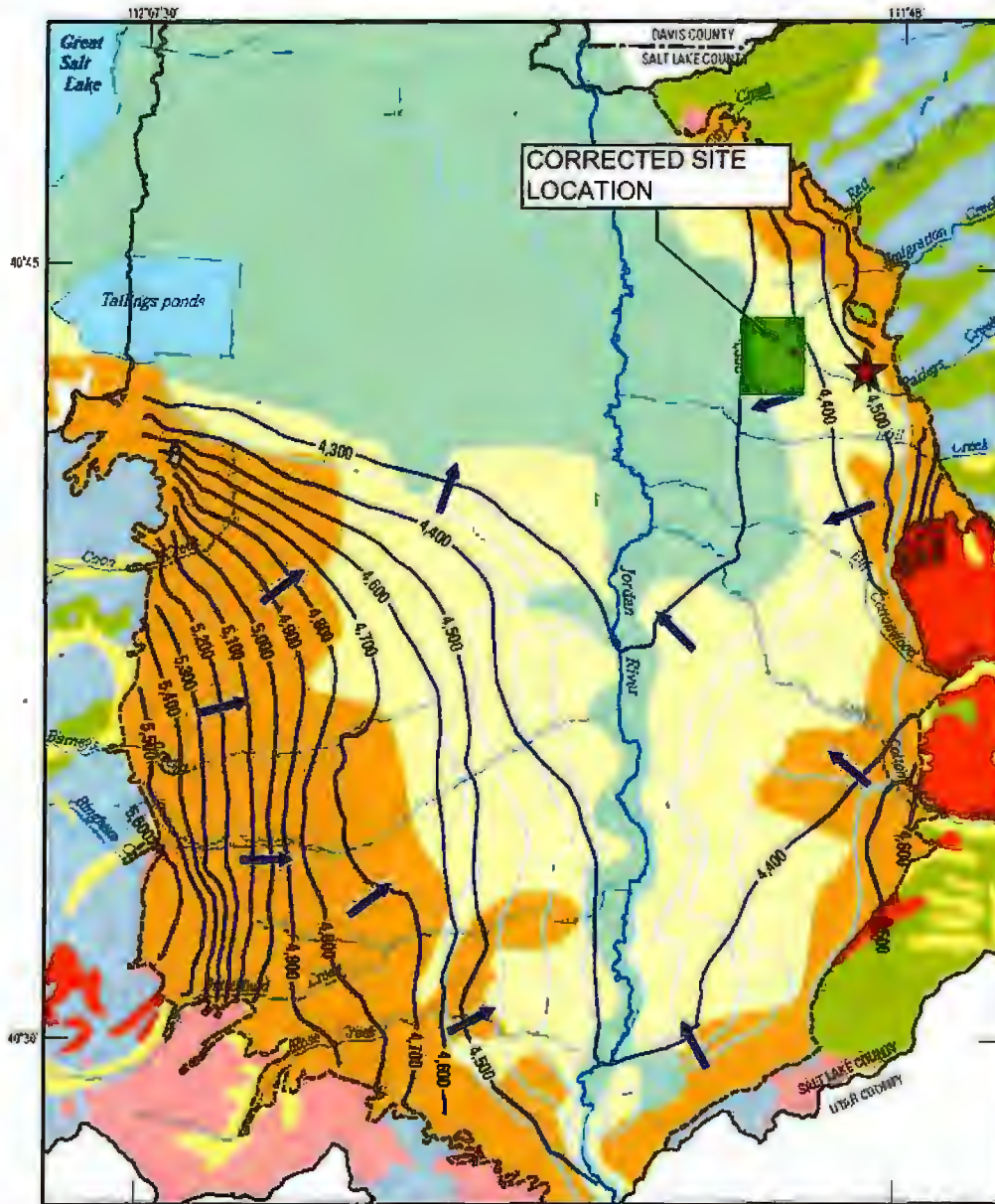
October 1, 2021 To September 30, 2022

Summary Information For Release Sources And Causes

Source	Cause															
	Spill		Overfill		Damage		Corrosion		Install		Other		Unknown			
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Tank	12	22 %	0	0 %	0	0 %	1	33 %	3	43 %	0	0 %	0	0 %	8	28 %
Piping	8	15 %	0	0 %	0	0 %	1	33 %	3	43 %	0	0 %	0	0 %	4	14 %
Dispenser	11	20 %	5	63 %	3	60 %	1	33 %	0	0 %	0	0 %	0	0 %	2	7 %
STP	2	4 %	0	0 %	0	0 %	0	0 %	1	14 %	0	0 %	0	0 %	1	3 %
Delivery Problem	5	9 %	2	25 %	2	40 %	0	0 %	0	0 %	0	0 %	1	50 %	0	0 %
Other	4	7 %	1	13 %	0	0 %	0	0 %	0	0 %	0	0 %	1	50 %	2	7 %
Unknown	12	22 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	12	41 %
Totals	54		8		5		3		7		0		2			

= number, % = percent of total number

EXHIBIT “B”



Base from U.S. Geological Survey digital line graph data, 1973, 1986, Universal Transverse Mercator projection, Zone 12

- Geology**
- Carbonate rocks
 - Metamorphic or intrusive igneous rocks
 - Sedimentary-dominated rocks
 - Volcanic rocks
 - Basin-fill sediments
 - ★ Sugarhouse Park

EXPLANATION

- Discharge area
- Primary recharge area
- Secondary recharge area
- Approximate boundary of basin-fill sediments
- Approximate direction of lateral groundwater movement
- 4,500- Potentiometric contour—Shows altitude of model-computed potentiometric surface for the principal aquifer in 1991 (from Lambert, 1995). Contour interval is 100 feet. Datum is the National Geodetic Vertical Datum of 1929
- Study area boundary
- Canal



**Figure 12: Groundwater Recharge and Discharge Zones
Salt Lake Valley, Utah**

Kum & Go Gas Station
2111 South 1300 East
Salt Lake City, Utah



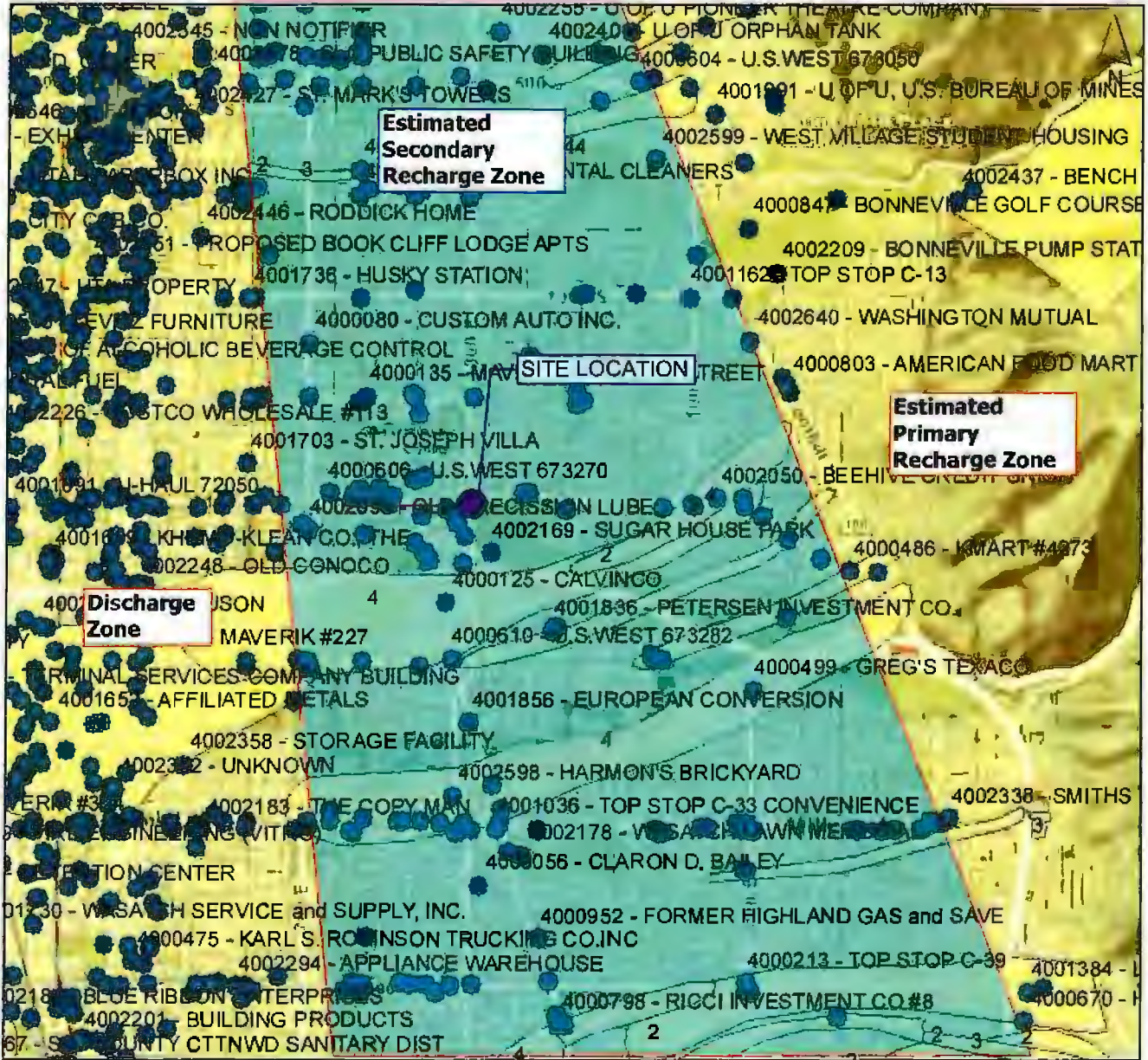
3489 West 2100 South, Suite 150
Salt Lake City, Utah 84119
(801) 908-5447

Project No. 2203

Boundaries are approximate.
Not to scale.

EXHIBIT “C”

Printed from the Utah DEQ Interactive Map



4/10/2023

1:72,224

Petroleum Storage Tanks

Ground Water Protection Zones

- 1
- 2
- 3
- 4



EXHIBIT ‘D’



TOTAL

SYSTEM SOLUTIONS

SERVICE STATION HARDWARE

- Product and Vapor Recovery Spill Containers
- Product and Vapor Recovery Caps and Adapters
- Defender Series Overfill Prevention Valves
- Extractor Vents
- Defender Series PVV Vents (w) with In-Line Vents (2)
- Drop Tubes
- Tank Bottom Protection
- Manways
- Multipoint Manways
- Multipoint Tank Bumpers
- Probe Access Manholes
- FLEX-ING™ Flexible Connectors
- Product and Vapor Recovery Shear Valves

PIPING & CONTAINMENT SYSTEMS

- Polyethylene or Fiberglass Tank Sumps (fiberglass shown)
- APT™ Flexible Pipe
- LUPP™ Semi-Rigid Pipe
- Pipe Fittings, Test Boots, and Entry Boots
- Polyethylene or Fiberglass Dispenser Sumps (fiberglass shown)

SUBMERSIBLE PUMPING SYSTEMS

- FE PETRO™ Submersible Turbine Pumps (STP)
- Advanced Protection
- Variable and Fixed Speed
- Variable and Fixed Length
- High Capacity STPs and Controllers
- Corrosion Control™ Systems
- Disinfect Pack
- Corrosion Detection Sensor
- Water Separator
- Mechanical Leak Detectors
- Dispenser Hook Isolation Controllers
- Control Boxes
- Quasidex Series™ Smart Controllers
- Variable Frequency Controllers

DISPENSING SYSTEMS

- Sewel and In-Line Breakaways
- Product Hoses
- Vapor Recovery and Enhanced Conventional Nozzles
- Dispenser-Mounted Vacuum Pumps

FUEL MANAGEMENT SYSTEMS

- ENCO™ Seals Automatic Tank Gauges
- Probe and Float Kits
- Inventory Control
- Phase Separation
- Density Measurement
- Electronic Line-Lock Detection
- Discriminating Sensors
- Non-Discriminating Sensors
- FFS PRD™ Connect

WIRE MANAGEMENT SYSTEMS

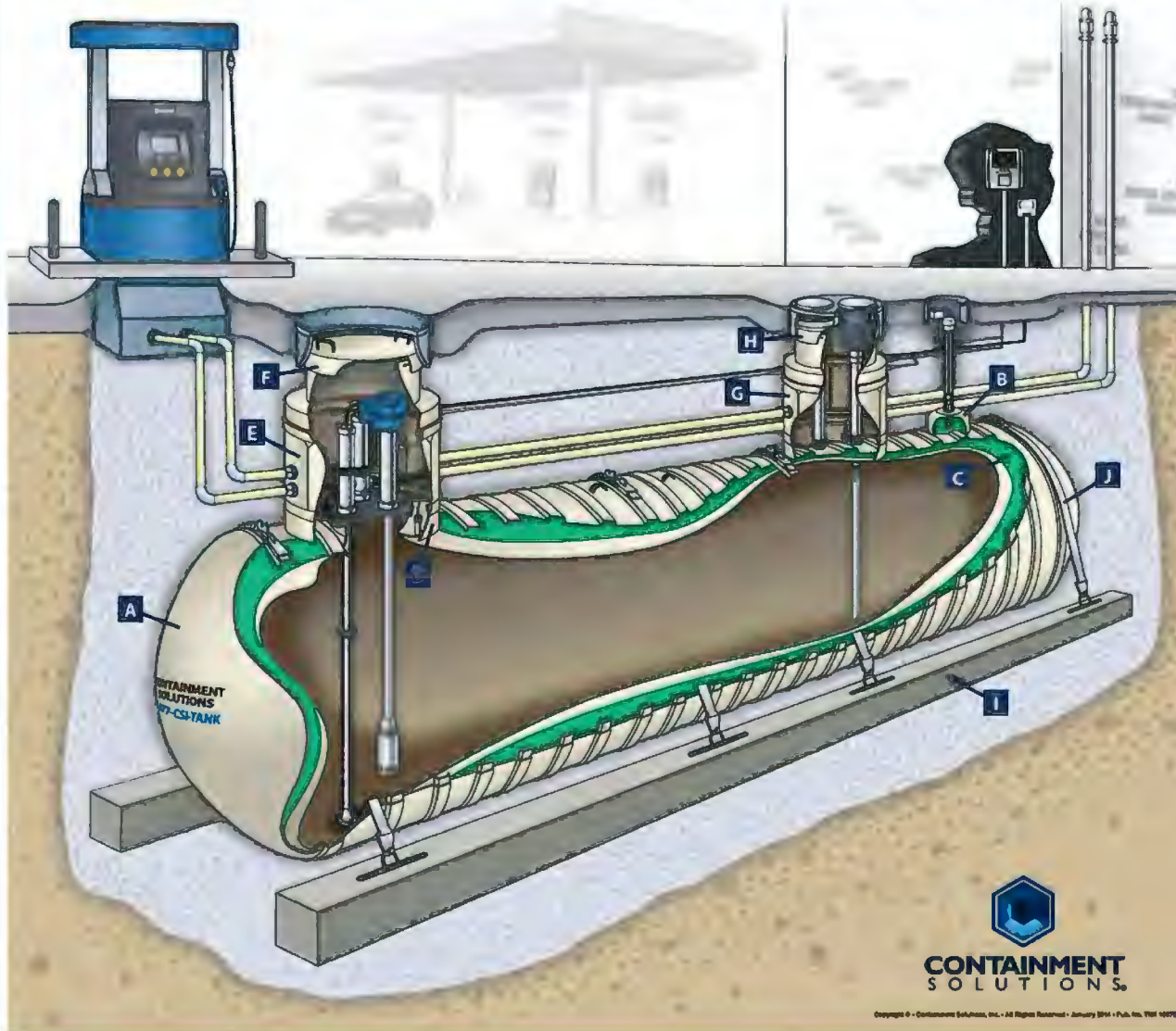
- Cable Tight™ Flexible Conduit
- Cable Tight™ Rigid Conduit
- Entry Seals
- Couplers

see CSI Diagram

FIBERGLASS PETROLEUM TANKS

STANDARD FEATURES

- A. Double-Wall Tank
- B. Hydrostatic Reservoir
- C. Monitoring Fluid
- D. Containment Collar
- E. Turbine Tank Sump
- F. Turbine Sump Lid
- G. Fill / Vapor Tank Sump
- H. Fill / Vapor Sump Lid
- I. Deadman Anchors
- J. Split-Strap System



1-877-CSI-TANK
www.containmentsolutions.com

Innovative Manufacturing Process

Using an automated process, our tank laminate is consistent in thickness and composition. The initial material forming against the steel mold produces an incredibly smooth finish, free of surface variations. The inside surface in our process is not exposed to air as it cures thus eliminating air inhibited cure issues. The result is a well cured, high gloss inner surface without the need for additional interior liners. Other manufacturing methods rely on inferior hand sprayed wax coatings to combat surface cure problems.

Our proven performance and quality products have led the industry for over 45 years.



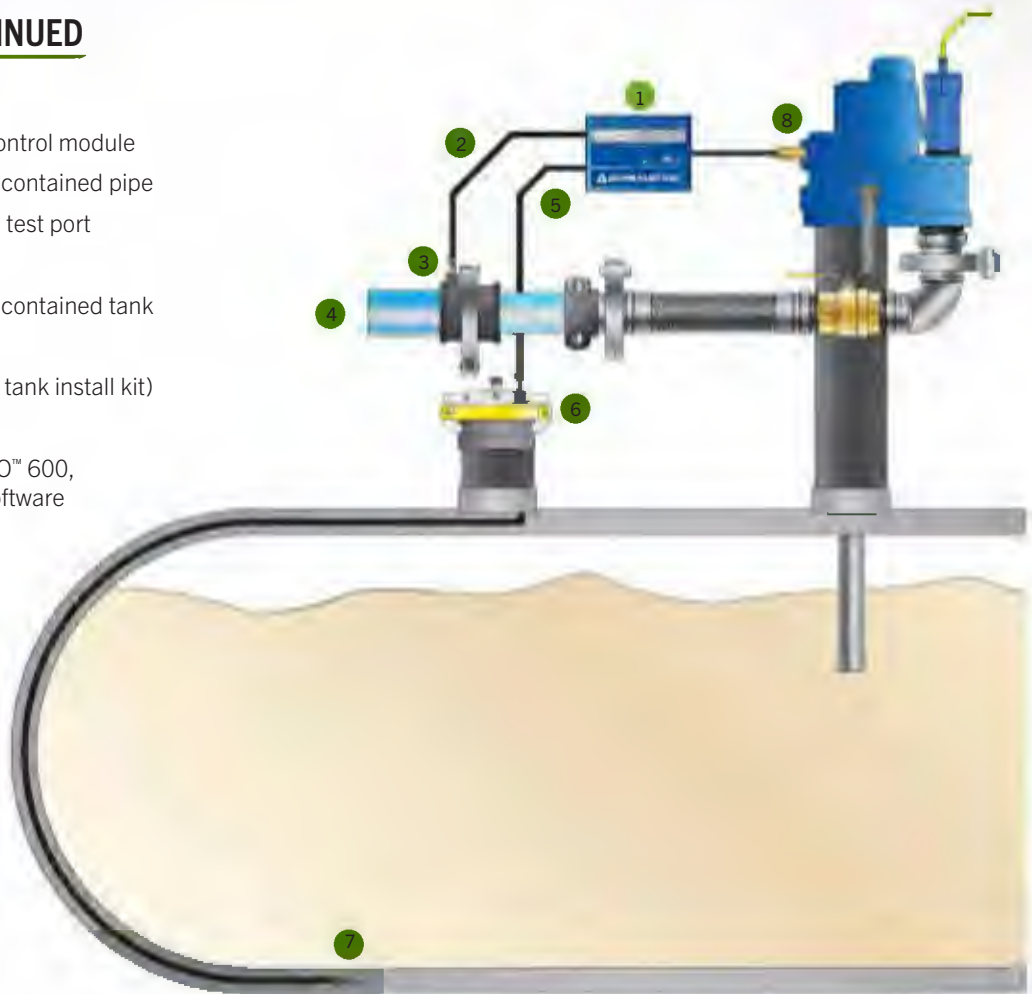
**CONTAINMENT
SOLUTIONS**

Copyright © - Containment Solutions, Inc. - All Rights Reserved - January 2011 - Pub. No. TWS 14070

SPECIFICATIONS CONTINUED

Components

- 1 Secondary containment control module
- 2 Vacuum line to secondary contained pipe
- 3 Pipe fitting with integrated test port
- 4 Secondary contained pipe
- 5 Vacuum line to secondary contained tank
- 6 Tank installation kit
- 7 Line weight (included with tank install kit)
- 8 Syphon check valve
- 9 EVO™ 550, EVO™ 5000, EVO™ 600, or EVO™ 6000 with SCM software



ORDERING INFORMATION

Secondary Containment Control Modules

TS-SCCM/1	Single channel secondary containment control module
TS-SCCM/2	Dual channel secondary containment control module
TS-SCMCL	Leak generator kit, one per station
VS-SCCM/1	220 VAC single channel secondary containment control module
VS-SCCM/2	220 VAC dual channel secondary containment control module

Accessories

TSP-SCBRB	¼" NPT barbed fittings (Qty 5)
TSP-SCBRBT	¼" NPT barbed T-fitting
TSP-SCCLP	Hose clamps (Qty 5)
TSP-SCTB25	25' vacuum hose
TSP-SCTB50	50' vacuum hose
TSP-SCTB100	100' vacuum hose
TSP-SCVLV	Schreader valves (Qty 5)
400137937	Syphon check valve
TSP-SCVLV-PF	Push-Fit stem to Barb fitting (Qty 5)

Installation Kits

TSP-SCLSI	Product, vapor line and sump containment install kit
TSP-SCTK2	Tank containment install kit for 2" NPT risers, in-tank hose sold separately
TSP-SCTK2B	Tank containment install kit for 2" BSP risers, in-tank hose sold separately
TSP-SCTK4	Tank containment install kit for 4" NPT risers, in-tank hose sold separately
TSP-SCTK4B	Tank containment install kit for 4" BSP risers, in-tank hose sold separately

EXHIBIT ‘E’

Galloway

Kum & Go - Sugarhouse - Stormwater Quality Treatment Train

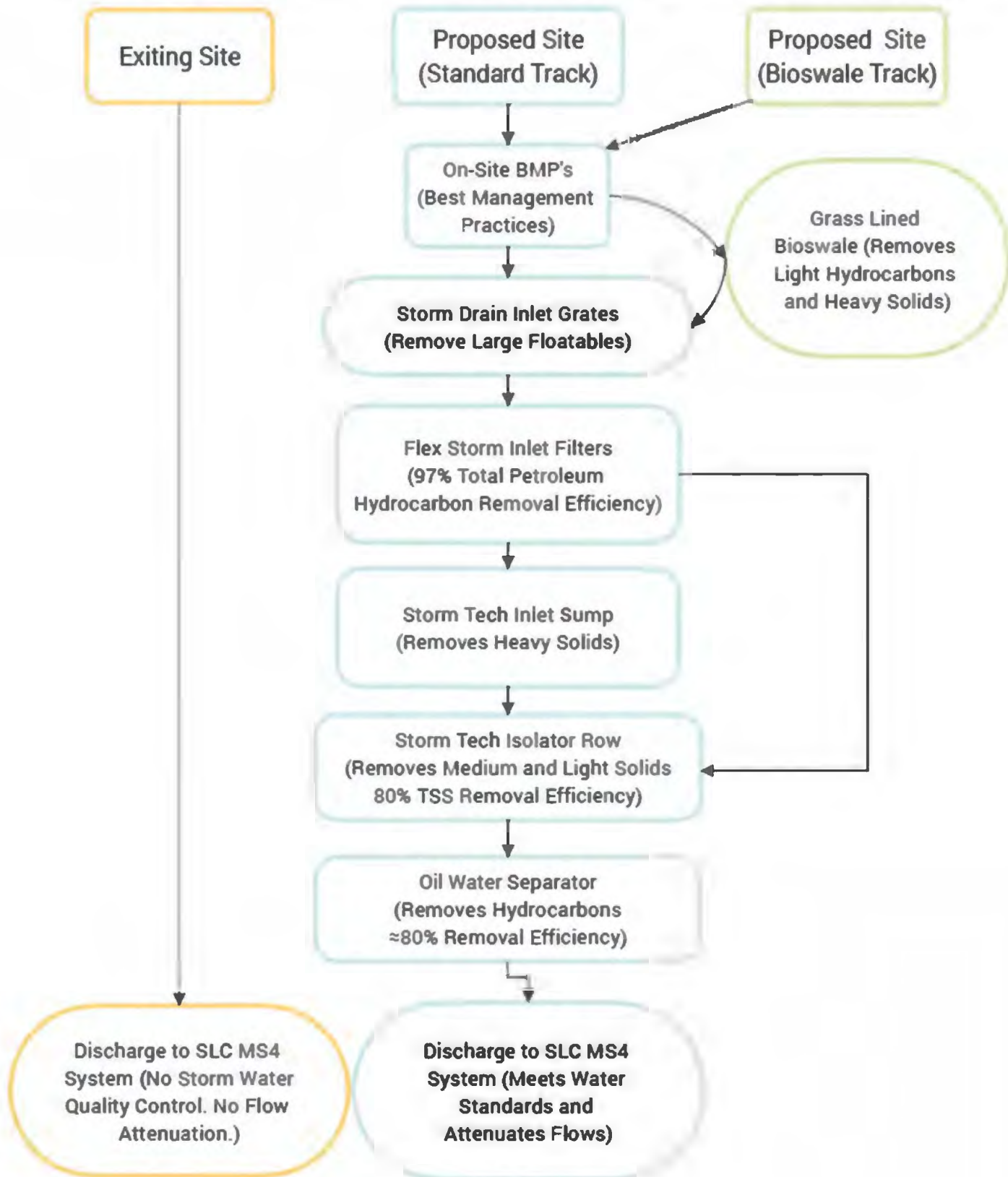


EXHIBIT “3”

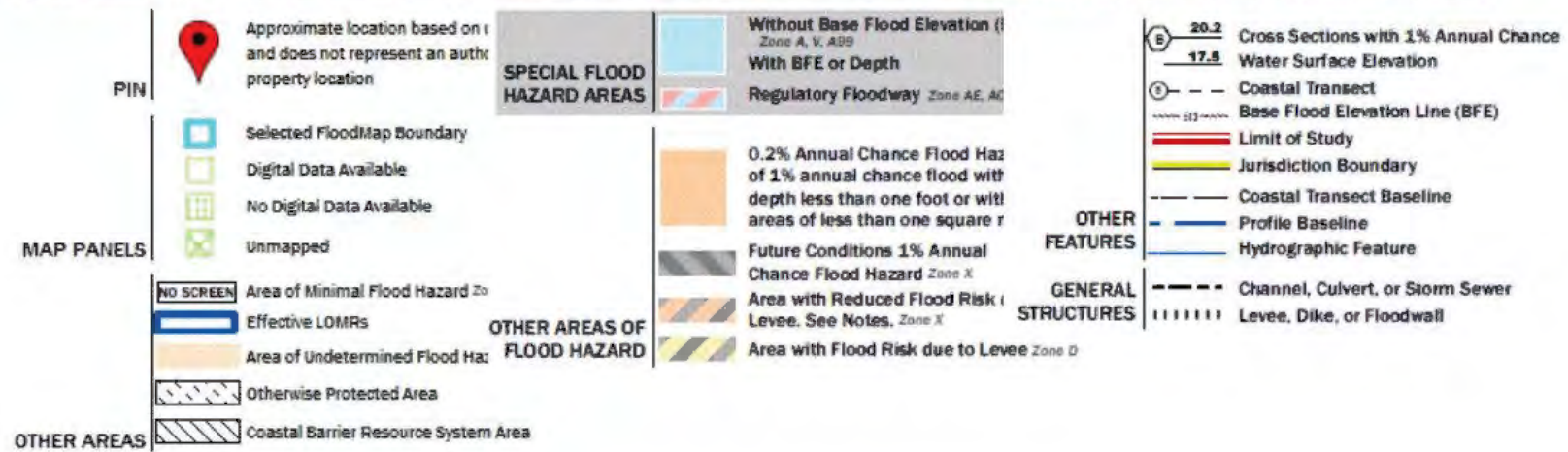


EXHIBIT “4”

From: Draper, Jason <Jason.Draper@slcgov.com>
Sent: Tuesday, December 13, 2022 10:16 AM
To: Nate Abbott
Cc: Christian Michaelson; Doug Staker; Martinez, Diana; Beitel, Kristeen
Subject: RE: (EXTERNAL) 2506 - Requirement from Public Works

Nate,

Yes, It looks like the new map does not include this property in the floodplain. No floodplain permit required.

Jason Draper, PE, CFM

Salt Lake City Department of Public Utilities
1530 S. West Temple Street, Salt Lake City, Utah 84115
801.483.6751



From: Nate Abbott <nathanabbott@gallowayus.com>
Sent: Tuesday, December 13, 2022 9:12 AM
To: Draper, Jason <jason.draper@slcgov.com>
Cc: Christian Michaelson <ChristianMichaelson@gallowayus.com>; Doug Staker <dougstaker@gallowayus.com>;
Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: (EXTERNAL) 2506 - Requirement from Public Works

Hi Jason –

We checked in with our surveyor and it looks like FEMA has updated the flood plain data after the ALTA was delivered. The ALTA has a date of 6/17/21. The effective date of the current flood plain map is 11/19/21. Linked below, I have attached the old and new FEMA map for your review and an updated ALTA to show the change. Based on this new info., we don't believe a Floodplain Development Permit will be required.

<https://gallowayus.sharefile.com/d-sa854e92cbfe24b2293a532aa4e92fa4c>

Please let us know if this addresses your comment below.

Thank you,



Nate Abbott LEED AP
SR. DEVELOPMENT SERVICES PROJECT MANAGER
SR. ASSOCIATE

5500 Greenwood Plaza Blvd, Suite 200, Greenwood Village, CO 80111
O 303.770.8884
nathanabbott@gallowayus.com

[GallowayUS.com](https://gallowayus.com) | Celebrating 40 Years.

From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Monday, December 5, 2022 3:29 PM
To: Nate Abbott <nathanabbott@gallowayus.com>
Subject: Requirement from Public Works

Nate-

This requirement is now required by Public Utilities:

- Property is located in the Special Flood Hazard Area or an area with increased flood risk and will require a Floodplain Development Permit. Floodplain permit application must be supplemented with the FIRM panel or FIRMette of the area showing the base flood elevation (obtained via FEMA). The subject property must also be clearly shown and labelled on the FIRM or FIRMette. Floodplain permit application must also be supplemented with a grading plan of the project clearly showing floodplain extents, base flood elevation, and finished floor elevation of the proposed building. Additional information may be requested after the initial review of the floodplain permit application. Plans will not be approved until the Floodplain Development Permit is approved.

Diana

Diana Martinez

Principal Planner
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
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ATTACHMENT C: City Attorney's Brief

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KUM & GO, GALLOWAY US,

Appellant,

vs.

SALT LAKE CITY CORPORATION

Respondent.

APPEAL OF A LAND USE DECISION

Appeal No. PLNAPP2023-00303

Petition No. PLNAPP2022-00053

Hearing Date: June 15, 2023

Property Address: 2111 S. 1330 E.

INTRODUCTION AND STANDARD OF REVIEW

This matter comes before the Salt Lake City Appeals Hearing Officer as an appeal of a land use decision pertaining to the denial of a conditional use permit application under Salt Lake City's ("City") zoning code, which is found in Title 21A of the *Salt Lake City Code* ("Code").¹ The appeals hearing officer, established pursuant to Section 21A.06.040, is the City's designated land use appeal authority on appeals of land use decisions, including decisions related to conditional use permit applications.² In accordance with Section 21A.16.030.A, an appeal made to the appeals hearing officer shall identify "the decision appealed, the alleged error made in connection with the decision being appealed, and the reasons the appellant claims the decision to

¹ See also Utah Code § 10-9a-507(3) ("A land use authority's decision to approve or deny [a] conditional use is an administrative land use decision.").

² Code § 21A.54.160.

be in error.” It is an appellant’s burden to prove that the decision made by the Salt Lake City Planning Commission (“Planning Commission”) was incorrect.³ Moreover, it is an appellant’s responsibility to marshal the evidence in this appeal.⁴

The role of the appeals hearing officer is to “review the decision based upon applicable standards and shall determine its correctness.”⁵ The appeals hearing officer must affirm the Planning Commission “unless [the Planning Commission’s decision] is not supported by substantial evidence in the record or it violates a law, statute, or ordinance in effect when the decision was made.”⁶ The Planning Commission’s decision must be upheld or reversed by the appeals hearing officer solely on the record before the Planning Commission, unless evidence was improperly excluded by the Planning Commission.⁷

Municipal legislative bodies are entitled to designate conditional uses within a zoning district as set forth in adopted land use regulations.⁸ “A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.”⁹ Reasonable mitigation of the anticipated detrimental effects “does not require elimination of the detrimental effects.”¹⁰ Conditional uses are properly denied if the municipality identifies reasonably anticipated detrimental effects, and determines that those effects “cannot be

³ See Code § 21A.16.030.J.

⁴ See *Carlsen v. Bd. of Adjustment of City of Smithfield*, 287 P.3d 440, 2012 UT App 260 (Utah App. 2012).

⁵ Code § 21A.16.030.I.2.b.

⁶ Code § 21A.16.030.I.2.c. Appellant misstates the standard of review as de novo. Appellant Br. at 2.

⁷ Code § 21A.16.030.I.2.

⁸ Utah Code § 10-9a-507(4).

⁹ Utah Code § 10-9a-507(2)(a)(i).

¹⁰ Utah Code § 10-9a-507(2)(a)(ii).

substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the land use authority may deny the conditional use.”¹¹

A land use decision must be upheld unless it is arbitrary, capricious, or illegal.¹² A decision is not arbitrary and capricious if it is supported by substantial evidence.¹³ Substantial evidence is evidence that “is beyond a scintilla” and “a reasonable mind would accept as adequate to support a conclusion.”¹⁴ A land use decision is illegal if it is “based on an incorrect interpretation of a land use regulation;...conflicts with the authority granted by [the Municipal Land Use Development, and Management Act]; or... is contrary to law.”¹⁵

BACKGROUND

On November 1, 2022, Galloway US, representing lessee Kum & Go, (collectively, “Appellant”) submitted a revised final conditional use permit application for approval to operate a gas station at 2111 South 1300 East in Salt Lake City (the “Property”). The Property is .83 acres and is located in the northwest corner of a block containing approximately 140 acres of public park and public school uses.¹⁶ City staff conducted two public meetings with the Sugar House Community Council on February 14, 2022 and September 19, 2022.¹⁷ In connection with the City’s attempt to seek public input on the application, the City received approximately 584 emails in opposition, one that reflected no concerns, and one in favor.¹⁸ On March 1, 2023, the

¹¹ Utah Code § 10-9a-507(2)(c).

¹² Utah Code § 10-9a-801(3)(b).

¹³ *Springville Citizens v. City of Springville*, 1999 UT 25, ¶ 24.

¹⁴ Utah Code § 10-9a-103(68).

¹⁵ Utah Code § 10-9a-801(3)(c)(ii).

¹⁶ See Staff Report at 1, 7, and 22.

¹⁷ Staff Report, Attachment G at 1.

¹⁸ *Id.*

Sugar House Community Council submitted a letter in opposition to the application.¹⁹ On April 7, 2022, the Sugar House Park Authority, which operates Sugar House Park, also submitted a letter in opposition to the application, along with a Technical Memorandum prepared by Rebecca Brown, a Senior Hydrogeologist at AEEC.²⁰

On April 12, 2023, a public hearing was held on the application before the Planning Commission.²¹ At the public hearing the Planning Commission took testimony from Appellant’s representatives and the public. After discussion, the Planning Commission voted 9-1 in favor of denying the application. On or about April 24, 2023, Appellant appealed the Planning Commission’s denial of the conditional use permit application.

ARGUMENT

I. APPELLANT’S PROPOSED USE IS PLAINLY RESTRICTED AND DOES NOT MEET THE STANDARDS FOR APPROVAL UNDER CITY CODE.

Despite Appellant’s repeated erroneous claims, the Code does not “allow for a gas station at the Property’s precise location.”²² Rather, gas stations are a conditional use in the underlying zoning district and are a restricted use under the Groundwater Source Protection Overlay.²³

¹⁹ Staff Report, Attachment J.

²⁰ Staff Report, Attachment K.

²¹ Planning Commission Meeting – 4/12/2023, *available at* www.youtube.com/watch?v=HTglYCv0zqI (26:30 – 1:49:22).

²² Appellant Br. at 6, 8, 11, n.6.

²³ Staff Report, Attachment F at 1; Code § 21A.33.030; Code § 21A.34.060. Appellant egregiously mischaracterizes the Code in its claims that “[n]othing in the City’s land use regulations plainly restrict the Application [for the gas station use]” or that denial of its application somehow “nullifies” the City’s land use tables. Appellant Br. at 9 and 12. Under Appellant’s interpretation, a use being designated as “conditional” would have no effect as planning commissions would be required to treat such uses as permitted instead. Such an approach is contrary to Utah law’s acknowledgment that conditional uses may at times need to be denied because they are not compatible on particular parcels even in broader zoning districts in which they are identified as conditional. *See* Utah Code § 10-9a-103(8).

Under Utah law, a conditional use is “a land use that, because of the unique characteristics or potential impact of the land use on the municipality, surrounding neighbors, or adjacent land uses, *may not be compatible in some areas* or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.”²⁴ “Conditional use permits are a device for permitting certain land uses considered to be essential or desirable to the community to be placed in zoning districts in which they would ordinarily be incompatible.”²⁵

“Municipalities have long restricted the development of gasoline stations by [conditional] use permit, having recognized that gas stations are desirable but pose potentially serious problems that may include traffic congestion, noise, danger of fire from fuel storage and inflammable petroleum products, and depreciation of surrounding property values.”²⁶ The Planning Commission received evidence that (1) 24% of underground storage tanks fail regulatory inspections, and (2) a number of other Kum & Go gas stations had recently experienced releases and spills, which stations presumably also incorporate Kum & Go’s best practices for avoiding such harm. Based on such substantial evidence, the Planning Commission properly concluded that because Kum & Go’s mitigation efforts had failed in the past, they would likely fail in the future. Kum & Go presented no evidence to the contrary.

City Code requires a conditional use application to comply with four approval standards and to demonstrate substantial mitigation of detrimental effects according to fifteen factors. The second conditional use standard for approval requires the gas station to be “compatible, or with

²⁴ Utah Code § 10-9a-103(8)(emphasis added).

²⁵ 83 Am. Jur. 2d Zoning and Planning § 861.

²⁶ §34:4. Zoning for Vehicle Fueling & Charging Stations – Special permit, 2 Rathkopf’s The Law of Zoning and Planning § 34:4 (4th ed.).

conditions of approval can be made compatible, with surrounding uses.”²⁷ City staff concluded that the operations of the gas station would be detrimental to the adjacent park and residential community in the area because of unmitigable impacts to soil, water, air quality, and traffic, as well as inconsistency with master plans for the Sugar House community.²⁸ Nearby residents and users of Sugar House Park vehemently agreed. The City received nearly six hundred emails opposing the gas station adjacent to the park because it would impair the walkability, calm, natural beauty, and habitat of the park.²⁹ As reflected in many of the comments, it is not that the community opposed any commercial operation at the Property, or wanted to rid the area of gas stations entirely, but that a gas station in particular was contrary to the park setting and did not foster community goals in taking advantage of park views, did not offer a community gathering space, was vehicle focused, and was redundant of gas station services available nearby that did not impose the same negative impacts on the park. These comments were not generalizations, but carefully considered the Property in conjunction with the proposed use. For example, Richard Layman described the incompatibility as follows:

The key question comes down to land use context. While there is no question that the Sugar House Park abuts wide and traffic engorged roads and seemingly a gas station is congruent with the transportation context--I-80 on the South, the six lane 1300 East on the west and the six lane 2100 South on the north--the fact is that the site should be considered in terms of how 1300 East is the primary border and dividing line between the commercial and mixed use high intensity district of Sugarhouse, and the residential neighborhoods north and east, which are dominated by one and two story detached single family houses, dotted by the occasional duplex or small apartment building. (The roads are designated freeway, arterial state route, and city arterial respectively in the Sugar House Master Plan.) Except for the site in question, the face block of the east side of the 2100 block of 1300 East is not commercial at all, but institutional. It is the land on

²⁷ Code § 21A.54.080.A.2.

²⁸ Staff Report, Attachment F at 1.

²⁹ *E.g.* Staff Report, Attachment I at 146, 154, 162, 175-7, 191-2.

the west side of the 2100 block of 1300 East that is intensified, designated as Business District Mixed Use - Town Center Scale. While there is a modicum of commercial uses on the east side of the 2000 block of 1300 East (designated Mixed Use - Low Intensity) and the north side of the 1300 and 1400 blocks and the northeast corner of the 1500 block of 2100 South (designated Neighborhood Business), these are low intensity uses, dental offices, a coffee shop, light commercial, restaurants, a clothing store, etc. This commercial use does not shape the land use context of the block containing Sugar House Park and Highland High School.³⁰

The Planning Commission properly considered this extensive community input.³¹ At the public hearing the Planning Commission heard testimony of from ten individuals and two representatives of the Sugar House Community Council and Sugar House Park Authority. All of the public comment received at the hearing was adverse to the application. The Planning Commission properly solicited and relied upon this information regarding their assessment of the gas station's compatibility with the adjoining park.³²

The third conditional use standard for approval requires the gas station to be "consistent with applicable adopted city planning policies, documents, and master plans."³³ Situating a gas station at the Property is contrary to Plan Salt Lake, the Sugar House Master Plan, and the Groundwater Source Protection Overlay ordinance. According to Plan Salt Lake: "It is critical that alternatives to the automobile be considered in all decisions made by the City, including

³⁰ Staff Report, Attachment I at 501-4.

³¹ While the Planning Commission properly considered this input, a review of the record reflects that in no way were any factual findings based solely on public comment, which would have been improper. *See Ralph L. Wadsworth Const. v. West Jordan City*, 999 P.2d 1240, 2000 Utah Ct. App. 49 (Utah App. 2000).

³² *See Thurston v. Cache County*, 626 P.2d 440, 445 (Utah 1981) ("While it is true that the consent of neighboring landowners may not be made a criterion for the issuance or denial of a conditional use permit, there is no impropriety in the solicitation of, or reliance upon, information which may be furnished by other landowners in the vicinity of the subject property at a public hearing.").

³³ Code § 21A.54.080.A.3.

capital improvement projects, transportation, planning and zoning. In the past, too little attention was given to provisions of pedestrian access in new development, bicycle routes, trail systems and transit options.”³⁴ According to the Sugar House Master Plan, the Property is supposed to be “Low Intensity Mixed Use” which is described as “an integration of residential with small business uses, typically at ground floor levels. Height limits generally include one-and two-story structures. The intent is to support more walkable community development patterns located near transit lines and stops.”³⁵ The plan further provides the recommendation to “[e]liminat[e] incompatible automobile-oriented uses where allowed.”³⁶ In 1998 the City adopted a Groundwater Source Protection ordinance.³⁷ This ordinance was specifically adopted to address the risks of petroleum products, among other hazardous substances, to the City’s “culinary drinking water supply, distribution and delivery system.”³⁸ It “establishes criteria for regulating the storage, handling, use or production of hazardous waste, petroleum product and regulated substances within identified areas where groundwater is, or could be affected by the potential contaminant source. This shall be accomplished by the designation and regulation of property uses and conditions that may be maintained within such zones or areas. Unless otherwise specified, the provisions of this section apply to new development, changes or expansion of use, and/or handling, movement, and storage of hazardous waste, petroleum products and regulated substances.”³⁹ Underground storage tanks are expressly restricted in the Secondary Recharge

³⁴ Staff Report at 18.

³⁵ Staff Report at 17.

³⁶ *Id.*

³⁷ Code § 21A.34.060.

³⁸ Code § 21A.34.060.B.

³⁹ *Id.*

Area where the Property is located.⁴⁰ While not outright prohibiting gas stations, the Groundwater Source Protection Overlay advises against issuing a conditional use permit for this use at the Property.⁴¹ Therefore, the Planning Commission properly considered, and received substantial evidence, that placement of a gas station at the Property is contrary to the City's adopted planning policies.

II. THE PLANNING COMMISSION'S FINDINGS OF REASONABLY ANTICIPATED DETRIMENTAL EFFECTS IS SUPPORTED BY SUBSTANTIAL EVIDENCE.

Appellant appears to assert that expert testimony must support findings regarding detrimental effects. Not so. "Substantial evidence is that quantum and quality of relevant evidence that is adequate to persuade a reasonable mind."⁴² Land use authorities are permitted to factor into their decision-making the "natural consequences" of land uses, particularly in the

⁴⁰ Staff Report, Attachment L

⁴¹ Appellant incorrectly claims that the "Planning Division illegally arrogated to itself authority to administer and enforce the Groundwater Source Protection Overlay District Ordinance" and that the "Public Utilities Department is the City division designated to administer and enforce that Ordinance." Appellant Br. at 14. Even if Appellant's allegations were true, it unclear how this would change the restricted nature of a gas station in the secondary recharge area protected by the overlay. As an ordinance falling with Title 21A, which is the City's Zoning Ordinance, "[p]rimary responsibility for administering and enforcing this title shall be delegated to the planning official." Code § 21A.06.060; *see also* Code § 21A.02. Interpreting the terms of, and properties to which the overlay applies, is squarely within the province of the Planning Division. Any property within the overlay that desires to conduct a new restricted use must submit to the Division of Building Services for building permits (if applicable) and an operating permit. Code § 21A.34.060.F.1. The Public Utilities Department weighs in on ground water quality impacts, and what best management practices will be required. Because the Property does not have the requisite land use approval from the Planning Commission Appellant is not eligible to apply for an operating permit. Thus, it is premature for purposes of this matter to know what mitigation conditions the Public Utilities Department would require, or whether it would advise against issuing the operating permit. *See also* Staff Report, Attachment H.

⁴² *Checketts v. Providence City*, 2018 UT App 48, ¶ 18.

context of nearby dissimilar uses.⁴³ Based upon the evidence outlined below, the Planning Commission thoughtfully considered all fifteen detrimental effect factors set forth in Section 21A.54.080.B. From those factors, it identified ten reasonably anticipated detrimental effects posed by the gas station.

A. Detrimental Impacts Identified by the Planning Commission.

1. *The use does not comply with the applicable provisions of this title.*

A conditional use permit application does not comply with the provisions of Section 21A.54.080 if its “reasonably anticipated detrimental effects . . . cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards” As discussed in greater detail in Part III *infra*, the Planning Commission concluded that the application did not comply with this standard due to the totality of detrimental effects that could not be adequately mitigated.

2. *The use is not consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps.*

As discussed in Part I, the Sugar House Master Plan and Plan Salt Lake call for moving away from vehicle dependent development. Permitting conditional uses that are inconsistent with adopted city plans defeats long range city planning and stakeholder’s goals in improving community livability and reducing negative land use impacts. A number of Sugar House Community Development Objectives conflict with a gas station use at this location, including that it be a “pedestrian oriented community” and that street networks be pedestrian friendly and

⁴³ *Staker v. Town of Springdale*, 481 P.3d 1044 (Utah App. 2020)

directly connect local destinations.⁴⁴ In this matter, City plans direct that the Property be a “Low-Intensity Mixed Use.” The intent of this classification “is to support more walkable community development patterns located near transit lines and stops.”⁴⁵ A “reasonable mind” could (and the Planning Commission did) conclude that a gas station to be operated 24/7 with frequent activity coming and going from the Property is not a low intensity use. As discussed below, this gas station is anticipated to generate more than double the net new trips that a high-turnover restaurant would.⁴⁶ A gas station use is high intensity and vehicle focused, whereas the Sugar House Master Plan calls for Sugar House to be a walkable community and focused on pedestrian scale and orientation.

Appellant disregards the language in these master plans regarding moving away from vehicle-centric uses due to health, environmental, and livability concerns and towards pedestrian oriented uses. Instead, it claims that a gas station complies with these plans and should be considered low intensity because the gas station proposed is limited to one story, constitutes infill development, and “provides a choice related to how people get around and the method of transportation they choose to do so.”⁴⁷ The Planning Commission had substantial evidence to conclude that the manner in which the gas station complies with the master plans – in being a single story and infill – does not outweigh the myriad ways in which the use does not, specifically, in compounding adverse impacts from vehicle oriented development.

3. *Access points and driveways will impede traffic flows.*

⁴⁴ Staff Report at 17.

⁴⁵ *Id.*

⁴⁶ Staff Report at 14.

⁴⁷ Staff Report, Attachment N at 5.

The Planning Commission considered excerpts from Appellant’s Traffic Impact Study (“TIS”), public input on traffic concerns, anticipated large truck deliveries associated with the use, and street redesign plans. Appellant’s TIS states that the “proposed site development would generate, upon completion and full occupancy, 64 net new weekday AM and 60 net new weekday PM peak hour vehicle trips as well as 679 net new weekday daily trips.”⁴⁸ For purposes of comparison, if a high-turnover sit-down restaurant was located on the Property, less than half the number of net new trips would be generated.⁴⁹ According to the TIS, after adding the gas station, the access points for the Property will degrade from their current A levels of service to B, C, and D levels during peak hours depending on the direction of traffic.⁵⁰ These degradations in service levels at these access points tends to indicate that traffic will be impeded if the gas station was situated at the Property.

Many members of the community in their comments voiced a number of traffic concerns with the project and its associated vehicle circulation. Specifically, dumping traffic right below a school zone⁵¹; cars backing up onto 1300 East from the driveway⁵²; and additional traffic generated by the gas station would overburden two congested arterial roads⁵³

Appellant claims that the gas station will not impede traffic because the number of access points will be consolidated to right-in and right-out access points. Appellant did not provide a revised TIS with this traffic pattern and accordingly has failed to carry its burden in demonstrating that this consolidation will eliminate the degradation of traffic conditions on

⁴⁸ Staff Report at 14.

⁴⁹ *Id.*

⁵⁰ Appellant Br. at 19.

⁵¹ Staff Report, Attachment I at 546.

⁵² *Id.* at 507.

⁵³ *Id.* at 528, 535.

adjoining roads. Appellant likewise claims that a gas station use at the Property will improve traffic safety as northbound drivers will no longer make U-turns at the 2100 S/1300 E intersection to get to the gas station on the southwest corner of that intersection. While this traffic safety enhancement may be desirable, it has no bearing on the detrimental effects associated with the traffic impediments created by the 350+ new daily trips to the Property.

4. *The internal circulation system is not designed to mitigate impacts on adjacent property.*

As reflected in comments submitted to the Planning Commission from members of the public, the gas station poses environmental, noise, traffic, bicycle and pedestrian conflicts, and other effects. Despite these concerns, the renderings and proposed plans for the gas station place the fuel pumps and underground storage tanks along the perimeter of the Property closest to the park.⁵⁴ Furthermore, the circulation system of all traffic through the Property will occur in a backward “L” shape.⁵⁵ This pattern will require fuel delivery trucks to park immediately adjacent to the park in order to deliver fuel to the underground tanks. This circulation pattern does nothing to mitigate the exhaust of delivery trucks or the risk of surface spills or UST leaks coming onto the adjacent property.

The application also includes a proposed pedestrian connection to Sugar House Park at the southeast corner of the Property. This connection will require pedestrians to walk through the gas pump area and across the path of all of the traffic to the Property to access the convenience store. This circulation pattern poses a safety risk to users of the park that have come to the Property. Appellant appears to agree that this safety risk is a detrimental effect and has agreed to

⁵⁴ Staff Report, Attachment C.

⁵⁵ *Id.*

comply with Planning staff's suggested condition to construct a safer connection in the northeast area of the Property.⁵⁶

5. *The site is not designed to enable access and circulation for pedestrians and bicyclists.*

To address safety concerns associated with pedestrian and bicyclist access, Planning staff proposed conditions related to siting a safer trail connection to the park, and also to install textured/cobbled sidewalk across the ingresses/egresses. Appellant appears to agree that these safety risks are a detrimental effect and has agreed to comply with Planning staff's suggested conditions.⁵⁷

6. *Access to the site unreasonably impacts the service level of any abutting or adjacent streets.*

According to Appellant's TIS, a gas station would add a significant increase in the number of daily trips taken in and out of this subject site. The nearest intersection at 2100 S/1300 E currently operates at a Level D, which is a degraded condition of "less stable vehicle flow".⁵⁸ The TIS outlines how "under background future traffic conditions" (meaning: estimated regional traffic growth), with which the impacts of the gas station are consistent, the 2100 S/1300 E would reach a Level E (the second worst level), which is labeled as "unstable vehicle flow".⁵⁹ Based on the additional trips generated by the proposed use, signal at the intersection would degrade by .1 (but retain the same level of service), while the site access points would degrade

⁵⁶ Staff Report, Attachment N at 9.

⁵⁷ *Id.*

⁵⁸ Staff Report at 13-14.

⁵⁹ *Id.*

from all being at an A level, to hitting a B, C, and D levels depending on the direction of travel.⁶⁰ These TIS results are substantial evidence of detrimental impacts to service levels of abutting streets.

Notably, Appellant's TIS findings contradict a prior traffic analysis conducted in 2012 and included in Sugar House Business District Circulation Plan that already found the 2100 S/1300 E intersection at Level F.⁶¹ The fact that the 2100 S/1300 E intersection is already at degraded levels (D/F) and a gas station will add 679 new trips into the mix is substantial evidence that the proposed use will worsen the area's congestion.

Nothing in City Code requires the Planning Commission to find that any particular roadway or signal "fails" from a traffic engineering standpoint before an unreasonable impact can be determined. Courts have recognized that municipalities should have the discretion to determine whether an increase in traffic poses a risk to public health, safety and welfare. "The fact that a street could physically handle more traffic does not determine whether the neighborhood or the public could handle more traffic."⁶² Where, as here, there is evidence that the intersection may already be at Level F, and there is no lower level of service, the Planning Commission properly considered the public's numerous complaints of congestion that back up traffic, particularly east and west, during peak times.⁶³

⁶⁰ Appellant Br. at 19.

⁶¹ Staff Report, Attachment I at 479.

⁶² *RDNT, LLC v. City of Bloomington*, 861 N.W. 2d 71 (Minn. 2015) (city properly denied a conditional use permit on inadequate traffic mitigation grounds).

⁶³ See generally *Thurston v. Cache County*, 626 P.2d 440, 445 (Utah 1981) ("While it is true that the consent of neighboring landowners may not be made a criterion for the issuance or denial of a conditional use permit, there is no impropriety in the solicitation of, or reliance upon, information which may be furnished by other landowners in the vicinity of the subject property at a public hearing.").

Appellant claims that there are no detrimental traffic impacts because the TIS did not identify any “queueing, safety or operational concerns.”⁶⁴ However, the TIS does no such thing – it expressly states that the intersection is already at a degraded level and is likely to be at the second worst level after development. Appellant further erroneously claims that there are no degradations to levels of service on adjacent streets and that the level of service for the signal at 2100 S/1300 E is at Level E and will remain so. However, Appellant’s own TIS expressly concludes that the overall service level is currently D, and moving towards E, due to regional traffic generated by the proposed use and other uses.

7. *Negative public utility impacts.*

The Public Utilities Department reviewed the proposal and identified a number of requirements and future applications that must be complied with and processed in order to maintain normal service levels. Appellant appears to agree that without these requirements normal service levels would be at risk as it has agreed to comply with Public Utilities’ conditions.⁶⁵

8. *The use is insufficiently screened, buffered, or separated from adjoining dissimilar uses.*

Planning staff identified a concern with inadequate screening and buffering due to the dissimilarities between the park and gas station uses. Appellant appears to agree with this conclusion as it has agreed to provide an upgraded landscaping buffer.⁶⁶

⁶⁴ Appellant Br. at 17.

⁶⁵ Staff Report, Attachment N at 10.

⁶⁶ Staff Report, Attachment N at 18.

9. *The use does not meet sustainability plans, significantly impacts the quality of surrounding air and water, encroaches into a river or stream, introduces a hazard or environmental damage to any adjacent property.*

Appellant’s application poses significant impacts to Sugar House Park, Parley’s Creek, Hidden Hollow Park, and the Jordan River. Leaks from underground storage tanks, gasoline surface spills, and air quality damage from gasoline vapor and vehicle emissions introduces a hazard or environmental damage to the adjacent park.

i. Underground storage tank (“UST”) leaks.

The Planning Commission received evidence on the incidence of UST failures, leaks, and harms related thereto based on data from the Utah Department of Environmental Quality (“DEQ”), news reports, and the Technical Memorandum prepared by AEEC. City staff presented evidence that 24% of USTs inspected were not compliant with “spill prevention, overflow prevention, corrosion protection, and release detection requirements.”⁶⁷ Likewise, 54 UST leaks were reported by DEQ in 2022 alone.⁶⁸ According to DEQ, leaking USTs have a “per se” detrimental effect: “Utah obtains more than 50% of the population’s drinking water from groundwater. The regulations in place are meant to protect this valuable public resource. When an UST leaks, it becomes a Leaky Underground Storage Tank (LUST) and poses a risk to human health and the environment. Currently, there are more than 3,000 LUST sites in Utah. These sites have resulted in contaminated ground water and in some cases, explosive situations.”⁶⁹

⁶⁷ Staff Report at 10.

⁶⁸ *Id.*

⁶⁹ Staff Report at 11 (*available at <https://deq.utah.gov/environmental-response-and-remediation/underground-storage-tank-branch#why-are-usts-regulated>*).

UST leaks can often go undetected until their impacts appear in polluted soils and nearby waterways. For example, in 2011 at a Kum & Go in Waterloo, Iowa a release of up to 4,000 gallons of unleaded gasoline was identified when a sheen appeared on a nearby creek stemming from a puncture in an 80-foot long fill line used to fill the storage tank, polluting soils and the waterway.⁷⁰ It was the second release at the property and caught during ongoing monitoring and cleanup occurring from the prior leak that had occurred more than fifteen years earlier. Because of the harm posed by USTs, the industry has developed a variety of tools to try and prevent, or if not prevent, detect releases.⁷¹ The Planning Commission was entitled consider the natural consequences of a leaking UST in determining that such USTs pose a reasonably anticipated detrimental effect.

Appellant claims this concern is baseless because groundwater was not identified within 41 feet of the surface of the Property based a report prepared on January 17, 2022.⁷² Nevertheless, Appellant acknowledges that a catastrophic release would impact the groundwater in the area.⁷³ Even if the results of Appellant's one-time boring test is accurate, (1) Appellant did not provide any evidence of what depth groundwater needs to be in order to avoid groundwater impacts from UST leaks, and (2) it is unclear how such a result would negate the risks to soils or surface waters posed by a release from a UST.

- ii. Surface fuel spills and surface run-off contaminating soils and surface water.

⁷⁰ Staff Report, Attachment I at 549 (available at https://wfcourier.com/news/local/kum-go-gas-leak-cleanup-under-way/article_14768c05-ad09-5137-96dc-c6803b858f57.html).

⁷¹ Appellant Br. at 23.

⁷² Appellant Br. at 16. Appellant did not provide a copy of the underlying copy of the Geotech Report.

⁷³ *Id.*

The Property abuts Sugar House Park and is within 350 feet of the pond in the park. Parley's Creek flows into and out of the park pond.⁷⁴ Stormwater and runoff from the Property goes directly into Parley's Creek by way of the storm drain along 1300 East.⁷⁵ Many issues at the surface pose a risk of environmental contamination, including fuel spills related to pumps being hit by vehicles, leaks from delivery vehicles, faulty gas pumps that overflow vehicle tanks, and heavy downpours that overrun stormwater basins. According to the Technical Memorandum prepared for the Sugar House Park Authority, "During periods of significant precipitation, stormwater runoff from the gas station, which undoubtedly would be laden with gasoline from frequent vehicle fueling spills and other common petroleum product discharges from vehicles (i.e., oil leaks), is very likely to migrate southward and down into the Sego Lily installation."⁷⁶

The Planning Commission was also presented with numerous recent new stories on fuel spills, leaks, and a fire at Kum & Go gas stations.⁷⁷ Specifically, from 2018 involving a Kum & Go in Craig, Colorado, where fuel leaked multiple times from a delivery truck or due to a delivery truck accident⁷⁸; from 2020 involving a Kum & Go in Adair, Iowa, where a fuel spill and fire was caused when a semi-truck struck a gas pump⁷⁹; from 2017 involving a Kum & Go in

⁷⁴ Planning Commission Meeting – 4/12/2023, available at www.youtube.com/watch?v=HTg1YCv0zqI (39:29-40:50).

⁷⁵ Staff Report at 11.

⁷⁶ Staff Report, Attachment K at 6.

⁷⁷ The Planning Commission can properly rely on safety issues associated with a particular conditional use permit applicant. See *Uintah Mountain RTC, L.L.C. v. Duchesne Cnty.*, 2005 UT App 565, ¶ 32, 127 P.3d 1270, 1278.

⁷⁸ Staff Report, Attachment I at 549 (available at <https://www.craigdailynews.com/news/semi-truck-involved-in-multiple-diesel-fuel-leaks-at-east-kum-go-in-craig/>).

⁷⁹ Staff Report, Attachment I at 549 (available at <https://www.kcci.com/article/fire-erupts-when-semi-truck-strikes-gas-pump-in-adair/32779847>).

Perry, Iowa, where a fuel spill was caused by a faulty pump⁸⁰; from 2017 involving a Kum & Go in Springfield, Missouri, where fuel spilled down a nearby hill due to delivery driver inattention and monitoring equipment for the UST also failed⁸¹; and from 2019 involving a Kum & Go in Williston, North Dakota, where fuel spilled due to automatic shut off handles being disengaged that impacted nearby soils and sidewalk⁸². Furthermore, a news story from 2021 involving a 76 gas station in Pasadena, California reported that 1,300 gallons spilled into local storm drains, a tributary of a nearby river, and residents were told to stay indoors and close their windows after a vehicle backed into a fuel pump.⁸³ Because of the harm posed by fuel spills, the industry has implemented various defensive techniques in the attempt to avoid spills altogether or reduce their spread, including bollards surrounding fuel pumps, storm water filters, spill kits, and oil/water separators.⁸⁴ Due to the number of recent fuel spills at Kum & Go stations and the proximity of Sugar House Park, the pond, and the stormwater drain directly draining into Parley's Creek, which discharges into the Jordan River⁸⁵, the Planning Commission had substantial evidence that a fuel spill at the Property would be likely to effect the park, pond, creek, and eventually, the Jordan River.

Appellant failed to acknowledge any of these recent stories of fuel spills and their resultant contamination. Instead, Appellant feebly refutes that surface spills pose no detrimental

⁸⁰ Staff Report, Attachment I at 550 (available at <https://theperrynews.com/faulty-gas-pump-nozzle-leads-to-fuel-spill-thursday/>).

⁸¹ Staff Report, Attachment I at 550 (available at <https://www.ky3.com/content/news/Crews-cleanup-gas-spill-at-south-Springfield-convenience-store-420372063.html>).

⁸² Staff Report, Attachment I at 550 (available at https://deq.nd.gov/FOIA/Spills/Summary_Reports/EIR9175_Summary_Report.pdf).

⁸³ Staff Report at 11 (available at <https://jalopnik.com/over-1-300-gallons-of-fuel-spills-after-an-suv-backs-in-1848252967>).

⁸⁴ Staff Report, Attachment N at Exhibit "A".

⁸⁵ Staff Report, Attachment K at 4.

effect because the Property is not within a floodplain.⁸⁶ Appellant fails to provide any reasoning, much less evidence, as to why being in a floodplain is a necessary condition in order to have surface spills represent a detrimental effect. The evidence before the Planning Commission is that a premier regional park is immediately downgradient of the Property, the park includes a pond and operates as a detention basin that can store up to 80 feet of stormwater as a primary flood control mechanism, and Parley's Creek flows out of the pond at Sugar House Park to an adjoining park, and later into the Salt Lake Valley's major north-south river.⁸⁷ This evidence is more than "adequate to support a reasonable mind" of the likelihood of surface spills impacting important nearby public recreation and water resources.

iii. Negative impacts to air quality.

The Planning Commission received evidence on the holistic harm to air quality posed by gas stations. In addition to the direct gasoline vapors that leak out of USTs, the Planning Commission also received evidence regarding the detrimental effects of a use that encourages and facilitates gas powered vehicle transportation, as opposed to options like bicycles, walking, and electric vehicles. The Technical Memorandum included the following discussion regarding the particular air quality impacts of a gas station and how those impacts would uniquely harm the Sugar House park setting:

Despite vapor control system requirements for fuel transfer activities, gasoline vapor emissions are still prevalent at gas stations. A recent 2018 study by the Columbia Mailman School of Public Health estimated that 1.4 to 1.7 pounds of liquid gasoline were lost through evaporation for every 1,000 gallons of gasoline dispensed (Vent Pipe Emissions from Storage Tanks at Gas Stations: Implications for Setback Distances, *Science of the Total Environment* 650 (2019) 2239-2250). Gasoline vapors are three to four times denser than air, meaning that gasoline

⁸⁶ Appellant Br. at 16.

⁸⁷ Staff Report, Attachment K at 4.

vapors emitted from any fuel dispensing operations will tend to sink and collect on the ground, and are well known to travel in a fluid-like manner along the ground to low-lying areas where it accumulates and presents health hazards and, potentially, fire hazards. For example, gasoline vapors that leak out of underground structures typically will migrate away from facilities along underground utility trenches. The tendency for gasoline vapors to accumulate in low-lying areas could present a very real threat to human health in the Sego Lily installation at the western edge of Sugar House Park that serves as a flood control structure and also as an entrance to the underground tunnel that connects the Park with Hidden Hollow across 1300 East. This installation is located less than 100 feet south of the southern property boundary of the proposed Kum & Go gas station, at an elevation approximately 20 to 30 feet lower than the gas station property. During the right wind conditions, petroleum vapors are likely to be blown southward, and settle into the Sego Lily installation and the tunnel.⁸⁸

The Planning Department staff report also discussed the Wasatch Front's natural topography that traps vehicle and industry emissions, leading to hazardous air particulate levels that pose health hazards and mar the livability perception of the Salt Lake Valley.⁸⁹ After all, gasoline is the single leading source of CO₂ emissions in the U.S.⁹⁰ As the use is for the sale of gasoline to vehicular traffic, the Planning Commission was permitted to consider the "natural consequences" of a use that facilitates the operation of vehicles, and that gasoline powered vehicles necessarily degrade air quality, and the particular consequence of that degradation relative to the proximity of a public outdoor gathering space.

iv. Sustainability issues.

Many members of the public highlighted how a gas station use did not support sustainability goals given the push toward electric vehicles.⁹¹ According to the New England Interstate Waste Pollution Control Commission, "Sales volumes [at gas stations] will likely

⁸⁸ Staff Report, Attachment K at 5-6.

⁸⁹ Staff Report at 18.

⁹⁰ Staff Report, Attachment I at 497 (available at https://neiwpsc.org/wp-content/uploads/2021/08/LUSTLine-89_FINAL_v2.pdf).

⁹¹ Staff Report, Attachment I at 481, 496, 542.

decline with gathering speed as EVs take increasing market share while margins are increasingly squeezed by larger players. Boston Consulting Group has forecast that as many as 80% of gas stations could be unprofitable by 2035. Meanwhile, gas stations are faced with imminent large investments in new USTs and the cleanups that often occur when the USTs are replaced. With the long-term revenue forecast for gas stations increasingly murky, lender financing for new USTs and cleanups is very much in doubt. The number of gas stations in the U.S. has declined by about 20% in the last 20 years. Half of the brownfields in the U.S. are impacted by petroleum, a substantial share of which are shuttered gas stations.”⁹² Based on the change in vehicle fuel technologies, the Planning Commission had adequate evidence to conclude that approving a use with long term environmental consequences in an environmentally sensitive area would be unwise.

10. *The hours of operation and delivery for the use are incompatible with surrounding uses.*

Appellant proposes to have the gas station operate 24/7.⁹³ City staff identified round the clock gas delivery to the site as likely to negatively impact neighborhood adjacent to roadways on which deliveries will be transported. To mitigate this concern, City staff proposed a condition to limit delivery times to early morning or early evening hours. Appellant appears to agree with the potential for negative impact on the community as it has agreed to limit its fuel delivery times.⁹⁴

B. Appellant’s claims of no detrimental effects are meritless.

⁹² Staff Report, Attachment I at 497 (available at https://neiwpc.org/wp-content/uploads/2021/08/LUSTLine-89_FINAL_v2.pdf)(citations omitted).

⁹³ Staff Report at 73.

⁹⁴ Staff Report, Attachment N at 17.

Despite agreeing to the conditions suggested by City staff as to six of the ten factors, Appellant, illogically, claims that the detrimental effects identified by the Planning Commission are speculative, or solely based on adverse public comment. The record before the Planning Commission could not stand in greater contrast with such a baseless contention, as demonstrated by Appellant's extensive articulation regarding the efforts it agrees are necessary to mitigate some of the anticipated detrimental effects outlined above.⁹⁵ If such effects were baseless, it makes little sense why Appellant would have an automatic tank gauge system to detect leaks, a double wall spill containment at each fill connection, overflow prevention valves, 4-foot steel pipe bollards, breakaway valves, a 65-gallon spill kit, an emergency response contractor, storm water inlet filters, a 24" Manway Bottom Sump, a line stormwater filtering system, multiple emergency shut-off switches, a 1,250 gallon oil water separator, a Stage I Vapor recovery strategy, agree to constrict delivery times, agree to reroute a pedestrian connection, agree to install a larger landscape buffer, or consolidate access points. The litany of the "state-of-the-art" protections offered by Appellant overwhelmingly refute any reasonable contention that the gas station does not pose numerous reasonably anticipated detrimental effects.

III. THE PLANNING COMMISSION'S FINDINGS REGARDING INADEQUATE MITIGATION IS SUPPORTED BY SUBSTANTIAL EVIDENCE.

The City staff report adopted by the Planning Commission thoroughly considered the issue of detrimental effect mitigation. Of the ten reasonably anticipated detrimental effects identified by the Planning Commission, it nevertheless concluded that three could not be mitigated with reasonable conditions. As outlined in detail in the staff report, the Planning Commission considered access point consolidation, increased landscape buffers, additional

⁹⁵ Appellant Br. at 23-27.

Public Utilities permitting review, modified pedestrian access, and other conditions. Such analysis is substantial evidence that the Planning Commission thoroughly considered whether the detrimental effects posed by the gas station could be mitigated and reasonably concluded that some could not be.⁹⁶The three unmitigable detrimental effects are as discussed below.

1. *The inconsistency of the use with adopted citywide, community, and small area master plans and future land use maps.*

The Planning Commission concluded that no reasonable conditions could be imposed that would make a gas station use compliant with the City’s master plans. While Appellant has proposed alternative grounds as to why a gas station use should be compliant because it conforms with other goals expressed in the master plans (e.g. infill development, a one-story structure, and a tenuous assertion at best of walkability because it has indoor and outdoor seating), Appellant has failed to address the Planning Commission’s findings related to noncompliance with a vehicle-centric use and not in keeping with goals to foster a pedestrian-centric community. Appellant’s failure to contend with the City’s substantial evidence in the form of these master plans should render any claim of adequate mitigation waived. “By failing to address the evidence that supports the [Planning Commission’s] decision, [Appellant] has failed to marshal the evidence; by not marshaling the evidence, [Appellant] has failed to bear [its] burden to show that the [Planning Commission’s] decision is not supported by substantial evidence.”⁹⁷

⁹⁶ See *Staker v. Town of Springdale*, 2020 UT App 174, ¶ 38, 481 P.3d 1044, 1054.

⁹⁷ *Carlsen v. Bd. of Adjustment of City of Smithfield*, 287 P.3d 440, 2012 UT App 260 (Utah App. 2012); see also *Patterson v. Utah Cnty. Bd. Of Adjustment*, 893 P.2d at 604 n. 7 (Utah Ct. App. 1995) (“It is incumbent upon the party challenging the Board’s ... decision to marshal all of the evidence in support thereof and show that despite the supporting facts, and in light of

2. *Access to the site unreasonably impacts the service level of any abutting or adjacent street.*

Appellant claims that the Planning Commission does not have substantial evidence to support the finding that the gas station will impact the service level of any abutting or adjacent street. Rather, Appellant claims that its TIS conclusively establishes that a gas station “would not substantially impact the surrounding network and would improve safety to the network by consolidating existing access points.”⁹⁸ The body of evidence received by the Planning Commission paints a less rosy picture. Appellant’s TIS showed that the 2100 S/1300 E intersection is currently operating at Level D, and with anticipated regional traffic growth, is anticipated to imminently be at a degraded level of service (Level E). The gas station, as a component of such regional growth and following its same pattern, would contribute to such degradation.⁹⁹ The gas station would attract more than 1,500 daily trips, with more than 864 of those trips constituting pass-bys from drivers already out and about and 679 being new trips solely attributable to the gas station.¹⁰⁰ Likewise, the TIS showed that the gas station would degrade the level of service on 1300 E and 2100 S at the access points to the Property.¹⁰¹

Appellant’s proffered mitigation is to consolidate the access points along 1300 East into a single right-in/right-out. While City staff agreed that such consolidation would reduce the detrimental effects associated with fuel delivery vehicles, which was relevant to the tenth factor, and would likely reduce the number of conflict points for pedestrian and bicycle traffic, which is

conflicting or contradictory evidence, the ... decision [is] not supported by substantial evidence.”).

⁹⁸ Staff Report at 14.

⁹⁹ Appellant Br. at 19 (Table 6-1 shows peak morning operating conditions degrading by .1).

¹⁰⁰ Staff Report at 14.

¹⁰¹ Appellant Br. at 19.

relevant to the fifth factor, it is unclear how such consolidation addresses level of service impacts on adjacent roads posed by the overall number of trips generated from the Property. Appellant did not provide any type of traffic study that tended to show that such consolidation would mitigate the vehicle congestion issues in the vicinity. Therefore, the Planning Commission properly concluded based on the lack of mitigation measures available to address the level of service/congestion issues on adjacent roadways, that the detrimental traffic impacts could not reasonably be mitigated.

3. *The significant impacts on surrounding air and water, and introduction of a hazard or environmental damage to Sugar House Park.*

Appellant identified a number of on-site and remote tools that would be incorporated at the gas station to mitigate the air, groundwater, surface water, and soils impacts posed by the project. City staff did not refute that the Appellant's mitigation efforts represent best practices, but instead concluded that due to the not-infrequent reports of spills and leaks at Kum & Go stations in the context of the immediate proximity of a public recreation space and its soils, water resources, air quality, and animal habitat, a failure of best practices constituted an imminent risk that could not be adequately mitigated. Appellant intends to install four USTs, with a combined capacity of 56,000 gallons of fuel.¹⁰² This amount of fuel presents the possibility of a catastrophic release, and the Planning Commission was presented with evidence that a Kum & Go station in Iowa had experienced a 4,000 gallon release, but Appellant provided no evidence of the capacity of its mitigation efforts to address a 56,000 gallon release, much less the documented possibility of a 4,000 gallon release.

¹⁰² Staff Report, Attachment C.

The record before the Planning Commission supports the conclusion that even with industry standard mitigation efforts, spills and leaks occur relatively frequently, and soils and water adjacent to gas stations are frequently contaminated.¹⁰³ After all, “half of the brownfields in the U.S. are impacted by petroleum, a substantial share of which are shuttered gas stations.”¹⁰⁴ For example, data from DEQ reflected that 54 leaking UST were detected in 2022. Of the leaks, seven were caused by corrosion.¹⁰⁵ To address corrosion risk Appellant offered to install a fiberglass tank system, which does not corrode.¹⁰⁶ While this condition would mitigate corrosion risk, it does not address the cause of the other 47 releases, which represent 87% of the other identified release causes.¹⁰⁷ Based on the nominal mitigation to UST leak risk provided by a

¹⁰³ Staff Report, Attachment I at 498 (available at <https://www.sciencedaily.com/releases/2014/10/141007103102.htm>) (“Over the lifespan of a gas station, Hilpert says, concrete pads underneath the pumps can accumulate significant amounts of gasoline, which can eventually penetrate the concrete and escape into underlying soil and groundwater, potentially impacting the health of those who use wells as a water source. Conservatively, the researchers estimate, roughly 1,500 liters of gasoline are spilled at a typical gas station each decade. “Even if only a small percentage reaches the ground, this could be problematic because gasoline contains harmful chemicals including benzene, a known human carcinogen,” Hilpert says. Hilpert and Patrick N. Breysse, PhD, a professor in the Department of Environmental Health Sciences, developed a mathematical model to measure the amount of gasoline that permeates through the concrete of the gas-dispensing stations and the amount of gasoline that vaporizes into the air. The model demonstrates that spilled gasoline droplets remain on concrete surfaces for minutes or longer, and a significant fraction of spilled gasoline droplets infiltrate into the pavement, as concrete is not impervious.”).

¹⁰⁴ Staff Report, Attachment I at 497 (available at https://neiwpc.org/wp-content/uploads/2021/08/LUSTLine-89_FINAL_v2.pdf) (citation to www.epa.gov/ust/petroleum-brownfields).

¹⁰⁵ Staff Report at 10.

¹⁰⁶ Staff Report, Attachment N at 31.

¹⁰⁷ Appellant argues that the Planning Commission should simply dismiss the UST leaks arising from unknown causes or a precise system source. Staff Report at 14. Because the cause/source of these UST leaks is unknown, Appellant makes the truly absurd claim that the Planning Commission lacks substantial evidence that such releases qualify as detrimental effects of a gas station with several proposed USTs. Appellant Br. at 7. Appellant cites no authority for the proposition that detrimental effects must have a precise cause or source when such effects stem

fiberglass tank system, the Planning Commission reasonably concluded that such mitigation efforts were inadequate.

Appellant also did not provide any evidence as to what extent its other mitigation efforts would have on lessening the likelihood of a UST release, delivery spill, overfilling spill, or contamination from excessive stormwater runoff. Appellant appears to make the claim that it can propose a litany of mitigation measures, without any proof of effectiveness, and unless the Planning Commission has substantial evidence that those mitigation efforts do not work at all, then Appellant is entitled to the presumption that they provide substantial mitigation.¹⁰⁸

Appellant cites no authority for such a contention and Utah law does not grant Appellant any such presumption. Rather, a land use decision must be affirmed where there is “substantial evidence in the record from which a reasonable mind could conclude that ‘proposed conditions could not be imposed that would substantially mitigate the reasonably anticipated detrimental effects’ of the[use]”.¹⁰⁹ In this case, the Planning Commission could make such a conclusion based on the evidence of the other Kum & Go spills, DEQ UST leak data, public comment and data on human health and environmental damage from petroleum releases, and consideration of the reactive nature to such spills and leaks in the context of adjacent park and waterway resources.

from a inherent feature of the use. Utah law does not require such meaningless triangulating. The Planning Commission received undisputed evidence from the DEQ of 54 detected releases in 2022 in connection with USTs. Defects in being able to pinpoint the exact cause or UST system source for the release in no way erases the health and environmental risks posed by any associated soil and water contamination stemming from the release.

¹⁰⁸ Appellant Br. at 24, 26 (e.g. “There is no substantial evidence in the record that these measures will not mitigate reasonably anticipated impacts to water”).

¹⁰⁹ *Staker v. Town of Springdale*, 2020 UT App 174, ¶ 39, 481 P.3d 1044, 1054.

As discussed in Part I, the Planning Commission received evidence that a number of other Kum & Go gas stations had recently experienced releases and spills, which stations presumably also incorporate Kum & Go's best practices for avoiding such harms. Even with these "safeguards" in place, tanks leak, trucks spill, and surface water runs downhill. Regardless of their efforts to prevent leaks and spills, those things happen whether due to human error, faulty equipment, or extreme weather that overwhelms systems. Next to a park with Parley's Creek running through it, the Planning Commission reasonably determined that it could not leave it to chance as to whether Appellant's proposed safeguards might work. The Planning Commission was entitled to infer that because Kum & Go's mitigation efforts had not in the past prevented such leaks and spills, its operations at a new location would be unlikely to prevent such spills and leaks. Appellant claims that the Planning Commission, by reaching this conclusion, is essentially requiring Appellant to eliminate the detrimental effects. Not so. The Planning Commission's conclusion is based on the unique proximate open space and water resources immediately adjacent to the Property. Specifically, most of Appellant's mitigation efforts are reactive, not preventative, and due to the context of the Property such reactive measures are unlikely to adequately mitigate against the imminent risk posed by any release or spill on the parks, pond, or Parley's Creek.

IV. APPELLANT'S ATTEMPT TO SUPPLEMENT THE RECORD MUST BE REJECTED.

In connection with this appeal, Appellant submitted four exhibits. Three of the four are correspondence and maps that were not presented to the Planning Commission. Section 21A.16.030.I.2.(a) directs that the appeals hearing officer shall review the decision of the Planning Commission "based on the record made below" and shall not consider new evidence.

Municipalities are permitted by ordinance to “designate the scope of review of factual matters for appeals of land use authority decisions.”¹¹⁰ The review can be limited to the record before the land use authority.¹¹¹ Consequently, Exhibits 1, 3, and 4 and the table on page 20 of Appellant’s brief must be disregarded by the appeals hearing officer.

CONCLUSION

Appellant has failed to meet its burden of proving that the Planning Commission’s decision to deny the conditional use permit application was incorrect. There is substantial evidence that the proposed gas station use at Property did not comply with the Code’s standards on conditional uses in that the use is (1) not compatible with surrounding uses, and (2) did not comply with adopted master plans. The Planning Commission was provided with substantial evidence regarding the numerous detrimental effects posed by the gas station including harm to the adjacent land uses, a variety of environmental risks to the nearby creek, retention basin, and wildlife habitat, harm to existing traffic conditions, negative impacts on the circulation of pedestrians and bicyclists, inadequate screening from dissimilar uses, and disturbance to surrounding neighborhoods from 24 hour delivery operations. The Planning Commission thoughtfully considered all of the detrimental effects and analyzed which could be sufficiently mitigated and analyzed proposed conditions as to those effects. The Planning Commission received substantial evidence regarding the proposed conditions, as well as the factors that led City staff to determine that some effects could not be sufficiently mitigated.¹¹² Based on such

¹¹⁰ Utah Code § 10-9a-707(1).

¹¹¹ Utah Code § 10-9a-707(3).

¹¹² Theoretically, City staff could have proposed conditions that would have adequately mitigated all of the detrimental effects, such as requiring the gas station to operate without underground storage tanks, requiring the installation of a fume capture and air circulation

substantial evidence, the Planning Commission correctly applied the standards in City Code Chapter 21A.54 and the Municipal Land Use, Development, and Management Act. Accordingly, the appeals hearing officer should affirm the decision of the Planning Commission in all respects.

DATED this 8 day of June, 2023.

/s/ Katherine D. Pasker
KATHERINE D. PASKER
*Attorney for Respondent Salt Lake City
Corporation*

system, and requiring substantial retaining walls on all portions adjacent to Sugarhouse Park to protect it from petroleum releases, noise, undesirable views, and trespassers. However, Utah law limits a land use authority to imposing “reasonable conditions on a proposed conditional use . . . [that] reasonably relate to mitigating the anticipated detrimental effects of the proposed use.” Utah Code § 10-9a-507(2)(b). It is unlikely that such conditions could be imposed, much less would be deemed reasonable. Where reasonable conditions do not exist that would mitigate the detrimental effects, it stands to reason that such a conditional use should then be denied.

ATTACHMENT D: Record of Decision

ERIN MENDENHALL
Mayor



DEPARTMENT of COMMUNITY
and NEIGHBORHOODS
PLANNING DIVISION

April 13, 2023

Nathan Abbott
6162 S. Willow Drive, Suite 320
NathanAbbott@GallowayUS.com
Greenwood Village, CO 80111

RE: Record of Decision for Petition: PLNPCM2022-00053 -Kum & Go Conditional Use Request – 2111 S. 1300 E. (16-20-230-003-0000 & 16-20-230-001-0000)

Dear Mr. Abbott,

On April 12, 2023, the Salt Lake City Planning Commission **denied** your request for Conditional Use of a Gas Station and Convenience Store, for the property located at approximately 2111 S. 1300 E. (16-20-230-003-0000 & 16-20-230-001-0000).

This Record of Decision is provided to you indicating the date action was taken, the decision of the Planning Commission, and the 10-day appeal period.

Project Description

The Planning Commission reviewed and denied the following project:

Nathan Abbott with Galloway US, representing the leasee Kum & Go, is requesting conditional use approval for a gas station that will be located at 2111 South 1300 East. The proposed project will consist of a 3,957 square foot convenience store to be located in the northwest corner of the property, three (two-sided) gas pumps located in the south area and underground fuel storage tanks placed along the eastern portion of the property. The subject property is approximately 0.83 acres combined (36,155 square feet) in size and is in the CB-Community Business Zoning District.

Review Process Standards and Findings of Fact

The Planning Commission made specific findings related to the standards of review for Conditional Use as stated in Chapter 21A.54 of the City Code. The decision was also based on the purpose of the zoning ordinance, the purpose of the zoning district where the project is located, the information contained in the staff report, the project details provided by you, testimony from the public, and the discussion of the Planning Commission. Copies of this information will be made available online here: <https://www.slc.gov/planning/planning-commission-agendas-minutes/>.

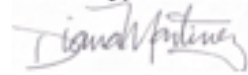
10-Day Appeal Process

There is a 10-day appeal period in which any affected party can appeal the Planning Commission's decision. This appeal period is required in the City's Zoning Ordinance and allows time for any affected party to protest the decision, if they so choose. The appeal would be heard by the Appeals Hearing Officer. Any appeal, including the filing fee, must be submitted by the close of business on April 24, 2023.

The summary of action for the Planning Commission meeting is located on the Planning Division's website at: <https://www.slc.gov/planning/public-meetings/planning-commission-agendas-minutes/>.

If you have any questions, please contact me at 801-535-7215 or diana.martinez@slcgov.com.

Sincerely,

A handwritten signature in cursive script that reads "Diana Martinez".

Diana Martinez
Principal Planner

ATTACHMENT E: Minutes from April 12, 2023 Meeting

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326
Salt Lake City, Utah 84111
Wednesday, April 12, 2023

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at approximately 5:30 p.m. Audio recordings of the Planning Commission meetings are retained for a period of time. These minutes are a summary of the meeting and not a verbatim transcript. A video recording of the meeting is available at <https://www.youtube.com/c/SLCLiveMeetings>.

Present for the Planning Commission meeting were: Chairperson Maurine Bachman, Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Aimee Burrows, Andres Paredes, Brenda Scheer, Levi de Oliveira, Rich Tuttle, Jon Lee, Andra Ghent, and Anaya Gayle.

Staff members present at the meeting were: Planning Director Nick Norris, Planning Manager Amy Thompson, Planning Manager Kelsey Lindquist, Senior City Attorney Katherine Pasker, Principal Planner Diana Martinez, Senior Planner Sara Javoronok, Senior Planner Cassie Younger, and Administrative Assistant David Schupick.

REPORT OF THE CHAIR AND VICE CHAIR

The Chair stated that she had nothing to report.

The Vice-Chair stated that he had nothing to report.

REPORT OF THE DIRECTOR

Planning Director Nick Norris gave updates on proposals that were brought to the City Council.

OPEN FORUM

Commissioner Andra Ghent brought up a discussion for ways to allow more development of street level retail. Nick Norris stated that staff would be willing to research this topic and present more information to the commission.

CONSENT AGENDA

1. APPROVAL OF THE MINUTES FOR MARCH 22, 2023

2. Conditional Use Permit for an Accessory Dwelling Unit at approximately 1005 E. Princeton Avenue - Troy Rawlings, representing the property owner, is seeking approval of a detached ADU (Accessory Dwelling Unit) at 1005 E Princeton Ave. The ADU is on the second story of a detached garage behind the primary residence. This property is located in District 5, represented by Darin Mano. (Staff contact: Cassie Younger at cassie.younger@slcgov.com or 801-535-6211) **Case Number: PLNPCM2022-01149**

3. Conditional Use Permit for an Accessory Dwelling Unit at approximately 926 S 800 East -

Timothy Vreeland, the property owner, is requesting a Conditional Use to construct an Accessory Dwelling Unit at 926 S 800 E which is located in R-1/5,000 zone. The proposed ADU will be located in the second story of a detached garage in the rear yard accessed from the adjacent alley. The gross square footage of the ADU is 633-square-feet. The project is within Council District 5, represented by Darin Mano. (Staff contact: Katilynn Harris at 801-535-6179 or katilynn.harris@slcgov.com) **Case Number: PLNPCM2022-00569**

A motion to proceed with the consent agenda as posted was proposed by Commissioner Brenda Sheer. Vice-Chairperson Mike Christensen seconded the motion.

Commissioner Levi de Oliveira arrived at the meeting.

Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Aimee Burrows, Andres Paredes, Brenda Scheer, Levi de Oliveira, Rich Tuttle, Jon Lee, Andra Ghent, and Anaya Gayle, and Chairperson Maurine Bachman voted “yes.”

The motion passes unanimously.

Chairperson Maurine Bachman opened the public hearing.

Kristinna Robb, chair of the East Liberty Park Community Organization, ELPCO, stated their approval for both conditional use permits on the Consent Agenda.

Seeing no one else wished to speak, Chairperson Maurine Bachman closed the public hearing.

A motion to pass all items on the consent agenda was proposed by Vice-Chairperson Mike Christensen. Commissioner Brenda Sheer seconded the motion.

Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Andres Paredes, Brenda Scheer, Levi de Oliveira, Rich Tuttle, and Anaya Gayle, and Chairperson Maurine Bachman voted “yes.”

Commissioner Aimee Burrows, Andra Ghent, and Jon Lee abstained from the minutes because of absence, but approve the other items listed on the Consent Agenda.

The motion passed.

PUBLIC HEARINGS

Commissioner Brenda Scheer motioned to rearrange the order of regular agenda items. Commissioner Andra Ghent.

Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Aimee Burrows, Andres Paredes, Brenda Scheer, Levi de Oliveira, Rich Tuttle, Andra Ghent, and Jon Lee, and Chairperson Maurine Bachman voted “yes.”

Commissioner Anaya Gayle abstained from the motion since they will be recusing themselves from one of the agenda items.

The motion passes.

1. Modifications to a Planned Development and Design Review for The Harvey a Mixed-Use Structure at approximately 501, 511, & 515 E. 2700 South - A request by Alec Myres of Manifest Development, for approval of modifications to earlier Planned Development and Design Review approvals to develop a mixed-use building with one commercial unit and 14 residential units. The applicant received Planned Development and Design Review approvals from the Planning Commission on February 9, 2022, and modifications from the approval on May 11, 2022. Since that time, the applicant has further modified their design including a reduction in units, changes to the parking, and design of the secondary elevations. In accordance with sections 21A.55.100 and 21A.59.080, these types of modifications to the approved Planned Development and Design Review plans require approval from the Planning Commission. The project is located within Council District 7, represented by Amy Fowler. (Staff contact: Sara Javoronok at 801-535-7625 or sara.javoronok@slcgov.com) **Case Number: PLNPCM2021-01092 & PLNPCM2021-01254**

Senior Planner Sara Javoronok reviewed the staff report.

PUBLIC COMMENT

Chairperson Maurine Bachman opened the public hearing.

Seeing no one wished to speak, Chairperson Maurine Bachman closed the public hearing.

Commissioner Brenda Scheer asked if this would change the number of parking spaces. Sara Javoronok stated that it would reduce the number of parking spaces, and still would comply with the requirements of the zone.

MOTION

Vice-Chair Mike Christensen stated, “Based on the information presented and discussion, I move that the Commission approve this application based on staff’s recommendation.” Commissioner Rich Tuttle seconded the motion.

Vice-Chair Mike Christensen, and Commissioners, Brenda Scheer, Rich Tuttle, Jon Lee, and Andra Ghent, and Chairperson Maurine Bachman voted “yes.”

Commissioners Amy Barry, Aimee Burrows, Anaya Gayle, Levi de Oliveira, and Andres Paredes voted “no.”

The motion passes.

Commissioner Anaya Gayle was recused from the next item due to a conflict of interest.

2. Conditional Use for Kum & Go Gas Station at approximately 2111 S. 1300 East - Nathan Abbott with Galloway US, representing the lessee Kum & Go, is requesting conditional use approval for a gas station that will be located at the above-stated address. The proposed project will consist of a 3,957 square foot convenience store to be located in the northwest corner of the property, three (two-

sided) gas pumps located in the south area and underground fuel storage tanks placed along the eastern portion of the property. The subject property is approximately 0.83 acres combined (36,155 square feet) in size and is in the CB (Community Business) Zoning District. The subject property is within Council District 7, represented by Amy Fowler. (Staff Contact: Diana Martinez, Principal Planner at diana.martinez@slcgov.com or 801-535-7215) **Case Number: PLNPCM2022-00053**

Principal Planner Diana Martinez reviewed the staff report. Chris Hogle, the lawyer for the applicant, gave a formal presentation.

PUBLIC COMMENT

Chairperson Maurine Bachman opened the public hearing.

Judi Short, vice chair of the Sugarhouse Community Council, stated their disapproval of the application.

Jackie Rosen representing the Sugar House Park Authority stated their disapproval of the application.

Lynn Schwartz stated their disapproval of the application.

Cinthia Spigle stated their disapproval of the application.

Richard Layman stated their disapproval of the application.

Thea Brannon stated their disapproval of the application.

Carol Hansen stated their disapproval of the application.

Yvonne Martinez stated their disapproval of the application.

Kim Paturzo stated their disapproval of the application.

Molly Jones stated their disapproval of the application.

Seeing no one else wished to speak, Chairperson Maurine Bachman closed the public hearing.

Commissioner Aimee Burrows asked if there is a disclosure requirement for when staff reports need to be sent out. Senior City Attorney Katherine Pasker stated that the staff reports are posted for everyone in advance.

Commissioner Aimee Burrows stated that being this is a conditional use, they are to decide if the site and the use are appropriate and they don't conflict. She stated that she thinks the use of this particular lot is problematic.

Commissioner Levi de Oliveira asked what the difference is between this potential gas station and the gas station located across the street. Diana Martinez stated that the existing gas station was approved in 2006 under the Central Sugarhouse business district, with different regulations. She also stated that the existing gas station is 550 feet from the park and does not have the same environmental impacts. Levi de Oliveira asked if this petition had come before the Planning Commission in 2006, would it have been approved. Nick Norris stated that in that zone gas stations are a permitted use, and he believes they were back then, and they would not have gone through the Planning Commission.

Commissioner Andra Ghent asked if the applicant received a copy of the letter from the environmental consultant provided by the Sugarhouse Park Authority. Diana Martinez stated that they were provided with a copy in the staff report on March 27th, 2023. Andra Ghent asked the applicant if they feel like they have had an opportunity to reply to this environmental assessment. The applicant stated that they feel they have not had enough time and if allowed, would be able to fully inform the Commission by experts they would be able to provide.

Commissioner Andres Paredes asked if the applicant was provided with the supposedly missing reports, would they still be presenting the same application. The applicant stated that the application would have changed because they would have supplied more information to allow the Commission to be more informed about the situation and the geological context. They stated would have tried to inform the Commission more fully but would have not changed the proposed use.

Commissioner Rich Tuttle asked the applicant if they stated that they were not close to a water source. The applicant stated that they were not close enough to affect a water source. The applicant also stated that the area is prohibited from providing drinking water from the Sugarhouse Park Municipal well due to a PCE plume that was found in 1988.

Commissioner Amy Barry brought up the detrimental impacts of the project and the ability or inability to mitigate them. Amy Barry also brought up concerns for the traffic.

The Commission discussed the option for tabling the item.

MOTION

Commissioner Andra Ghent motioned to table the decision to give the applicant additional time to respond. Commissioner Levi de Oliveira seconded the motion.

Commissioner Aimee Burrows offered a substitute motion.

Commissioner Aimee Burrows stated, “Based on the findings listed in the Staff Report, the information presented, and input received during the public hearing, I move that the Planning Commission deny the Conditional Use request because the potential for detrimental impacts to the environment near the site cannot be mitigated. As referenced in the staff report for consideration one, two, three, four, five, six, seven, eight.” Commissioner Amy Barry seconded the motion.

Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Aimee Burrows, Andres Paredes, Brenda Scheer, Rich Tuttle, Jon Lee, Andra Ghent, and Chairperson Maurine Bachman voted “yes.”

Commissioner Levi de Oliveira voted “no”.

The motion passes.

The meeting adjourned at approximately 7:29 PM.

For Planning Commission agendas, staff reports, and minutes, visit the Planning Division’s website at slc.gov/planning/public-meetings. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission.

ATTACHMENT F: Staff Report From the April 12, 2023 meeting, And Other Supporting Documents Provided To The Planning Commission

[Staff Report - April 12, 2023](#) p.156-233

[Attachment I: Public Comments](#) p.235-787

[Attachment J: Letter from the Sugar House Community Council](#) p.788-791

[Attachment K: Letter from Sugar House Park Authority](#) p.792-800

[Attachment K- Letter from Rebecca Brown -Hydrogeologist](#) p.802--821

[Attachment L: Ordinance 21A.34.060 - Groundwater Source Protection Overlay District](#) p.823-844

[Attachment N: Response letter from the Applicant to the SLC Planning Commission](#) p.846-886



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Diana Martinez, Principal Planner, 801-535-7215, diana.martinez@slcgov.com
Date: April 12, 2023
Re: PLNPCM2022-00053 - Conditional Use Application

Conditional Use

PROPERTY ADDRESS: 2111 South 1300 East
PARCEL ID: 16-20-230-003-0000 & 16-20-230-001-0000
MASTER PLAN: [Sugar House Master Plan](#)
ZONING DISTRICT: [CB Community Business District](#)
OVERLAY DISTRICT: [21a.34.060: Groundwater Source Protection Overlay District](#)

REQUEST:

Nathan Abbott with Galloway US, representing the leasee Kum & Go, is requesting conditional use approval for a gas station that will be located at 2111 South 1300 East. The proposed project will consist of a 3,957 square foot convenience store to be located in the northwest corner of the property, three (two-sided) gas pumps located in the south area and underground fuel storage tanks placed along the eastern portion of the property. The subject property is approximately 0.83 acres combined (36,155 square feet) in size and is in the CB- Community Business Zoning District.

RECOMMENDATION:

Based on the findings listed in the staff report, it is the Planning Staff's opinion overall, that the project does not meet the applicable standards or the intent of the Sugar House Master Plan, nor can it successfully mitigate adverse impacts to the adjoining property & water resource, Sugar House Park & Parley's Creek, and therefore planning staff recommends the Planning Commission deny this Conditional Use request.

ATTACHMENT

A. ATTACHMENT A: Vicinity Map	22
B. ATTACHMENT B: Applicant Narrative	23
C. ATTACHMENT C: Renderings, Building Plans & Site Plan	31
D. ATTACHMENT D: Property & Vicinity Photos	60
E. ATTACHMENT E: Existing Conditions – Master Plan, Guidelines, And Zoning standards	65
F. ATTACHMENT F: Conditional Use Standards	68

G. ATTACHMENT G: Public Process and Comments 75
H. ATTACHMENT H: Department Review Comments..... 76

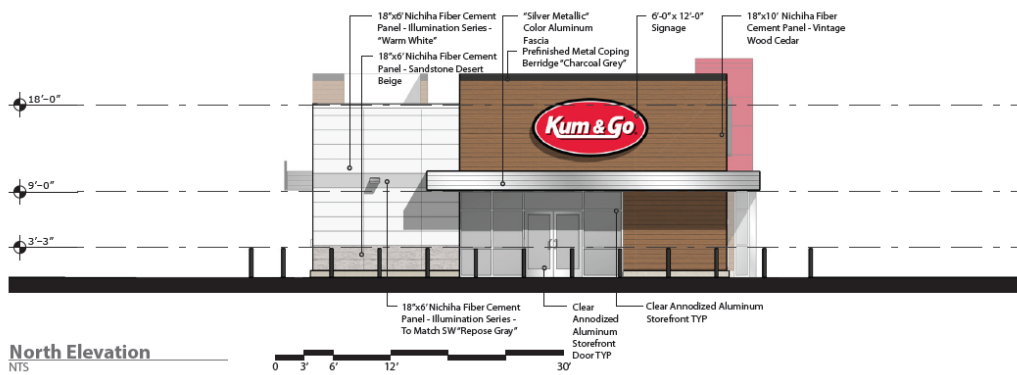
Additional Attachments to this staff report:

- ATTACHMENT I: Public Comments
- ATTACHMENT J: Letter from the Sugar House Community Council
- ATTACHMENT K: Letter from the Sugar House Park Authority & Letter from Rebecca Brown -Hydrogeologist
- ATTACHMENT L: Ordinance 21A. 34.060 - Groundwater Source Protection Overlay District

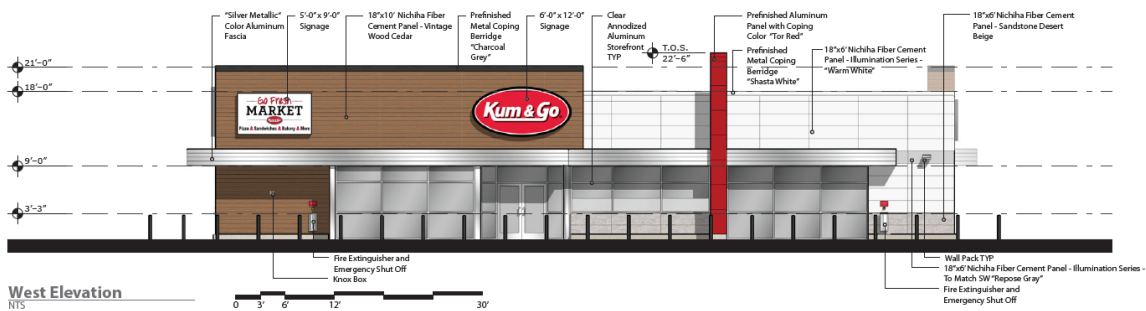
PROJECT DESCRIPTION

The applicant, representing the Kum & Go Company, is requesting approval to build a gas station and convenience store on the subject property at 2111 S. 1300 E, which is the southeast corner at the intersection of 2100 South and 1300 East.

The convenience store is proposed as a 3,957 square foot building. This building would be a convenience store that would sell snacks, drinks and quick household pick-up items. It will also have a “bistro” food area with an eating sitting area inside. The proposal would include three gas pumping stations that would be two-sided, with a canopy over the gas pumps that would be 18 feet tall (see [Attachment C](#)).



Building elevation looking at the building from 2100 South



Building elevation looking at the building from 1300 East

Quick Facts:

Building Height: 21 feet (approximate), 1 story

Main Floor: Convenience store, retail goods

Square footage of building: 3,957 sq. ft.

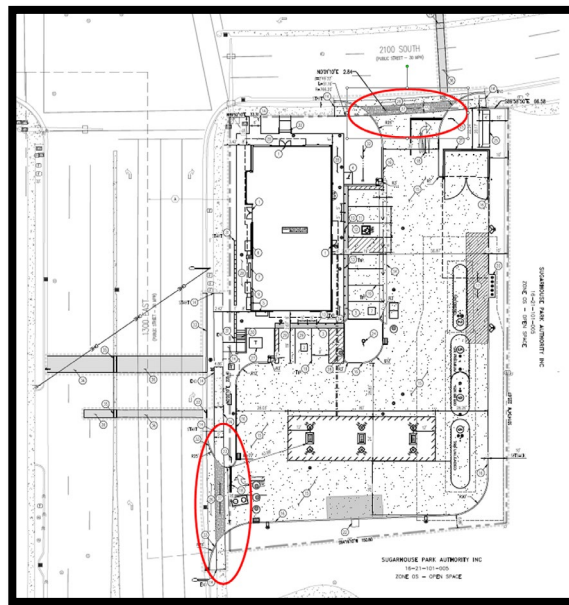
Exterior Materials: Colored Aluminum, Fiber Cement Panel, Metal Coping, Glass

Parking: Proposed -10 parking spaces: one ADA parking, three electric vehicle charging station spaces, and six regular parking spaces.

The subject property is approximately 36,155 square feet (0.83 acres) in size and abuts Sugar House Park at the northwest corner. It is privately owned and is not part of the Sugar House Park property.

The proposed convenience store would be located in the most northwest corner of the parcel approximately 15.5 feet from the property line along 2100 South, and eight feet from the property line along 1300 East. Since the building facades face two public roads, there are two main entrances proposed one facing 2100 South and one facing 1300 East, in addition to the entrance located on the east side facing the parking area.

Currently, there are three vehicular access points to the property, two along 1300 East and one along 2100 South. The applicant is proposing two entrance points to the property. They will remove the more northerly existing entrance and keep the south entrance along 1300 East and keep the one along 2100 South. Both of these access points will be right in/right out only. The ingress/egress along 1300 East will also serve as the access point to the property for the fueling tanker trucks for deliveries to the site. The fueling trucks will enter from the south along 1300 East and enter the property following the southern property line to the east to fill the tanks which are proposed to be located along the eastern area of the property. Kum & Go Company owns the fuel transport company and therefore, will dictate the standard operating procedures and routing for the fuel tanker trucks. Since the fueling trucks need to deliver the fuel on the passenger side of the truck to the underground storage tanks (USTs), entrance from 2100 South would not be feasible and therefore, fueling tanker trucks will be entering from the 1300 East entrance and exiting out the 2100 South egress only.



Proposed entrances -circled in red

The Kum & Go Company is not the owner of the property, they are leasing the property. The applicant has not addressed whether they will be purchasing the land out right, or if they will continue to lease the property for an extended period of time. The property owner has provided the necessary consent to the applicant to submit the Conditional Use application.



KEY CONSIDERATIONS

The key considerations listed below have been identified through the analysis of the project, neighbor and community input and department review comments:

1. Conditional Use Purpose Statement
2. Sugar House Park: Environmental Amenities
3. Environmental Concerns: Underground Storage Tanks (USTs)
4. Environmental Concerns: Surface Water Runoff
5. Traffic Concerns: Vehicular increase to the 2100 South/ 1300 East intersection
6. Traffic Concerns: Fuel truck route after leaving subject property.
7. City plan policies
8. Landscaping buffer – for separation and storm drain filtration system

Consideration 1: Conditional Use Purpose Statement

Ordinance 21A.54.010 Purpose statement:

A. A conditional use is a land use which, because of its unique characteristics or potential impact on the municipality, surrounding neighbors or adjacent land uses, may not be compatible or may be compatible only if certain conditions are required that mitigate or eliminate the negative impacts. Conditional uses are allowed unless appropriate conditions cannot be applied which, in the judgment of the planning commission, or administrative hearing officer, would mitigate adverse impacts that may arise by introducing a conditional use on the particular site.

B. Approval of a conditional use requires review of its location, design, configuration, and impact to determine the desirability of allowing it on a site. Whether the use is appropriate requires weighing of public need and benefit against the local impact, taking into account the applicant’s proposals to mitigate adverse impacts through site planning, development techniques, and public improvements. (Ord. 14-12, 2012)

Although the applicant has proposed mitigation plans through development techniques and its proposed best management practices, this use is not appropriate for the location. The possibility of harmful and damaging effects from a potential gas tank leak (“release”) or contaminated surface water run-off could cause a significant detrimental impact -or “adverse impact” – therefore, harming the soil, water and air quality of Sugar House Park, Parley’s Creek and the community.

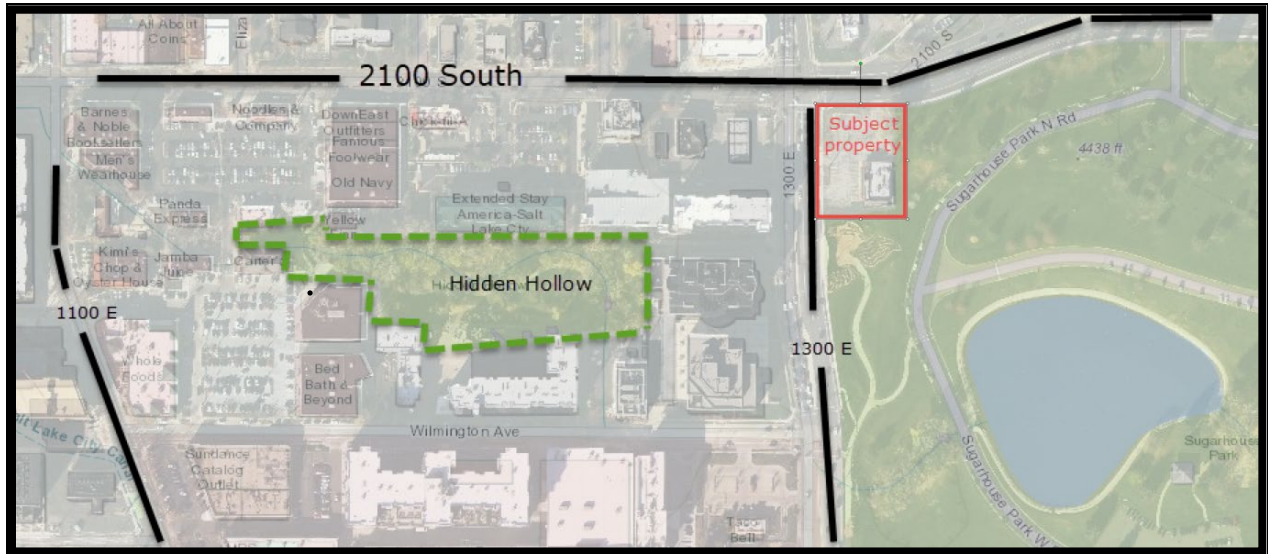
The State of Utah’s Property Rights Ombudsman notes “detrimental impacts identified for a conditional use should be related to negative impacts on legitimate government interests, or on the public welfare”.¹ The proposed gas station at this location creates negative effects to the government interest in Sugar House Park and the public welfare intended to be provided by regional parks, Parley’s Creek, and Hidden Hollow, which is downstream from Sugar House Park. Salt Lake City Municipality and Salt Lake County governments co-own Sugar House Park, which is the second largest government (county and municipality) collaboratively owned and maintained public parks in the Salt Lake Valley/County at 110 acres (second to the soon to be opened Bingham Creek Regional Park -160 acres- co-owned by South Jordan City and Salt Lake County).

Since the late 1950’s, Sugar House Park has been considered the “crown jewel” to the residents of Sugar House, Salt Lake City, and surrounding communities. The park is intended to be a designated area of open space under a trust conveyed in 1957 by Salt Lake City and Salt Lake County, to operate as a park for a period of 99 years, ending on December 31, 2055.



To the west of the subject property is the Hidden Hollow Natural Area, which is located in the heart of the Sugar House Business District. It was rededicated in 1999 as an urban natural area and an oasis for native plants and wildlife. The City placed a conservation easement over the property to protect its “natural, riparian, scenic, open space, historical, educational, aesthetic, and recreational values”. It is also at immediate risk by any contamination to the Parley’s Creek, since the creek runs through the middle of the area as an open creek. Surface run-off from the subject property that is not filtered properly will run into the storm drain and will eventually end up in Parley’s Creek downstream through Hidden Hollow. This creates a clear negative impact, that cannot be mitigated, to the government interests of both Sugar House Park and Hidden Hollow Natural Area.

¹ <https://propertyrights.utah.gov/find-the-law/legal-topics/conditional-uses/> -What are Detrimental Impacts?



The city standards for a conditional use (see [Attachment G](#)), state if the anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated...the conditional use shall be denied by the Planning Commission.

The applicant has not provided information that demonstrates that the reasonably anticipated potential for soil, water and air contamination created by the proposed use can be substantially mitigated. Since any contamination to the park, specifically to the secondary recharge water source of the Parley’s Creek, and the surrounding community, would happen mostly through underground gas tank leakage (or “release”) and contaminated surface water run-off, even best management practices cannot guarantee that this will not happen. Evidence of the frequency of leaks and types of leaks can be found in [Consideration 3](#). For the protection of Sugar House Park, Parley’s Creek, Hidden Hollow and the community, there is no mitigation effort that can reduce the risk to these government and public interests and therefore this application for a Conditional Use should be denied.

As noted by the Utah Court of Appeals, “a conditional use is rooted in the idea that some uses, due to ‘unique characteristics or potential impact[s]’ on ‘surrounding neighbor[s] or adjacent land uses, may not be compatible in some areas.” [Staker v. Town of Springdale](#)² (citing the definition of “conditional use” in Utah Code Section 10-9a-103).

² Book 481 of the 3rd series of the Pacific Reporter beginning on page 1044.

Consideration 2: Sugar House Park: Environmental Amenities

Prior to the existence of Sugar House Park, the property to the east of the subject property was the site of the Utah State Prison “Territorial Penitentiary” (or Sugarhouse Prison), from January 1855 until March 12, 1951. The prison sat on the 10-acres closest to the subject property.

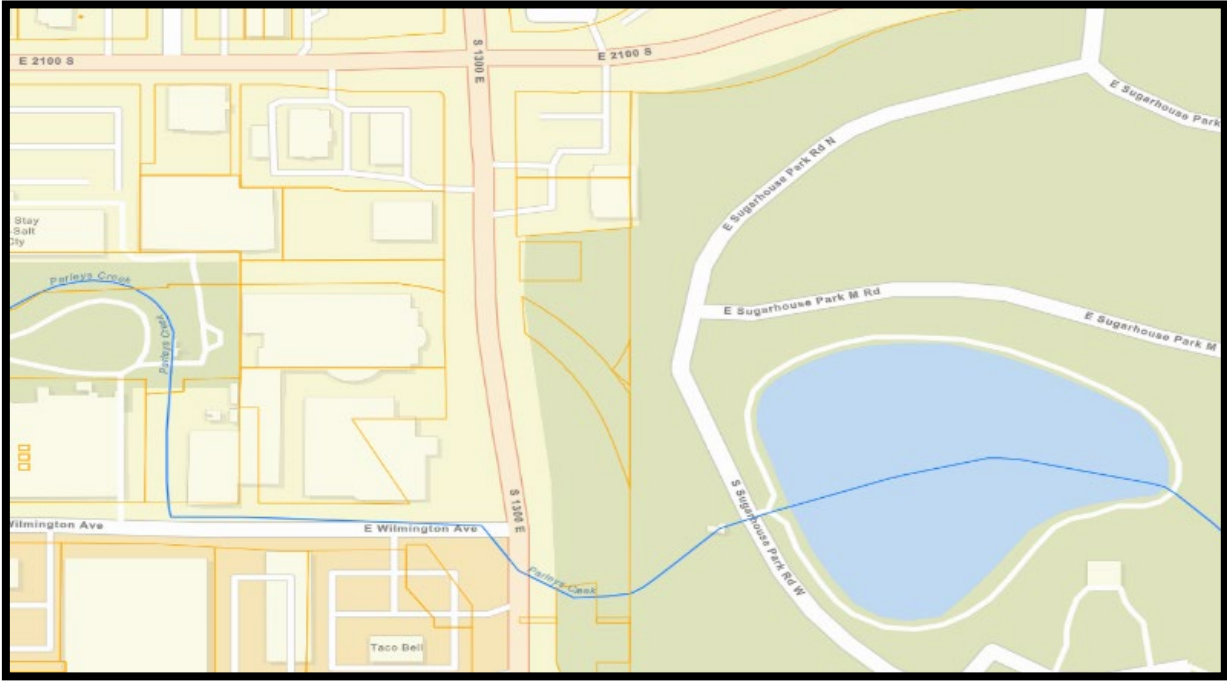


After the prison was moved from the property in 1951, the 110 acres was converted to Sugar House Park. Sugar House Park encompasses most of the area, with 30-acres to north being the site of Highland High School.



Layout of Sugar House Park -showing Highland High School in the Northeast corner

Parley’s Creek runs through the park, coming down from Parley’s Canyon to the east. The creek runs through the center of Sugar House Park and fills the pond at the west end. At 1300 East the creek is piped underground across 1300 East to Wilmington Avenue, it is then diverted (still piped) to the north to Hidden Hollow, which is an “urban natural area”. The creek is an open running creek through Hidden Hollow as it runs west until it is again piped just before it hits 1100 East.



Route of Parley's Creek (in blue) from the Sugar House Park Pond to Hidden Hollow

The subject property and Sugar House Park are both located in a Secondary Recharge Area -protected by the Groundwater Source Protection Overlay District which serves “to protect, preserve, and maintain existing and potential public drinking groundwater sources in order to safeguard the public health, safety and welfare of customers and other users of the City’s public drinking water supply, distribution and delivery system.”³ The Secondary Recharge Area provides the primary means of replenishing groundwater as a secondary drinking water source, which can be up to 10% of the city’s water supply⁴.

“Primary recharge areas are composed of rock and boulder without confining clay layers. Anything spilled on the surface of this area can easily make its way into the groundwater, without the time and natural soil filtration necessary to clean it. Compounds that easily mix with water and can be drawn down into the water supply are of particular concern. **Secondary recharge areas** are similar to primary recharge areas, but have sporadic clay layers, so that some surface contamination can be contained. However, these layers aren’t continuous, the level of safety is low. These two over-lay areas cover the foothills and the front facing mountain ranges.”⁵

Under the Groundwater Source Protection Overlay District, underground Storage Tanks are listed as “**Restricted Uses**” in the Secondary Recharge Area and therefore, represent a “**potential contamination source**” (See Appendix B of the Groundwater Source Protection Overlay District Ordinance -attached at the end of the staff report). Having a gas station use with underground fuel tanks within this overlay districts jeopardizes the purpose of the overlay district to protect the Secondary Recharge Area, as it is in conflict with city policies and environmental considerations.

³ Salt Lake City Ordinance 21A.34.060.B.

⁴ <https://water.utah.edu/2018/05/10/drinking-water-and-the-wasatch-front/>

⁵ Ground-water Source Protection Ordinance -September 4, 1998 attached at end of report.

Consideration 3: Environmental Concerns: Underground Storage Tanks (USTs)

There are many environmental concerns related to this proposal for a gas station. Particularly since it is being proposed on property abutting Sugar House Park and within 350 feet of the pond in the park. Parley's Creek flows into and out of the park pond. The main environmental concern is soil, water and air contamination caused by a leak (or "release" -the technical term for a gas leak) of petroleum from the underground storage tanks (USTs).



Example of underground storage fuel tanks

There are over 769 gas stations in Utah as of 2019 with underground fuel storage tanks (UST).⁶ According to the Utah State Department of Environmental Quality -Environmental Response & Remediation, at the end of 2022, there were approximately 3,604 USTs in the state of Utah and of 768 facilities inspected there were 54 confirmed release (leaks) sites reported. As indicated in the following table 76% of USTs were compliant at the time of inspection., which means that 24% of the USTs were not in compliance. That amounts to 864 USTs, or one of every four, that were not compliant. It is reasonable to expect USTs that are not compliant at time of inspection, create an environmental impact that may only be discovered during required inspections.

⁶ 2019- U.S. Energy Information Administration (eia.gov)

Utah's Summary Information On Underground Storage Tanks (USTs)

General Information

Public Record Posted Date: 12/5/2022
 Total Number Of UST Facilities:: 1309
 Total Number Of USTs: 3604

Summary Information For On-Site Inspections

Number Of UST Facilities Inspected: 768
 Inspection Period Dates: October 1, 2021 To September 30, 2022
 Percent Compliance at Time of Inspection (Combined Measure): 76 %

Note: Tank, facility, and on-site inspection information is based on State of Utah site inspections, and file records. On-site inspections measure compliance with State and Federal UST regulations. Percent Compliance is based on the Technical Compliance Rate (TCR), which is a composite measure of compliance with spill prevention, overfill prevention, corrosion protection, and release detection requirements. The TCR and supporting measures are described in EPA's April 2018 guidance.

Summary Information For Releases

Number Of Confirmed UST Releases: 54
 Release Reporting Period Dates: October 1, 2021 To September 30, 2022

Summary Information For Release Sources And Causes

Source			Cause													
			Spill		Overfill		Damage		Corrosion		Install		Other		Unknown	
#	%		#	%	#	%	#	%	#	%	#	%	#	%	#	%
Tank	12	22 %	0	0 %	0	0 %	1	33 %	3	43 %	0	0%	0	0 %	8	28 %
Piping	8	15 %	0	0 %	0	0 %	1	33 %	3	43 %	0	0%	0	0 %	4	14 %
Dispenser	11	20 %	5	63 %	3	60 %	1	33 %	0	0 %	0	0%	0	0 %	2	7 %
STP	2	4 %	0	0 %	0	0 %	0	0 %	1	14 %	0	0%	0	0 %	1	3 %
Delivery Problem	5	9 %	2	25 %	2	40 %	0	0 %	0	0 %	0	0%	1	50 %	0	0 %
Other	4	7 %	1	13 %	0	0 %	0	0 %	0	0 %	0	0%	1	50 %	2	7 %
Unknown	12	22 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0%	0	0 %	12	41 %
Totals	54		8		5		3		7		0		2		29	

= number, % = percent of total number

Note: Release, source and cause information is based on Federally Regulated Underground Storage Tanks and Federally Regulated Leaking Underground Storage Tanks. Source and cause data were collected using data provided to the State of Utah from Site Inspections and Closure Notices.

The public can obtain site-specific UST information on compliance and releases. In making a request to review files, please call (801) 536-4100, fax (801) 359-8853, or mail the GRAMA Coordinator at: P.O. Box 144840 (195 North 1950 West), Salt Lake City, Utah, 84114-4840. You will be notified when your files are ready to be reviewed. For additional information, please visit our web site at <https://deq.utah.gov/> or our interactive map at <https://enviro.deq.utah.gov/>

The purpose of this report is to comply with the Public Record Provision Of The Energy Policy Act Of 2005

Utah obtains more than 10% of the population's drinking water from groundwater. The Department of Environmental Quality has regulations in place to protect this valuable public resource. "When an UST leaks, it becomes a Leaky Underground Storage Tank (LUST) and poses a risk to human health and the environment. Currently, there are more than 3,000 LUST sites in Utah. These sites have resulted in contaminated ground water and in some cases, explosive situations."⁸

Although there are multiple layers that the tanks are contained in, and there are sensors that monitor "releases", the potential for underground storage tanks to leak exists and is not rare and therefore, it is a reasonable anticipated detrimental effect. There is no monitoring system that is 100% reliable to detect releases (petroleum leaks) and there is no definitive way to keep leaks from happening. There is no evidence presented that indicates petroleum releases can be substantially mitigated. Statistics and proof from the Department of Environmental Quality show that releases of petroleum are a frequent occurrence. The detrimental environmental impact to Sugar House Park and Parley's Creek would be tragic for the community and jeopardize the government interest in the park, creek and create negative impacts to the health and safety of the public.

Consideration 4: Environmental Concerns: Surface Water Runoff

A second environmental concern for having a gas station next to Sugar House Park, is the possibility of surface water runoff from the gas station, contaminating the soils and water sources of the park. "The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs and wells. As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals...organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production... can also come from gas stations"⁹

Although gas stations with underground storage tanks (USTs) are required by the Utah Department of Environment Quality to have spill prevention equipment and containment sumps (for monitoring piping), overfilling of the UST from fuel trucks for product delivery, periodically happens. This means spilled petroleum could potentially get into and contaminate the soil and water within the park and Parley's Creek by surface runoff. Leaking gas and oil from vehicles on the gas station grounds, can also create tainted surface water runoff that may not be properly captured on-site.

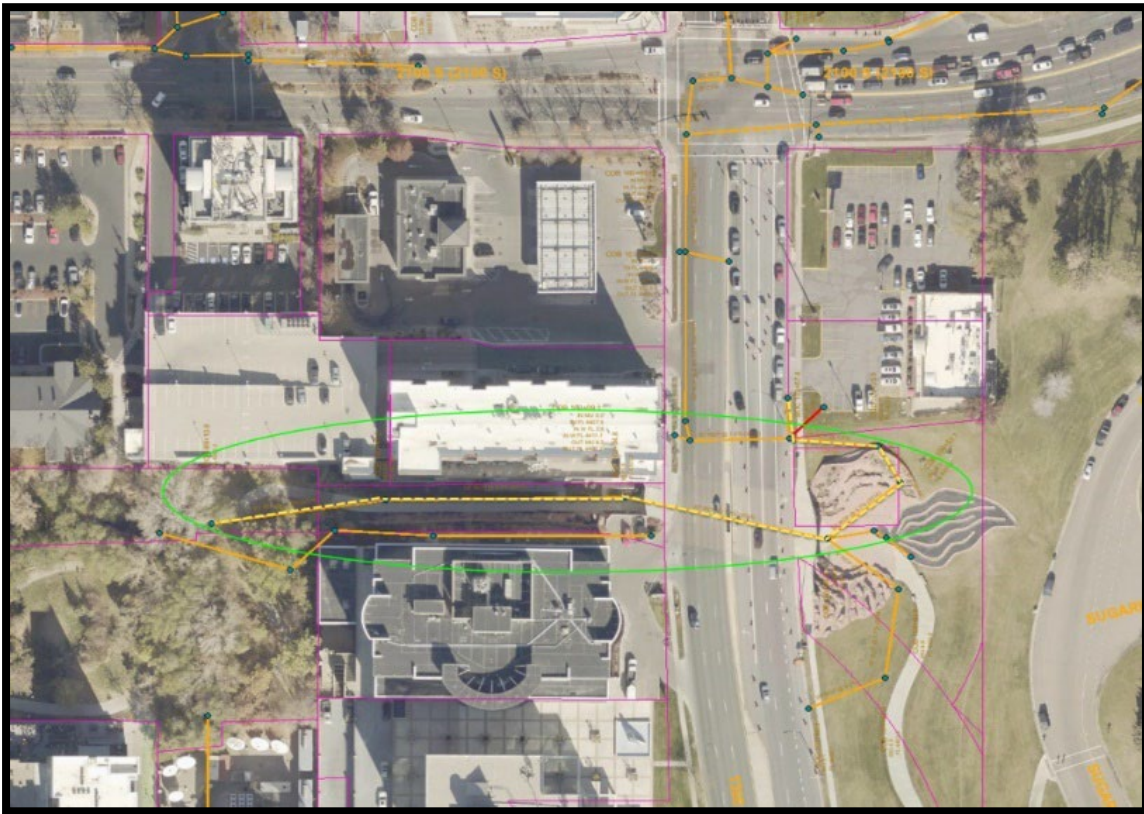
The City's Public Utilities Department has stated in their review that stormwater and runoff from this site goes directly to Parley's Creek by way of the storm drain along 1300 East. (See Attachment I). If there is any failure to the management, treatment or control of this runoff, contamination to the creek is imminent and could not be prevented. For example, this news [article](#)¹⁰ describes an incident where a gas pump was damaged when it was backed into by a gas station patron's vehicle. The emergency shut off failed and gasoline flowed into the storm drain and a nearby creek. Residents were advised to stay indoors while the creek was monitored.

⁷ <https://documents.deq.utah.gov/environmental-response-and-remediation/ust-lust/branch/DERR-2016-017921.pdf>

⁸ <https://deq.utah.gov/environmental-response-and-remediation/underground-storage-tank-branch#why-are-usts-regulated>

⁹ R309-225. Monitoring and Water Quality documents.deq.utah.gov > drinking-water > rules > DDW-2017-004206

¹⁰ <https://jalopnik.com/over-1-300-gallons-of-fuel-spills-after-an-suv-backs-in-1848252967>



Storm drain route from subject property to Hidden Hollow (within green oval- marked by dotted yellow line)

Any failure of best management practices would cause risk of contamination to the Parley's Creek through the storm drain connection. There are no best management plans that can mitigate the negative impact since spills are caused by human error and may lead to a potential failure.

Consideration 5: Traffic Concerns: Vehicular increase to the 2100 South/ 1300 East Intersection

The applicant provided a Traffic Impact Study (TIS) for the following specific areas to see if they would be affected by the proposed development:

- E 2100 S/S 1300 E
- S 1300 E/Site Access
- E 2100 S/Site Access

Here are excerpts from that TIS:

“The application proposes consolidating the two existing access points along S 1300 E. to a single right-in/right-out. Additionally, the site will continue to access via E 2100 S at the existing right-in/right-out. These two access points will facilitate access and circulation throughout the site.”¹¹

¹¹ TIS submitted by the applicant, pg 5 of 109.

“E 2100 S is a divided six-lane roadway east of S 1300 E and an undivided four-lane roadway west of S 1300 E. The posted speed limit is 30 mph in the vicinity of the subject site. The roadway is classified by the City of Salt Lake City as an arterial providing east-west connection through the region and access to a number of residential and commercial developments. The intersection with S 1300 E operates under signalized control.”¹²

“S 1300 E is a divided six-lane roadway south of E 2100 S and an undivided two-lane roadway north of E 2100 S. The posted speed limit is 30 mph in the vicinity of the subject site. The roadway is classified by the City of Salt Lake City as an arterial and provides north-south connection through the region and access to a number of commercial and residential developments. The intersection with E 2100 S operates under signalized control.”¹³

The study was conducted last year when the Sizzler was inoperable and there were no counts taken from the subject property because there were no cars entering or exiting the property. The traffic impact study cannot be reasonably relied upon to provide meaningful understanding of the potential impacts.

The applicant’s TIS states that the 2028 future level of service for the study area will operate at an “overall LOS “E” or better during the AM and PM peak hours, generally consistent with existing conditions. Minor increases in delay are forecasted due to growth along the arterials within the study area.”¹⁴ LOS stands for “level of service” and at an “E” this is not an acceptable service level for many residents and community.

Levels of service	Vehicle flow states	Average vehicle speed	V/C
Level A	Driving smoothly	>48km/h	$0 \leq V/C < 60\%$
Level B	Stable vehicle flow	>40km/h	$60 \leq V/C < 70\%$
Level C	Stable vehicle flow	>32km/h	$70 \leq V/C < 80\%$
Level D	Less stable vehicle flow	>24km/h	$80 \leq V/C < 90\%$
Level E	Unstable vehicle flow	$\approx 24\text{km/h}$	$90 \leq V/C < 100\%$
Level F	Traffic congestion	<24km/h	$\geq 100\%$

LOS= Level of service V/C= Volume to Capacity ratio

The applicant’s TIS also stats on a comparison table between a high-turnover sit-down restaurant use and the proposed gas station w/convenience store, the site trip generation will be approximately 364 more trips per day for the proposed gas station.

Just because the roadway can physically handle the increase in traffic, does not mean the community can. This becomes a concern for the public health, safety and welfare for the community, “this is not a capacity issue, it is a livability issue”¹⁵. The difference in trip generation negatively impacts people

¹² Ibid pg 12/109

¹³ Ibid pg 13/109

¹⁴ Ibid pg 21/109

¹⁵ <https://blogs.extension.iastate.edu/planningBLUZ/2015/05/28/denial-of-conditional-use-permit-not-unreasonable-concurring-opinion-suggests-consideration-of-the-comprehensive-plan-in-cup-cases-misplaced/>

using the sidewalks and cyclists who travel past the property. It should be noted that the city is planning a redesign of 1300 East and 2100 South with the intent of making the streets safer for people on the sidewalk, on bikes, or other human powered transportation modes. The plans include a shared bicycle path along 1300 East and separated bike lanes on 2100 South along the subject property. This is part of the “Local Link” that was recently adopted by the City Council: [Sugar House Park Loop Priority Project](#).

Table 5-1
K&G 2506
Site Trip Generation

Land Use	Land Use Code	Amount	Units	AM Peak Hour			PM Peak Hour			Average Daily Trips
				In	Out	Total	In	Out	Total	
<i>Existing</i>										
High-Turnover (Sit-Down) Restaurant	932	4,899	SF	26	21	47	27	17	44	525
<i>Pass-by (AM 0%/PM 43%)</i>				0	0	0	(11)	(7)	(18)	(210)
Net Difference Total				26	21	47	16	10	26	315
<i>Proposed</i>										
Gas Station with Convenience Store	945	6	FP	81	81	162	69	68	137	1,543
<i>Pass-by (AM 60%/PM 56%)</i>				(49)	(49)	(98)	(39)	(38)	(77)	(864)
Net Difference Total				32	32	64	30	30	60	679
Net New Trips (Proposed - Existing)				6	11	17	14	20	34	364

Note(s):
(1) Trip generation based on the Institute of Transportation Engineers' *Trip Generation Manual*, 11th Edition

The conclusion and recommendation stated in the TIS came to this summary:

“Conclusions based on the results of this traffic impact study; the following may be concluded:

- Under existing traffic conditions, the signalized intersections within the study area currently operate at overall acceptable levels of service (LOS) “D” or better during the weekday AM and PM peak hours.
- Under background future traffic conditions, without the development of the subject site, delays would increase slightly at study intersections due to regional traffic growth. The signalized intersections would operate at LOS “E” or better.
- The proposed site development would generate, upon completion and full occupancy, 64 net new weekday AM and 60 net new weekday PM peak hour vehicle trips as well as 679 net new weekday daily trips.
- Compared to the existing use, the proposed use would generate 17 more net new weekday AM, 34 more net new weekday PM, and 364 more net new average daily trips.
- Under total future traffic conditions, all study intersections, including proposed site connections would operate at levels of service consistent with background conditions.
- The proposed use would not substantially impact the surrounding network and would improve safety to the network by consolidating existing access points.

Recommendations

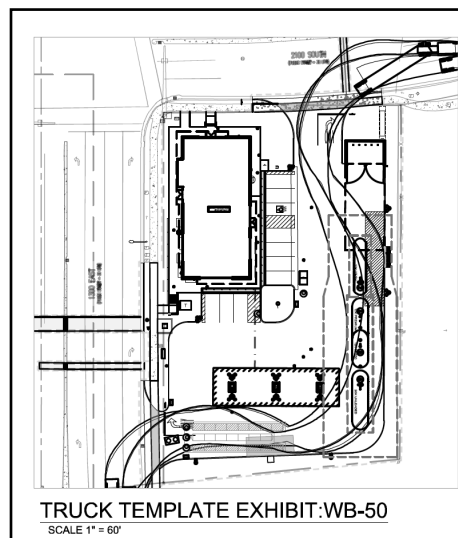
¹⁶ TIS submitted by the applicant, pg 36 of 109

- It is recommended that the proposed development provide access consistent with the attached plan.”¹⁷

The proposed use is too vehicular intense for the site, in regard to the additional traffic that it will contribute to the traffic at the 2100 South/1300 East intersection and to the immediate area and community and the number of anticipated trips generated by the use jeopardizes the city’s future plans for pedestrian and bicycle improvements on 1300 East and 2100 South. The number of trips cannot be reasonably mitigated since gas stations are not destination spots. Most patrons stop at gas stations and convenience stores on their way from other targeted stops, and trips tend to be higher than what is reasonably anticipated within the CB zoning district. There is no condition that can be applied and reasonably enforced to limit the number of trips anticipated by the applicant’s provided information.

Consideration 6: Traffic Concerns: Fuel truck route after leaving subject property.

Planning Staff has concerns about the route that the fuel trucks will take after they leave the subject property. Because both ingress/egress locations are directionally right-in right-out, the fuel trucks will come into the subject property from the south, entering at the 1300 East entrance, and then exit the 2100 South exit heading east of the subject property. Delivery trucks will not be entering the subject property at the ingress at 2100 South. This is a choice by Kum & Go to have the fueling trucks enter the subject site from 1300 East and existing to the east out the 2100 South exit. Only regular vehicles will use the ingress from 2100 South.



Truck route for goods and fuel deliveries -designated by the Kum & Go Company

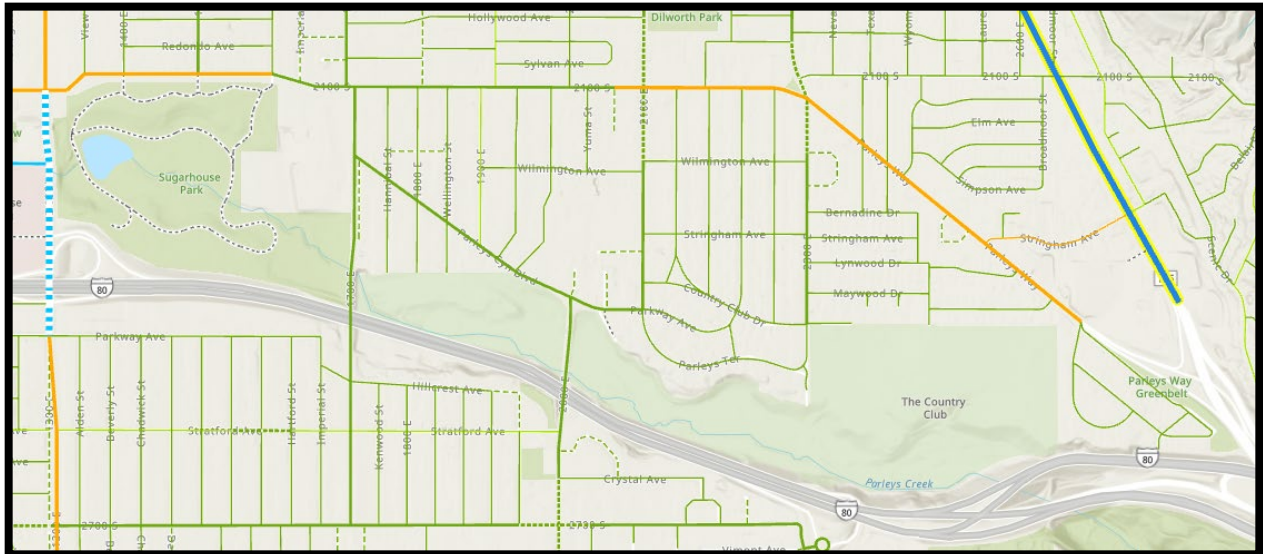
The neighborhood to the east of the subject property is primarily residential single-family dwellings on the north side of 2100 South, and the park on the south side, followed by more residential single-family dwellings further to the east.

Along 2100 South, from 1300 East to 1700 East there are three lanes directional to the east. After 1700 East, there are only two lanes directional to the east. There is a future transportation plan

¹⁷ Ibid pg. 47 of 109.

(2024-25), to decrease the number of lanes to two lanes from 1300 East to 1700 East and to one lane each direction, from 1700 East eastward to the I-80/1-215 connection just past Parley's way.

Depending on the time of day that the fuel trucks come (since the proposal is for a 24-hour operation), the fuel trucks could be a disturbing factor to the residence that live along 2100 South. 2100 South is designated as a **“Collector”** street, with speed limits of 25 mph between 1300 East and 1600 East, and 20 mph between 1600 East and 2060 East, and again at 25 mph between 2060 East up through Parley's Way to the 1-215 freeway entrance.



Street Typologies Map showing - the orange sections, of 2100 South and Parley's Way, are “Collector” street sections with a 25 mph speed restriction. The green section along 2100 South is “Collector” street section with a 20-mph speed restriction.

Since the fueling trucks will be directed to leave the proposed gas station site east along 2100 South, this may cause disturbance for the residents that live along 2100 South -east of 1300 East. In addition, it could cause safety issues for the residents/pedestrians and school children along 2100 South, since this is not a typical route for large tanker trucks.

If the proposal is approved by the Planning Commission, limited hours for delivery times to the site, should be considered as a condition of that approval to minimize scheduled disturbance to the neighborhoods along 2100 South.

Consideration 7: City plan policies

The Master Plan labels this subject property as Low Intensity Mixed Use.

Sugar House Master Plan:

Low-Intensity Mixed Use allows an integration of residential with small business uses, typically at ground floor levels. Height limits generally include one- and two-story structures. The intent is to support more walkable community development patterns located near transit lines and stops. Proposed developments and land uses within the Low-Intensity Mixed Use area must be compatible with the land uses and architectural features surrounding each site.

The Sugar House Community Development Objectives are as follows:

Policies

- *Develop the Sugar House Community to be a sustainable, attractive, harmonious and pedestrian oriented community.*
- *Strengthen and support existing neighborhoods with appropriate adjacent land uses and design guidelines to preserve the character of the area.*
- *Create visually interesting pedestrian-friendly street networks that directly connect local destinations.*
- *Improve all modes of mobility including street and trail networks, transit, pedestrian and bicycle movement opportunities, and off-street cooperative parking facilities.*
- *Support small locally owned neighborhood businesses to operate harmoniously within residential areas.*

Stated in the Sugar House Master Plan:

Small commercial centers located within or immediately adjacent to neighborhoods provide a necessary service to Sugar House residents. Historically, however, the demand for neighborhood convenience stores has been varied, particularly with the emergence of regional shopping centers and easy access to transportation facilities.

Today, there is a renewed recognition of the value of having neighborhood businesses that residents can walk to instead of having to drive to. In addition, neighborhood businesses are frequently locally owned so more of the profits stay in the area. Neighborhood Commercial areas may consist of four corner sites or isolated parcels. The businesses range from grocery stores to restaurants.

Changes that are recommended:

- *Eliminating incompatible automobile-oriented uses where allowed;*
- *Requiring windows on the first floor of new buildings with entrances facing the street and parking located in the rear;*
- *Providing a pedestrian circulation component in every development approved;*
- *Requiring multiple public entrances in new larger buildings;*
- *Requiring design review or site design standards; and*
- *Requiring signage to be at the pedestrian level.*

Plan Salt Lake:

Air quality has been identified as one of the most important issues for Salt Lake City residents and is one of the most frequently discussed topics in the region. This is especially true during the winter months when the Wasatch Front is plagued by pollutant trapping inversions and deteriorating air quality. The inversions create more than just a health hazard and negative impact on the natural environment, they affect overall quality of life for residents and create negative perceptions for visitors and investors. Poor air quality is directly related to pollutants caused by vehicle and industry emissions.

Plan Salt Lake expresses the need for cycling and walking to have the necessary infrastructure in our city to ensure that they are not just recreational activities but convenience, safe, and viable transportation options, although the primary form of transportation is still private automobile use. The automobile dependency increases air pollution, traffic, and encourages development that is designed for cars, not people.

Initiatives of Plan Salt Lake encourage transit-oriented development, likewise, the Sugar House Master Plan states that Sugar House will be an area of Salt Lake City where people can circulate without dependence on the private automobile (2001).

Accommodating the pedestrian and bicyclist reduces reliance upon the automobile and provides better linkage for neighborhoods.

It is critical that alternatives to the automobile be considered in all decisions made by the City, including capital improvement projects, transportation, planning and zoning. In the past, too little attention was given to provisions of pedestrian access in new development, bicycle routes, trail systems and transit options. The automobile has typically been given priority over other modes of mobility, thus relegating the pedestrian and cyclist to be given secondary or worse yet, no consideration when designing access routes.

The community supports a number of solutions to remedy this situation, such as providing safe, comfortable and convenient pedestrian and bicycle path connections that may encourage walking, biking, and transit use. Additionally, reducing travel distances encourages safer and increased levels of bicycling and walking.

The subject proposal is a vehicular focused development that would generate more traffic than a high-volume sit-down restaurant and is not consistent with the policies of the Sugar House Master Plan. This proposal does not adequately address a connection to Sugar House Park, the pedestrians or bicyclists that may pass in front of the property and jeopardizes the city's future plans for improving the safety of 1300 East and 2100 South. The proposal motivation is for the sale of gasoline to vehicular traffic. The overall impacts that will negatively impact the immediate vicinity are environmental impacts such as air quality and quality of life reduction by way of increased traffic.

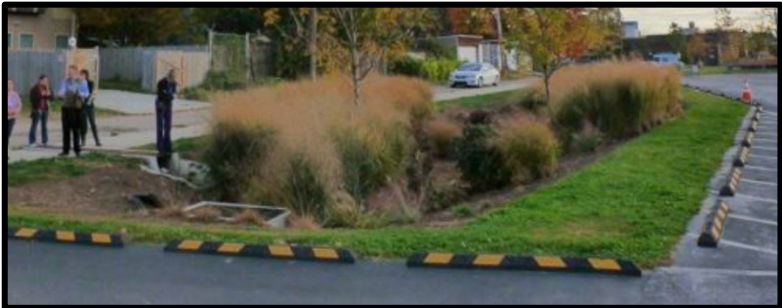
Consideration 8: Landscaping buffer – for separation and storm drain filtration system

Because of the incompatibility of the gas station proposal use and the Sugar House Park, Planning Staff believes having a significantly upgraded landscaping buffer between the two should be considered if this proposal is approved. This would increase the separation between the two incompatible uses naturally, while allowing a connection between the two for the patrons of both. The applicant is showing a connection point in the southeast corner, where patrons of the park could come up into the Kum & Go

subject property to patronize the convenience store. Staff believes a better location, may be in the northeast area of the property, in order to provide a safer connection for pedestrians, since the proposed location would have pedestrians walking through the vehicular gas filling stacking area.

In addition to the upgraded landscaping being used to naturally separate the gas station and the park, the Public Utilities Deputy Chief Engineer is requiring a green infrastructure (landscaping and detention area) to serve as a secondary treatment and containment area. This would be an additional natural filtration system, or buffer, for storm water treatment for surface runoff from the property.

Some examples of a secondary treatment and containment area that the Public Utilities Deputy Chief Engineer is requiring would be as such:



DECISION:

The Planning Staff is recommending denial of this application to the Planning Commission. However, should the Planning Commission decide to approve this application, the Planning Staff recommends adding the following list of conditions. These conditions may lessen some of the significant detrimental impacts but cannot fully or adequately mitigate all potential contaminating effects to the groundwater systems, creek, or soils contained in or downstream of the park.

1. Monitoring sensors to be placed with the petroleum tanks for detecting a release of any level. This should be inspected by the Salt Lake City Fire to confirm that the sensors are in place.
2. The landscaping along the east and south property lines should be upgraded to give an appropriate buffer between the gas station and the park.
3. USTs should have over fill prevention valves to protect, prevent and detect, any overfilling of fuels to the USTs.
4. Fiberglass tanks should be used for the underground storage fuel tanks, to ensure a greater durability and lifespan for the site.
5. Building entrances facing 2100 South and 1300 East must remain open 100% of the time during business hours for customer access, since they are the main entrances for the building.
6. No fencing shall be permitted along the east or south property lines, which would create a delineated separation between the subject property and Sugar House Park.
7. Work with the planning staff to create a safer park connection from the subject property for pedestrian traffic in the northeast area of the subject property, rather than the southeast corner connection near the gas pumps and more vehicular traffic. *
8. Work with the transportation engineers on a trail connection to Sugar House Park. *
9. Work with the transportation engineers on a bike connection along the frontage sidewalk along 1300 East. *
10. For stormwater quality- because of the proximity to Parley's Creek and the Sugar House Park Detention Pond, supplemental stormwater quality treatment is required on-site. The treatment must include both mechanical best management practices and green infrastructure (landscaping) as a secondary treatment and containment (detention basin) on-site prior to leaving the subject property and must be approved by the Public Utilities Department. *
11. Applicant must provide annual reports of inspections from the DEQ (Department of Environmental Quality) and/or reports regarding any leaks from their USTs or spills on-site.
12. The Salt Lake City Planning Division is to be notified within 24 hours of any leaks or spills that have occurred on the subject property, in addition to those agencies noted in Ordinance 21A.34.060.G.1.d. ([21A.34.060](#)).
13. Deliveries to the subject property for goods and fuel be limited to the hours of 07:00 am-10:00 am and 06:00 pm-10:00 pm.
14. The applicant should be accountable for any cleanup and remediation of the subject property, Sugar House Park property, and any City property downstream of the site, should a leak or surface-runoff contamination occur.
15. Proposed stamped internal-colored concrete shown -across the ingress/egress points along 1300 East and 2100 South -on the site plan being considered for the Planning Commission's review, to remain.

****The applicant had initially agreed to collaborate with City Agencies on these conditions.***

NEXT STEPS:

Conditional Use Approval:

If the Conditional Use is approved, the applicant will need to need to comply with the conditions of approval, including any of the conditions required by City departments and the Planning Commission. The applicant will be able to submit plans for building permits for the development and the plans will need to meet any conditions of approval. Final certificates of occupancy for the buildings will only be issued once all conditions of approval are met.

Per Ordinance 21A.34.060, if approved, all management strategies (BMP's) should be submitted, showing that requirements will be complied with, prior to development permits being issued.

Conditional Use Denial:

If the Conditional Use is denied, the applicant would not have city approval for development of a gas station on the subject property. If the applicant can meet all requirements, a retail goods establishment could be built on the subject property without gasoline sales or storage, as a permitted land use. Applicant would be required to submit an application and plans for the building permit process.

ATTACHMENT A: VICINITY MAP



ATTACHMENT B: APPLICANT NARRATIVE

6162 S. Willow Drive, Suite 320 Greenwood Village, CO 80111 303.770.8884 •
GallowayUS.com

Kum & Go #2506 2111 S 1300 E CONDITIONAL USE PERMIT APPROVAL STANDARDS

Per Section 21A.54.080: Standards for Conditional Uses, a conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards set forth in this section. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use shall be denied.

A. Approval Standards: A conditional use shall be approved unless the planning commission, or in the case of administrative conditional uses, the planning director or designee, concludes that the following standards cannot be met:

1. The use complies with applicable provisions of this title.
Response: This property is located within the Community Business District (CB). The CB District is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site. Retail Goods and Service Establishments (Convenience Store) are permitted uses in the CB Zone District. A Gas Station is a Conditional Use category in the CB Zone District.
2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses.
Response: The proposed use is compatible with the existing uses on this corner. This project is located at the southeast corner of 2100 S and 1300 E. All four corners of this intersection have auto-centric, commercial uses. There is a fast-food drive-thru restaurant on the northeast corner, zoned CB. A CVS Pharmacy occupies the northwest corner and is zoned Sugar House Business District 2 (CSHBD2). Directly adjacent to the west, across 1300 E, is an Extra Mart convenience store with eight (8) fueling stations and is zoned Sugar House Business District 1 (CSHBD1). The rear and side yards to the east and south are park land and zoned Open Space (OS). Landscape buffering and screening are provided along the east and south property edges in order to soften the transition to the park and provide screening between the park and the proposed development.

Kum & Go

3. The use is consistent with applicable adopted city planning policies, documents, and master plans; and

Response: The subject property is zoned Community Business (CB) in the City Code of Salt Lake City, UT. Retail Goods and Service Establishments (Convenience Store) are permitted uses in the CB Zone District. A Gas Station is a Conditional Use category in the CB Zone District.

The Guiding Principle for Growth in Plan Salt Lake is “(g)rowing responsibly, while providing people with choices about where they live, how they live, and how they get around”. The proposed development provides a choice related to how people get around and the method of transportation they choose to do so. Initiatives for Growth within Plan Salt Lake include locating new development in areas with existing infrastructure and amenities, such as transit and transportation corridors and promoting infill and redevelopment of underutilized land. The subject property is currently a vacant restaurant with existing infrastructure and amenities at the intersection of transit and transportation corridors.

The Sugar House Community Master Plan designates Future Land Use for the subject site as Mixed Use – Low Intensity. Low-Intensity Mixed Use allows an integration of residential with small business uses, typically at ground floor levels. Height limits generally include one- and two-story structures. The intent is to support more walkable community development patterns located near transit lines and stops. Proposed development and land uses within the Low-Intensity Mixed Use area must be compatible with the land uses and architectural features surrounding each site. The proposed convenience store and fuel station is limited to one-story structures. Additionally, the building is pulled up to the street edges in order to create a more inviting and pedestrian-friendly access into the building and is reflective of a pedestrian-oriented development pattern. The proposed project is compatible with the surrounding land uses, with architectural design standards that meet or exceed the Commercial Design Standards (21A.37) and the CB Zoning Standards (21A.26.030).

4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions.

Response:

Anticipated detrimental effects of the proposed use and mitigating factors are outlined as follows:

- **Traffic:**
A Traffic Impact Study was prepared and submitted as part of the review process that included an analysis of existing and future intersections that would be affected by the proposed development. The application proposes to consolidate the two existing access

points along S 1300 to a single right-in/right-out. Additionally, the site will continue to access via E 2100 S at the existing right-

in/right-out. These two access points will facilitate access and circulation throughout the site. The consolidation of the two existing access points along S 1300 to a single right-in/right out access point will reduce the points of potential conflict along S 1300.

In addition to the safety improvements provided by consolidating the existing entrances the new use may provide additional safety and operational benefits to the network. It has been noted that a number of vehicles will make a northbound U-turn to access the existing Chevron gas station. Users would have the opportunity to utilize the proposed Kum & Go and not have to make potentially unsafe U-turn movements.

The proposed Kum & Go would attract a majority of its traffic from existing users of the network. These are referred to as pass-by trips. As an example, getting gas on the way home from work. This phenomenon results in the majority of traffic already being on the network and creating minimal new traffic. In comparison to the current restaurant use where the majority of trips would not already be on the network and are considered primary trips. A gas station use draws from traffic already existing and would be a less impactful use than many others

- **Lighting:**
Based on community feedback, the lighting levels under the fueling canopy have been reduced from 23,000 lumens to 13,000 lumens in order to reduce the average footcandles from 55 FC to 34 FC. Additionally, we also added a 6" rear shield to all the parking lot fixtures that already have the internal sharp cut-off louvers in order to reduce off-site light spill.
- **Drainage:**
Currently, all stormwater on site is being released undetained and untreated. We are proposing to attenuate flows to reduce downstream impacts and improve water quality for downstream receiving waters.
- **Environmental:**
Kum & Go utilizes a state of the art fueling system that is compliant with all local and State requirements.

B. Detrimental Effects Determination: In analyzing the anticipated detrimental effects of a proposed use, the planning commission, or in the case of administrative conditional uses, the planning director or designee, shall determine compliance with each of the following:

1. This title specifically authorizes the use where it is located.

Response: Retail Goods and Service Establishments (Convenience Store) are permitted uses in the CB Zone District. A Gas Station is a Conditional Use in the CB Zone District (21A.33.030).

2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps.

Response: The proposed project provides a mix of uses that will serve as an amenity to the surrounding neighborhoods. The 3,957± square foot convenience store will incorporate Kum & Go's newest store concept with a high-quality product offerings and fresh food choices such as made-to-order pizzas, sandwiches, wraps, and bakery items cooked on-site. This "bistro" concept will have indoor seating for 12, to include ADA seating. Five (5) employees are expected to work on-site during the highest shift. In addition to clean and convenient fueling offerings, there will also be various seasonal outdoor sales items and a propane tank exchange along the front facade of the building.

3. The use is well suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area.

Response: The use is compatible in intensity, size and scale to the existing commercial uses in the area. The maximum height in the CB zone district is 30', the proposed convenience store height is 21' and the fueling canopy height is 17'-6". The maximum setback in the CB zone district is 15'. The proposed convenience store is oriented to both 2100 S and 1300 E and meets the setback requirements.

4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered.

Response: The scale of this proposed development is compatible with surrounding structures. There is an existing gas station and convenience store immediately to the west, across 1300 E. The maximum height of the proposed convenience store is 21' and the fueling canopy is 17'-6", both of which are below the maximum allowable building height of 30'.

5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows.

Response: We are proposing to eliminate one existing access point along 1300 E with this development. Currently, there are three access points into

the site; one along 2100 S and two along 1300 E. The northerly access point along 1300 E, closest to 2100 S, will be abandoned and replaced with curb and gutter and landscaping. The proposed, future access to the

project will be at the approximate location of the existing access points along 2100 S and 1300 E. and will not impede traffic flows.

6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic.
Response: There are two, right-in/right-out, access points proposed – one from 1300 E and a second from 2100 S. The placement of these access points will provide efficient circulation throughout the site. The elimination of one of the access points along 1300 E will mitigate adverse impacts to 1300 E. Pedestrian circulation is accommodated by sidewalk connections to the convenience store from the adjacent public sidewalks.

7. The site is designed to enable access and circulation for pedestrian and bicycles.
Response: Pedestrian and bicycle access into the site will be provided by existing and proposed concrete sidewalks. In addition, a textured and colored pedestrian crosswalk is proposed at both entry points to the site. An on-site bicycle rack will be provided.

8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street.
Response: The proposed project would not unreasonably impact the level of service of the existing street network due to the nature of the redevelopment. The existing use is a primary trip or destination for traffic. The proposed use draws the majority of its trips as pass-by trips, or said differently, trips that are already present on the network that stop at the proposed use on the way to their primary destination. The proposed change in use would not create a substantial difference in levels of service to the surrounding network. Additionally, the project proposes a consolidation of access points that will improve safety for the existing network.

9. The location and design of off-street parking complies with applicable standards of this code.
Response: The location and design of off-street parking meets requirements of the zoning ordinance. The City has classified the use for parking purposes as a retail store. The minimum requirement for that use is 2 stalls per 1,000 sq ft of retail space. The maximum number of permissible parking stalls is 125% of the minimum – 2.5 stalls per 1,000

sq ft. A total of 10 parking stalls are allowed. Ten (10) stalls are proposed, to include 1 ADA accessible stall.

10. Utility capacity is sufficient to support the use at normal service levels.

Response: The site is within a developed area with all utility infrastructure in place. The site currently has both water and sewer service, which may need to be upgraded to serve the proposed development.

Galloway & Company, Inc.

Page 5 of 7

Kum & Go
CUP Approval Standards
November 1, 2022

11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts.

Response: This project will abide by the required buffers and setbacks. The trash receptacle shall be enclosed by an opaque wall, with architectural treatments of a similar style to the convenience store and fuel canopy. Special attention has been paid to the south and east property lines. Evergreen trees have been planted along the southern and eastern boundaries to serve as screening elements from the park to the east.

12. The use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke.

Response: Kum & Go provides alternative fuel options at many of their sites in the form of electric charging stations. As part of this commitment to consumer choices, Kum & Go is proposing two (2) "EV-ready" parking spaces, or 20% of the proposed 10 on-site parking stalls. The proposed EV-ready parking spaces shall have electrical conduit and sufficient electrical capacity for the future use of a minimum 200-volt electric vehicle charging station. This proposal is in line with the City's EV Readiness Policy as part of the City's Sustainability program.

Kum & Go takes pride in their development and operations of their facilities. The safeguards used as a standard of practice for Kum & Go include tanks, piping and associated dispensing equipment all manufactured and installed according to UL and industry standards as listed in PEI RP100. Delivery spill protection is accomplished with double wall spill containment at each fill connection and testable overfill prevention valves set at 95% of the tank capacity.

Fuel dispensers are UL labeled and are mechanically anchored to the surrounding concrete drive. Each dispenser is protected by a minimum of (4) 4" steel pipe bollards. Emergency fire/shear valves (Franklin Fueling) are located on the product lines at each dispenser connection and have both a shear section and fusible link to provide vehicle impact

and fire protection. If the valve is sheared off, the poppet of the valve closes and stops the flow of fuel. If the fusible link is melted, the poppet of the valve closes and stops the flow of fuel.

Dispensing hoses are protected with break-away valves to provide protection against drive-offs (nozzle/hose left in tank after fueling) and dispensing nozzles are automatic shut-off, pressure sensitive and are only activated when the dispenser has been authorized and pumping system energized.

Leak detection and regulatory compliance are provided by an automatic tank gauge system (ATG). Functions/components are as follows:

- ***In-tank leak detection and water detection – capable of continuous statistical leak detection and .1 gph precision leak testing***
- ***Continuous electronic pressure leak detection on product lines – positive shut down if leak condition is detected***
- ***Continuous electronic monitoring of piping containments (liquid sensors in each containment)***
- ***Continuous electronic monitoring of tank interstitial space (liquid sensors)***
- ***Inventory level monitoring of tanks***

Regulatory monitoring and reporting done by Seneca Environmental Services (SES) on behalf of Kum & Go. All Kum & go sites are remotely accessed and monitored daily. Any alarm conditions are identified and repairs and/or emergency response is coordinated with Kum & Go Facilities group and service provider.

Emergency shut-off switches (Estop) are located at a minimum of (3) locations at each site, (1) inside at the sales counter (accessible to store employees) and (2) on the outside of the building on either side of the front door.

13. The hours of operation and delivery of the use are compatible with surrounding uses.
Response: The hours of operation and deliveries are compatible with surrounding uses, consistent with typical convenience stores and gas station hours of operation and will adhere to City ordinances.
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses; and
Response: Any signs and lighting will be confined to that necessary to provide safety on the site including for adequate security. All exterior lighting shall be shielded and directed down to minimize light trespass onto adjacent properties.
15. The proposed use does not undermine preservation of historic resources and structures.
Response: The property is not located within a Local Historic District and the proposal does not involve removal or any historic resources or structures.

Sincerely,
Nathan Abbott, Sr. Development Services PM
303-770-8884

ATTACHMENT C: RENDERINGS, BUILDING PLANS & SITE PLAN



Rendering – looking from northeast direction



Rendering – looking from the southwest direction



Rendering - looking from the northwest direction



Rendering - looking from the southeast direction

PROJECT TEAM:

DEVELOPER/APPLICANT

KUM & GO INC.
1459 GRAND AVENUE, SUITE 200
SALT LAKE CITY, UT 84143
PHONE: 801-465-6646
WWW: KUMANDGO.COM

LANDSCAPE ARCHITECT

CHERRY & COMPANY
1212 EAST FORTMONT AVENUE, SUITE 204
PARKVIEW, UT 84103
PHONE: 801-526-3242
WWW: CHERRYARCH.COM

CIVIL ENGINEER

CHERRY & COMPANY
1212 EAST FORTMONT AVENUE, SUITE 204
PARKVIEW, UT 84103
PHONE: 801-526-3242
WWW: CHERRYARCH.COM

SURVEYOR

CHERRY & COMPANY
1212 EAST FORTMONT AVENUE, SUITE 204
PARKVIEW, UT 84103
PHONE: 801-526-3242
WWW: CHERRYARCH.COM

GEOTECHNICAL ENGINEER

GSP GEOTECHNICAL INC.
490 SOUTH STATE STREET, SUITE 300
SALT LAKE CITY, UT 84111
PHONE: 801-524-8270
WWW: GSPCONSULTING.COM

BENCHMARK

BENCHMARK: STREET INTERSECTION AT 2100 SOUTH AND 1300 EAST AVENUE, PARKVIEW, UT 84103.

BASIS OF BEARING

ALL DIMENSIONS OF THE SITE AND THE LOCATION OF THE PROPERTY CORNERS SHALL BE MEASURED FROM THE BENCHMARK PROVIDED HEREON. DIMENSIONS SHALL BE MEASURED AS SHOWN HEREON.

LEGAL DESCRIPTION

A PORTION OF BLOCK 48, CHERRY HILLS, 1747 WEST STATE STREET, SALT LAKE CITY, UTAH. PART OF SECTION 30, T4N, R10E, S4E, 1ST PLAT.

FEMA FLOOD ZONE

NO FLOODING INDICATED ON THE FLOOD INSURANCE RATE MAP (FIRM) NUMBER 84083C0240, DATED 05/17/2010, AND ANY OTHER FLOODING INFORMATION.

POWER

SURETY ELECTRIC POWER
1555 EAST 100 SOUTH
SALT LAKE CITY, UT 84143
PHONE: 801-468-3891

WATER

WATER WORKS DEPARTMENT
1555 EAST 100 SOUTH
SALT LAKE CITY, UT 84143
PHONE: 801-468-3891

SANITARY SEWER

WATER WORKS DEPARTMENT
1555 EAST 100 SOUTH
SALT LAKE CITY, UT 84143
PHONE: 801-468-3891

GAS

SURETY ELECTRIC POWER
1555 EAST 100 SOUTH
SALT LAKE CITY, UT 84143
PHONE: 801-468-3891

STORMWATER MANAGEMENT

WATER WORKS DEPARTMENT
1555 EAST 100 SOUTH
SALT LAKE CITY, UT 84143
PHONE: 801-468-3891

TELECOMMUNICATIONS

UTAH TELECOMMUNICATIONS
1555 EAST 100 SOUTH
SALT LAKE CITY, UT 84143
PHONE: 801-468-3891

PLANNING

SURETY ELECTRIC POWER
1555 EAST 100 SOUTH
SALT LAKE CITY, UT 84143
PHONE: 801-468-3891

ENGINEERING DEPARTMENT

SURETY ELECTRIC POWER
1555 EAST 100 SOUTH
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BUILDING DEPARTMENT

SURETY ELECTRIC POWER
1555 EAST 100 SOUTH
SALT LAKE CITY, UT 84143
PHONE: 801-468-3891

FIRE DEPARTMENT

SURETY ELECTRIC POWER
1555 EAST 100 SOUTH
SALT LAKE CITY, UT 84143
PHONE: 801-468-3891

STREET LIGHTS

SURETY ELECTRIC POWER
1555 EAST 100 SOUTH
SALT LAKE CITY, UT 84143
PHONE: 801-468-3891



WHERE & MEANS MORE!



VICINITY MAP NOT TO SCALE

ZONING INFORMATION

Table with zoning requirements for various uses like Medium Density Residential, Office, and Retail.

SITE DATA

Table detailing site characteristics including street type, lot area, building height, and parking ratio.

PARKING

Table comparing required and provided parking spaces for different uses.

SITE DEVELOPMENT DRAWINGS
STORE #2506
2111 SOUTH & 1300 EAST
SALT LAKE CITY, UTAH 84106

SHEET INDEX table listing sheet numbers (1-26), codes (CO.0 to L1.0), and descriptions (COVER SHEET, GENERAL NOTES, etc.).

CONFIDENTIAL DOCUMENT: INFORMATION CONTAINED IN THIS DOCUMENT IS PROPRIETARY TO KUM & GO, L.C. AND SHALL NOT BE DISTRIBUTED.

SOIL PREPARATION & PAVEMENT DESIGN NOTE
FOR PREPARED AND PAVED AREAS, THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING SOIL TESTS AND SOIL ANALYSIS. GEOTECHNICAL ENGINEERING CONSULTANTS SHALL PREPARE SOIL PREPARATION AND PAVEMENT DESIGN NOTES.

PROJECT NO. 274-018-01 DATE: JANUARY 17, 2022
THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES AND OBTAIN APPROVAL FROM THE UTILITY COMPANIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE UTILITY COMPANIES.

CAUTION - NOTICE TO CONTRACTOR
ALL INFORMATION SHOWN ON THIS DRAWING IS THE PROPERTY OF CHERRY & COMPANY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE UTILITY COMPANIES.



PRELIMINARY
NOT FOR BIDDING
NOT FOR CONSTRUCTION



1459 Grand Ave
Salt Lake City, UT 84143
P: 801-465-6646

#2506 - SALT LAKE CITY, UTAH
2111 SOUTH 1300 EAST

PROJECT TEAM
KUM & GO INC.
CHERRY & COMPANY
GSP GEOTECHNICAL INC.

REVISIONS table with columns for DATE, DESCRIPTION, and REVISIONS.

DATE: 11.01.2022
SHEET NUMBER: CO.0
1 OF 26

GENERAL NOTES

- 1. ALL WORK AND CONSTRUCTION OF THIS PROJECT ON PRIVATE PROPERTY SHALL CONFORM TO KUM & GO STANDARD SPECIFICATIONS, SALT LAKE CITY, UDOT, AND THE SPECIFICATIONS FOR THE STATE OF UTAH.
2. ALL WORK AND CONSTRUCTION WITHIN PUBLIC RIGHT OF WAY AND EASEMENTS SHALL CONFORM TO THE TECHNICAL SPECIFICATIONS, STANDARD DETAILS, AND DESIGN CRITERIA FOR PUBLIC IMPROVEMENT PROJECTS OF SALT LAKE CITY, COUNTY OF SALT LAKE, UTAH, AND THE GRANITOR OF THE EASEMENT AS APPLICABLE.
3. IN CASE OF A CONFLICT BETWEEN VARYING SPECIFICATIONS, THE MOST STRINGENT SHALL APPLY.
4. THE CONTRACTOR SHALL OBTAIN A COPY OF THE LATEST STANDARD SPECIFICATIONS AND DETAILS OF ALL AGENCIES EXERCISING JURISDICTION OVER THIS PROJECT... WHICH ARE INCORPORATED BY REFERENCE IN THESE PLANS, A COPY OF THESE SPECIFICATIONS AND DETAILS SHALL BE MAINTAINED ON THE JOBSITE AT ALL TIMES.
5. THE CONTRACTOR SHALL HAVE IN HIS POSSESSION AT ALL TIMES ONE (1) SHINED COPY OF THE PLANS, STANDARDS AND SPECIFICATIONS AS APPROVED BY THE APPROPRIATE GOVERNING AGENCY AND OWNER, THE CONTRACTOR SHALL NOT CHANGE OR DEVIATE FROM THESE PLANS WITHOUT FIRST OBTAINING WRITTEN APPROVAL FROM THE OWNER, ENGINEER, AND GOVERNING AGENCY.
6. ALL WORK SHALL CONFORM TO ALL LOCAL, STATE, AND FEDERAL APPLICABLE LAWS AND REGULATIONS.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL JOB SITE SAFETY ON THE PROJECT. THIS SHALL INCLUDE THE SAFETY OF HIS OWN PERSONNEL, SUBCONTRACTORS, ALL VISITORS TO THE SITE AND THE GENERAL PUBLIC. ALL JOB SITE SAFETY SHALL COMPLY WITH ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND CODES, AND ENSURE COMPLIANCE INCLUDING, BUT NOT LIMITED TO, THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REQUIREMENTS.
8. THE CONTRACTOR SHALL CONTACT ONE CALL OF UTAH AT 811 AT A MINIMUM OF 72 HOURS EXCLUDING WEEKENDS AND HOLIDAYS PRIOR TO THE START OF CONSTRUCTION.
9. THE LOCATIONS OF EXISTING UTILITIES AND STRUCTURES SHOWN ON THE PLANS ARE APPROXIMATE AND HAVE BEEN SHOWN FROM AVAILABLE SURVEYS AND/OR RECORDS. THERE MAY BE ADDITIONAL UTILITIES PRESENT, THE EXISTENCE OF WHICH IS NOT PRESENTLY KNOWN OR SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THEIR EXISTENCE, EXACT LOCATION, SUFFICIENTLY PROTECT/SUPPORT AND TO AVOID REVISIONS TO PLANS IF REVISIONS ARE NECESSARY DUE TO ACTUAL LOCATION OF EXISTING UTILITIES. DAMAGE TO UTILITIES AND STRUCTURES SHALL BE REPAIRED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE TO THE SATISFACTION OF THE GOVERNING AGENCY AND/OR THE UTILITY OWNER.
10. ALL MATERIALS SHALL BE NEW UNLESS OTHERWISE INDICATED IN THE PLANS, AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE OWNER OR THE OWNER'S REPRESENTATIVE.
11. LOCATIONS AND ELEVATIONS OF EXISTING IMPROVEMENTS TO BE MET (OR AVOIDED) BY THE PROPOSED WORK SHALL BE INDICATED ON THE CONTRACTOR THROUGH THE CONSTRUCTION EXPLORATIONS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL REPORT TO THE OWNER ANY DISCREPANCIES BETWEEN HIS MEASUREMENTS AND THESE PLANS.
12. THE CONTRACTOR SHALL CONTACT THE OWNER IMMEDIATELY UPON DISCOVERY OF ANY ERRORS OR INCONSISTENCIES SHOWN IN THE PLANS AND/OR SPECIFICATIONS. DO NOT SCALE DRAWINGS - USE ONLY DIMENSIONS PROVIDED ON THESE PLANS.
13. ALL ESTIMATES OF QUANTITIES ARE FOR INFORMATIONAL PURPOSES ONLY. CONTRACTOR AND SUBCONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING ACTUAL QUANTITIES AND SHALL PROVIDE ALL WORK AND MATERIALS NECESSARY TO CONSTRUCT THE PROJECT IN ITS ENTIRETY.
14. CONTRACTOR SHALL PROTECT ALL EXISTING IMPROVEMENTS NOT DESIGNATED FOR REMOVAL AND THOSE IMPROVEMENTS THAT ARE OUTSIDE THE LIMITS OF THE PROPOSED CONSTRUCTION. CONTRACTOR SHALL TAKE CARE TO AVOID DAMAGE THERE TO AND SHALL PROVIDE TEMPORARY FENCING, BARRICADES, SUPPORTS, RESTRAINTS, AND/OR BRACING WHERE REQUIRED TO PROTECT EXISTING IMPROVEMENTS, DAMAGE TO EXISTING IMPROVEMENTS SHALL BE REPAIRED AND/OR REPLACED TO EQUAL OR BETTER CONDITION AT THE CONTRACTOR'S EXPENSE.
15. ALL GRADING AND CONSTRUCTION ACTIVITIES SHALL BE CONFINED TO THE OWNERS PROPERTY, PUBLIC RIGHT-OF-WAY, PERMANENT EASEMENTS, AND TEMPORARY CONSTRUCTION EASEMENTS.
16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS NOT OBTAINED BY THE OWNER OR OWNERS REPRESENTATIVES, AND PAY ALL FEES AS REQUIRED BY THE CONSTRUCTION CODES IN THESE PLANS.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE APPROPRIATE GOVERNING AGENCIES AND LOCAL FIRE DEPARTMENT OF ALL STREET CLOSURES AND EXISTING FIRE HYDRANTS/FIRE SUPPRESSION TAKEN OUT OF SERVICE AT LEAST 48 HOURS PRIOR TO CONSTRUCTION.
18. THE CONTRACTOR IS RESPONSIBLE FOR ALL SITE SECURITY AND SHALL PROPERLY PROTECT AND BARRICADE THE CONSTRUCTION SITE UNTIL CONSTRUCTION IS COMPLETE. STORAGE LOSS DUE TO THEFT OR VANDALISM OF MATERIALS AND EQUIPMENT SECURED OR UNSECURED WILL BE SOLELY AT THE CONTRACTOR'S EXPENSE.
19. PRIOR TO BEGINNING THE WORK, THE CONTRACTOR SHALL OBTAIN ANY WRITTEN AGREEMENTS FOR INGRESS AND EGRESS TO THE WORK FROM ADJACENT PRIVATE PROPERTY OWNERS. ACCESS TO ANY ADJACENT PRIVATE PROPERTY SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD, DURING ALL HOURS OF OPERATION FOR THE BUSINESS LOCATED ON THOSE PARCELS.
20. FOR ANY CHANGES OR DEVIATIONS FROM THESE PLANS PROPOSED BY THE CONTRACTOR, SHOP DRAWINGS AND MATERIAL SPECIFICATIONS SHALL BE SUBMITTED TO OWNER FOR REVIEW AND APPROVAL PRIOR TO PLACEMENT OF MATERIAL.
21. CONTRACTOR MUST COORDINATE ALL CONSTRUCTION WITH THE DESIGNATED KUM & GO CONSTRUCTION PROJECT MANAGER.
22. CONTRACTOR SHALL PROTECT AND PRESERVE ALL SURVEY CONTROL AND PROPERTY MONUMENTATION. ANY DAMAGED MONUMENTS SHALL BE RESET BY A PROFESSIONAL LAND SURVEYOR LICENSED IN THE PROJECT'S STATE AT THE CONTRACTOR'S EXPENSE.
23. PRIOR TO MOVING OFF THE JOB SITE THE CONTRACTOR SHALL NOTIFY THE OWNER OR THE OWNER'S REPRESENTATIVE TO PERFORM THE FINAL WALK-THROUGH OF THE CONSTRUCTION SITE.
24. TEMPORARY POWER, TELEPHONE, AND WATER FOR THE SITE BY THE CONTRACTOR'S RESPONSIBILITY UNLESS OTHERWISE SPECIFIED.
25. CONTRACTOR SHALL REFER TO OTHER DRAWINGS ISSUED BY ARCHITECT, STRUCTURAL, ELECTRICAL, AND MECHANICAL ENGINEERS, ENSURE COORDINATION OF EXACT LOCATION AND DIMENSIONS OF BUILDINGS, EXITS, RAMPS, UTILITY ENTRANCE LOCATIONS AND GRADES AROUND THE BUILDING, IMMEDIATELY NOTIFY OWNER OF ANY DISCREPANCIES.
26. NO ON-GRADE WORK SHALL BE BACKFILLED (INCLUDING BACKFILL MATERIAL ABOVE THE SPRING LINE OF THE PIPE) UNTIL THE CONSTRUCTION HAS BEEN INSPECTED AND APPROVED FOR BACKFILLING BY THE APPROPRIATE GOVERNING AGENCY, OWNER AND/OR OWNERS REPRESENTATIVE.
27. THE CONTRACTOR SHALL PROVIDE ALL TRAFFIC CONTROL, NECESSARY TO COMPLETE THE WORK, ALL TRAFFIC CONTROL, DEVICES AND METHODS OF CONTROLLING TRAFFIC THROUGH

CONSTRUCTION ZONES SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MUTCD, AND ALL REVISIONS THERE TO INCLUDING LOCAL AND STATE SUPPLEMENTS. ADDITIONAL WORK IN THE RIGHT-OF-WAY OR TRAFFIC CONTROL, PERMITS MAY BE NECESSARY AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
28. IF UNANTICIPATED HAZARDOUS MATERIALS OF ANY KIND ARE ENCOUNTERED IN THE WORK, THE CONTRACTOR SHALL IMMEDIATELY CEASE ALL CONSTRUCTION OPERATIONS AND NOTIFY THE OWNER AND/OR OWNERS REPRESENTATIVE FOR FURTHER DIRECTION.
29. ALL DEBRIS RESULTING FROM CONSTRUCTION AND DEMOLITION SHALL BE HAULED OFF SITE AND DISPOSED OF PROPERLY AND LEGALLY.

16. GENERAL CONTRACTOR SHALL COORDINATE WITH POSTMASTER TO DETERMINE MAILBOX LOCATION.
SITE PLAN NOTES
1. DIMENSIONS SHOWN ON THE SITE PLAN ARE TO FACE OF CURB LINE IN CURBED AREAS AND EXTERIOR FACE OF BUILDING, UNLESS OTHERWISE SPECIFIED.
2. A SEPARATE SIGN APPLICATION TO SALT LAKE CITY IS REQUIRED FOR ALL SIGNS.

DEMOLITION PLAN NOTES
1. PRIOR TO BIDDING, CONTRACTOR SHALL VISIT THE SITE TO BECOME FAMILIAR WITH THE EXISTING CONDITIONS OF THE PROJECT AREA AND ANTICIPATED DEMOLITION REQUIREMENTS.
2. CONTRACTOR TO PROTECT ALL UTILITY, PAVING, BUILDINGS, ETC., OUTSIDE OF LIMITS OF PROPOSED CONSTRUCTION DURING DEMOLITION OPERATIONS.
3. ALL EXISTING PAVEMENT ON SITE SHALL BE REMOVED UNLESS OTHERWISE NOTED.
4. CONTRACTOR SHALL REFER TO PAVING PLAN FOR DETAILS AS TO LIMITS OF HAVING DEMOLITION AND EROSION CONTROL PLAN FOR PERMITS CONTROL.
5. ALL DEMOLITION WORK ON THIS CONSTRUCTION SITE SHALL BE IN CONFORMANCE WITH LOCAL STANDARDS AND GUIDELINES.
6. THE DEMOLITION PLAN DEPICTS THE ANTICIPATED REMOVALS NECESSARY FOR CONSTRUCTION OF THE PROJECT. UNDESIRABLE AND UNNECESSARY MATERIALS MAY NOT BE SHOWN IN DETAIL BUT ARE CONSIDERED OBLIGATORY TO THE PROJECT. ADDITIONAL REMOVALS MAY BE NECESSARY AND THE CONTRACTOR WILL BE REQUIRED TO REMOVE ALL EXISTING IMPROVEMENTS THAT ARE IN CONFLICT WITH THE PROPOSED CONSTRUCTION AND AS OTHERWISE DIRECTED BY THE OWNER.
7. CONTRACTOR SHALL COORDINATE DEMOLITION AND/OR RELOCATION OF EXISTING UTILITIES WITH THE APPROPRIATE UTILITY COMPANIES AND THE UTILITY OWNERS REQUIREMENTS. INTERRUPTIONS IN SERVICE SHALL BE COORDINATED WITH THE UTILITY OWNER AND PROPERTY OWNERS IMPACTED. CONTRACTOR SHALL COORDINATE WITH THE RESPECTIVE UTILITY COMPANY FOR PORTIONS OF THE WORK TO BE PERFORMED BY UTILITY COMPANY'S FORCE, AND PROVIDE ADEQUATE NOTICE FOR SCHEDULING. THE CONTRACTOR IS RESPONSIBLE FOR PAYMENTS AND CHARGES, UNLESS OTHERWISE STATED BY KUM & GO PROJECT CONSTRUCTION. UTILITY REMOVE TRENCHES SHALL BE BACKFILLED WITH APPROVED MATERIAL AND MEET COMPACTION REQUIREMENTS PER THE GEOTECHNICAL REPORT.
8. THE SITE MAY CONTAIN EXISTING FOOTINGS OR OTHER UNDERGROUND STRUCTURES THAT ARE NOT DEPICTED ON THIS PLAN. CONTRACTOR SHALL TAKE CARE TO REMOVE ALL NECESSARY STRUCTURES AND BACKFILL IN CONFORMANCE WITH THE GEOTECHNICAL REPORT. BOTTOM OF EXCAVATION SUBGRADE SHALL BE INSPECTED BY THE GEOTECHNICAL TESTING ENGINEER AND APPROVED PRIOR TO ANY BACKFILL.
9. CONTRACTOR TO COMPLETELY REMOVE TREES DESIGNATED TO BE REMOVED, STUMPS, AND ROOT SYSTEMS.
10. PRIOR TO DEMOLITION WORK, EROSION CONTROL DEVICES ARE TO BE INSTALLED, EROSION CONTROL MEASURES SHALL BE ADJUSTED AS DEMOLITION AND CONSTRUCTION SEQUENCING WARRANTS.
11. ALL EXISTING UNPAVED SERVICE LINES FOR WATER AND WASTEWATER SHALL BE REMOVED PER LOCAL UTILITY COMPANY STANDARDS, ALL EXISTING UNDER GAS, TELEPHONE, FIBER OR ELECTRIC LINES/SERVICE SHALL BE COORDINATED FOR REMOVAL WITH UTILITY COMPANY.
12. THE CONTRACTOR IS RESPONSIBLE FOR DEMOLITION, REMOVAL, AND DISPOSING IN A MANNER APPROVED BY ALL GOVERNING AUTHORITIES FOR ALL STRUCTURES, PAWS, WALLS, PANS, FOUNDATIONS, PAVEMENT, UTILITIES, ETC. TO BE DEMOLISHED, SUCH THAT THE IMPROVEMENTS SHOWN ON THE PLANS CAN BE CONSTRUCTED. DEMOLITION AND DISPOSAL PERMITS SHALL BE THE CONTRACTOR'S RESPONSIBILITY. ALL FACILITIES TO BE REMOVED SHALL BE UNDERCUT TO APPROVED GRADE AND BROUGHT UP TO PROPOSED GRADE WITH SUITABLE COMPACTED FILL MATERIAL PER THE GEOTECHNICAL REPORT.
13. DURING DEMOLITION OPERATIONS, THE CONTRACTOR MUST PROTECT THE PUBLIC AT ALL TIMES USING MEANS OF THEIR CHOICE.
14. CONTRACTOR SHALL PRESERVE ALL LANDSCAPING NOT TO BE REMOVED FOR CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL AREAS DISTURBED BY CONSTRUCTION.
15. SAWCUTS SHALL BE TO FULL DEPTH OF EXISTING PAVEMENT, CONCRETE PAVEMENT SHALL BE REMOVED TO NEAREST EXISTING JOINT WHEN LESS THAN 3' FROM PROPOSED SAWCUT.

GRAVING PLAN NOTES
1. PRIOR TO ANY GRADING OPERATIONS, ALL EROSION AND SEDIMENT CONTROL DEVICES SHALL BE ADEQUATELY IN PLACE. REFER TO THE EROSION AND SEDIMENT CONTROL PLAN FOR REQUIREMENTS.
2. THE CONTOUR LINES, SPOT ELEVATIONS AND BUILDING FLOOR ELEVATIONS SHOWN ARE TO FINISH GRADE FOR SURFACE OF PAVEMENT, TOP OF SIDEWALKS AND CURBS, TOP OF FLOOR SLABS, ETC. REFER TO TYPICAL SECTIONS FOR MULCH, SOIL PAVING, GRASS AND AGGREGATE BASE THICKNESS TO DEDUCT FOR SUBGRADE ELEVATIONS.
3. ALL TOP OF CURBS AND SIDEWALK ELEVATIONS SHALL BE 6" ABOVE CURBER ELEVATIONS UNLESS OTHERWISE NOTED. IN AREAS WITH SIDEWALK ABUTTING BACK OF CURB, TOP OF CURBS ELEVATIONS SHALL BE EQUAL TO SIDEWALK ELEVATIONS.
4. THE CONTRACTOR SHALL FINISH GRADE SLOPES AS SHOWN NO STEEPER THAN ONE FOOT VERTICAL IN THREE FEET HORIZONTAL.
5. CONTRACTOR SHALL GRADE LANDSCAPED AREAS TO PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS AND STRUCTURES WHEN FINISH LANDSCAPE MATERIALS ARE IN PLACE. SLOPE SHALL BE A 2% MINIMUM.
6. SITE AND BUILDING PAD PREPARATION, GRADING AND EXCAVATION PROCEDURES SHALL CONFORM TO THE RECOMMENDATIONS OUTLINED IN THE GEOTECHNICAL REPORT PREPARED BY (ISH GEOTECHNICAL CONSULTANTS, INC., JULY 30, 2021, PROJ. NO. 2774-019-21).
7. IN CASE OF ANY DISCREPANCIES REGARDING EARTHWORK BETWEEN THE GEOTECHNICAL REPORT AND THE SPECIFICATIONS SHOWN IN THESE PLANS, NOTIFY THE OWNER IMMEDIATELY.
8. THE STRIPPING OF ALL HERBACEOUS VEGETATION AND TOPSOIL IS NOT REQUIRED PER THE GEOTECHNICAL REPORT PREPARED BY (ISH GEOTECHNICAL CONSULTANTS, INC., JULY 30, 2021, PROJ. NO. 2774-019-21), ANY TOPSOIL REMOVED SHALL BE REMOVED FROM THE SITE OR STOCKPILED FOR LATER USE IN LANDSCAPED AREAS.
9. ALL EXISTING PAVEMENT, UTILITIES, BURIED DEBRIS, RUBBLE, AND/OR STRUCTURES/FOUNDATIONS ENCOUNTERED WITHIN AREAS OF DISTURBANCE SHALL BE COMPLETELY REMOVED TO APPROVED GRADE OR DEPTH OF CONSTRUCTION. WASTE MATERIAL SHALL NOT BE BURIED ON-SITE WITHOUT THE PRIOR APPROVAL OF THE OWNER.
10. THE UPPER 24" OF ALL UTILITY TRENCHES IN UNPAVED AREAS SHALL BE BACKFILLED WITH COMPACTED CONCRETE SOLBS. SEE GEOTECHNICAL REPORT FOR COMPACTION AND MOISTURE RECOMMENDATIONS.
11. FINAL PAVEMENT SUBGRADES SHALL BE PROPPROFILED IMMEDIATELY PRIOR TO THE PLACEMENT OF THE PAVEMENT TO DETECT LOCAL AREAS OF INSTABILITY. PROPPROFILING IS NOT RECOMMENDED IN THE AREAS OF THE NEW FILL, TANKS OR DELIVERY TRUCK INSTALLATION.
12. SUITABLE FILL MATERIALS SHALL BE PLACED IN 8" TO 12" LIFT THICKS OF 4" TO 8" INCHES LOOSE MEASUREMENT, UNLESS OTHERWISE ALLOWED IN THE GEOTECHNICAL REPORT.
13. IF REQUIRED, THE CONTRACTOR SHALL OBTAIN ALL LOCAL AND STATE PERMITS AND AUTHORIZATION TO DISCHARGE FROM WATERWORKS ACTIVITIES.
14. THE CONTRACTOR SHALL Dewater ALL EXCAVATIONS AND TRENCHES AS NEEDED FOR THE CONSTRUCTION OF THE PROJECT USING MEANS/METHODS OF HIS CHOICE. REFER TO THE GEOTECHNICAL REPORT FOR ANTICIPATED LEVELS OF GROUNDWATER AND DewaterING RECOMMENDATIONS.
15. ALL EXCAVATIONS AND TRENCHES SHALL BE SLOPED/SHOREBRACED FOR PROTECTION OF PERSONNEL IN ACCORDANCE WITH OSHA REGULATIONS AND AT THE CONTRACTOR'S FULL DISCRETION BASED ON THE SITE CONDITIONS. OPEN EXCAVATIONS SHALL BE ADEQUATELY PROTECTED AND/OR FENCED AS NECESSARY AND FOR THE SAFETY OF THE PUBLIC.
16. STORMWATER MANAGEMENT AND EROSION/SEDIMENT CONTROL NOTES
1. THIS PROJECT REQUIRES A PERMIT FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITY FROM THE STATE GOVERNING AUTHORITY. CONTRACTOR TO COMMENCE WORK ON THIS SITE ONLY AFTER AN ACTIVE PERMIT NUMBER HAS BEEN OBTAINED FROM THE STATE GOVERNING AUTHORITY. A LOCAL CONSTRUCTION STORMWATER PERMIT IS ALSO REQUIRED BY SALT LAKE CITY.
2. THE CONTRACTOR SHALL CONTINUOUSLY PROVIDE ADEQUATE STORMWATER MANAGEMENT WITH THE APPROVED STORMWATER POLLUTION PREVENTION PLAN (SWPPP).
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING THE PUBLIC STREETS, ACCESS ROADS, AND WATERWAYS IN THE VICINITY OF THE JOB SITE CLEAN AND FREE OF ROCKS, SOIL, AND DEBRIS.
4. THE CONTRACTOR SHALL INSTALL EROSION AND SEDIMENTATION CONTROL "BEST MANAGEMENT PRACTICES" (BMPs) PRIOR TO ANY SITE PREPARATION WORK (E.G., CLEARING, GRUBBING, DEMOLITION OR EXCAVATION).
5. THE PLACEMENT OF EROSION AND SEDIMENT BMPs SHALL BE IN ACCORDANCE WITH THE EROSION AND SEDIMENT CONTROL PLAN PREPARED FOR THE PROJECT. CONTRACTOR TO ADJUST QUANTITY, LOCATION, AND TYPE OF EROSION AND SEDIMENT CONTROL BMPs AS NECESSARY FOR THE VARIOUS PHASES OF THE WORK AND AS ACTUAL CONDITIONS WARRANT. CONTRACTOR SHALL CONTINUOUSLY MONITOR THE EROSION AND SEDIMENT CONTROL PLAN WITH CURRENT BMPs IN ACCORDANCE WITH THE CONSTRUCTION STORMWATER PERMIT REQUIREMENTS. ADDITIONAL EROSION AND SEDIMENT CONTROL PLAN WITH CURRENT BMPs IN ACCORDANCE WITH THE CONSTRUCTION STORMWATER PERMIT REQUIREMENTS. ADDITIONAL EROSION AND SEDIMENT CONTROL PLAN FOR SEPARATELY SHALL BE INCLUDED IN THE WORK.
6. A GROUNDWATER DISCHARGE PERMIT MAY BE REQUIRED FROM THE STATE GOVERNING AUTHORITY PRIOR TO DISCHARGE.
7. GROUNDWATER SHALL BE SAMPLED AND SENT TO AN APPROVED LABORATORY FOR TESTING PRIOR TO BEING DISCHARGED. TESTING SHALL BE IN ACCORDANCE WITH THE PERMIT FOR STORMWATER DISCHARGE.
8. APPROVED EROSION AND SEDIMENT CONTROL BMPs SHALL BE MAINTAINED AND KEPT IN GOOD REPAIR FOR THE DURATION OF THIS PROJECT. UNLESS OTHERWISE REQUIRED BY THE STATE GOVERNING AUTHORITY FOR THE CONSTRUCTION STORMWATER PERMIT, AT A MINIMUM THE CONTRACTOR SHALL INSPECT ALL BMPs EVERY 14 DAYS AND AFTER ALL SIGNIFICANT PRECIPITATION EVENTS (IE, RAINFALL). ALL NECESSARY MAINTENANCE AND REPAIR ACTIVITIES SHALL BE COMPLETED WITHIN TWENTY-FOUR (24) HOURS AFTER DIRECTION BY THE INSPECTOR. ACCUMULATED SEDIMENT AND CONSTRUCTION DEBRIS SHALL BE REMOVED WEEKLY FROM ALL AREAS OF CONSTRUCTION FOR USE ON AREAS TO BE FILLED AND RE-RESTORED. ANY AND ALL STOCKPILES SHALL BE PLACED IN AN APPROVED LOCATION AND PROTECTED FROM EXPOSURE ELEMENTS USING MEASURES SPECIFIED IN THE EROSION/SEDIMENT CONTROL PLAN AND STORMWATER POLLUTION PREVENTION PLAN (SWPPP).
9. SOILS THAT WILL BE STOCKPILED FOR MORE THAN THIRTY (30) DAYS SHALL BE MULCHED AND SEEDDED WITH A TEMPORARY OR PERMANENT GRASS COVER WITHIN FOURTEEN (14) DAYS OF STOCKPILE CONSTRUCTION.
10. ANY SETTLEMENT OR SOIL ACCUMULATIONS BEYOND THE LIMITS OF CONSTRUCTION DUE TO GRADING OR EROSION SHALL BE REPAIRED IMMEDIATELY BY THE CONTRACTOR. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR REMEDIATION OF ANY ADVERSE IMPACTS TO ADJACENT WATERWAYS, WETLANDS, PROPERTIES, ETC., RESULTING FROM WORK DONE AS PART OF THIS PROJECT.
11. A WATER SOURCE MUST BE AVAILABLE ON SITE DURING EARTHWORK OPERATIONS AND UTILIZED AS REQUIRED TO MINIMIZE DUST FROM EARTHWORK EQUIPMENT AND WIND.
12. THE CONTRACTOR MUST KEEP ALL POLLUTANTS, INCLUDING SEDIMENT, CONSTRUCTION DEBRIS, AND TRENCH BACKFILL MATERIALS FROM ENTERING THE STORM SEWER SYSTEM.
13. ALL SPILLS INCLUDING, BUT NOT LIMITED TO, PETROLEUM PRODUCTS, SOLVENTS, AND GEMENT SHALL BE CLEANED UP IMMEDIATELY. THE LOCAL CITY/COUNTY AND STATE'S GOVERNING AUTHORITY SHALL BE NOTIFIED IMMEDIATELY.
14. THE CONTRACTOR SHALL ENSURE THAT ALL LOADS OF OIL AND FILL MATERIAL IMPORTED TO OR EXPORTED FROM THE SITE SHALL BE PROPERLY COVERED TO PREVENT LOSS OF THE MATERIAL DURING TRANSPORT ON PUBLIC HIGHWAY. ALL MATERIAL EXPORTED FROM THE SITE SHALL BE DISPOSED OF AT A SITE PERMITTED TO ACCEPT SUCH MATERIAL.
15. THE USE OF REBAR, STEEL STAKES OR STEEL FENCE POSTS FOR STAKING DOWN FROM OR HAY BALES, OR TO SUPPORT SILL FENCING USED AS AN EROSION CONTROL MEASURE, IS PROHIBITED.
16. THE CLEANING OF CONCRETE DUMP TRUCK CHUTES IS RESTRICTED TO APPROVED LOCATIONS ON THE JOB SITE. THE DISCHARGE OF WATER CONTAINING WASTE CEMENT TO THE STORM SEWER SYSTEM IS PROHIBITED. ALL CONCRETE WASTE SHALL BE PROPERLY CLEANED UP AND DISPOSED OF AT AN APPROPRIATE LOCATION.
17. CONTRACTOR SHALL PROVIDE A COMPLETED NOTICE OF TERMINATION TO OWNER FOR OWNERS SUBMITTAL TO THE STATE'S GOVERNING AUTHORITY ONCE THE PROJECT IS COMPLETE. ALL DISTURBED AREAS HAVE BEEN STABILIZED AND TEMPORARY BMPs HAVE BEEN REMOVED.
18. THE CONTRACTOR SHALL CLEAN OUT ALL EXISTING AND PROPOSED INLETS, PIPES AND MANHOLES OF DEBRIS AND SEDIMENTATION AT COMPLETION OF SITEWORK. THIS WORK SHALL BE DONE TO THE SATISFACTION OF THE OWNER AND LOCAL AUTHORITIES. ANY CONSTRUCTION DEBRIS OR MUD DROPPED INTO MANHOLES, INLETS, PIPES OR TRACKED ONTO EXISTING ROADWAYS SHALL BE IMMEDIATELY CLEANED UP BY THE CONTRACTOR. THE CONTRACTOR SHALL REPAIR ANY EXCAVATIONS OR PAVEMENT FAILURES CAUSED BY HIS CONSTRUCTION.
19. PAVING NOTES
1. ALL PAVING WORK AND SUBGRADE PREPARATION/STABILIZATION SHALL CONFORM TO THE RECOMMENDATIONS OF THE GEOTECHNICAL REPORT, PREPARED BY (ISH GEOTECHNICAL

10. THE UPPER 24" OF ALL UTILITY TRENCHES IN UNPAVED AREAS SHALL BE BACKFILLED WITH COMPACTED CONCRETE SOLBS. SEE GEOTECHNICAL REPORT FOR COMPACTION AND MOISTURE RECOMMENDATIONS.
11. FINAL PAVEMENT SUBGRADES SHALL BE PROPPROFILED IMMEDIATELY PRIOR TO THE PLACEMENT OF THE PAVEMENT TO DETECT LOCAL AREAS OF INSTABILITY. PROPPROFILING IS NOT RECOMMENDED IN THE AREAS OF THE NEW FILL, TANKS OR DELIVERY TRUCK INSTALLATION.
12. SUITABLE FILL MATERIALS SHALL BE PLACED IN 8" TO 12" LIFT THICKS OF 4" TO 8" INCHES LOOSE MEASUREMENT, UNLESS OTHERWISE ALLOWED IN THE GEOTECHNICAL REPORT.
13. IF REQUIRED, THE CONTRACTOR SHALL OBTAIN ALL LOCAL AND STATE PERMITS AND AUTHORIZATION TO DISCHARGE FROM WATERWORKS ACTIVITIES.
14. THE CONTRACTOR SHALL Dewater ALL EXCAVATIONS AND TRENCHES AS NEEDED FOR THE CONSTRUCTION OF THE PROJECT USING MEANS/METHODS OF HIS CHOICE. REFER TO THE GEOTECHNICAL REPORT FOR ANTICIPATED LEVELS OF GROUNDWATER AND DewaterING RECOMMENDATIONS.
15. ALL EXCAVATIONS AND TRENCHES SHALL BE SLOPED/SHOREBRACED FOR PROTECTION OF PERSONNEL IN ACCORDANCE WITH OSHA REGULATIONS AND AT THE CONTRACTOR'S FULL DISCRETION BASED ON THE SITE CONDITIONS. OPEN EXCAVATIONS SHALL BE ADEQUATELY PROTECTED AND/OR FENCED AS NECESSARY AND FOR THE SAFETY OF THE PUBLIC.

STORMWATER MANAGEMENT AND EROSION/SEDIMENT CONTROL NOTES
1. THIS PROJECT REQUIRES A PERMIT FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITY FROM THE STATE GOVERNING AUTHORITY. CONTRACTOR TO COMMENCE WORK ON THIS SITE ONLY AFTER AN ACTIVE PERMIT NUMBER HAS BEEN OBTAINED FROM THE STATE GOVERNING AUTHORITY. A LOCAL CONSTRUCTION STORMWATER PERMIT IS ALSO REQUIRED BY SALT LAKE CITY.
2. THE CONTRACTOR SHALL CONTINUOUSLY PROVIDE ADEQUATE STORMWATER MANAGEMENT WITH THE APPROVED STORMWATER POLLUTION PREVENTION PLAN (SWPPP).
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING THE PUBLIC STREETS, ACCESS ROADS, AND WATERWAYS IN THE VICINITY OF THE JOB SITE CLEAN AND FREE OF ROCKS, SOIL, AND DEBRIS.
4. THE CONTRACTOR SHALL INSTALL EROSION AND SEDIMENTATION CONTROL "BEST MANAGEMENT PRACTICES" (BMPs) PRIOR TO ANY SITE PREPARATION WORK (E.G., CLEARING, GRUBBING, DEMOLITION OR EXCAVATION).
5. THE PLACEMENT OF EROSION AND SEDIMENT BMPs SHALL BE IN ACCORDANCE WITH THE EROSION AND SEDIMENT CONTROL PLAN PREPARED FOR THE PROJECT. CONTRACTOR TO ADJUST QUANTITY, LOCATION, AND TYPE OF EROSION AND SEDIMENT CONTROL BMPs AS NECESSARY FOR THE VARIOUS PHASES OF THE WORK AND AS ACTUAL CONDITIONS WARRANT. CONTRACTOR SHALL CONTINUOUSLY MONITOR THE EROSION AND SEDIMENT CONTROL PLAN WITH CURRENT BMPs IN ACCORDANCE WITH THE CONSTRUCTION STORMWATER PERMIT REQUIREMENTS. ADDITIONAL EROSION AND SEDIMENT CONTROL PLAN WITH CURRENT BMPs IN ACCORDANCE WITH THE CONSTRUCTION STORMWATER PERMIT REQUIREMENTS. ADDITIONAL EROSION AND SEDIMENT CONTROL PLAN FOR SEPARATELY SHALL BE INCLUDED IN THE WORK.
6. A GROUNDWATER DISCHARGE PERMIT MAY BE REQUIRED FROM THE STATE GOVERNING AUTHORITY PRIOR TO DISCHARGE.
7. GROUNDWATER SHALL BE SAMPLED AND SENT TO AN APPROVED LABORATORY FOR TESTING PRIOR TO BEING DISCHARGED. TESTING SHALL BE IN ACCORDANCE WITH THE PERMIT FOR STORMWATER DISCHARGE.
8. APPROVED EROSION AND SEDIMENT CONTROL BMPs SHALL BE MAINTAINED AND KEPT IN GOOD REPAIR FOR THE DURATION OF THIS PROJECT. UNLESS OTHERWISE REQUIRED BY THE STATE GOVERNING AUTHORITY FOR THE CONSTRUCTION STORMWATER PERMIT, AT A MINIMUM THE CONTRACTOR SHALL INSPECT ALL BMPs EVERY 14 DAYS AND AFTER ALL SIGNIFICANT PRECIPITATION EVENTS (IE, RAINFALL). ALL NECESSARY MAINTENANCE AND REPAIR ACTIVITIES SHALL BE COMPLETED WITHIN TWENTY-FOUR (24) HOURS AFTER DIRECTION BY THE INSPECTOR. ACCUMULATED SEDIMENT AND CONSTRUCTION DEBRIS SHALL BE REMOVED WEEKLY FROM ALL AREAS OF CONSTRUCTION FOR USE ON AREAS TO BE FILLED AND RE-RESTORED. ANY AND ALL STOCKPILES SHALL BE PLACED IN AN APPROVED LOCATION AND PROTECTED FROM EXPOSURE ELEMENTS USING MEASURES SPECIFIED IN THE EROSION/SEDIMENT CONTROL PLAN AND STORMWATER POLLUTION PREVENTION PLAN (SWPPP).
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10. ANY SETTLEMENT OR SOIL ACCUMULATIONS BEYOND THE LIMITS OF CONSTRUCTION DUE TO GRADING OR EROSION SHALL BE REPAIRED IMMEDIATELY BY THE CONTRACTOR. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR REMEDIATION OF ANY ADVERSE IMPACTS TO ADJACENT WATERWAYS, WETLANDS, PROPERTIES, ETC., RESULTING FROM WORK DONE AS PART OF THIS PROJECT.
11. A WATER SOURCE MUST BE AVAILABLE ON SITE DURING EARTHWORK OPERATIONS AND UTILIZED AS REQUIRED TO MINIMIZE DUST FROM EARTHWORK EQUIPMENT AND WIND.
12. THE CONTRACTOR MUST KEEP ALL POLLUTANTS, INCLUDING SEDIMENT, CONSTRUCTION DEBRIS, AND TRENCH BACKFILL MATERIALS FROM ENTERING THE STORM SEWER SYSTEM.
13. ALL SPILLS INCLUDING, BUT NOT LIMITED TO, PETROLEUM PRODUCTS, SOLVENTS, AND GEMENT SHALL BE CLEANED UP IMMEDIATELY. THE LOCAL CITY/COUNTY AND STATE'S GOVERNING AUTHORITY SHALL BE NOTIFIED IMMEDIATELY.
14. THE CONTRACTOR SHALL ENSURE THAT ALL LOADS OF OIL AND FILL MATERIAL IMPORTED TO OR EXPORTED FROM THE SITE SHALL BE PROPERLY COVERED TO PREVENT LOSS OF THE MATERIAL DURING TRANSPORT ON PUBLIC HIGHWAY. ALL MATERIAL EXPORTED FROM THE SITE SHALL BE DISPOSED OF AT A SITE PERMITTED TO ACCEPT SUCH MATERIAL.
15. THE USE OF REBAR, STEEL STAKES OR STEEL FENCE POSTS FOR STAKING DOWN FROM OR HAY BALES, OR TO SUPPORT SILL FENCING USED AS AN EROSION CONTROL MEASURE, IS PROHIBITED.
16. THE CLEANING OF CONCRETE DUMP TRUCK CHUTES IS RESTRICTED TO APPROVED LOCATIONS ON THE JOB SITE. THE DISCHARGE OF WATER CONTAINING WASTE CEMENT TO THE STORM SEWER SYSTEM IS PROHIBITED. ALL CONCRETE WASTE SHALL BE PROPERLY CLEANED UP AND DISPOSED OF AT AN APPROPRIATE LOCATION.
17. CONTRACTOR SHALL PROVIDE A COMPLETED NOTICE OF TERMINATION TO OWNER FOR OWNERS SUBMITTAL TO THE STATE'S GOVERNING AUTHORITY ONCE THE PROJECT IS COMPLETE. ALL DISTURBED AREAS HAVE BEEN STABILIZED AND TEMPORARY BMPs HAVE BEEN REMOVED.
18. THE CONTRACTOR SHALL CLEAN OUT ALL EXISTING AND PROPOSED INLETS, PIPES AND MANHOLES OF DEBRIS AND SEDIMENTATION AT COMPLETION OF SITEWORK. THIS WORK SHALL BE DONE TO THE SATISFACTION OF THE OWNER AND LOCAL AUTHORITIES. ANY CONSTRUCTION DEBRIS OR MUD DROPPED INTO MANHOLES, INLETS, PIPES OR TRACKED ONTO EXISTING ROADWAYS SHALL BE IMMEDIATELY CLEANED UP BY THE CONTRACTOR. THE CONTRACTOR SHALL REPAIR ANY EXCAVATIONS OR PAVEMENT FAILURES CAUSED BY HIS CONSTRUCTION.

STORM SEWER NOTES
1. STORM SEWER PIPE MATERIALS SHALL MEET THE KUM & GO STANDARD SPECIFICATIONS, UNLESS OTHERWISE SPECIFIED IN THE PLANS. THEY SHALL BE HDPE DOUBLE-WALL, SMOOTH INTERIOR PIPE, ADS 142' OR APPROVED EQUIVALENT UNLESS OTHERWISE SPECIFIED IN THE PLANS. ALL JOINTS AND STRUCTURE CONNECTIONS SHALL BE SOL-TIGHT (MINIMUM).
2. STORM SEWER PIPE SHALL BE BEDDED, INSTALLED, AND BACKFILLED IN ACCORDANCE WITH THE DETAILS INCLUDED IN THE PLANS. MANUFACTURER'S INSTALLATION REQUIREMENTS, AND/OR STANDARD DETAILS INCLUDED BY REFERENCE.
3. ALL CAST-IN-PLACE CONCRETE DRAINAGE STRUCTURES SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 4,000 PSI, TYPE II CEMENT (UNLESS OTHERWISE SPECIFIED) WITH AIR ENTRAINING ADMIXTURES AND SHALL CONFORM TO THE LOCAL CITY'S SPECIFICATIONS.
4. SMALL DIAMETER STORM SEWER CONNECTIONS (2" INCH DIAMETER AND LESS) SHALL BE MADE WITH REDUCING WYVES, 45 DEGREE BENDS, AND REDUCING COUPLERS, UNLESS OTHERWISE INDICATED. REFER TO PLANS AND DETAILS FOR SYSTEM LAYOUT.
5. ALL CAST-IN-PLACE AND PRE-FABRICATED DRAINAGE STRUCTURES WITHIN PAVED AREAS MUST BE INSTALLED TO MEET (AT A MINIMUM) ADS142+M400HS40 LOAD RATING. THE GENERAL CONTRACTOR SHALL CONSULT WITH THE MANUFACTURER OF ANY PRE-FABRICATED STRUCTURE TO CONFIRM THAT THE STRUCTURE IS DESIGNED TO ENSURE THE AFORESAID LOAD RATING IS ACHIEVED. FOR ALL PRE-FABRICATED NYLOPLAST DRAB BASINS, THE GENERAL CONTRACTOR SHALL POUR A CONCRETE COLLAR UNDER THE FRAME/FRAMING ASSEMBLY IN THE MINIMUM DIMENSIONS SPECIFIED ON THE MANUFACTURER'S STANDARD DETAIL DRAWINGS TO ACHIEVE HD0HS40 LOAD RATING. THE GENERAL CONTRACTOR SHALL CONTACT OWNER FOR ADDITIONAL DIRECTION IF HD0HS40 INSTALLATION GUIDELINES CANNOT BE OBTAINED FROM THE MANUFACTURER OF ANY PROPOSED PRE-FABRICATED STRUCTURE.
CONTRACTOR SHALL PROVIDE A COMPLETED NOTICE OF TERMINATION TO OWNER FOR OWNERS SUBMITTAL TO THE STATE'S GOVERNING AUTHORITY ONCE THE PROJECT IS COMPLETE. ALL DISTURBED AREAS HAVE BEEN STABILIZED AND TEMPORARY BMPs HAVE BEEN REMOVED.
18. THE CONTRACTOR SHALL CLEAN OUT ALL EXISTING AND PROPOSED INLETS, PIPES AND MANHOLES OF DEBRIS AND SEDIMENTATION AT COMPLETION OF SITEWORK. THIS WORK SHALL BE DONE TO THE SATISFACTION OF THE OWNER AND LOCAL AUTHORITIES. ANY CONSTRUCTION DEBRIS OR MUD DROPPED INTO MANHOLES, INLETS, PIPES OR TRACKED ONTO EXISTING ROADWAYS SHALL BE IMMEDIATELY CLEANED UP BY THE CONTRACTOR. THE CONTRACTOR SHALL REPAIR ANY EXCAVATIONS OR PAVEMENT FAILURES CAUSED BY HIS CONSTRUCTION.
19. PAVING NOTES
1. ALL PAVING WORK AND SUBGRADE PREPARATION/STABILIZATION SHALL CONFORM TO THE RECOMMENDATIONS OF THE GEOTECHNICAL REPORT, PREPARED BY (ISH GEOTECHNICAL

CONSULTANTS, INC., JULY 30, 2021, PROJ. NO. 2774-019-21). IN CASE OF ANY CONFLICT WITH THESE PLANS, NOTIFY OWNER IMMEDIATELY.
2. UNLESS PROVIDED FOR IN THE PLANS, CONTRACTOR SHALL DEVELOP A CONCRETE PAVEMENT JOINTING PLAN USING THE PROPOSED PAVING PLAN AND SITE CONDITIONS. JOINT LAYOUT SHALL BE IN ACCORDANCE WITH ADS 300R+UBER FOR THE DESIGN AND CONSTRUCTION OF CONCRETE PARKING LOTS, AND STANDARD CONSTRUCTION PRACTICES. JOINT DETAILS SHALL BE IN ACCORDANCE WITH SALT LAKE CITY STANDARD DETAILS, LOCAL UDOT STANDARD DETAILS. CONTRACTOR SHALL PROVIDE A PAVEMENT JOINTING PLAN FOR INSTALLATION.
3. ALL CONCRETE PAVEMENT AND CONSTRUCTION SHALL MEET SALT LAKE CITY UDOT SPECIFICATIONS. CONCRETE PAVEMENT SHALL HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 4000 PSI, TYPE II PORTLAND CEMENT (UNLESS OTHERWISE SPECIFIED IN THE GEOTECHNICAL REPORT FOR HIGHER SULFATE RESISTANCE), A SLUMP OF 4 INCHES + 1 INCH, AND AN AIR CONTENT OF 6% + 1%.
4. PAVEMENT MUST HAVE A SOLAR REFLECTANCE INDEX (SRI) OF 29 OR HIGHER.
5. ALL RADIIUS DIMENSIONS SHOWN ON THE PAVING PLAN ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
6. ALL PAVEMENT MARKINGS FOR PARKING STALLS SHALL BE 4" WIDE YELLOW MARKINGS, CONFORMING TO AASHTO M48 RATED YELLOW WET TRAFFIC PAINT.
7. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL ACCESSIBLE AREAS AND ROUTES ARE BUILT IN ACCORDANCE WITH THE PLANS AND THE 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN. THE SITE MAY BE INSPECTED BY CITY PERSONNEL FOR COMPLIANCE WITH THE STANDARDS.
8. ADA ACCESSIBLE PARKING STALLS AND RIBLES SHALL BE CONSTRUCTED WITH A MAXIMUM SLOPE OF 2.00% IN ANY DIRECTION. ADA ACCESSIBLE ROUTES SHALL BE CONSTRUCTED WITH A MAXIMUM CROSS SLOPE OF 2.00% AND A MAXIMUM LONGITUDINAL SLOPE OF 5.00%.
9. UNLESS RAMPS AND LANDINGS ARE PROVIDED PER ADA STANDARDS, CURB RAMPS SHALL HAVE A MAXIMUM LONGITUDINAL SLOPE OF 8.33% (1:12). ACCESSIBLE PARKING AREAS AT DOORS SHALL BE CONSTRUCTED WITH A MAXIMUM 2.00% IN ANY DIRECTION. CONTRACTOR SHALL FIELD VERIFY ADA GRADES AND FLOORWORK PRIOR TO PLACING ANY CONCRETE. OWNER SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCY SHOWN ON THE PLANS.

UTILITY NOTES
1. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING UTILITIES AT PROPOSED POINTS OF CONNECTION AND DETERMINE EXACT LOCATION/DEPTHS OF ALL UTILITY SERVICE LINE HOOKUPS TO THE BUILDING (PER MEP PLANS) PRIOR TO UTILITIES CONSTRUCTION.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ARRANGING ON-SITE MEETINGS WITH THE CITY, GOVERNING AGENCIES, AND UTILITY OWNERS PRIOR TO THE START OF ANY CONSTRUCTION OR INSTALLATION OF UTILITY CONNECTIONS.
3. THE CONTRACTOR SHALL CONSTRUCT ALL WATER AND SANITARY SEWER SERVICE LINES AND CONNECTIONS IN ACCORDANCE WITH THE APPLICABLE STANDARDS AND SPECIFICATIONS OF THE CITY OR LOCAL UTILITY PROVIDER.
4. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING UTILITY SERVICE CONNECTIONS WITH THE APPROPRIATE UTILITY COMPANY/OWNER AND TO OBTAIN ALL PERMITS AND PAY ALL FEES AS REQUIRED FOR SERVICE CONNECTIONS TO UTILITY MAINS.
5. UTILITY TRENCHES AND STRUCTURE EXCAVATIONS ARE TO BE SLOPED OR BRACED AND SHEETED AS NECESSARY FOR THE SAFETY OF THE WORKMEN AND THE PROTECTION OF OTHER UTILITIES IN COMPLIANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.
6. UNLESS OTHERWISE NOTED, CONTRACTOR SHALL PROVIDE TRENCHING FOR ALL UTILITY SERVICE LINES.
7. CONTRACTOR TO SET AND ADJUST ALL PROPOSED UTILITY STRUCTURES, CLEANOUTS, VALVES, METER PITS, ETC., TO FINISH GRADE. EXISTING ITEMS AFFECTED BY THE WORK SHALL BE ADJUSTED AS REQUIRED TO MATCH FINISH GRADE.
8. THE CONTRACTOR SHALL COORDINATE WATER MAIN WORK WITH THE FIRE DEPARTMENT TO ENSURE ADEQUATE FIRE PROTECTION IS CONSTANTLY AVAILABLE TO THE SITE AND ADJACENT PROPERTIES. CONTRACTOR WILL BE RESPONSIBLE FOR ARRANGING/PROVIDING ANY REQUIRED WATER MAIN SHUT OFFS WITH THE CITY DURING CONSTRUCTION. ANY COSTS ASSOCIATED WITH WATER MAIN SHUT OFFS WILL BE THE RESPONSIBILITY OF THE CONTRACTOR AT HIS EXPENSE.

STORM SEWER NOTES
1. STORM SEWER PIPE MATERIALS SHALL MEET THE KUM & GO STANDARD SPECIFICATIONS, UNLESS OTHERWISE SPECIFIED IN THE PLANS. THEY SHALL BE HDPE DOUBLE-WALL, SMOOTH INTERIOR PIPE, ADS 142' OR APPROVED EQUIVALENT UNLESS OTHERWISE SPECIFIED IN THE PLANS. ALL JOINTS AND STRUCTURE CONNECTIONS SHALL BE SOL-TIGHT (MINIMUM).
2. STORM SEWER PIPE SHALL BE BEDDED, INSTALLED, AND BACKFILLED IN ACCORDANCE WITH THE DETAILS INCLUDED IN THE PLANS. MANUFACTURER'S INSTALLATION REQUIREMENTS, AND/OR STANDARD DETAILS INCLUDED BY REFERENCE.
3. ALL CAST-IN-PLACE CONCRETE DRAINAGE STRUCTURES SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 4,000 PSI, TYPE II CEMENT (UNLESS OTHERWISE SPECIFIED) WITH AIR ENTRAINING ADMIXTURES AND SHALL CONFORM TO THE LOCAL CITY'S SPECIFICATIONS.
4. SMALL DIAMETER STORM SEWER CONNECTIONS (2" INCH DIAMETER AND LESS) SHALL BE MADE WITH REDUCING WYVES, 45 DEGREE BENDS, AND REDUCING COUPLERS, UNLESS OTHERWISE INDICATED. REFER TO PLANS AND DETAILS FOR SYSTEM LAYOUT.
5. ALL CAST-IN-PLACE AND PRE-FABRICATED DRAINAGE STRUCTURES WITHIN PAVED AREAS MUST BE INSTALLED TO MEET (AT A MINIMUM) ADS142+M400HS40 LOAD RATING. THE GENERAL CONTRACTOR SHALL CONSULT WITH THE MANUFACTURER OF ANY PRE-FABRICATED STRUCTURE TO CONFIRM THAT THE STRUCTURE IS DESIGNED TO ENSURE THE AFORESAID LOAD RATING IS ACHIEVED. FOR ALL PRE-FABRICATED NYLOPLAST DRAB BASINS, THE GENERAL CONTRACTOR SHALL POUR A CONCRETE COLLAR UNDER THE FRAME/FRAMING ASSEMBLY IN THE MINIMUM DIMENSIONS SPECIFIED ON THE MANUFACTURER'S STANDARD DETAIL DRAWINGS TO ACHIEVE HD0HS40 LOAD RATING. THE GENERAL CONTRACTOR SHALL CONTACT OWNER FOR ADDITIONAL DIRECTION IF HD0HS40 INSTALLATION GUIDELINES CANNOT BE OBTAINED FROM THE MANUFACTURER OF ANY PROPOSED PRE-FABRICATED STRUCTURE.

CAUTION - NOTICE TO CONTRACTOR
ALL WORK SHALL BE IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS. ANY CHANGES OR DEVIATIONS FROM THESE PLANS SHALL BE SUBMITTED TO OWNER FOR REVIEW AND APPROVAL PRIOR TO PLACEMENT OF MATERIAL.
CONTRACTOR SHALL PROVIDE A COMPLETED NOTICE OF TERMINATION TO OWNER FOR OWNERS SUBMITTAL TO THE STATE'S GOVERNING AUTHORITY ONCE THE PROJECT IS COMPLETE. ALL DISTURBED AREAS HAVE BEEN STABILIZED AND TEMPORARY BMPs HAVE BEEN REMOVED.
18. THE CONTRACTOR SHALL CLEAN OUT ALL EXISTING AND PROPOSED INLETS, PIPES AND MANHOLES OF DEBRIS AND SEDIMENTATION AT COMPLETION OF SITEWORK. THIS WORK SHALL BE DONE TO THE SATISFACTION OF THE OWNER AND LOCAL AUTHORITIES. ANY CONSTRUCTION DEBRIS OR MUD DROPPED INTO MANHOLES, INLETS, PIPES OR TRACKED ONTO EXISTING ROADWAYS SHALL BE IMMEDIATELY CLEANED UP BY THE CONTRACTOR. THE CONTRACTOR SHALL REPAIR ANY EXCAVATIONS OR PAVEMENT FAILURES CAUSED BY HIS CONSTRUCTION.



PRELIMINARY NOT FOR BIDDING NOT FOR CONSTRUCTION

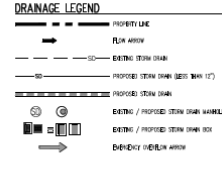
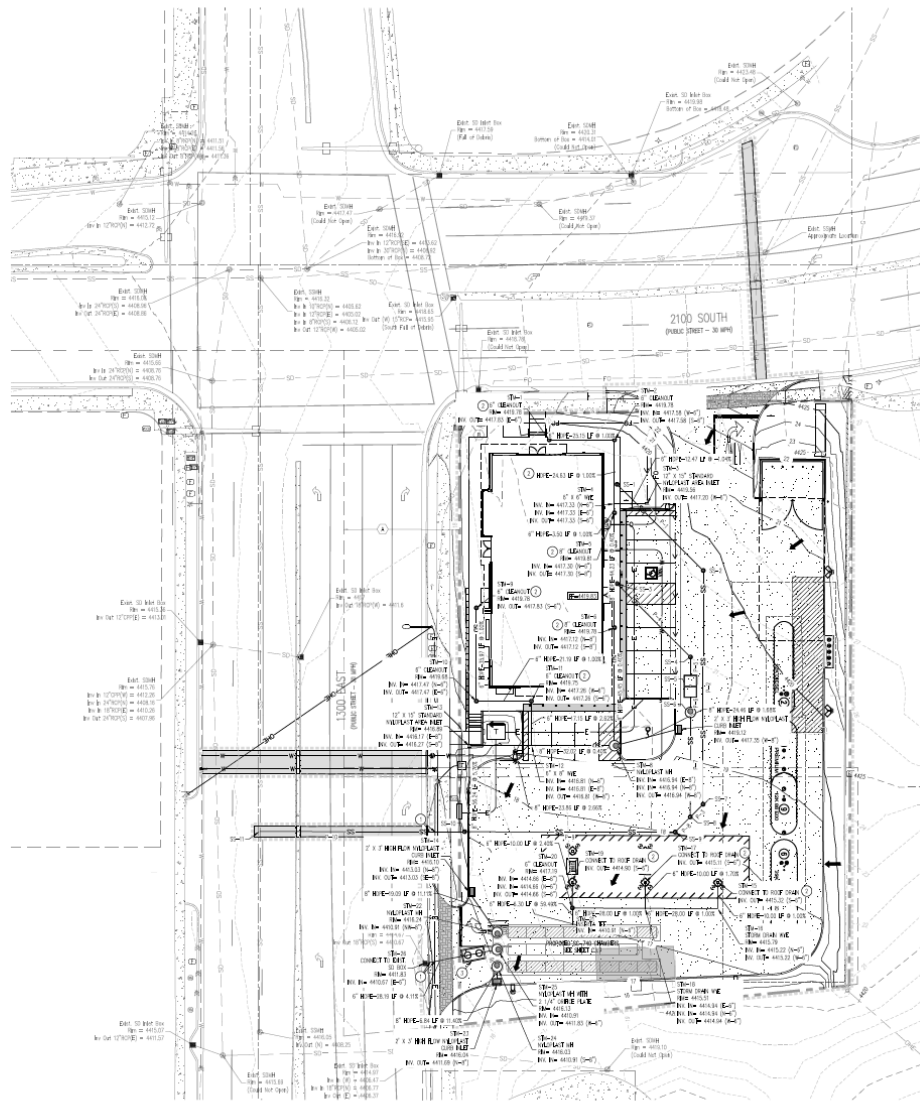


1499 Grand Ave.
Date: March, 14, 2023
P: 888-458-6646

#2506 - SALT LAKE CITY, UTAH
2111 SOUTH 1300 EAST
GENERAL NOTES

NO PROJECT TEAM
REV: SCOTT BARNICK
REV: RYAN HULLER
REV: SCOTT BARNICK

Table with columns: DATE, REVISION DESCRIPTION, and REVISIONS. Includes a revision table with one entry for 11.01.2022 and a sheet number CO.1 of 26.



- FLAG NOTES**
1. EXISTING CONSTRUCTION TO BE LEFT UNCHANGED, SEE AND VERIFY ALL EXISTING UTILITY AND INTERFERENCES, IF CONFLICTS, PRIOR TO CONSTRUCTION.
 2. PROPOSED STORM DRAIN CONSTRUCTION TO BE BUILT IN ACCORDANCE WITH THE CITY OF SALT LAKE CITY'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 3. PROPOSED STORM DRAIN CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF SALT LAKE CITY'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.

THE CONTRACTOR MUST COORDINATE WITH ALL OTHER UTILITIES AND CITY DEPT. TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE CITY AND THE STATE OF UTAH PRIOR TO CONSTRUCTION.

CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL INFORMATION FOR FINAL ACCEPTANCE OF WORK AND LOCAL STATE OF UTAH, FEDERAL, STATE, COUNTY, AND CITY AGENCIES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE CITY AND THE STATE OF UTAH PRIOR TO CONSTRUCTION.

THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES FROM DAMAGE AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE CITY AND THE STATE OF UTAH PRIOR TO CONSTRUCTION.

CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE CITY AND THE STATE OF UTAH PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE CITY AND THE STATE OF UTAH PRIOR TO CONSTRUCTION.

SOIL PREPARATION & PAVEMENT DESIGN NOTE

CONTRACTOR SHALL VERIFY ALL SOIL CONDITIONS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE CITY AND THE STATE OF UTAH PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE CITY AND THE STATE OF UTAH PRIOR TO CONSTRUCTION.

PROJECT NO. 2774-01-21 DATE: JANUARY 17, 2022

THE CONTRACTOR SHALL VERIFY ALL SOIL CONDITIONS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE CITY AND THE STATE OF UTAH PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE CITY AND THE STATE OF UTAH PRIOR TO CONSTRUCTION.

FEMA FLOOD ZONE

NO FLOODING INDICATED ON THIS PLAN. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE CITY AND THE STATE OF UTAH PRIOR TO CONSTRUCTION.

BENCHMARK

UTAH STATE BENCHMARK AT 2100 SOUTH AND 1300 EAST. ELEVATION: 4412.72.

BASIS OF BEARING

ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMALS THEREOF. THE BASIS OF BEARING IS TRUE NORTH. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE CITY AND THE STATE OF UTAH PRIOR TO CONSTRUCTION.

CAUTION - NOTICE TO CONTRACTOR

ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMALS THEREOF. THE BASIS OF BEARING IS TRUE NORTH. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE CITY AND THE STATE OF UTAH PRIOR TO CONSTRUCTION.

Galloway
1725 East Promenade, Suite 274
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801.467.1337

PRELIMINARY
NOT FOR BIDDING
NOT FOR CONSTRUCTION



1459 Grand Ave
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P: 888-458-6646

#2506 - SALT LAKE CITY, UTAH
2111 SOUTH 1300 EAST
DRAINAGE PLAN

PROJECT TEAM
RICK SCOTT MANROCK
CORN RYAN WALKER
CORN SCOTT MURPHY

DATE	REVISION/DESCRIPTION	REVISIONS
11.01.2022		

SHEET NUMBER
C2.3
8 OF 26

DATE PLOTTED: 11/01/2022

1 1/2" and 2" meter

1. GENERAL
A. Turbine meters are required on all systems used exclusively for irrigation or fire protection.
B. Where domestic use is applicable, use a standard meter.
C. Before backfilling, secure inspection of installation by ENGINEER.

2. PRODUCTS
A. Base Course: Untreated base course, APWA Section 32 11 23. Do not use gravel as a base course without ENGINEER's permission.
B. Backfill: Common fill, APWA Section 31 05 13. Maximum particle size 2-inches.
C. Castings: Grey iron class 35 minimum per ASTM A48, coated with asphalt based paint or better.

3. EXECUTION
A. Meter Placement:
1) All meters are to be installed in the park strip or within 7 feet of the property line (street side).
2) Do not install meters under driveway approaches, sidewalks, or curb and gutter.
3) In new construction, install meter at center of lot or per agency requirements.
B. Meter Box: Set box so grade of the frame and cover matches the grade of the surrounding surface.
C. Bypass Valve: Lock in off position.
D. Blocking: Use clay brick or concrete block.
E. Concrete Box:
1) Center frame and cover over water meter.
2) Allow 1-inch clearance around waterline where water line passes through concrete box wall. Seal opening with compressible seal.
F. Pipe Outside of Right-of-Way: Coordinate with utility agency or adjacent property owner for type of pipe to be used outside of right-of-way.
G. Base Course and Backfill Placement: Maximum lift thickness before compaction is 8-inches. Compaction is 95 percent or greater relative to a modified proctor density, APWA Section 31 23 26.

No.	ITEM	DESCRIPTION
1	2\"/>	

522

Fire hydrant with valve

1. GENERAL
A. Before backfilling, secure inspection of installation by ENGINEER.
B. Additional requirements are specified in APWA Section 33 11 00.

2. PRODUCTS
A. Hydrant: Dry barrel, AWWA C502.
B. Thrust Blocks: Concrete Class 4000, APWA Section 03 30 04.
C. Reinforcement: Deformed, 60 ksi yield grade steel, ASTM A615.
D. Backfill: APWA Section 31 05 13. Maximum particle size 2-inches.
1) Sewer Rock: ASTM Size No. 3/2\"/>

3. EXECUTION
A. Installation:
1) Provide at least 1 cubic yard of sewer rock around drain hole at base of hydrant spool. Wrap geotextile around sewer rock and tape geotextile to hydrant spool to prevent sliding of sewer rock.
2) Paint fire hydrant to agency's fire hydrant paint code.
3) Apply non-oxide grease to all buried metal surfaces. Wrap with polyethylene sheet and tape wrap.
4) Notify fire department as soon as hydrant is placed in service.
B. Thrust Blocks:
1) Before pouring concrete, wrap pipe system with polyethylene sheet to prevent bonding of concrete to pipe system.
2) Not required for flange or welded pipe systems.
C. Backfill: Maximum lift thickness is 8-inches before compaction. Compaction is 95 percent or greater relative to a modified proctor density, APWA Section 31 23 26.

No.	ITEM	DESCRIPTION
1	FIRE HYDRANT	AWWA C502
2	VALVE BOX WITH LID	2-PIECE CAST IRON
3	GATE VALVE WITH 2\"/>	

511

Water service line

1. GENERAL
A. Before backfilling, secure inspection of installation by ENGINEER.

2. PRODUCTS
A. Fittings: Provide brass fittings and nipples. Do not use galvanized materials.
B. Backfill: Common fill, APWA Section 31 05 13. Maximum particle size 2-inches.

3. EXECUTION
A. Backfill: Maximum lift thickness is 8-inches before compaction. Compaction is 95 percent or greater relative to a modified proctor density, APWA Section 31 23 26.

541

Grease trap

1. GENERAL
A. Before backfilling around concrete box, secure inspection of installation by ENGINEER.

2. PRODUCTS
A. Base Course: Untreated base course, APWA Section 32 11 23. Do not use gravel as a base course without ENGINEER's permission.
B. Backfill: Common fill, APWA Section 31 05 13. Maximum particle size 2-inches.
C. Concrete: Class 4000, APWA Section 03 30 04.
D. Reinforcement: Deformed, 60 ksi yield grade steel, ASTM A615.
E. PVC Pipe: APWA Section 33 05 07.

3. EXECUTION
A. Base Course Placement: APWA Section 32 11 23. Maximum lift thickness is 6-inches before compaction. Compaction is 95 percent or greater relative to a modified proctor density, APWA Section 31 23 26.
B. Reinforcement Placement: APWA Section 03 20 00.
C. Concrete Placement: APWA Section 03 30 10. Provide 1/2-inch radius edges. Apply a broom finish. Apply a curing agent.
D. Fill annular space around pipe wall penetrations with waterproof sealer.
E. Backfill: Provide backfill against the box walls. The gravel and recycled RAP aggregate is NOT ALLOWED. Water jetting is NOT allowed. Maximum lift thickness is 8-inches before compaction. Compaction is 95 percent or greater relative to a standard proctor density, APWA Section 31 23 26.

No.	ITEM	DESCRIPTION
1	BOX PLAN	1\"/>

441

APWA FIRE HYDRANT AND VALVE

#2506 - SALT LAKE CITY, UTAH
2111 SOUTH 1300 EAST
UTILITY DETAILS

NO.	DATE	REVISION/DESCRIPTION

PROJECT TEAM:
SRM: SCOTT SANDOCK
SRM: RYAN HALDER
OPR: SCOTT NEWBURY

DATE: 11/01/2022
SHEET NUMBER: C3.5
10 OF 26

CREATOR: PLAN 04230

APWA 1 1/2" AND 2" METER

522

APWA FIRE HYDRANT AND VALVE

511

Water service line

541

Grease trap

441

APWA WATER SERVICE LINE

541

APWA GREASE TRAP

441

APWA WATER SERVICE LINE

541

APWA WATER SERVICE LINE

541

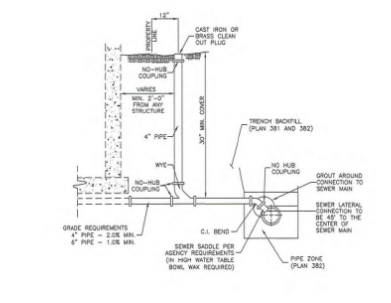
Galloway
1074 East Parkway, Salt Lake City, UT 84116
Phone: 313-344-7777
Fax: 313-344-7777
Galloway.com

PRELIMINARY
NOT FOR BIDDING
NOT FOR CONSTRUCTION

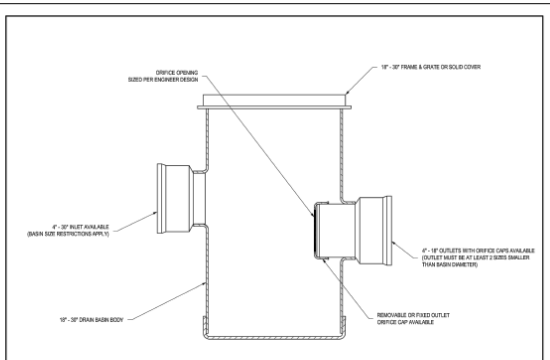
Kum & Go

1499 Grand Ave
Des Moines, IA 50309
P. 888-458-6646

- Sewer lateral connection**
1. **GENERAL**
 A. Before installation, secure acceptance by ENGINEER for all pipe, fittings, and couplings to be used.
 B. Before backfilling, secure inspection of installation by ENGINEER. Give at least 24 hours notice.
 C. Verify if CONTRACTOR or agency is to install the wye.
2. **PRODUCTS**
 A. Base Course: Untreated base course, APWA Section 32 11 23. Do not use gravel as a base course without ENGINEER'S permission.
 B. Backfill: Common fill, APWA Section 31 05 13. Maximum particle size 2-inches.
 C. Provide agency approved wye or tee with appropriate donut.
 D. Stainless steel straps required.
3. **EXECUTION**
 A. Tape wrap pipe as required by soil conditions.
 B. Remove core plug from sewer main. Do not break into sewer main to make connection.
 C. Base Course and Backfill Placement: Maximum lift thickness is 8-inches before compaction. Compaction is 95 percent or greater relative to a standard proctor density, APWA Section 31 25 26.



APWA Utah Chapter Sewer lateral connection 431
 January 2011

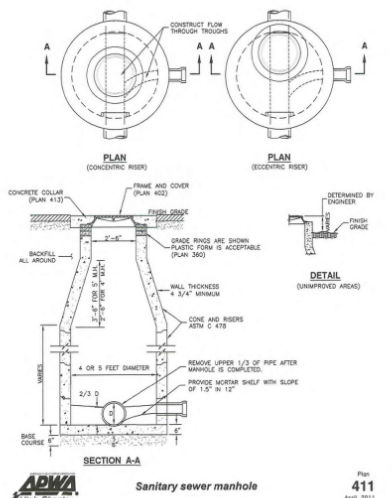


NO. 101	NO. 102	NO. 103	NO. 104	NO. 105	NO. 106	NO. 107	NO. 108	NO. 109	NO. 110
1	1	1	1	1	1	1	1	1	1
1	1	1	1	1	1	1	1	1	1
1	1	1	1	1	1	1	1	1	1
1	1	1	1	1	1	1	1	1	1
1	1	1	1	1	1	1	1	1	1
1	1	1	1	1	1	1	1	1	1
1	1	1	1	1	1	1	1	1	1
1	1	1	1	1	1	1	1	1	1
1	1	1	1	1	1	1	1	1	1

431

1 APWA SEWER LATERAL CONNECTION

- Sanitary sewer manhole**
1. **GENERAL**
 A. The drawing shows typical pipe connections. Refer to construction drawings for connection locations or refer to field location of existing piping when engineering pipe connection to the manhole.
 B. Manhole size:
 1) Diameter is 4 feet. For sewers under 12" diameter.
 2) Diameter is 5 feet. For sewers 12" and larger, or when 3 or more pipes intersect the manhole.
2. **PRODUCTS**
 A. Base Course: Untreated base course, APWA Section 32 11 23. Do not use gravel as a base course without ENGINEER'S permission.
 B. Backfill: Common fill, APWA Section 31 05 13. Maximum particle size 2-inches.
 C. Concrete: Class 4000, APWA Section 03 30 04.
 D. Riser and Reducing Riser: ASTM C475.
 E. Reinforcement: Deformed, 60 ksi yield grade steel, ASTM A615.
 F. Grout: 2 parts sand to 1 part cement mortar, ASTM C 1329.
 G. Stabilization-Separation Geotextile: Moderate or high α CONTRACTOR'S choice, APWA Section 31 05 19.
3. **EXECUTION**
 A. Foundation Stabilization: Get ENGINEER'S permission to use a sewer rock or a granular backfill borrow in a geotextile wrap to stabilize an unstable foundation.
 B. Base Course Placement: APWA Section 32 11 23. Maximum lift thickness is 8-inches before compaction. Compaction is 95 percent or greater relative to a modified proctor density, APWA Section 31 25 26.
 C. Inset Cover: During construction, place inset covers over the top of pipe in manholes that currently convey sewerage. See Plan 412.
 D. Pipe Connections: Grout around all pipe openings.
 E. Pipe Seal: Install rubber-based pipe seals on all plastic pipes when connecting plastic pipes to manholes. Hold water-stop in place with stainless steel bands.
 F. Joints: Place flexible gasket-type sealant in all riser joints. Finish with grout.
 G. Adjustment: If the required manhole adjustment is more than 1'-0", remove the cone and grade rings and adjust the manhole elevation with the appropriate manhole section, the cone section, and the grade rings or plastic form to make frame and lid match finish grade.
 H. Finish: Provide smooth and neat finishes on interior of cones, shafts, and rings. Imperfect moldings or honeycombs will not be accepted.
 I. Backfill: Provide backfill against the manhole shaft. Plus gravel and recycled RAP aggregate is NOT ALLOWED. Water jetting is NOT allowed. Maximum lift thickness is 8-inches before compaction. Compaction is 95 percent or greater relative to a standard proctor density, APWA Section 31 25 26.



APWA Utah Chapter Sanitary sewer manhole 411
 April 2011

411

3 APWA SANITARY SEWER MANHOLE

2 DRAIN BASIN WITH ORIFICE PLATE

HT 1/4" = 1"

48 SA 48 SA Oil / Water Separator
 1,250 Gallon
 HS-20 Traffic

SECTION	1\"/>		
FRONT & COVER	100 #	100 #	100 #
LC	5,875 #	5,325 #	5,760 #
HC	400 #	300 #	300 #
DM	425 #	425 #	425 #
WC	10,000 #	10,000 #	10,000 #
100% WEAR	8,000 #	8,000 #	8,000 #

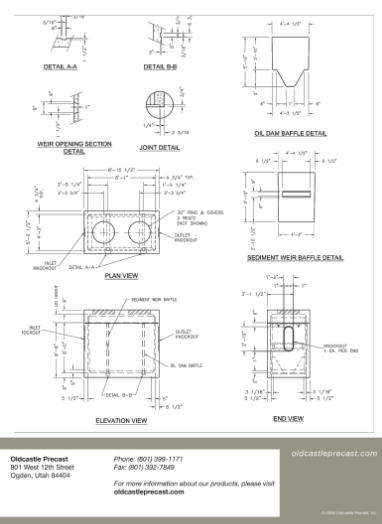
Oldcastle Precast
 801 West 12th Street
 Ogden, Utah 84404

Phone: (801) 298-1177
 Fax: (801) 292-7949

For more information about our products, please visit
 oldcastleprecast.com

4 1250 GALLON OIL/WATER SEPARATOR

HT 1/4" = 1"



Galloway
 1125 SOUTH 1100 EAST
 SALT LAKE CITY, UT 84143
 (801) 466-2200

PRELIMINARY
 NO FOR BIDDING
 NOT FOR CONSTRUCTION

Kum & Go

1459 Grand Ave
 Des Moines, IA 50309
 P: 888-458-6646

#2506 - SALT LAKE CITY, UTAH
 2111 SOUTH 1300 EAST
 UTILITY DETAILS

PROJECT TEAM
 RSK SCOTT TADDOE
 SDM ROW HULDER
 CPM SCOTT NEUBURY

REVISION DESCRIPTION	DATE

11.01.2022
 SHEET NUMBER
 C3.6
 11 OF 26

OTHER PLAN SHEETS

PROPOSED LAYOUT	PROPOSED ELEVATIONS	PART TYPE	ITEM NO.	DESCRIPTION	INSERT ABOVE BASE OF CHAMBER
1. STORMTECH SC-740 CHAMBER	1.1. CHAMBER STONE	SC-740	1	36" (914mm) PRECAST CONCRETE CHAMBER STONE	1.0000
2. STORMTECH SC-740 CHAMBER END CAP	2.1. END CAP	EC-1	2	36" (914mm) PRECAST CONCRETE END CAP	2.0000
3. STORMTECH SC-740 CHAMBER PERIMETER STONE	3.1. PERIMETER STONE	PS-1	3	36" (914mm) PRECAST CONCRETE PERIMETER STONE	3.0000
4. STORMTECH SC-740 CHAMBER ISOLATOR ROW PLUS	4.1. ISOLATOR ROW PLUS	IRP-1	4	2" (50mm) POLYPROPYLENE ISOLATOR ROW PLUS	4.0000
5. STORMTECH SC-740 CHAMBER SUBBASE SOL	5.1. SUBBASE SOL	SS-1	5	12" (305mm) CONCRETE SUBBASE SOL	5.0000
6. STORMTECH SC-740 CHAMBER PERIMETER STONE	6.1. PERIMETER STONE	PS-1	6	36" (914mm) PRECAST CONCRETE PERIMETER STONE	6.0000
7. STORMTECH SC-740 CHAMBER PERIMETER STONE	7.1. PERIMETER STONE	PS-1	7	36" (914mm) PRECAST CONCRETE PERIMETER STONE	7.0000
8. STORMTECH SC-740 CHAMBER PERIMETER STONE	8.1. PERIMETER STONE	PS-1	8	36" (914mm) PRECAST CONCRETE PERIMETER STONE	8.0000
9. STORMTECH SC-740 CHAMBER PERIMETER STONE	9.1. PERIMETER STONE	PS-1	9	36" (914mm) PRECAST CONCRETE PERIMETER STONE	9.0000
10. STORMTECH SC-740 CHAMBER PERIMETER STONE	10.1. PERIMETER STONE	PS-1	10	36" (914mm) PRECAST CONCRETE PERIMETER STONE	10.0000
11. STORMTECH SC-740 CHAMBER PERIMETER STONE	11.1. PERIMETER STONE	PS-1	11	36" (914mm) PRECAST CONCRETE PERIMETER STONE	11.0000
12. STORMTECH SC-740 CHAMBER PERIMETER STONE	12.1. PERIMETER STONE	PS-1	12	36" (914mm) PRECAST CONCRETE PERIMETER STONE	12.0000
13. STORMTECH SC-740 CHAMBER PERIMETER STONE	13.1. PERIMETER STONE	PS-1	13	36" (914mm) PRECAST CONCRETE PERIMETER STONE	13.0000
14. STORMTECH SC-740 CHAMBER PERIMETER STONE	14.1. PERIMETER STONE	PS-1	14	36" (914mm) PRECAST CONCRETE PERIMETER STONE	14.0000
15. STORMTECH SC-740 CHAMBER PERIMETER STONE	15.1. PERIMETER STONE	PS-1	15	36" (914mm) PRECAST CONCRETE PERIMETER STONE	15.0000
16. STORMTECH SC-740 CHAMBER PERIMETER STONE	16.1. PERIMETER STONE	PS-1	16	36" (914mm) PRECAST CONCRETE PERIMETER STONE	16.0000
17. STORMTECH SC-740 CHAMBER PERIMETER STONE	17.1. PERIMETER STONE	PS-1	17	36" (914mm) PRECAST CONCRETE PERIMETER STONE	17.0000
18. STORMTECH SC-740 CHAMBER PERIMETER STONE	18.1. PERIMETER STONE	PS-1	18	36" (914mm) PRECAST CONCRETE PERIMETER STONE	18.0000
19. STORMTECH SC-740 CHAMBER PERIMETER STONE	19.1. PERIMETER STONE	PS-1	19	36" (914mm) PRECAST CONCRETE PERIMETER STONE	19.0000
20. STORMTECH SC-740 CHAMBER PERIMETER STONE	20.1. PERIMETER STONE	PS-1	20	36" (914mm) PRECAST CONCRETE PERIMETER STONE	20.0000
21. STORMTECH SC-740 CHAMBER PERIMETER STONE	21.1. PERIMETER STONE	PS-1	21	36" (914mm) PRECAST CONCRETE PERIMETER STONE	21.0000
22. STORMTECH SC-740 CHAMBER PERIMETER STONE	22.1. PERIMETER STONE	PS-1	22	36" (914mm) PRECAST CONCRETE PERIMETER STONE	22.0000
23. STORMTECH SC-740 CHAMBER PERIMETER STONE	23.1. PERIMETER STONE	PS-1	23	36" (914mm) PRECAST CONCRETE PERIMETER STONE	23.0000
24. STORMTECH SC-740 CHAMBER PERIMETER STONE	24.1. PERIMETER STONE	PS-1	24	36" (914mm) PRECAST CONCRETE PERIMETER STONE	24.0000
25. STORMTECH SC-740 CHAMBER PERIMETER STONE	25.1. PERIMETER STONE	PS-1	25	36" (914mm) PRECAST CONCRETE PERIMETER STONE	25.0000
26. STORMTECH SC-740 CHAMBER PERIMETER STONE	26.1. PERIMETER STONE	PS-1	26	36" (914mm) PRECAST CONCRETE PERIMETER STONE	26.0000
27. STORMTECH SC-740 CHAMBER PERIMETER STONE	27.1. PERIMETER STONE	PS-1	27	36" (914mm) PRECAST CONCRETE PERIMETER STONE	27.0000
28. STORMTECH SC-740 CHAMBER PERIMETER STONE	28.1. PERIMETER STONE	PS-1	28	36" (914mm) PRECAST CONCRETE PERIMETER STONE	28.0000
29. STORMTECH SC-740 CHAMBER PERIMETER STONE	29.1. PERIMETER STONE	PS-1	29	36" (914mm) PRECAST CONCRETE PERIMETER STONE	29.0000
30. STORMTECH SC-740 CHAMBER PERIMETER STONE	30.1. PERIMETER STONE	PS-1	30	36" (914mm) PRECAST CONCRETE PERIMETER STONE	30.0000
31. STORMTECH SC-740 CHAMBER PERIMETER STONE	31.1. PERIMETER STONE	PS-1	31	36" (914mm) PRECAST CONCRETE PERIMETER STONE	31.0000
32. STORMTECH SC-740 CHAMBER PERIMETER STONE	32.1. PERIMETER STONE	PS-1	32	36" (914mm) PRECAST CONCRETE PERIMETER STONE	32.0000
33. STORMTECH SC-740 CHAMBER PERIMETER STONE	33.1. PERIMETER STONE	PS-1	33	36" (914mm) PRECAST CONCRETE PERIMETER STONE	33.0000
34. STORMTECH SC-740 CHAMBER PERIMETER STONE	34.1. PERIMETER STONE	PS-1	34	36" (914mm) PRECAST CONCRETE PERIMETER STONE	34.0000
35. STORMTECH SC-740 CHAMBER PERIMETER STONE	35.1. PERIMETER STONE	PS-1	35	36" (914mm) PRECAST CONCRETE PERIMETER STONE	35.0000
36. STORMTECH SC-740 CHAMBER PERIMETER STONE	36.1. PERIMETER STONE	PS-1	36	36" (914mm) PRECAST CONCRETE PERIMETER STONE	36.0000
37. STORMTECH SC-740 CHAMBER PERIMETER STONE	37.1. PERIMETER STONE	PS-1	37	36" (914mm) PRECAST CONCRETE PERIMETER STONE	37.0000
38. STORMTECH SC-740 CHAMBER PERIMETER STONE	38.1. PERIMETER STONE	PS-1	38	36" (914mm) PRECAST CONCRETE PERIMETER STONE	38.0000
39. STORMTECH SC-740 CHAMBER PERIMETER STONE	39.1. PERIMETER STONE	PS-1	39	36" (914mm) PRECAST CONCRETE PERIMETER STONE	39.0000
40. STORMTECH SC-740 CHAMBER PERIMETER STONE	40.1. PERIMETER STONE	PS-1	40	36" (914mm) PRECAST CONCRETE PERIMETER STONE	40.0000
41. STORMTECH SC-740 CHAMBER PERIMETER STONE	41.1. PERIMETER STONE	PS-1	41	36" (914mm) PRECAST CONCRETE PERIMETER STONE	41.0000
42. STORMTECH SC-740 CHAMBER PERIMETER STONE	42.1. PERIMETER STONE	PS-1	42	36" (914mm) PRECAST CONCRETE PERIMETER STONE	42.0000
43. STORMTECH SC-740 CHAMBER PERIMETER STONE	43.1. PERIMETER STONE	PS-1	43	36" (914mm) PRECAST CONCRETE PERIMETER STONE	43.0000
44. STORMTECH SC-740 CHAMBER PERIMETER STONE	44.1. PERIMETER STONE	PS-1	44	36" (914mm) PRECAST CONCRETE PERIMETER STONE	44.0000
45. STORMTECH SC-740 CHAMBER PERIMETER STONE	45.1. PERIMETER STONE	PS-1	45	36" (914mm) PRECAST CONCRETE PERIMETER STONE	45.0000
46. STORMTECH SC-740 CHAMBER PERIMETER STONE	46.1. PERIMETER STONE	PS-1	46	36" (914mm) PRECAST CONCRETE PERIMETER STONE	46.0000
47. STORMTECH SC-740 CHAMBER PERIMETER STONE	47.1. PERIMETER STONE	PS-1	47	36" (914mm) PRECAST CONCRETE PERIMETER STONE	47.0000
48. STORMTECH SC-740 CHAMBER PERIMETER STONE	48.1. PERIMETER STONE	PS-1	48	36" (914mm) PRECAST CONCRETE PERIMETER STONE	48.0000
49. STORMTECH SC-740 CHAMBER PERIMETER STONE	49.1. PERIMETER STONE	PS-1	49	36" (914mm) PRECAST CONCRETE PERIMETER STONE	49.0000
50. STORMTECH SC-740 CHAMBER PERIMETER STONE	50.1. PERIMETER STONE	PS-1	50	36" (914mm) PRECAST CONCRETE PERIMETER STONE	50.0000

NOTES:

- 1. THIS LAYOUT IS FOR DIMENSIONAL PURPOSES ONLY TO PROVIDE CONCEPT AND THE REQUIRED STORAGE VOLUME CAN BE ADJUSTED UPON REQUEST.
- 2. THE CHAMBER SHALL BE DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF ASTM F2760, STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) CORROLATED WALL STORMWATER COLLECTION CHAMBER.
- 3. THE SITE DESIGN ENGINEER IS RESPONSIBLE FOR ASSESSING THE BEARING CAPACITY OF THE SUBGRADE SOILS AND THE DEPTH OF FOUNDATION STONE WITH CONSIDERATION FOR THE MOISTURE CONTENT OF THE SOILS.
- 4. PERIMETER STONE SHALL BE EXTENDED HORIZONTALLY TO THE EXCAVATION WALL FOR BOTH VERTICAL AND SLOPED EXCAVATION WALLS.
- 5. REQUIREMENTS FOR HANDLING AND INSTALLATION:
 - TO MAINTAIN THE RICHNESS OF CHAMBERS DURING SHIPPING AND HANDLING, CHAMBERS SHALL HAVE INTERNAL, INTERLOCKING STAKING LUGS.
 - TO ENSURE A SECURE JOINT DURING INSTALLATION AND HANDLING, THE JOINT OF THE CHAMBER JOINT SHALL NOT BE LESS THAN 2".
 - TO ENSURE THE INTEGRITY OF THE CHAMBER DURING INSTALLATION, AT THE END OF FINISH CONTAINMENT AS DEFINED IN SECTION 4 OF ASTM F2760, CHAMBERS SHALL BE PROTECTED FROM IMPACTIVE GROUND OR YELLOW COLORE.

ACCEPTABLE FILL MATERIALS: STORMTECH SC-740 CHAMBER SYSTEMS

MATERIAL LOCATION	DESCRIPTION	ASTM/MATERIAL CLASSIFICATIONS	COMPACTION / DENSITY REQUIREMENT
D. FINAL FILL, FILL MATERIAL FOR LAYER D, STAYS FROM THE TOP OF THE D LAYER TO THE BOTTOM OF FINISHED PAVEMENT OR COMPACTED PERIMETER LAYER ABOVE. NOTE THAT FINISHED PAVEMENT SHALL BE PART OF THE D LAYER.	ANY SOLIDIFIED MATERIAL, NATURAL SOILS, OR PER ENGINEER'S PLAN. CHECK PLANS FOR PAVEMENT SUBGRADE REQUIREMENTS.	NA	PREPARE PER SITE DESIGN ENGINEER'S PLAN. PAVED INSTALLATIONS MAY HAVE SURFACE MATERIAL AND PREPARATION REQUIREMENTS.
C. INITIAL FILL, FILL MATERIAL FOR LAYER C, STAYS FROM THE TOP OF THE PERIMETER STONE TO LAYER D TO 18" ABOVE FROM THE TOP OF THE CHAMBER. NOTE THAT FINISHED PAVEMENT SHALL BE PART OF THE D LAYER.	SPRINKLE WELL-GRADED SOIL AND AGGREGATE MATERIAL, OPEN FINED OR MOST PAVEMENT SUBGRADE MATERIAL CAN BE USED IN lieu OF THIS LAYER.	ASHTO M87 A-1, A-2, A-3, A-4 OR ASHTO M55 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	MEAN COMPACTIONS AFTER 12" (305mm) OF MATERIAL OVER THE CHAMBERS IS REQUIRED. VERIFY ADDITIONAL LAYER IS 1" (25.4mm) MIN. LIFT TO A MIN. REL. DENSITY OF 95%. ALL LAYERS SHALL BE FIELD COMPACTED TO 95% RELATIVE DENSITY FOR VEHICLES SHOULD NOT EXCEED 2.00 IN REL. DENSITY. DYNAMIC FORCE SHOULD NOT EXCEED 200 LBS (90.7kg).
B. PERIMETER STONE FILL SURROUNDING THE CHAMBERS FROM THE FOUNDATION STONE OR LAYER TO THE D LAYER ABOVE.	CLEAR, CRUSHED, ANGULAR STONE	ASHTO M87 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	NO COMPACTION REQUIRED.
A. PERIMETER STONE FILL SURROUNDING THE CHAMBERS UP TO THE FOOT BOTTOM OF THE CHAMBER.	CLEAR, CRUSHED, ANGULAR STONE	ASHTO M87 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	PLATE CONTACT OR ROLL TO ACHIEVE A FLAT SURFACE.

NOTES:

- 1. CHAMBERS SHALL MEET THE REQUIREMENTS OF ASTM F2760, STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) CORROLATED WALL STORMWATER COLLECTION CHAMBER.
- 2. SC-740 CHAMBERS SHALL BE DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF ASTM F2760, STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) CORROLATED WALL STORMWATER COLLECTION CHAMBER.
- 3. THE SITE DESIGN ENGINEER IS RESPONSIBLE FOR ASSESSING THE BEARING CAPACITY OF THE SUBGRADE SOILS AND THE DEPTH OF FOUNDATION STONE WITH CONSIDERATION FOR THE MOISTURE CONTENT OF THE SOILS.
- 4. PERIMETER STONE SHALL BE EXTENDED HORIZONTALLY TO THE EXCAVATION WALL FOR BOTH VERTICAL AND SLOPED EXCAVATION WALLS.
- 5. REQUIREMENTS FOR HANDLING AND INSTALLATION:
 - TO MAINTAIN THE RICHNESS OF CHAMBERS DURING SHIPPING AND HANDLING, CHAMBERS SHALL HAVE INTERNAL, INTERLOCKING STAKING LUGS.
 - TO ENSURE A SECURE JOINT DURING INSTALLATION AND HANDLING, THE JOINT OF THE CHAMBER JOINT SHALL NOT BE LESS THAN 2".
 - TO ENSURE THE INTEGRITY OF THE CHAMBER DURING INSTALLATION, AT THE END OF FINISH CONTAINMENT AS DEFINED IN SECTION 4 OF ASTM F2760, CHAMBERS SHALL BE PROTECTED FROM IMPACTIVE GROUND OR YELLOW COLORE.

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SC-740 ISOLATOR ROW PLUS DETAIL

INSPECTION & MAINTENANCE

STEP 1) INSPECT ISOLATOR ROW PLUS FOR BEHIND

- INSPECT FOR PORTS OF PRESSURE
- INSPECT FOR LEAKS
- USING A FLASHLIGHT AND STRAIN ROD, MEASURE DEPTH OF SEGMENT AND RECORD ON MAINTENANCE LOG
- USING A CAMERA WITH ISOLATOR ROW PLUS FOR VISUAL INSPECTION OF BEHIND (OPTIONAL)
- IF SEGMENT IS AT OR ABOVE 2" (50.8mm) PROCEED TO STEP 2; IF NOT, PROCEED TO STEP 3
- ALSO, CLEAN COVERS FROM STRUCTURE AT UPSTREAM END OF ISOLATOR ROW PLUS
- USING A CAMERA CAP, ASPECT DOWN TO INSPECT ISOLATOR ROW PLUS THROUGH OUTLET PIPE
- IF VISUAL INSPECTION INDICATES THERE IS A LEAK, CLEAN SPICE ENTRY
- FOLLOW OSHA REGULATIONS FOR CONFINED SPACE ENTRY IF ENTERING MANHOLE
- IF SEGMENT IS AT OR ABOVE 2" (50.8mm) PROCEED TO STEP 2; IF NOT, PROCEED TO STEP 3

STEP 2) CLEAN OUT ISOLATOR ROW PLUS USING THE STAIN PROCESS

- IF NO CLEANING OCCURS WITH FRESH POWER SPRAY OF AF (1-1/2) OR MORE IS PREPARED
- APPLY MULTIPLE APPLICATIONS OF STAIN UNTIL BACKLASH WATER IS CLEAN
- VACUATE STRUCTURE SUMP AS REQUIRED

STEP 3) REPLACE ALL COVERS, GRATINGS, FILTERS, AND RECORD OBSERVATIONS AND ACTIONS.

STEP 4) INSPECT AND-CLEAN BASINS AND MANHOLES UPSTREAM OF THE STORMTECH SYSTEM.

NOTES:

- INSPECT EVERY 6 MONTHS DURING THE FIRST YEAR OF OPERATION. ADJUST THE INSPECTION INTERVAL BASED ON PREVIOUS OBSERVATIONS OF SEGMENT ACCUMULATION AND HIGH WATER ELEVATIONS.
- CONDUCT TESTS AND VACUATING ANNUALLY OR WHEN INSPECTION SHOWS THAT MAINTENANCE IS NECESSARY.

SC-740 TECHNICAL SPECIFICATION

MINIMUM CHAMBER SPECIFICATIONS

CHAMBER STONE	MINIMUM INSTALLED STORAGE VOLUME	MINIMUM SUBGRADE
8\"/>		

PRE-FAB STUB AT BOTTOM OF END CAP WITH JUMP END WITH "B"

PRE-FAB STUB AT BOTTOM OF END CAP FOR PART NUMBERS ENDING WITH "A"

PRE-FAB STUB AT TOP OF END CAP FOR PART NUMBERS ENDING WITH "C"

PRE-CORRODED END CAP AND FRAMING

PART #	STUB	A	B	C
SC740P68 (SC740P68)	6\"/>			

ALL STUBS, EXCEPT FOR THE STUBS ARE PLACED AT BOTTOM OF END CAP ABOVE THAT THE OUTSIDE DIAMETER OF THE STUB IS FLUSH WITH THE BOTTOM OF THE END CAP. FOR ADDITIONAL INFORMATION CONTACT ENGINEER AT 888-458-6646.

***FOR THE ACCESSIBLE 2\"/>**

NOTE: ALL DIMENSIONS ARE NOMINAL.

#2506 - SALT LAKE CITY, UTAH
2111 SOUTH 1300 EAST

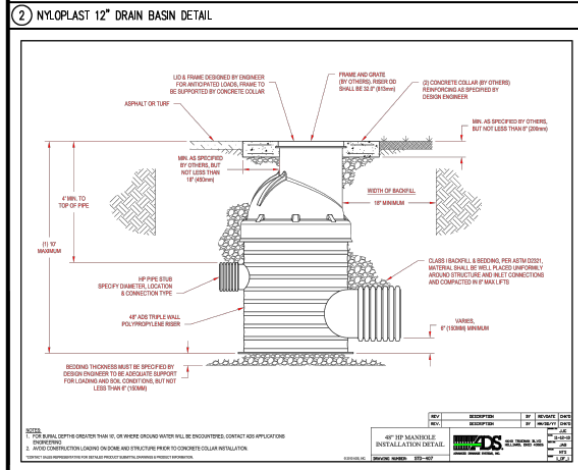
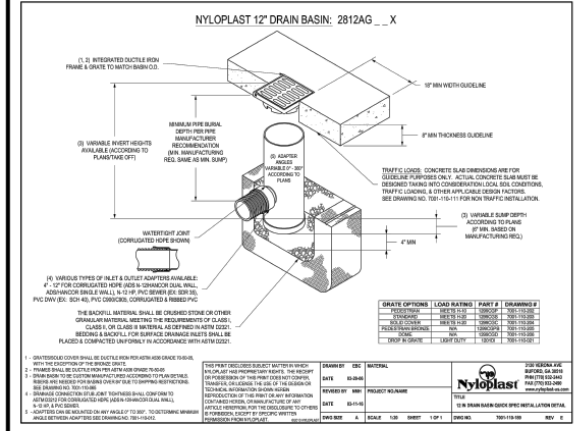
UTILITY DETAILS

NO PROJECT TEAM:
RON SCOTT MACEY
BEN RYAN HAIDER
CPR SCOTT NEWBURY

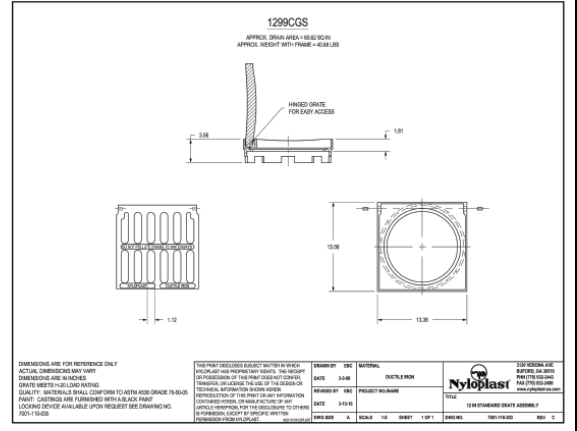
DATE: 11.01.2022

SHEET NUMBER: C3.7
12 OF 26

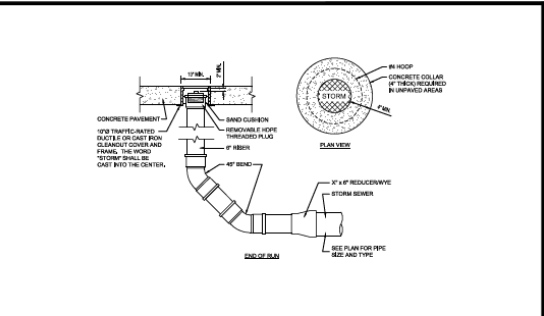
OTHER PLAN #320



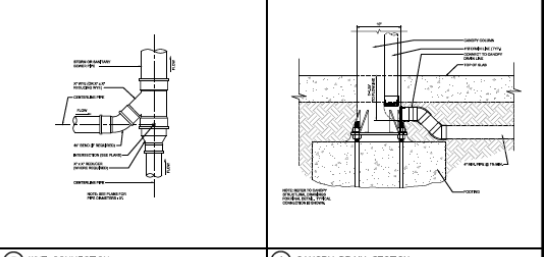
5 NYLOPLAST 48\"/>



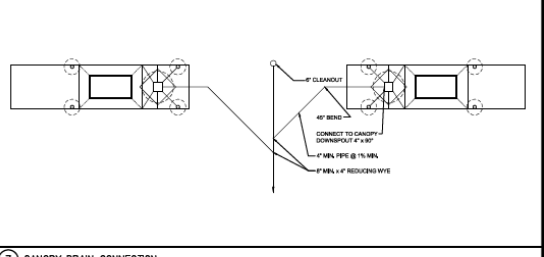
6 NYLOPLAST 2' x 3' CURB INLET DETAIL



1 STORM SEWER CLEANOUT NOT TO SCALE



3 WYE CONNECTION NOT TO SCALE 4 CANOPY DRAIN SECTION NOT TO SCALE



7 CANOPY DRAIN CONNECTION NOT TO SCALE

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Phone: 801-734-1111
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www.galloway.com

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UTILITY DETAILS

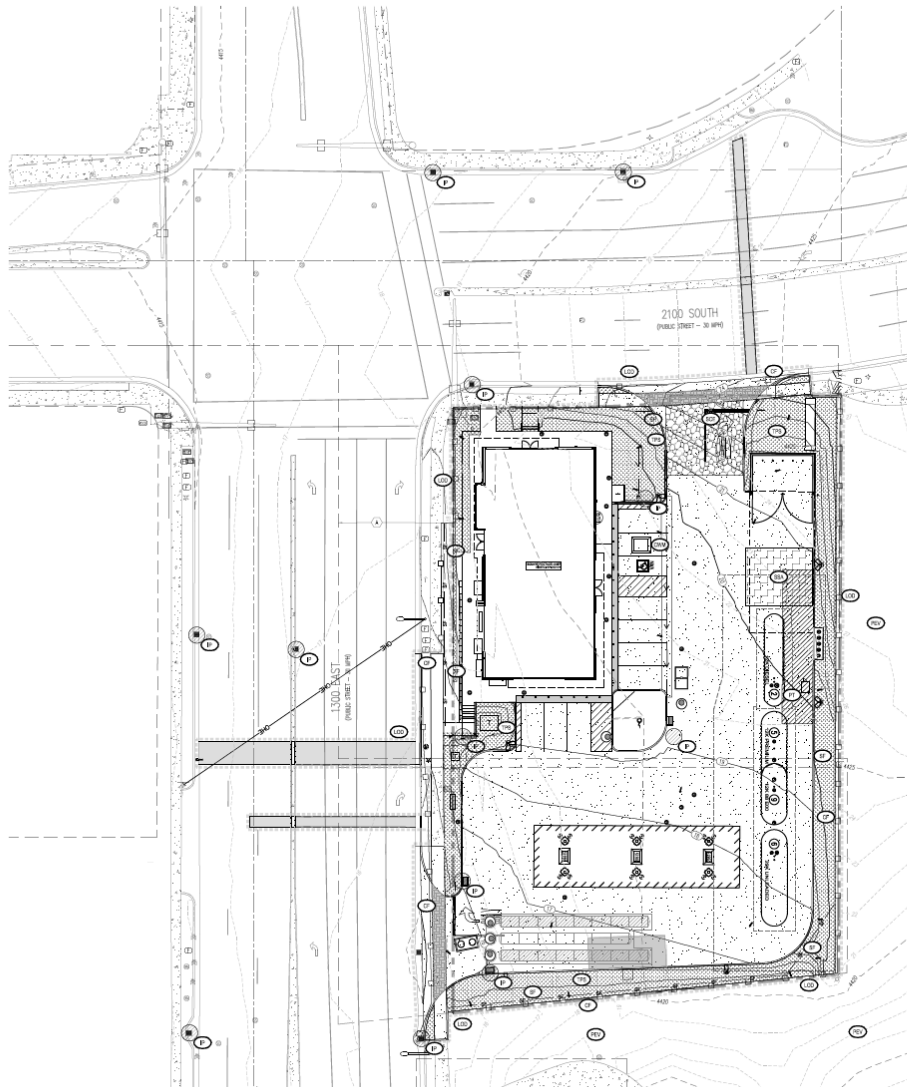
NO PROJECT TEAM
FROM SCOTT BAROOK
FOR FROM WALKER
FOR SCOTT NEWBURY

DATE	REVISION DESCRIPTION

DATE: 11.01.2022

SHEET NUMBER: C3.8
13 OF 26

CREATOR PLAN 04030



- EROSION CONTROL LEGEND**
- LANE OF SEPARATION - SEE NOTES
 - ALT FENCE OR SLOE BAG BARRIER
 - CONSTRUCTION FENCE
 - CHAINED CONSTRUCTION ENTRANCE
 - CHAINED TRUCKING AREA
 - BOUNDARY OF REMAINING SEEDING & PLANTING
 - SILT PROTECTION
 - COVERED WASTE MANAGEMENT
 - PORTABLE TOILET
 - SLOPE REINFORCEMENT
 - PLYM PROTECTON
 - CONSTRUCTION
 - CONSTRUCTION REINFORCING
 - SEWERING
 - SOIL CURTAINS
 - SLOPE TRIMMING
 - BOUNDARY OF REMAINING SEEDING & PLANTING
 - BOUNDARY OF EXISTING VEGETATION
 - MATERIAL STORAGE
 - MATERIAL USE
 - SITE CLEAN UP
 - WASTE DISPOSAL
 - WASTE EQUIPMENT FENCING
 - WASTE EQUIPMENT FENCING

THE CONTRACTOR MUST COORDINATE WITH THE UTILITY COMPANIES AND BE RESPONSIBLE TO REPAIRING WORK AND IS RESPONSIBLE FOR ALL MATERIALS, LABOR, ETC. TO COMPLY WITH ALL UTILITY AND TO TAKE SUCH STEPS TO PROTECT WORK.

CONSTRUCTION IS RESPONSIBLE FOR PROVIDING ALL INFORMATION FOR FINAL ACCEPTANCE OF WORK AND LOCAL, STATE OR FEDERAL AGENCIES, STATE DEPARTMENT OF HIGHWAYS AND TRANSPORTATION, FEDERAL BUREAU OF INVESTIGATION, AND POLICE, AND TO OBTAIN THE NECESSARY PERMITS, APPROVALS AND REPORTS.

THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES AT ANY TIME.

CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS AND VERIFY ALL EROSION CONTROL MEASURES PRIOR TO CONSTRUCTION START. CONTRACTOR MUST HAVE ALL NECESSARY PERMITS AND APPROVALS TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS TO CONSTRUCTION.

SOIL PREPARATION & PAVEMENT DESIGN NOTE

THE CONTRACTOR MUST OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM A REGISTERED PROFESSIONAL ENGINEER FOR ALL NECESSARY PERMITS AND APPROVALS TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS TO CONSTRUCTION.

PROJECT NO: 2774-019-21 DATE: JANUARY 17, 2022

THE CONTRACTOR MUST OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM A REGISTERED PROFESSIONAL ENGINEER FOR ALL NECESSARY PERMITS AND APPROVALS TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS TO CONSTRUCTION.

EASEMENT SCHEDULE

1. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS TO CONSTRUCTION.
2. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS TO CONSTRUCTION.
3. EROSION CONTROL MEASURES SHALL BE REMOVED UPON COMPLETION OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS TO CONSTRUCTION.

BENCHMARK
 BENCHMARK: STREET CORNER OF 2100 SOUTH AND 1300 SOUTH
 UTM: 12QUD 490000

BASE OF BEARING
 ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS TO CONSTRUCTION.

CAUTION - NOTICE TO CONTRACTOR

ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS TO CONSTRUCTION.

IF ANY DISTANCE IS FOUND TO BE IN ERROR, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS TO CONSTRUCTION.

IF ANY DISTANCE IS FOUND TO BE IN ERROR, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS TO CONSTRUCTION.

Galloway
 CONSULTING ENGINEERS
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 (435) 468-8800

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#2506 - SALT LAKE CITY, UTAH
 2111 SOUTH 1300 EAST
 EROSION CONTROL PLAN

NO PROJECT TEAM:
 RHM SCOTT BARBOCK
 SON RIVAROLAN
 CPM SCOTT NEWMAN

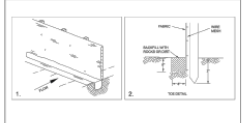
DATE	REVISION DESCRIPTION
11.01.2022	

REVISIONS

SHEET NUMBER
C4.1
 14 OF 26

DATE: 11.01.2022

BMP: Silt Fence SF
Construction



DESCRIPTION:
A temporary sediment barrier consisting of entrenched filter fabric stretched across and secured to supporting posts.

APPLICATION:

- Perimeter control: place barrier at down-gradient limits of disturbance
- Sediment barrier: place barrier at toe of slope or soil stockpile
- Protection of existing waterways: place barrier at top of stream bank
- Inlet protection: place fence surrounding catchbasins

INSTALLATION/APPLICATION CRITERIA:

- Place posts 6 feet apart on center along contour (or use preassembled unit) and drive 2 feet minimum into ground. Excavate an anchor trench immediately up-gradient of posts.
- Secure wire mesh (14 gage min. with 6-inch openings) to upslope side of posts. Attach with heavy duty 1 inch long wire staples, tie wires or hog rings.
- Cut fabric to required width, unroll along length of barrier and drape over barrier. Secure fabric to mesh with bails, staples, or similar, with trailing edge extending into anchor trench.
- Backfill trench over filter fabric to anchor.

LIMITATIONS:

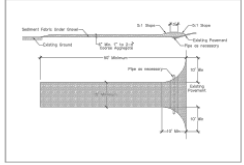
- Recommended maximum drainage area of 0.5 acre per 100 feet of fence
- Recommended maximum up-gradient slope length of 150 feet
- Recommended maximum uphill grade of 2:1 (50%)
- Recommended maximum flow rate of 0.5 cfs
- Ponding should not be allowed behind fence

MAINTENANCE:

- Inspect immediately after any rainfall and at least daily during prolonged rainfall.
- Look for runoff bypassing ends of barriers or undercutting barriers.
- Repair or replace damaged areas of the barrier and remove accumulated sediment.
- Reanchor fence as necessary to prevent shortcutting.
- Remove accumulated sediment when it reaches 1/2 the height of the fence.

40

BMP: Stabilized Construction Entrance SCE
Construction



DESCRIPTION:
A stabilized pad of crushed stone located where construction traffic enters or leaves the site from or to paved surface.

APPLICATION:
At any point of ingress or egress at a construction site where adjacent traveled way is paved. Generally applies to sites over 2 acres unless special conditions exist.

INSTALLATION/APPLICATION CRITERIA:

- Clear and grub area and grade to provide maximum slope of 2%.
- Compact subgrade and place filter fabric if desired (recommended for entrances to remain for more than 3 months).
- Place coarse aggregate, 1 to 2-1/2 inches in size, to a minimum depth of 8 inches.

LIMITATIONS:

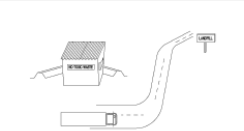
- Requires periodic top dressing with additional stones.
- Should be used in conjunction with street sweeping on adjacent public right-of-way.

MAINTENANCE:

- Inspect daily for loss of gravel or sediment buildup.
- Inspect adjacent roadway for sediment deposit and clean by sweeping or shoveling.
- Repair entrance and replace gravel as required to maintain control in good working condition.
- Expand stabilized area as required to accommodate traffic and prevent erosion at driveways.

43

BMP: Waste Disposal WD
Construction



DESCRIPTION:
Controlled storage and disposal of solid waste generated by construction activities.

APPLICATION:
All construction sites.

INSTALLATION:

- Designate one or several waste collection areas with easy access for construction vehicles and personnel. Ensure no weleeways or storm drainage inlets are located near the waste collection areas.
- Construct compacted earthen berm (See Earth Berm Barrier Information Sheet), or similar perimeter containment around collection area for impoundment in the case of spills and to trap any windblown trash.
- Use watertight containers with covers to remain closed when not in use. Provide separate containers for different waste types where appropriate and label clearly.
- Ensure all on-site personnel are aware of and utilize designated waste collection area properly and for intended use only (e.g. all toxic, hazardous, or recyclable materials shall be properly disposed of separately from general construction waste).
- Arrange for periodic pickup, transfer and disposal of collected waste at an authorized disposal location. Include regular Porta-potty service in waste management activities.

LIMITATIONS:

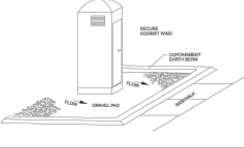
- On-site personnel are responsible for correct disposal of waste.

MAINTENANCE:

- Discuss waste management procedures at progress meetings.
- Collect site trash daily and deposit in covered containers at designated collection areas.
- Check containers for leakage or inadequate covers and replace as needed.
- Randomly check disposed materials for any unauthorized waste (e.g. toxic materials).
- During daily site inspections check that waste is not being incorrectly disposed of on-site (e.g. burial, burning, surface discharge, discharge to storm drain).

53

BMP: Portable Toilets PT
Construction



DESCRIPTION:
Temporary on-site sanitary facilities for construction personnel.

APPLICATION:
All sites with no permanent sanitary facilities or where permanent facility is too far from activities.

INSTALLATION/APPLICATION CRITERIA:

- Locate portable toilets in convenient locations throughout the site.
- Prepare level, gravel surface and provide clear access to the toilets for servicing and for on-site personnel.
- Construct earth berm perimeter (6" tall by 6" wide), control for spill/protection leak.

LIMITATIONS:

- No limitations.

MAINTENANCE:

- Portable toilets should be maintained in good working order by licensed service with daily observation for leak detection.
- Regular waste collection should be arranged with licensed service.
- All waste should be deposited in sanitary sewer system for treatment with appropriate agency approval.

35

BMP: Hazardous Waste Management HWM
Construction



DESCRIPTION:
Prevent or reduce the discharge of pollutants to stormwater from hazardous waste through proper material use, waste disposal, and training of employees and subcontractors.

APPLICATION:
Many of the chemicals used on-site can be hazardous materials which become hazardous waste upon disposal. These wastes may include:

- Paints and solvents;
- Petroleum products such as oils, fuels, and grease;
- Herbicides and pesticides;
- Acids for cleaning masonry; and
- Concrete curing compounds.

In addition, sites with existing structures may contain wastes which must be disposed of in accordance with Federal, State, and local regulations, including:

- Sandblasting grit mixed with lead, cadmium, or chromium-based paints;
- Asbestos; and
- PCBs.

INSTALLATION/APPLICATION CRITERIA:
The following steps will help reduce storm water pollution from hazardous wastes:

- Use all of the product before disposing of the container.
- Do not remove the original product label. It contains important safety and disposal information.
- Do not over-apply herbicides and pesticides. Prepare only the amount needed. Follow the recommended usage instructions. Over-application is expensive and environmentally harmful.
- Apply surface dressings in several smaller applications, as opposed to one large application, to allow time for infiltration and to avoid excess material being carried off-site by runoff. Do not apply these chemicals just before it rains. People applying pesticides must be certified in accordance with Federal and State regulations.

LIMITATIONS:
Hazardous waste that cannot be reused or recycled must be disposed of by a licensed hazardous waste hauler.

MAINTENANCE:

- Inspect hazardous waste receptacles and area regularly.
- Arrange for regular hazardous waste collection.

21

BMP: Preservation of Existing Vegetation PEV
Construction



DESCRIPTION:
Carefully planned preservation of existing vegetation minimizes the potential of removing or injuring existing trees, vines, shrubs and/or grasses that serve as erosion controls.

APPLICATION:
This technique is applicable to all types of sites. Areas where preserving vegetation can be particularly beneficial are floodplains, wetlands, stream banks, steep slopes, and other areas where erosion controls would be difficult to establish, install, or maintain.

INSTALLATION/APPLICATION CRITERIA:

- Clearly mark, flag or fence vegetation or areas where vegetation should be preserved.
- Prepare landscaping plans which include as much existing vegetation as possible and state proper care during and after construction.
- Define and protect with berms, fencing, signs, etc. a setback area from vegetation to be preserved.
- Propose landscaping plans which do not include plant species that compete with the existing vegetation.
- Do not locate construction traffic routes, spoil piles, etc. where significant adverse impact on existing vegetation may occur.

LIMITATIONS:

- Requires forward planning by the owner/developer, contractor and design staff.
- For sites with diverse topography, it is often difficult and expensive to save existing trees while grading the site satisfactorily for the planned development.
- May not be cost effective with high land costs.

MAINTENANCE:

- Inspection and maintenance requirements for protection of vegetation are low.
- Maintenance of native trees or vegetation should conform to landscape plan specifications.

36

BMP: Spill Clean-Up SCU
Construction



DESCRIPTION:
Practices to clean-up leakage/spillage of on-site materials that may be harmful to receiving waters.

APPLICATION:
All sites.

GENERAL:

- Store controlled materials within a storage area.
- Educate personnel on prevention and clean-up techniques.
- Designate an Emergency Coordinator responsible for employing preventative practices and for providing spill response.
- Maintain a supply of clean-up equipment on-site and post a list of local response agencies with phone numbers.

METHODS:

- Clean-up spills/leaks immediately and remediate cause.
- Use as little water as possible. NEVER HOSE DOWN OR BURY SPILL CONTAMINATED MATERIAL.
- Use rags or absorbent material for clean-up. Excavate contaminated soils. Dispose of clean-up material and soil as hazardous waste.
- Document all spills with date, location, substance, volume, actions taken and other pertinent data.
- Contact the Salt Lake County Health Department (313-4700) for any spill of reportable quantity.

42

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EROSION CONTROL DETAILS

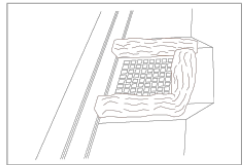
KG PROJECT TEAM
RHM SCOTT MADOCK
RHM RYAN HUCKER
CHR SCOTT NEWBURY

REVISION DESCRIPTION	DATE

DATE: 11.01.2022

SHEET NUMBER: C4.5
15 OF 26

BMP: Inlet Protection – Wattle IP-W
Construction



DESCRIPTION:
Sediment barrier erected around storm drain inlet.

APPLICATION:
Construct at storm drainage inlets located down-gradient of areas to be disturbed by construction.

INSTALLATION/APPLICATION CRITERIA:

- Provide up-gradient sediment controls, such as silt fence during construction of inlet
- When construction of curb and gutter and roadways is complete, install gravel filled wattles around perimeter of inlet

LIMITATIONS:

- Recommended maximum contributing drainage area of one acre
- Requires shallow slopes adjacent to inlet

MAINTENANCE:

- Inspect inlet protection following storm event and at a minimum of once every 14 days.
- Remove accumulated sediment when it reaches 4 inches in depth.
- Look for bypassing or undercutting and repair or realign as needed.

27

BMP: Employee Training ET
Construction



DESCRIPTION:
Employee training, like equipment maintenance, is a method by which to implement BMPs. Employee training should be used in conjunction with all other BMPs as part of the facility's SWPPP.

The specific employee training aspects of each of the source controls are highlighted in the individual information sheets. The focus of this information sheet is more general, and includes the overall objectives and approach for assuring employee training in stormwater pollution prevention. Accordingly, the organization of this information sheet differs somewhat from the other information sheets in this chapter.

OBJECTIVES:
Employee training should be based on four objectives:

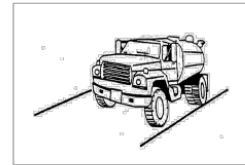
- Promote a clear identification and understanding of the problem, including activities with the potential to pollute stormwater;
- Identify solutions (BMPs);
- Promote employee ownership of the problems and the solutions; and
- Integrate employee feedback into training and BMP implementation.

APPROACH:

- Integrate training regarding stormwater quality management with existing training programs that may be required for your business by other regulations.
- Businesses that are not regulated in Federal, State, or local regulations, may use the information in this handbook to develop a training program to reduce their potential to pollute stormwater.
- Employee training is a vital component of many of the individual source control BMPs included in this manual.

15

BMP: Dust Controls DC
Construction



DESCRIPTION:
Dust control measures are used to stabilize soil from wind erosion, and reduce dust by construction activities.

APPLICATION:
Dust control is useful in any process area, loading and unloading area, material handling areas, and transfer areas where dust is generated. Street sweeping is limited to areas that are paved.

INSTALLATION/APPLICATION CRITERIA:

- Mechanical dust collection systems are designed according to the size of dust particles and the amount of air to be processed. Manufacturers' recommendations should be followed for installation (as well as the design of the equipment).
- Two kinds of street sweepers are common: brush and vacuum. Vacuum sweepers are more efficient and work best when the area is dry.
- Mechanical equipment should be operated according to the manufacturers' recommendations and should be inspected regularly.

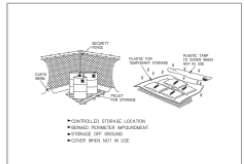
LIMITATIONS:

- Generally more expensive than manual systems.
- May be impossible to maintain by plant personnel (the more elaborate equipment).
- Labor and equipment intensive and may not be effective for all pollutants (street sweepers).

MAINTENANCE:
If water sprayers are used, dust-contaminated waters should be collected and taken for treatment. Areas will probably need to be resprayed to keep dust from spreading.

13

BMP: Material Storage MS
Construction



DESCRIPTION:
Controlled storage of on-site materials.

APPLICATION:

- Storage of hazardous, toxic, and all chemical substances.
- Any construction site with outside storage of materials.

INSTALLATION/APPLICATION CRITERIA:

- Designate a secured area with limited access as the storage location. Ensure no waterways or drainage paths are nearby.
- Construct compacted earthen berm (See Earth Berm Barrier Information Sheet), or similar perimeter containment around storage location for impoundment in the case of spills.
- Ensure all on-site personnel utilize designated storage area. Do not store excessive amounts of material that will not be utilized on site.
- For active use of materials away from the storage area ensure materials are not set directly on the ground and are covered when not in use. Protect storm drainage during use.

LIMITATIONS:

- Does not prevent contamination due to mishandling of products.
- Spill Prevention and Response Plan still required.
- Only effective if materials are actively stored in controlled location.

MAINTENANCE:

- Inspect daily and repair any damage to perimeter impoundment or security fencing.
- Check materials are being correctly stored (i.e. standing upright, in labeled containers, tightly capped) and that no materials are being stored away from the designated location.

30

BMP: Material Use MU
Construction



DESCRIPTION:
Prevent or reduce the discharge of pollutants to storm water from material use by using alternative products, minimizing hazardous material use on-site, and training employees and subcontractors.

APPLICATION:
The following materials are commonly used on construction sites:

- Pesticides and herbicides, fertilizers, detergents, plaster and other products, petroleum products such as fuel, oil, and grease.
- Other hazardous chemicals such as acids, lime, glues, paints, solvents, and curing compounds.

INSTALLATION/APPLICATION CRITERIA:

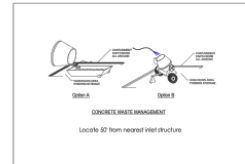
- Use less hazardous, alternative materials as much as possible.
- Minimize use of hazardous materials on-site.
- Use only materials where and when needed to complete the construction activity.
- Follow manufacturer's instructions regarding uses, protective equipment, ventilation, flammability, and mixing of chemicals.
- Personnel who use pesticides should be trained in their use.
- Do not over apply fertilizers, herbicides, and pesticides. Prepare only the amount needed.
- Unless on steep slopes, till fertilizers in to the soil rather than hydroseeding.
- Do not apply these chemicals just before it rains.

LIMITATIONS:
Alternative materials may not be available, suitable, or effective in every case.

MAINTENANCE:
Maintenance of this best management practice is minimal.

31

BMP: Concrete Waste Management CWM
Construction



DESCRIPTION:
Prevent or reduce the discharge of pollutants to storm water from concrete waste by conducting washout off-site, performing on-site washout in a designated area, and training employees and subcontractors.

APPLICATION:
This technique is applicable to all types of sites.

INSTALLATION/APPLICATION CRITERIA:

- Store dry materials under cover, away from drainage areas.
- Minimize excess mixing of fresh concrete, mortar or cement on-site.
- Perform washout of concrete trucks off-site or in designated areas only.
- Do not wash out concrete trucks into storm drains, open ditches, streets, or streams.
- Do not allow excess concrete to be dumped on-site, except in designated areas.
- When washing concrete to remove fine particles and expose the aggregate, avoid creating runoff by draining the water within a berm or level area (6' tall by 6' wide).
- Train employees and subcontractors in proper concrete waste management.

LIMITATIONS:
Off-site washout of concrete wastes may not always be possible.

MAINTENANCE:
Inspect subcontractors to ensure that concrete wastes are being properly managed.
If using a temporary pit, dispose hardened concrete on a regular basis.

3

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www.galloway.com

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1459 Grand Ave
Des Moines, IA 50309
P: 565-458-8946

#2506 - SALT LAKE CITY, UTAH
2111 SOUTH 1300 EAST
EROSION CONTROL DETAILS

NO PROJECT TEAM:
SEN SCOTT BANCROFT
SRM RYAN HALDER
CPM SCOTT NEWBURY

REVISION DESCRIPTION	DATE

DATE: 11.01.2022

SHEET NUMBER: C4.6
16 OF 26

BMP: Temporary and Permanent Seeding and Planting TPSP
Construction



DESCRIPTION:
Seeding of grass and plantings of trees, shrubs, vines and ground covers provide long-term stabilization of soil. In some areas, with suitable climates, grasses can be planted for stabilization.

Temporary seeding - establishment of short term cover by application of rapidly germinating seed mix (alternatively hydro-seeding may be utilized).

Permanent seeding - establishment of final term cover by application of perennial seed mix (alternatively sod may be utilized).

APPLICATION:

- Appropriate for site stabilization both during construction and post-construction.
- Any graded/cleared areas where construction activities have ceased.
- Open spoil cut and fill areas.
- Slope slopes, spoil piles, vegetated swales, landscape corridors, stream banks.

INSTALLATION/APPLICATION CRITERIA:
Type of vegetation, site and seedbed preparation, planting time, fertilization and water requirements should be considered for each application. The recommended seed mix will be dependent on site specific information such as elevation, exposure, soils, water availability and topography. Appropriate ground preparation and fertilizer must be considered.

LIMITATIONS:

- Permanent and temporary vegetation may not be appropriate in dry periods without irrigation.
- Fertilizer requirements may have potential to create stormwater pollution.

MAINTENANCE:

- Shrubs and trees must be adequately watered and fertilized and if needed pruned.
- Grasses may need to be watered and mowed.
- Provide irrigation as required to establish growth and to maintain plant cover through duration of project.
- Reseed as necessary to provide 75% coverage
- Remediate any areas damaged by erosion or traffic.
- When 75% coverage is achieved inspect monthly for damage and remediate as necessary.

47

Dewatering BMP 46

Description To assess and appropriately dispose of rising groundwater or rainwater from excavations and other collection areas.

Applications Public or private properties with the following:

- Foundation work excavations
- Utilities and infrastructure installation and repair projects, including installation, repair and maintenance of:
 - ✓ Electrical conduits
 - ✓ Vault tanks
 - ✓ Sewer and storm drain systems
 - ✓ Phone and cable lines
 - ✓ Gas or other fuel lines
- Other excavations or graded areas requiring dewatering

Limitations

Drainage area - N/A	Maximum slope - N/A
Minimum bedrock depth - N/A	Minimum water table - N/A
NBCS soil type - N/A	Freeboard - N/A
Drainage/flood control - yes	

Targeted Pollutants Sediment

Design Parameters Depending on season, flow rate, volume, or residual contamination, the discharge will be allowed to flow to:

- The ground in a manner that ensures no runoff leaving the site. This may require a permit or other authorization from the local drainage authority.
- The storm drain system. A permit or letter of authorization with discharge restrictions may be required.
- The sanitary sewer. A permit or letter of authorization with discharge restrictions may be required.

The site should be assessed for the issues listed below to assist the local drainage authority in determining which discharge option to approve:

- Water clarity. If the water is cloudy or turbid, there are dissolved and/or settle solids in the water that should be filtered or settled prior to discharge. Determine if contaminants are present in impounded water. Check for odors, discoloration, or oily sheen. Check any soils and/or groundwater testing results.
- If contamination may be or is present, a certified laboratory should test the proposed discharge waters with results submitted to the local drainage authority. Sampling and testing requirements will be determined on a case-by-case basis depending on site history or suspected pollutants. Contact DEQ or the local authority responsible for receiving system before testing to get assistance in identifying the required parameters of concern and any specific sampling requirements. After review, the local drainage authority will specify if any pretreatment is required prior to discharge.

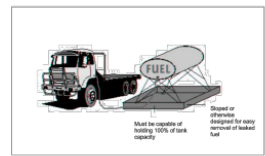
Galloway
1714 East Foxwood, Suite 211
Provo, UT 84602
Call: 801-734-2000

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Day Moines, IA 50509
P: 888-458-6646

BMP: Vehicle And Equipment Fueling VEF
Construction



DESCRIPTION:
Prevent fuel spills and leaks, and reduce their impacts to storm water by using off-site facilities, fueling in designated areas only, enclosing or covering stored fuel, implementing spill controls, and training employees and subcontractors.

INSTALLATION/APPLICATION:

- Use off-site fueling stations as much as possible. Fueling vehicles and equipment outdoors or in areas where fuel may spill/leak onto paved surfaces or into drainage pathways can pollute storm water. If you fuel a large number of vehicles or pieces of equipment, consider using an off-site fueling station. These areas are better equipped to handle fuel and spills properly. Performing this work off-site can also be economical by eliminating the need for a separate fueling area at your site.
- If fueling must occur on-site, use designated areas, located away from drainage courses, to prevent the runoff of storm water and the runoff of spills. Discourage "topping-off" of fuel tanks.
- Always use secondary containment, such as a drain pan or drop cloth, when fueling to catch spills/leaks. Place a stockpile of spill cleanup materials where it will be readily accessible. Use absorbent materials on small spills rather than hosing down or hosing the spill. Remove the absorbent materials promptly and dispose of properly.
- Carry out all Federal and State requirements regarding stationary above ground storage tanks (40 CFR Sub. J) Avoid mobile fueling of mobile construction equipment around the site, rather, transport the equipment to designated fueling areas. With the exception of tracked equipment such as bulldozers and piling facilities, most vehicles should be able to travel to a designated area with little lost time. Train employees and subcontractors in proper fueling and cleanup procedures.

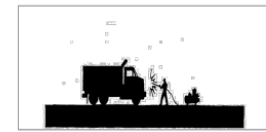
LIMITATIONS:
Sending vehicles/equipment off-site should be done in conjunction with Stabilized Construction Entrance.

MAINTENANCE:

- Keep ample supplies of spill cleanup materials on-site.
- Inspect fueling areas and storage tanks on a regular schedule.

51

BMP: Vehicle And Equipment Cleaning VEC
Construction



DESCRIPTION:
Prevent or reduce the discharge of pollutants to storm water from vehicle and equipment cleaning by washing in designated, contained areas only, eliminating discharges to the storm drain by infiltrating or recycling the wash water, and/or training employees and subcontractors.

INSTALLATION/APPLICATION:

- Use designated, bermed wash areas to prevent wash water contact with storm water, creeks, rivers, and other water bodies. The wash area can be sloped for wash water collection and subsequent infiltration into the ground.
- Use as little water as possible to avoid having to install erosion and sediment controls for the wash area. Use phosphate-free biodegradable soaps. Educate employees and subcontractors on pollution prevention measures. Do not permit steam cleaning on-site. Steam cleaning can generate significant pollutant concentrations.

LIMITATIONS:

- Even phosphate-free, biodegradable soaps have been shown to be toxic to fish before the soap degrades.
- Sending vehicles/equipment off-site should be done in conjunction with Stabilized Construction Entrance.

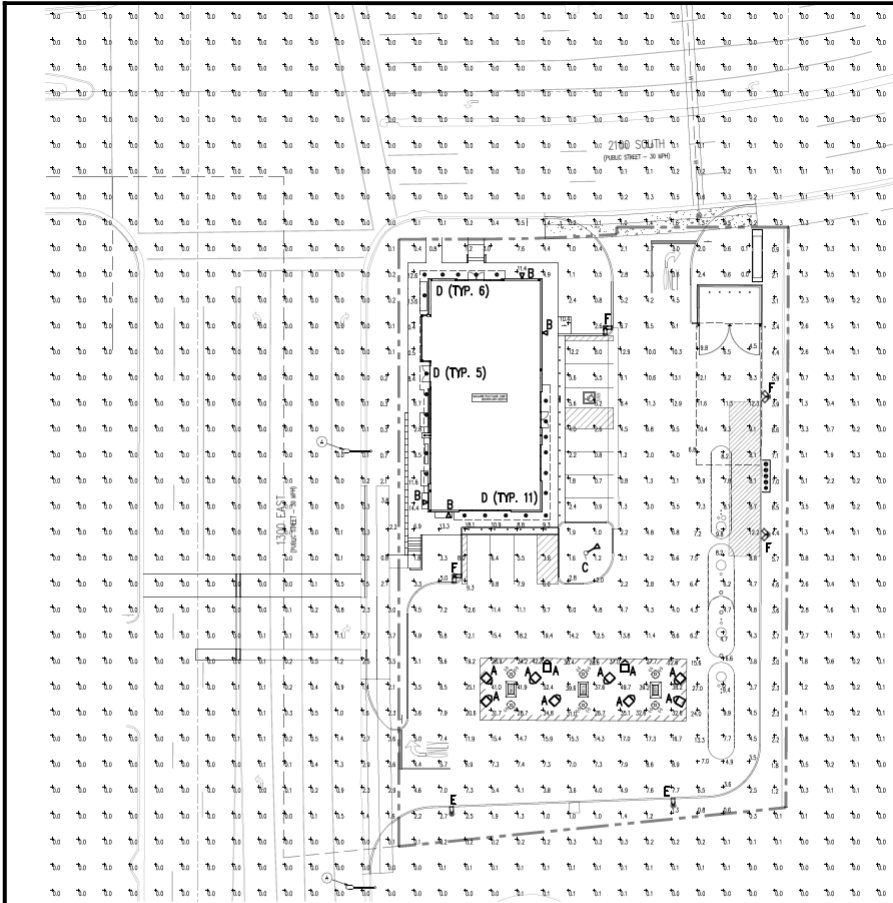
MAINTENANCE:

- Minimal, some berm repair may be necessary.

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2111 SOUTH 1300 EAST

EROSION CONTROL DETAILS

PROJECT TEAM	
REM:	SCOTT BARCOCK
ENR:	RYAN HALDER
CON:	SCOTT NEWBURY
REVISIONS	
DATE	
DATE	11.01.2022
SHEET NUMBER	C4.7
	17 OF 26



DESIGN NOTES

- 1. DOWN STREET LIGHTS TO BE REVIEWED FOR ALUMINUM STREET LIGHTS.
- 2. REFER TO THE ELECTRICAL AND MECHANICAL (M/E) DRAWINGS FOR THE LOCATION OF THE LIGHT FIXTURES.
- 3. REFER TO THE ELECTRICAL AND MECHANICAL (M/E) DRAWINGS FOR THE LOCATION OF THE LIGHT FIXTURES.
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- 9. REFER TO THE ELECTRICAL AND MECHANICAL (M/E) DRAWINGS FOR THE LOCATION OF THE LIGHT FIXTURES.
- 10. REFER TO THE ELECTRICAL AND MECHANICAL (M/E) DRAWINGS FOR THE LOCATION OF THE LIGHT FIXTURES.

LUMINAIRE SCHEDULE					LUMENS	TOTAL WATT	
LABEL	SYMBOL	QTY	ARRANGEMENT	MODEL NUMBER	DESCRIPTION		
A		10	SINGLE	SVH-LED-10L-00-00-00-00-00	LED LUMINAIRE, COUNTERFLANGE NEMA SERIES, 10L LUMEN PACKAGE, SYMMETRIC DISTRIBUTION, 3000K, WHITE, LED, SCROOPY FINISH, MOUNTED AT 10'-0"	13444	90
B		4	SINGLE	SVH-LED-10L-00-00-00-00-00	LED LUMINAIRE, COUNTERFLANGE NEMA SERIES, 10L LUMEN PACKAGE, SYMMETRIC DISTRIBUTION, 3000K, WHITE, LED, SCROOPY FINISH, MOUNTED AT 10'-0"	3312	25
C		1	SINGLE	SVH-LED-10L-00-00-00-00-00	LED LUMINAIRE, COUNTERFLANGE NEMA SERIES, 10L LUMEN PACKAGE, SYMMETRIC DISTRIBUTION, 3000K, WHITE, LED, SCROOPY FINISH, MOUNTED AT 10'-0"	16790	188
D		22	SINGLE	SVH-LED-10L-00-00-00-00-00	LED LUMINAIRE, COUNTERFLANGE NEMA SERIES, 10L LUMEN PACKAGE, SYMMETRIC DISTRIBUTION, 3000K, WHITE, LED, SCROOPY FINISH, MOUNTED AT 10'-0"	1579	23.8
E		2	SINGLE	SVH-LED-10L-00-00-00-00-00	LED LUMINAIRE, COUNTERFLANGE NEMA SERIES, 10L LUMEN PACKAGE, SYMMETRIC DISTRIBUTION, 3000K, WHITE, LED, SCROOPY FINISH, MOUNTED AT 10'-0"	15531	135
F		4	2 @ 90 DEGREES	SVH-LED-10L-00-00-00-00-00	LED LUMINAIRE, COUNTERFLANGE NEMA SERIES, 10L LUMEN PACKAGE, SYMMETRIC DISTRIBUTION, 3000K, WHITE, LED, SCROOPY FINISH, MOUNTED AT 10'-0"	15531	270

NOTES: REFER TO MEP PLANS FOR SITE LIGHTING ELECTRICAL AND POLE BASE METAL (DETACH FROM CENTER OF POLE TO BACK OF CURB) = 4'-0" UNLESS NOTED OTHERWISE

CALCULATION SUMMARY				
TYPE	QTY	WATT	LUMENS	EFFICIENCY (LM/W)
TYPE A	10	90	13444	149.4
TYPE B	4	25	3312	132.5
TYPE C	1	188	16790	89.3
TYPE D	22	23.8	1579	66.4
TYPE E	2	135	15531	115.0
TYPE F	4	270	15531	57.5

CAUTION - NOTICE TO CONTRACTOR

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 (801) 488-8888

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 2111 SOUTH 1300 EAST
 PHOTOMETRIC PLAN

PROJECT TEAM
 RICK SCOTT MANCINI
 GENE RYAN HALDER
 CPIC SCOTT MEMERY

DATE	DESCRIPTION	REVISIONS
09.19.2022 <td>PP1.0 <td>18 OF 26</td> </td>	PP1.0 <td>18 OF 26</td>	18 OF 26

Company: **A & A1** Project: _____
 Date: _____ Type: _____

Scottsdale Vertex™ (scv) Petroleum Canopy LED Luminaires



IP66

Model	Wattage	Beam Angle	Height
SCV-1000	1000W	120°	10'-0"
SCV-2000	2000W	120°	15'-0"
SCV-3000	3000W	120°	20'-0"

QUICK LINKS
[Product Page](#) | [Downloads](#) | [Spec Sheets](#)

FEATURES & SPECIFICATIONS

Construction:
 • 400V or 480V (480V-1000W) models
 • Standard 1000W, 2000W, 3000W
 • 1000W model is available in 120V
 • 1000W model is available in 120V
 • 1000W model is available in 120V

Installation:
 • 1000W model is available in 120V
 • 1000W model is available in 120V
 • 1000W model is available in 120V

Accessories:
 • 1000W model is available in 120V
 • 1000W model is available in 120V
 • 1000W model is available in 120V

Company: _____ Project: _____
 Date: _____ Type: _____

Scottsdale Vertex SCV Petroleum

ORDERING GUIDE

Model	Wattage	Beam Angle	Height	Notes
SCV-1000	1000W	120°	10'-0"	
SCV-2000	2000W	120°	15'-0"	
SCV-3000	3000W	120°	20'-0"	

Accessory Ordering Information

Item	Part Number	Description
Mounting Bracket	MB-1000	Mounting Bracket for 1000W
Mounting Bracket	MB-2000	Mounting Bracket for 2000W
Mounting Bracket	MB-3000	Mounting Bracket for 3000W

QUICK LINKS
[Product Page](#) | [Downloads](#) | [Spec Sheets](#)

Company: **E & F** Project: _____
 Date: _____ Type: _____

Slice Medium (SLM) Outdoor LED Area Light



IP66 IK85

Model	Wattage	Beam Angle	Height
SLM-1000	1000W	120°	10'-0"
SLM-2000	2000W	120°	15'-0"
SLM-3000	3000W	120°	20'-0"

QUICK LINKS
[Product Page](#) | [Downloads](#) | [Spec Sheets](#)

FEATURES & SPECIFICATIONS

Construction:
 • 400V or 480V (480V-1000W) models
 • Standard 1000W, 2000W, 3000W
 • 1000W model is available in 120V

Installation:
 • 1000W model is available in 120V
 • 1000W model is available in 120V
 • 1000W model is available in 120V

Accessories:
 • 1000W model is available in 120V
 • 1000W model is available in 120V
 • 1000W model is available in 120V

Company: _____ Project: _____
 Date: _____ Type: _____

Slice Medium Outdoor LED Area Light

ORDERING GUIDE

Model	Wattage	Beam Angle	Height	Notes
SLM-1000	1000W	120°	10'-0"	
SLM-2000	2000W	120°	15'-0"	
SLM-3000	3000W	120°	20'-0"	

Accessory Ordering Information

Item	Part Number	Description
Mounting Bracket	MB-1000	Mounting Bracket for 1000W
Mounting Bracket	MB-2000	Mounting Bracket for 2000W
Mounting Bracket	MB-3000	Mounting Bracket for 3000W

QUICK LINKS
[Product Page](#) | [Downloads](#) | [Spec Sheets](#)

Company: **E & F** Project: _____
 Date: _____ Type: _____

External House Side Shield (EHS) Shielding



FEATURES & SPECIFICATIONS


Construction:
 • 400V or 480V (480V-1000W) models
 • Standard 1000W, 2000W, 3000W
 • 1000W model is available in 120V

Installation:
 • 1000W model is available in 120V
 • 1000W model is available in 120V
 • 1000W model is available in 120V

Accessories:
 • 1000W model is available in 120V
 • 1000W model is available in 120V
 • 1000W model is available in 120V

Company: _____ Project: _____
 Date: _____ Type: _____

WST LED Architectural Wall Sconce



IP65

Specifications:
 • 400V or 480V (480V-1000W) models
 • Standard 1000W, 2000W, 3000W
 • 1000W model is available in 120V

Installation:
 • 1000W model is available in 120V
 • 1000W model is available in 120V
 • 1000W model is available in 120V

Accessories:
 • 1000W model is available in 120V
 • 1000W model is available in 120V
 • 1000W model is available in 120V

Company: _____ Project: _____
 Date: _____ Type: _____

WST LED Architectural Wall Sconce

ORDERING GUIDE

Model	Wattage	Beam Angle	Height	Notes
WST-1000	1000W	120°	10'-0"	
WST-2000	2000W	120°	15'-0"	
WST-3000	3000W	120°	20'-0"	


Accessory Ordering Information

Item	Part Number	Description
Mounting Bracket	MB-1000	Mounting Bracket for 1000W
Mounting Bracket	MB-2000	Mounting Bracket for 2000W
Mounting Bracket	MB-3000	Mounting Bracket for 3000W

QUICK LINKS
[Product Page](#) | [Downloads](#) | [Spec Sheets](#)

Company: _____ Project: _____
 Date: _____ Type: _____

RECESSED LED 8" lensed 3000 Series



IP65


Specifications:
 • 400V or 480V (480V-1000W) models
 • Standard 1000W, 2000W, 3000W
 • 1000W model is available in 120V

Installation:
 • 1000W model is available in 120V
 • 1000W model is available in 120V
 • 1000W model is available in 120V

Accessories:
 • 1000W model is available in 120V
 • 1000W model is available in 120V
 • 1000W model is available in 120V

Company: **C** Project: _____
 Date: _____ Type: _____

TLFL Series 2nd Gen Large LED Flood Light



IP66

Features & Specifications (Cont.)

Performance:
 • 400V or 480V (480V-1000W) models
 • Standard 1000W, 2000W, 3000W
 • 1000W model is available in 120V

Installation:
 • 1000W model is available in 120V
 • 1000W model is available in 120V
 • 1000W model is available in 120V

Accessories:
 • 1000W model is available in 120V
 • 1000W model is available in 120V
 • 1000W model is available in 120V

Company: _____ Project: _____
 Date: _____ Type: _____

TLFL Series 2nd Gen Large LED Flood Light

ORDERING GUIDE

Model	Wattage	Beam Angle	Height	Notes
TLFL-1000	1000W	120°	10'-0"	
TLFL-2000	2000W	120°	15'-0"	
TLFL-3000	3000W	120°	20'-0"	

Accessory Ordering Information

Item	Part Number	Description
Mounting Bracket	MB-1000	Mounting Bracket for 1000W
Mounting Bracket	MB-2000	Mounting Bracket for 2000W
Mounting Bracket	MB-3000	Mounting Bracket for 3000W

QUICK LINKS
[Product Page](#) | [Downloads](#) | [Spec Sheets](#)

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 PHOTOMETRIC DETAILS

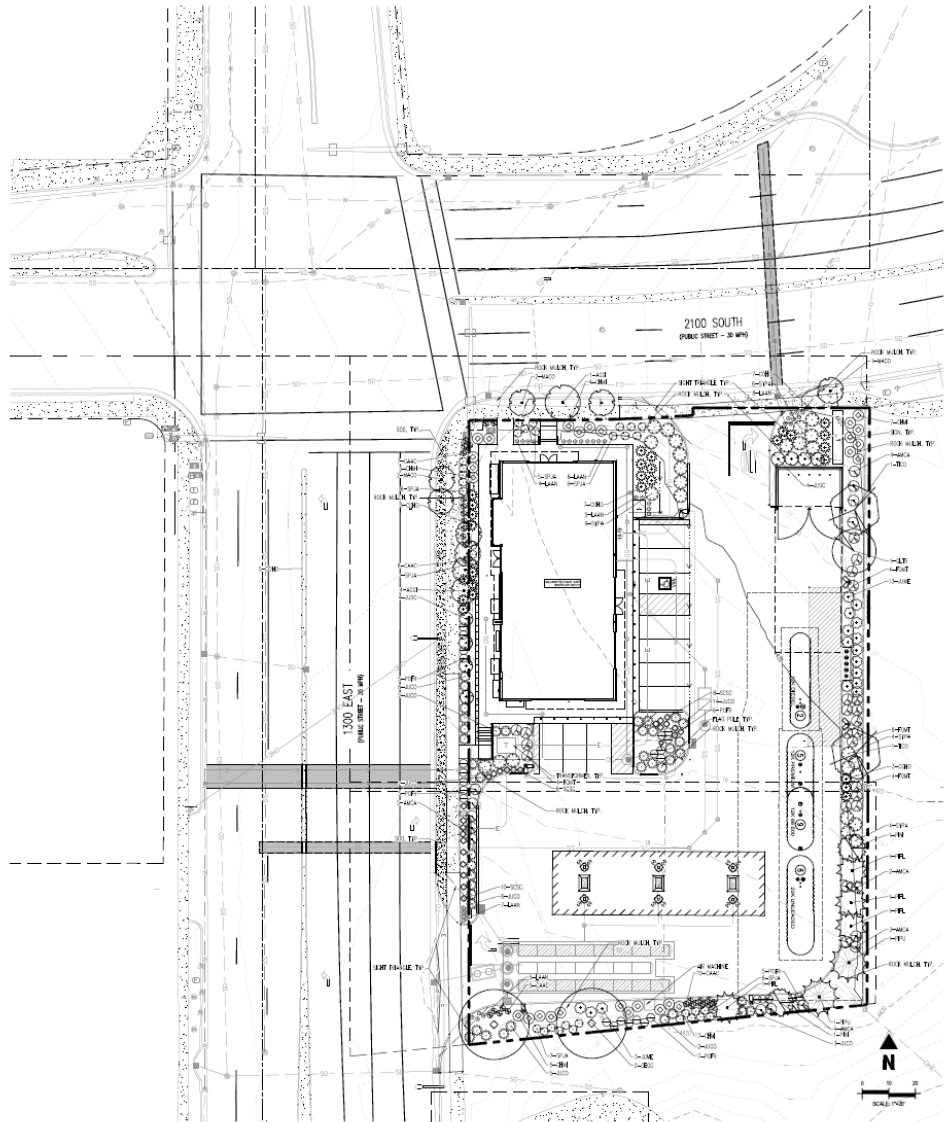
DATE	REVISION DESCRIPTION	REVISIONS

PROJECT TEAM:
 RSM: SCOTT BECKER
 ISM: RYAN HILGER
 CSM: SCOTT HANBY

SHEET NUMBER:
PP1.1
 19 OF 26

DATE: 06/19/2022

DESIGNED BY: _____
 DRAWN BY: _____
 CHECKED BY: _____
 APPROVED BY: _____



PLANTING LEGEND

QTY	LEGEND ABBREV/ BOTANIC NAME	COMMON NAME	PLANTING SIZE (MINIMUM)	MATURE SIZE (V.L./L.W.)	WATER USE	SUNSHADE
DECIDUOUS TREES						
2	CEOC	CELTIS OCCIDENTALIS	2" CAL. B&B	60'X40'	L	SUN/PART SHADE
1	GLTR	GLEDTISIA TRACANTHOS INFERIS 'IMPERIAL'	2" CAL. B&B	35'X25'	L	SUN
2	TICO	TILIA CORDATA	2" CAL. B&B	40'X30'	M	SUN/PART SHADE
EVERGREEN TREES						
2	PIPU	PICEA PLANGENS	6" HEIGHT B&B	60'X20'	L	SUN/PART SHADE
4	PFL	PIRUS FLEXILIS 'VANDERWOLF'S PYRAMID'	6" HEIGHT B&B	20'X10'	M	SUN/PART SHADE
2	PNI	PIRUS NIGRA	6" HEIGHT B&B	50'X20'	L	SUN/PART SHADE
UPRIGHT JUNIPERS						
8	JLJC	JUNIPERUS SCOPULORUM 'MOONGLOW'	#5 CONT. 3' HEIGHT	20'X9'	VL	SUN
ORNAMENTAL TREES						
10	AGI	AGER GRINALLA FLAME	1.5" CAL. B&B	20'X20'	LM	SUN/PART SHADE
5	MCO	MALUS CORALBURST	1.5" CAL. B&B	12'X10'	L	SUN
DECIDUOUS SHRUBS						
18	AMCA	AMORPHA CANESCENS	#5 CONT. 18-24"	4'X4'	VL	SUN
27	CHMI	CHAMAEBATARA MULLEFOLIUM	#5 CONT. 18-24"	4'X4'	SUN	SUN
20	FOTM	FOTHERGILLA 'MT. AIRY'	#5 CONT. 18-24"	4'X4'	M	SUN/PART SHADE
33	POTR	POTENTILLA FRUTICOSA 'TANGIERNE'	#5 CONT. 18-24"	2'X3'	LIM	SUN/PART SHADE
35	SPJA	SPIREA JAPONICA 'NEON FLASH'	#5 CONT. 18-24"	3'X3'	LIM	SUN
25	SYPA	SYRINGA PATULA 'MISS KIM'	#5 CONT. 18-24"	5'X3'	VL	SUN/PART SHADE
EVERGREEN SHRUBS						
27	COHO	COTONEASTER HORIZONTALIS	#5 CONT. 18-24"	2'X4'	M	SUN/PART SHADE
40	JLJC	JUNIPERUS COMMUNIS 'MONDAP'	#5 CONT. 18-24"	8'X4'	L	SUN/PART SHADE
16	JLME	JUNIPERUS X MEDIA 'OLD GOLD'	#5 CONT. 18-24"	3'X4'	VL	SUN/PART SHADE
ORNAMENTAL GRASSES						
30	CAAC	CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	#1 CONT.	5'X2'	L	SUN
24	BSGC	SCHIZACHYRUM SCOPARILUM	#1 CONT.	5'X2'	L	SUN
PERENNIALS						
37	LAAN	LAVANULA ANGSTIFOLIA 'MUNSTEAD'	#1 CONT.	18'X18"	VL	SUN
MISC.						
625 SF	FESCUE SOD	RTY (RHIZOMATOUS TALL FESCUE)	SOD		M	
7,175 SF	ROCK COBBLE MULCH	2"-4" ROCK COBBLE MULCH WITH WOOD MULCH RING AROUND ALL PLANT MATERIAL. SEE PLANTING NOTES & DETAILS.	MULCH		NA	
AS NEEDED	WOOD MULCH	DARK BROWN SHREDED HARDWOOD MULCH	MULCH		NA	

LANDSCAPE CALCULATIONS

LANDSCAPE CODE	FORMULA	LENGTH	REQUIRED	PROVIDED
21A 40'x30' LANDSCAPE BUFFER	1 TREE PER 30 LF	225 LF - EAST 150 LF - SOUTH	8 TREES - EAST 5 TREES - SOUTH	8 TREES - EASTERN BUFFER 5 TREES - SOUTHERN BUFFER
21A 40'x30' PARKING STRIP LANDSCAPING	1 TREE PER 30 LF OF STREET FRONTAGE	120 LF - 1300 E 225 LF - 1300 E	4 TREES - 1300 E 11 TREES - 1300 E	4 TREES - 1300 E 11 TREES - 1300 E

NOTE TO UTILITY CONFLICTS IN THE PARK STRIP TREES REQUIRED FOR PARK STRIP LANDSCAPING HAVE BEEN RELOCATED TO THE BACK OF THE PEDESTRIAN STRIP AND OVERLAP WITH THE BUFFER REQUIREMENT.

CAUTION
UTILITY EXIST WITH CONSTRUCTION LIMITS. CONTRACTOR TO VERIFY BEFORE ANY EXCAVATION. THEIR LOCATIONS PER UT CONSTRUCTION.

UTILITY NOTES

- THE LANDSCAPE CONTRACTOR IS REQUIRED TO CONSULT THE COUNTY PUBLIC WORKS DEPARTMENT AND ANY OTHER PUBLIC AGENCIES AS NECESSARY FOR UTILITY LOCATIONS PRIOR TO ANY CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES AND PROVIDING THE CONTRACTOR WITH THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION.
- THE LOCATION OF ALL UNDERGROUND UTILITIES AS INDICATED IN THE EXISTING DRAWINGS FOR THE PROJECT, THE MOST CURRENT EDITION IS TO BE THE PART OF THE CONTRACTOR'S RESPONSIBILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION.

ADDITIONAL NOTES

- TREES ARE REQUIRED TO BE PLANTED IN THE NORTH AND WEST SIDE OF THE DRIVE ALONG 1300 EAST STREET AND 1300 EAST STREET EXTENSION OF 1300 EAST STREET. TREES SHALL BE PLANTED IN THE NORTH AND WEST SIDE OF THE DRIVE ALONG 1300 EAST STREET.
- LANDSCAPE CONTRACTOR TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION.



1450 Grand Ave
Des Moines, IA 50309
P. 563-458-6546

#2506 - SALT LAKE CITY, UTAH
2111 SOUTH 1300 EAST
LANDSCAPE PLAN

AS PROJECT TEAM:
RON SCOTT (ARCHITECT)
BOM BORNHOLDT
DPM SCOTT NEWBURY

REVISION DESCRIPTION	DATE

DATE: 04.26.2022

SHEET NUMBER: L1.0
20 OF 26

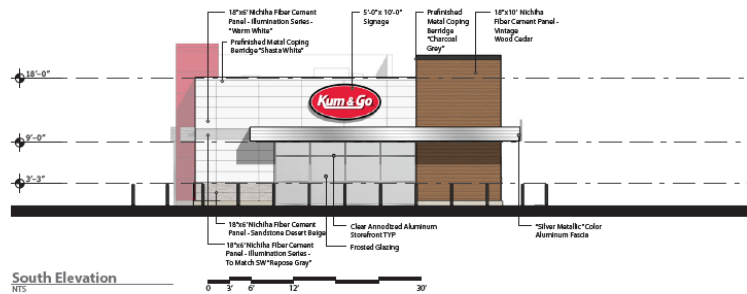
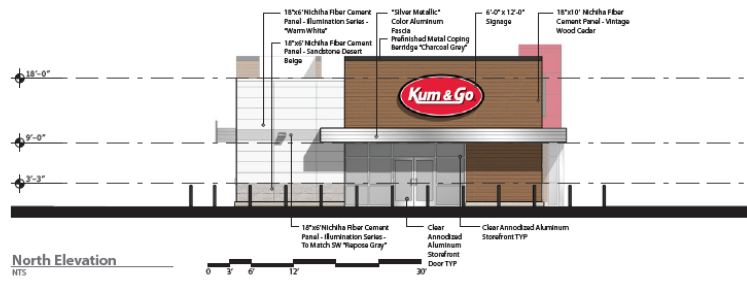
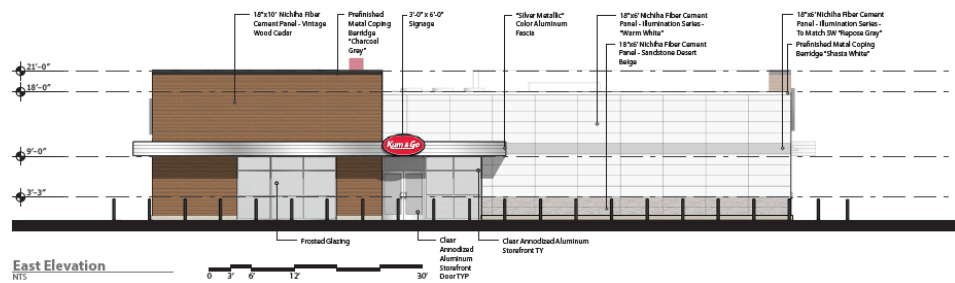
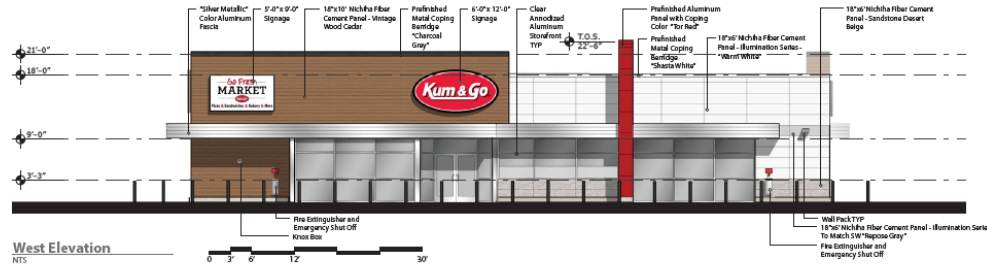
Proposed Building Signage

Location	Sign	Size	Area
West Elevation	"Kum & Go" Sign	6' x 12'	72 SF
West Elevation	"Go Fresh Market" Sign	5' x 2'	10 SF
East Elevation	"Kum & Go" Sign	3' x 6'	18 SF
North Elevation	"Kum & Go" Sign	6' x 12'	72 SF
South Elevation	"Kum & Go" Sign	5' x 10'	50 SF
Total			257 SF

Glazing Calculations

West Elevation			
	Square Feet	% of Glazing	
Glazing	317	70%	
Total	450		

North Elevation			
	Square Feet	% of Glazing	
Glazing	93	40%	
Total	230		



brr

ARCHITECT OF RECORD:
BRR ARCHITECTURE, INC.
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PHONE: 515.281.4200
WWW.BRRARCH.COM

SEAL



1450 Grand Avenue
Des Moines, Iowa
50309
P-515-457-0247

2506 - SALT LAKE CITY, UT
2100 S & 1300 E

EXTERIOR ELEVATIONS

NO PROJECT TEAM
PCW
GDM
GDM

DATE	REVISION DESCRIPTION	REVISIONS

DATE: 07/26/2022

SHEET NUMBER:



Northwest Perspective



Northeast Perspective



Southwest Perspective



Southeast Perspective

brr

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2506 - SALT LAKE CITY, UT
2100 S & 1300 E

EXTERIOR PERSPECTIVES

PROJECT TEAM:
RCM
SEM
CTM

NO.	DATE	REVISION DESCRIPTION

REVISIONS

DATE: 07/26/2022

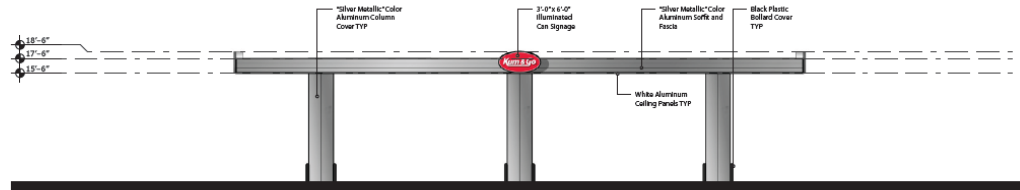
SHEET NUMBER:

Proposed Canopy Signage

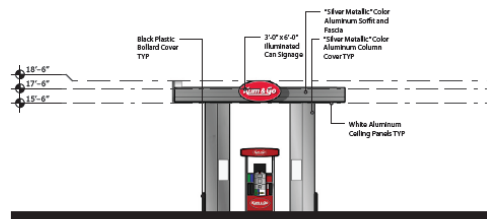
Location	Sign	Size	Area
North Elevation	No Signage	--	0 SF
South Elevation	"Kum & Go" Sign	3'x 6'	18 SF
East Elevation	"Kum & Go" Sign	3'x 6'	18 SF
West Elevation	"Kum & Go" Sign	3'x 6'	18 SF
Total			54 SF



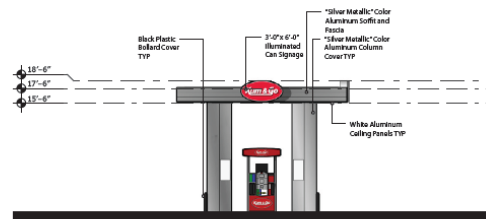
North Elevation
NTS



South Elevation
NTS



East Elevation
NTS



West Elevation
NTS

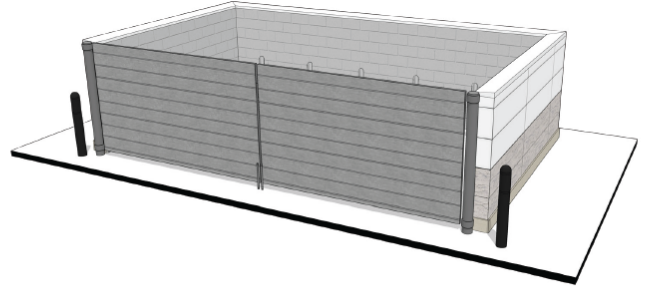
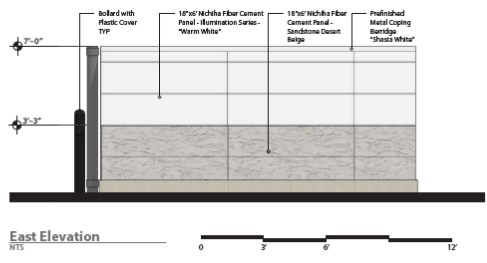
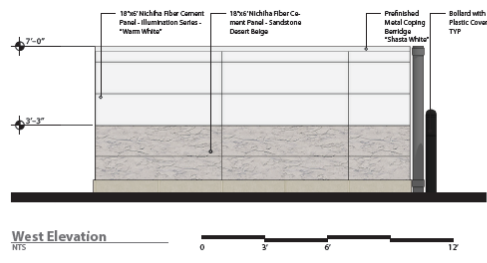
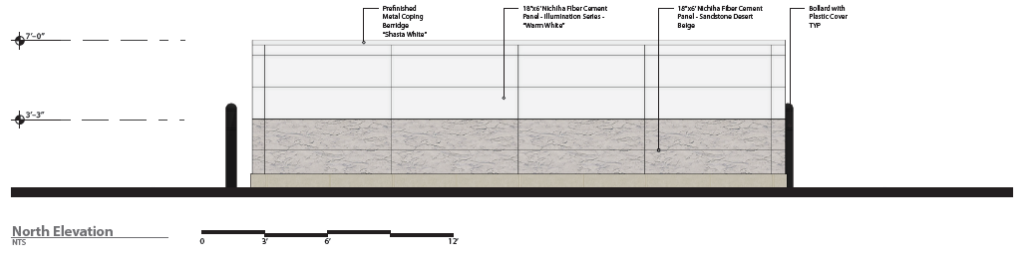
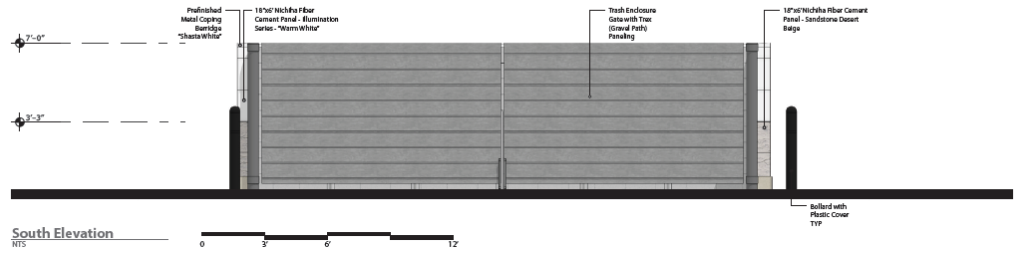
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ARCHITECTURE OF RECORD
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2506 - SALT LAKE CITY, UT
2100 S & 1300 E
CANOPY ELEVATIONS

PROJECT TEAM	
PCB	
DBM	
CSM	
REVISIONS	
DATE	REVISION DESCRIPTION
DATE:	07/26/2022
SHEET NUMBER:	



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2100 S & 1300 E

TRASH ENCLOSURE ELEVATIONS

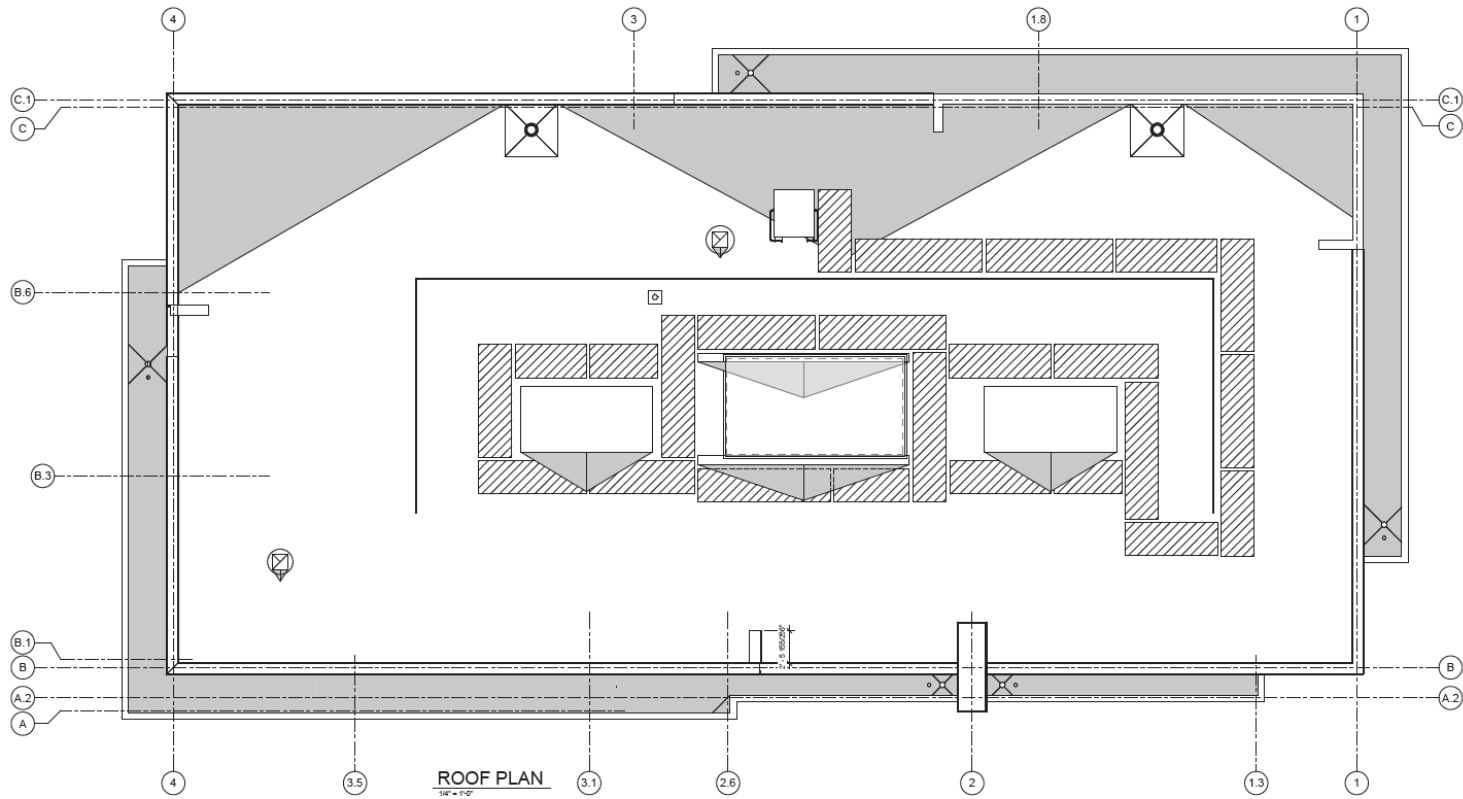
NO PROJECT TEAM
SEM
SEM
CFM

DATE	REVISION DESCRIPTION

DATE: 07/26/2022

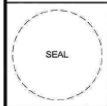
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ROOF PLAN
1/8" = 1'-0"

brr
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2100 S & 1300 E

HS PROJECT TEAM
RSM
TSM
CPR

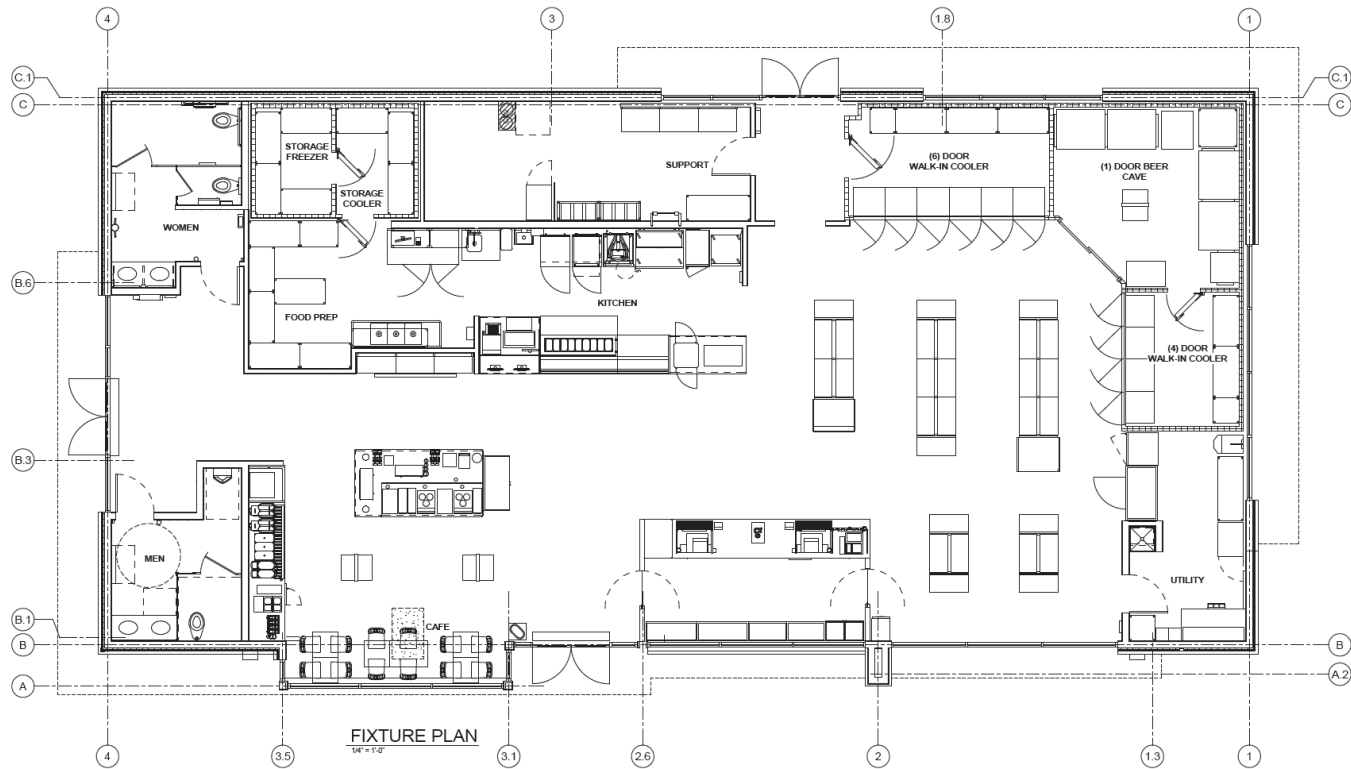
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FIXTURE PLAN
1/4" = 1'-0"

brr

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SEAL



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2506 - SALT LAKE CITY, UT
2100 S & 1300 E

KS PROJECT TEAM:
RBR
SBR
CNS

DATE	REVISION DESCRIPTION

REVISIONS

DATE: 07/26/2022
SHEET NUMBER:



ATTACHMENT D: PROPERTY & VICINITY PHOTOS



Subject Property – View looking East



View of subject property from the East in Sugar House Park



View of subject property from the Southeast corner of the property looking North



View of subject property from Northwest looking East



View of subject property from Northeast corner looking Southeast



View of Sugar House Park from the East property line of subject property



View of subject property from the south -at the Sugar House Park Sego Lily sculpture- looking North



View of subject property looking from the North to the South



Westminster University Student Housing Building across from the subject property to the West



CVS store located at the Northwest corner of 2100 S. and 1300 E.



Chevron Gas Station and Convenience store located on the Southwest corner of 2100 S. 1300 E.



KFC/A & W located on the Northeast corner of 2100 S. 1300 E.

ATTACHMENT E: EXISTING CONDITIONS – MASTER PLAN, GUIDELINES, AND ZONING STANDARDS

Sugar House Master Plan Discussion

The proposal is located within the Sugar House Master Plan area. The Future Land Use map in the master plan designates the property as “Mixed Use- Low Intensity” and the property has been zoned CB (Community Business) District. The CB (Community Business) District is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.

The plan includes the following general policies related to the request:

- Low-Intensity Mixed Use allows an integration of residential with small business uses, typically at ground floor levels. Height limits generally include one and two-story structures. The intent is to support more walkable community development patterns located near transit lines and stops. Proposed developments and land use within the Low-Intensity Mixed Use area must be compatible with the land uses and architectural features surrounding each site.

The Sugar House Community Development Objectives are as follows:

Policies

- Develop the Sugar House Community to be a sustainable, attractive, harmonious, and pedestrian oriented community.
- Maintain, protect, and upgrade Sugar House as a residential community with a vital supporting commercial core.
- Strengthen and support existing neighborhoods with appropriate adjacent land uses and design guidelines to preserve the character of the area.
- Provide a mix of housing types, densities, and costs to allow residents to work and live in the same community. Locate higher density housing on or near public transportation routes to afford residents the ability to reduce their reliance on the automobile.
- Provide the needed infrastructure improvements through public, as well as public/private partnerships.
- Create visually interesting pedestrian-friendly street networks that directly connect local destinations.
- Improve all modes of mobility including street and trail networks, transit, pedestrian and bicycle movement opportunities, and off-street cooperative parking facilities.
- Provide pedestrian-scale activities in the Sugar House Business District by providing open space corridors and useful streetscape amenities.
- Direct a mixed-land use development pattern within the Sugar House Business District to include medium- and high-density housing and necessary neighborhood amenities and facilities. These developments will be compatibly arranged, taking full advantage of future transit stations, Sugar House Park, Fairmont Park, and the proximity to the retail core.
- Encourage increased intensity, greater diversity of land use, and locally owned businesses in the Sugar House Business District.
- Support small locally owned neighborhood businesses to operate harmoniously within residential areas

Staff Discussion:

The Sugar House Master Plan is implemented through the zoning regulations for the CB (Community Business) District and through application of the Conditional Use review standards. These specific standards are meant to implement the broader policies located within the plan. The proposed development is required by zoning to include setbacks and buffer areas to prevent negative effects to surrounding uses. The policies for this area in the master plan are to ensure that development engages the street and pedestrian level.

CB (COMMUNITY BUSINESS) STANDARDS:

Requirement	Standard	Development Proposal	Compliance/Impact on Development
Front/Corner Side Yard	No minimum yard is required. If a front yard is provided, it shall comply with all provisions of this title applicable to front or corner side yards, including landscaping, fencing, and obstructions.	15' setback along 2100 South ~8' along 1300 East	Complies
Side/ Rear Yard Buffer Yard	None required	Complies	Complies
Lot Area	Any lot abutting a lot in a Residential District shall conform to the buffer yard requirements of chapter 21A.48 of this title.	n/a	n/a
Lot Width	No Minimum or Maximum	~36,155 square feet	Complies
Lot Width	No Minimum	~173'8" feet	Complies
Maximum Height	30'	21' - Complies	Complies
Maximum Setback	A maximum setback is required for at least seventy five percent (75%) of the building facade. The maximum setback is fifteen feet (15'). Exceptions to this requirement may be authorized through	At 15' along 2100 South. Closest point along 1300 East is about 8'	Complies

	the design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the Planning Commission.		
Ground Floor Glass	40% (minimum) transparent and non-reflective glass	North Face: ~40% West Face: ~70%	Complies
Landscaping Yard Requirements	If a front or corner side yard is provided, such yard shall be maintained as a landscape yard.	Complies	Complies
Blank Wall - Maximum length	15 feet	Complies	Complies

ATTACHMENT F: CONDITIONAL USE STANDARDS

Conditional Use Standards

An application for a conditional use is required by city code 21A.54 and Utah Code 10-9a-507 to be approved if the proposal complies with the adopted standards of review and if any reasonably anticipated detrimental impact can be mitigated.

Under Utah Code 10-9a-507, the standards must be objective and mitigating any reasonably anticipated detrimental impact is required to be interpreted to mean reduce, not eliminate, the impact.

The Finding for each standard is the recommendation of the Planning Division based on the facts associated with the proposal, the discussion that follows, and the input received during the engagement process. Input received after the staff report is published has not been considered in this report.

21A.54.080.A: Approval Standards
Standard 1: The use complies with applicable provisions of this title;
Finding: Complies With Conditions
Discussion: Gas station use is listed as a Conditional Use in the CB (Commercial Business) zoning district. It is permitted with Planning Commission approval.
Condition(s): Application must receive approval from the Planning Commission for the proposed land use.
Standard 2: The use is compatible, or with conditions of approval can be made compatible, with surrounding uses
Finding: Does Not Comply
Discussion: The proposal is for a gas station to be located next to a City park with an active creek (Parley's Creek) which serves as a secondary drinking water source. The two uses are not compatible for environmental reasons, since any air, water or soil contamination from the gas station could be very detrimental to the park and the residential community in the area.
Condition(s): n/a
Standard 3: The use is consistent with applicable adopted city planning policies, documents, and master plans; and
Finding: Does Not Comply
Discussion: The Sugar House Master Plan calls for the subject property to be a low intensity use. A gas station produces a considerable amount of vehicular daily trips, and the proposal is for a 24/7 operation. A gas station use is high intensity and staff does not believe this meets the intent of the Sugar House Master Plan.
Condition(s): n/a

Standard 4: The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions

Finding: Does Not Comply

Discussion: Although the applicant is planning to implement development techniques and best management practices as mitigation of gas tank releases, there is no guarantee that a gas tank leak and/or surface water runoff will not infiltrate the park's soil, water or storm drain, which would cause significant and negative environmental impacts to the secondary drinking source – Parley's Creek, Sugar House Park's water, air, or soil.

Condition(s): n/a

21A.54.080.B: Detrimental Effects Determination

1. This title specifically authorizes the use where it is located;

Finding: Detrimental Impact Cannot Be Mitigated

Discussion: Conditional uses are permitted uses listed in allowable zones, if the adverse impacts can be mitigated through conditions of approval. Staff finds that the environmental adverse impacts to the park that could potential be caused by the proposed gas station are not able to be sufficiently mitigated. Being that Sugar House Park is a City park, owned and maintained by Salt Lake City and Salt Lake County, the detrimental effects identified would have impacts on a legitimate government interest and on the public welfare.

Condition(s): n/a

2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps;

Finding: Detrimental Impact Cannot Be Mitigated

Discussion: The Sugar House Master Plan calls for the subject property to be a low intensity use. A gas station produces a considerable amount of vehicular daily trips, and the proposal is for a 24/7 operation. A gas station use is high intensity and staff does not believe this meets the intent of the Sugar House Master Plan. The proposal is also vehicle focused, whereas the Sugar House Master Plan calls for Sugar House to be a walkable community and focused on pedestrian scale and orientation.

Condition(s): n/a

3. The use is well suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area;

Finding: No Detrimental Impact

Discussion: The size and scale of the proposal is compatible with the existing uses in the area, however, because the proposal is abutting Sugar House Park the intensity and use compatibility are not suitable to each other. The park promotes walkability and the proposed gas station is focused on vehicular traffic and increases the traffic intensity to the site.

Condition(s): n/a
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered;
Finding: No Detrimental Impact
Discussion: Like the current proposal, the surrounding structures in the surrounding area, were required to comply with zoning setbacks and design standards.
Condition(s): n/a
5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;
Finding: Detrimental Impact Mitigated With Conditions
Discussion: The access points to this site are designed to minimize grading of natural topography and direct vehicular traffic onto major streets. However, according to the applicant's Traffic Impact Study (TIS), the proposed use increases the daily trips to the site and increases traffic levels to an "E" rating, this does impede traffic flow in the right turn line along 1300 East, and overall traffic flow within the 1300 E/2100 S intersection. Access points to the subject property have been reduced from three current ingress/egress points to two, which would be right in/right out for both.
Condition(s): Access points are right in/right out for both. Textured pedestrian crosswalks are proposed for both entrances of subject property to slow vehicular traffic entering and leaving the subject property. There is a proposed reduction in the number of entrances to the subject site to two. The applicant are proposing to remove the northern most entrance along 1300 East.
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;
Finding: Detrimental Impact Mitigated With Conditions
Discussion: The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized traffic. There is no roadway connection to the adjacent park and therefore traffic is directed through the site and then out to the main roads. However, the proposed pedestrian connection to park from the gas station is proposed in the southeast corner of the subject property. This connection causes pedestrians to walk through the gas pump area to access the convenience store. Since the gas pump area may be heavily occupied with vehicular traffic, an unsafe setting may be caused for pedestrians.
Condition(s): Having a safer connection location to the park from the gas station in the northeast area of the subject property, rather than in the southeast corner near the gas pumps where there is a heavier concentration of vehicular traffic.
7. The site is designed to enable access and circulation for pedestrian and bicycles;

Finding: Detrimental Impact Mitigated With Conditions

Discussion: The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized traffic. There is no roadway connection to the adjacent park and therefore traffic is directed through the site and then out to the main roads. However, the proposed pedestrian connection to park from the gas station is proposed in the southeast corner of the subject property. This connection causes pedestrians to walk through the gas pump area to access the convenience store. Since the gas pump area may be heavily occupied with vehicular traffic, an unsafe setting may be caused for pedestrians.

In addition, having textured/cobbling sidewalk across the ingress/egresses would allow cars to slow down as they enter or exit the subject property. This would also be beneficial to pedestrians crossing those ingress/egress points, so that they are visible to vehicular traffic.

The building proposal is meeting the front setbacks by being located close to the sidewalks for increased visual interest and pedestrian activity.

Condition(s): Having a safer connection location to the park from the gas station in the northeast area of the subject property, rather than in the southeast corner near the gas pumps where there is a heavier concentration of vehicular traffic.

In addition, having a textured/cobbling sidewalk across the ingress/egresses would allow cars to slow down as they enter or exit the subject property. This would also be beneficial to pedestrians crossing those ingress/egress points, so that they are visible to vehicular traffic.

8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;

Finding: Detrimental Impact Cannot Be Mitigated

Discussion: Based on the applicant’s Traffic Impact Study (TIS) submitted, the proposal would add a significant increase in the number of daily trips taken in and out of this subject site. The intersection currently operates at a Level D, which is labeled as “Less stable vehicle flow”. The proposal would cause a decrease in the intersection mobility causing the intersection to run at a Level E, which is labeled as “Unstable vehicle flow”. The proposal creates approximately 364 more trips to the location than the previous use of a restaurant.

Condition(s): N/A

9. The location and design of off-street parking complies with applicable standards of this code;

Finding: No Detrimental Impact

Discussion: The parking proposal for this site is ten parking spaces. The applicant is providing one ADA space, three Electric Vehicle (EV) charging spaces and six unmarked vehicle spaces.

Condition(s): n/a

10. Utility capacity is sufficient to support the use at normal service levels;

Finding: Detrimental Impact Mitigated With Conditions

Discussion: Public Utilities has reviewed this proposal and has given requirements for meeting the normal service levels at this location.

Condition(s): Public Utilities has given a list of requirements that the applicant must meet in order to mitigate any possible contamination to the Park, through surface run-off or underground gas tank leaks (See Attachment I). In addition to the requirements, a Floodplain Development Permit is required, since the subject property is in the Special Flood Hazard Area and has an increased flood risk. Public Utilities Department is also requiring that the applicant add a second natural filtration system in the form of a landscaped retention basin at the south end of the subject property.

11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;

Finding: Detrimental Impact Mitigated With Conditions

Discussion: Because of the incompatibility of the gas station proposal use and the Sugar House Park, Planning Staff believes having a significantly upgraded landscaping buffer between the two should be considered if this proposal is approved. This would increase the separation between the two incompatible uses naturally, while allowing a connection between the two for the patrons of both. The applicant is showing a connection point in the southeast corner, where patrons of the park could come up into the Kum & Go subject property to patronize the convenience store. The location of that connection should be reconsidered for better pedestrian safety.

Condition(s): A significantly upgraded landscaping buffer between the two should be considered if this proposal is approved, to increase the separation between the two incompatible uses naturally, while allowing a connection between the two for the patrons of both. Staff believes a better location for a connection to the Park would be safer for pedestrians, since the proposed location would have pedestrians walking through the vehicular gas filling stacking area. The applicant has agreed to work with the Transportation Engineer to establish a safe and natural connection to the Park.

12. The use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke;

Finding: Detrimental Impact Cannot Be Mitigated

Discussion: The proposal has a high potential ability of significantly impacting the quality of the air, soil and water of Sugar House Park. Because fuel tank releases (leaks) are quite high in occurrence, even a small leak has the potential to cause contamination to the air, soil and water of the Park and Parley's Creek which flows through the park and connects to the storm drain downstream of this subject property. Any surface run-off of contaminants like fuel or oil, that runs into the storm drain will eventually flow into Parley's Creek. If this happens a possible contamination of the water that serves as a secondary water source to Salt Lake City could occur. This impact cannot be totally mitigated to prevent fuel leaks.

Condition(s): N/A
13. The hours of operation and delivery of the use are compatible with surrounding uses;
Finding: Detrimental Impact Mitigated With Conditions
Discussion: The applicant is proposing a 24-hour business operation. Other businesses on the other corners have limited hours. KFC- 10:30 am-10 pm, CVS- 8 am – 10 pm and Chevron gas station- 5 am to 12 am. Staff does not believe a 24-hour operation will disturb or negatively impact surrounding/abutting properties, however, gas delivery to the site may cause a negative impact to the community. Fuel tanker trucks will have to leave the site, going east on 2100 South, which is a primarily residential area. Evening or nighttime deliveries could negatively impact the neighborhood/community. (See Consideration #3, page 14)
Condition(s): Restriction of delivery times to early morning or early evening hours.
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses;
Finding: No Detrimental Impact
Discussion: If the Conditional Use application is approved, the applicant will have to apply for a sign package permit during the building permit process. The proposed on-site lighting will be directed to the subject property and should not impact the surrounding uses and properties.
Condition(s): N/A
15. The proposed use does not undermine preservation of historic resources and structures.
Finding: No Detrimental Impact
Discussion: The subject property is not in a historic district and does not impact or undermine any historic resources or structures in the immediate vicinity.
Condition(s): N/A

According to Zoning Code Section 21A.54.080.C, the Planning Commission may impose conditions related to the standards and detrimental impacts listed above if a condition is necessary for compliance with the standards of approval or any applicable zoning regulation and to reduce any reasonably anticipated detrimental impact. Conditions may be related to:

1. Conditions on the scope of the use; its character, location, hours and methods of operation, architecture, signage, construction, landscaping, access, loading and parking, sanitation, drainage and utilities, fencing and screening, and setbacks; and
2. Conditions needed to mitigate any natural hazards; assure public safety; address environmental impacts; and mitigate dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, and radiation.

After a public hearing is held, planning staff can help the commission identify and determine if information provided warrants further discussion on any potential non-compliance or detrimental impact that may require a condition of approval.

ATTACHMENT G: PUBLIC PROCESS AND COMMENTS

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

- Sugar House Community Council Land Use Committee -February 14, 2022
- Sugar House Community Council Land Use Committee -September 19, 2022

Notice of the public hearing for the proposal included:

Public hearing notice mailed on March 31, 2023

Public hearing notice posted on property on March 30, 2023

Public notice posted on City and State websites and Planning Division list serve on April 7, 2023

Public Input:

The project was presented to the Sugar House Land Use Community Council general meeting and the following topics and concerns were discussed:

- Contamination to Parley's Creek -which is a Secondary Recharge Area for the City.
- Contamination to the soil, air and water of Sugar House Park.
- Compatibility between the proposal and Sugar House Park (Open Space).
- Traffic concerns; more traffic in the area, safety of cars vs pedestrians/bikers.
- No need for a second gas station at this intersection.
- Environmental impacts to the park, residents, and park visitors.
- Aesthetic look of a gas station vs that of the nature of Sugarhouse Park.
- High-intensity use of a gas station vs a lower-intensity use (like a restaurant) for traffic, noise, smells and environmental concerns (gas leakage, surface runoff of oil and gas).
- Negative effects to the businesses in the area, possibly drawing customers away from other retail businesses.

Staff has received approximately 584 emails in opposition to the project, one email that reflected no concern for the project (good or bad), and one email in favor of the project.

Sugar House Community Council:

The Sugar House Community Council has submitted a letter recommending denial of the application. It is attached to this staff report.

Sugar House Park Authority:

The Sugar House Park Authority Chair has submitted a letter in opposition to the proposal, which is attached to the end of this staff report.

- There is also a letter from Rebecca Brown, PG, Senior Hydrogeologist, hired by the Sugar House Park Authority, for an analysis of the environmental concerns related to the application. This letter is also attached to the end of this report.

ATTACHMENT H: DEPARTMENT REVIEW COMMENTS

Fire: Douglas Bateman / douglas.bateman@slcgov.com / 801-535-6619

Comments regarding construction or building requirements will be addressed with submission of construction documents.

There will need to be a fire hydrant located on your side of the street within 400-feet of all ground level exterior walls. There appears to be one located on 1300 east, but the drawings were not very clear.

Engineering: Scott Weiler / scott.weiler@slcgov.com / 801-535-6159

No objections to the conditional use.

Prior to performing work in the public way, a Permit to Work in the Public Way must be obtained from SLC Engineering.

- Please specify 8” thick concrete per APWA Std. Plan 225 for the proposed drive approaches on 1300 East and 2100 South. APWA Std. Plan 225 also requires that the public sidewalk crossing each drive approach must be designed with a cross slope no steeper than 2%.
- Please specify the 2012 edition of APWA Std. Plan 255 for the restoration of the asphalt above utility trenches in 1300 East.

Public Utilities: Jason Draper / jason.draper@slcgov.com / 801-483-6751

The following comments do not provide official project review or approval. Conditional Use approval does not provide building or utility permit approval. Comments are provided to assist in design and development by providing guidance for project requirements.

- Public Utility permit, connection, survey, and inspection fees will apply.
- Site stormwater must be collected on site and routed to the public storm drain system. Stormwater cannot discharge across property lines or public sidewalks.
- Stormwater Retention is required. Retention of the 80th percentile storm is required. Stormwater detention is required for this project. The allowable release rate is 0.2 cfs per acre. Detention must be sized using the 100-year 3-hour design storm using the farmer Fletcher rainfall distribution. Provide a complete Technical Drainage Study including all calculations, figures, model output, certification, summary and discussion.
- The stormwater and runoff from this site goes directly to Parleys’ Creek. Additional Stormwater management, treatment and controls will be required.
- Water, Sewer, Street Light and Storm Drain infrastructure will be required for this proposed development. All improvements will be the responsibility of the developers.
- All utility design and construction must comply with APWA Standards and SLCPU Standard Practices.
- All utilities must meet horizontal and vertical clearance requirements. Water and sewer lines require 10 ft minimum horizontal separation and 18” minimum vertical separation. Sewer must maintain 5 ft minimum horizontal separation and 12” vertical separation from

any non-water utilities. Water must maintain 3 ft minimum horizontal separation and 12” vertical separation from any non-sewer utilities.

- Unused utility connections must be capped at the main.
- Contact SLCPU Street Light Program Manager, Dave Pearson (801-483-6738), for information regarding streetlights.
- Utilities cannot cross property lines without appropriate easements and agreements between property owners.
- Site utility and grading plans will be required for building permit review. Other plans such as erosion control plans and plumbing plans may also be required, depending on the scope of work. Submit supporting documents and calculations along with the plans.
- One culinary water meter is permitted per parcel. If the parcel is larger than 0.5 acres, a separate irrigation meter is also permitted. Fire lines will be permitted, as necessary. Each service must have a separate tap to the main.
- Because of the sensitive location of this project, a Stormwater Pollution Prevention Plan (SWPPP) and Technical Drainage Study will be required to be submitted for review.
- Additional requirements will be provided in building permit review if the conditional use is accepted.
- Property is located in the Special Flood Hazard Area or an area with increased flood risk and will require a Floodplain Development Permit. Floodplain permit application must be supplemented with the FIRM panel or FIRMette of the area showing the base flood elevation (obtained via FEMA). The subject property must also be clearly shown and labelled on the FIRM or FIRMette. Floodplain permit application must also be supplemented with a grading plan of the project clearly showing floodplain extents, base flood elevation, and finished floor elevation of the proposed building. Additional information may be requested after the initial review of the floodplain permit application. Plans will not be approved until the Floodplain Development Permit is approved.

Transportation: Michael Barry / michael.barry@slcgov.com / 801-535-7147

1. The driveway approaches should be constructed per APWA Standards. A note should be provided on the plans.
2. Per 21A.40.060.D.1.a., “a. Gasoline Pumps: A minimum of thirty-six feet (36’) of stacking lane is required between a curb cut and the nearest gasoline pump;” The distance from the nearest pump to the curb cut on 1300 E should be shown on the plan.
3. The plans should show how delivery trucks will enter/drop-off using turning templates if necessary. Also, what is the exit route?
4. There is a potential for congestion at the driveway on 1300 E which may cause queueing on the street. Therefore, additional measures such as prohibiting certain vehicle movements must be taken to ensure that customer vehicles don’t spill out onto the street.
5. Lynn wanted to make sure that no encroachments are allowed on 1300 E in anticipation of a potential new multi-purpose path (taking the place of the sidewalk).

Urban Forestry: Rick Nelson / rick.nelson@slcgov.com / 801-972-7818

There are no street trees proposed for every 30' of street frontage as is required by city code. The park strip is small at this location but is sufficient to grow small species trees. There is a list of recommended small species available on our Urban Forestry web page <http://www.slcdocs.com/parks/Forestry/Small%20Salt%20Lake%20City%20Street%20Tree%20Species1.pdf> My very quick and rough estimate is five or 6 trees along 1300 E and three or four along 2100 S.

The concerns of the developer about planting the required street trees every 30' should not be a problem as we have recommended the use of small species trees which root depth is minimal and would not get deep enough to conflict with most utilities. The one potential exception are fiber optic lines, but they should be located adjacent to the curb and not centered in the park strip thus allowing trees to be planted in the park strip where they belong and can offer the buffer between auto and pedestrians. We believe that the trees should be installed as code requires.

ATTACHMENT I:

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sizzler location -- Lets Develop It
Date: Wednesday, February 9, 2022 11:51:06 AM

Council Woman:

I wrote you as I am in favor of a gas station or any other business on the location of the old Sizzler on 2100 S 1300 E – I feel anything done tastefully will clean up the corner and be better then what we have today.

I live not far away up near [REDACTED] and drive by this location on a daily basis; with a gas station the traffic will not change much (it will stop all the U Turns to get to the current Chevron).

Regards
Eric Povilus

[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum n Go - Petition Number: PLNPCM2022-00053
Date: Tuesday, December 13, 2022 4:31:49 PM

Hi Diana,

Beyond my subjective concerns, in regards to negative impacts to the sugarhouse community character this gas station will have, I would like to point out a few objective concerns as to why this project does not benefit the community and this conditional use permit should be denied.

It is known that gas stations, like the Kum & Go being proposed, release volatile aromatic hydrocarbons, including benzene, toluene, ethylbenzene, and xylene (BTEX). The placement of a gas station is within the vicinity of several active areas in the park where these gasses will reach and in turn poses an objective health hazard with known adverse health impacts.

In the Salt Lake County 2015 Parks & Recreation Facilities Master Plan, (Approved 09.01.15) (<https://slco.org/globalassets/2-parks--rec/facilities/umbrella/planning/parks-rec-master-plan.pdf>) health in regards to physical and mental health is also mentioned 7 times in this master plan. Placing a gas station that would release harmful gasses to people using the park is in direct conflict with the Master Plan seen above.

Below is an excerpt from the [site linked here](#) that cites several studies showing the adverse impacts of gas stations.

In summary, a park is a place where the community seeks health and wellness. To place a gas station inside this park not only goes against our master plan but is negligent and will have adverse health impacts to our community. Please do not approve this conditional use permit for the sake of the men, women and children who use this park to better their life and not allow it to be a place where they are inadvertently exposed to harmful airborne chemicals.

According to the [World Health Organization Guidelines for Indoor Air Quality](#) there is *no safe level for benzene*. The following research documents the extent of benzene releases from gas stations as well as adverse health effects:

- A [1993 study](#) published by the Canadian petroleum industry found average benzene concentrations of 146 and 461 parts per billion (ppb) at the gas station property boundary in summer and winter, respectively.
- A [2001 study](#) noted median ambient benzene levels of 1.9 ppb in houses up to 328 feet from a service station.
- A [2003-2004 study](#) conducted in France documented a significant relationship between childhood leukemia and living near a gas station.
- A [2010 study](#) conducted in Spain documented elevated air pollution within 100 meters (328 feet) of a gas station.
- In [2012](#), [Brazilian researchers](#) found that air quality was significantly degraded up to 150 meters (492 feet) from gas stations.

In 2005, the California Air Resources Board probably became the first in the U.S. to recommend a minimum public health safety zone between new gas stations and “sensitive land uses.”

Norris, Nick

From: Nathalia Alvarez [REDACTED]
Sent: Saturday, September 24, 2022 10:53 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Sugarhouse is filled beautiful and historic areas, showcasing the rich history of our city. The move to make a gas station may not be detrimental to the pockets of whoever is in charge, but it will be detrimental to the residents of the city, I guarantee. Considering there is another gas station across the street, the traffic this will cause will be not only inconvenient to the busy people in this area, but also incredibly dangerous. As a student of the university of Utah, I commute down 13th nearly every day to get to school. I've seen about a dozen car crashes on 13th east in my 3 years I've commuted to the U. Do you know how many people were killed in Salt Lake City due to vehicle accidents in 2020? 248. 248 people. Lawmakers put signs up and change speed limits to decrease the risk of car accidents. But there's no one to keep the people in power in check. You want to decrease the risk of car accidents? Maybe the politicians in charge should think outside their pockets for once and consider the risks their constant money grabs put on the people of the city.

Plus, this may just be the naïve opinion of a girl in her 20s, but I personally think a business to show off the view of that area (a cafe, bar, etc), would add to the rich life and culture of sugarhouse and downtown salt lake!

I got a little heated while typing this, I apologize, but thank you for taking the time to read this. If you did get through this whole thing, that shows that you actually care what the people around you have to say and I admire that.

1

Thank you!

[REDACTED]

Norris, Nick

From: Emily Anderson [REDACTED]
Sent: Saturday, September 24, 2022 8:04 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go Gas Station

Hi Nick,

I am inquiring surrounding the potential of the implementation of another gas station at the corner of 1300 E. 2100 S. I drive this 1300 East every day on my way to school and frequently run and spend time in sugarhouse Park. I feel like introducing a gas station at this location would not complement the area, cause more traffic and not utilize the wonderful aspects of the park.

I am opposed to this!

Thanks,
Emily Anderson

3

Norris, Nick

From: Storri Bain [REDACTED]
Sent: Saturday, September 24, 2022 7:54 PM
To: Norris, Nick
Subject: (EXTERNAL) Of all things... a Kum & Go???

This empty plot that has been sitting as a vacant eye sore for I don't even know how long is the PERFECT spot for a locally owned restaurant, coffee shop, boutique, ANYTHING but another gas station. I live smack dab on 2100 S just down the street from Sugarhouse Park and my gas station is the Chevron. I have never once in my 2 years living here, had to wait for a gas pump, wait in line inside the Chevron for more than 5 minutes, or felt like it was overcrowded in the slightest. ANOTHER GAS STATION IS NOT NEEDED. You people BEG Utah residents to drive less, electronic signs over the interstate, billboards, radio ads, and you want to add a gas station to corner of one of the most beautiful parks in Salt Lake County?? SO many people lost their businesses during Covid and all we could use right now is a locally owned business with that amazing park and mountain view. It is insanely disappointing to hear that the city planners of Salt Lake City are dense enough to do something like this to our beautiful park. You people must have some neurological disorder causing brain disfunction to think this is what Sugarhouse and Salt Lake City residents need or want at all in the slightest. I suggest taking a trip to our great University of Utah Hospital to get this issue checked out immediately, as i have genuine worry for you all. Make Salt Lake City beautiful again.

- A very concerned resident

4

Norris, Nick

From: Lola Ward [REDACTED]
Sent: Saturday, September 24, 2022 7:48 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK.

Hello,

As a mother who visits this park regularly with her children, The corner should be utilized in a much different way. We just don't need another gas station. A cafe, coffee shop, or even a stash pad. Would enrich the community rather than making an eye sore. Please reconsider the decision that was made.

Thank you

5

Norris, Nick

From: Samara Newell [REDACTED]
Sent: Saturday, September 24, 2022 7:33 PM
To: Norris, Nick
Subject: (EXTERNAL) KEEP UR KUM AND GO OUT OF OUR PARK

We do not want this gas station built in sugarhouse park! This is already such a congested, dangerous intersection. Not only will it be a potential danger, it will ruin our beautiful park. Please reconsider!

6

Norris, Nick

From: Kin Blandford [REDACTED]
Sent: Saturday, September 24, 2022 2:59 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GO? REALLY?

Mr. Norris,

We can do better than this. Sugarhouse park is an icon of Salt Lake City. Let us not taint it with a gas station whose name is going to be treated as an innuendo for decades to 'KUM'.

-- A resident of Salt Lake City

7

Norris, Nick

From: Ben Oveson [REDACTED]
Sent: Saturday, September 24, 2022 2:53 PM
To: Norris, Nick
Subject: (EXTERNAL) No to the Kum and go

Hi nick, I'm writing to express my concern for the proposed plan for a kum and go. This site should not get a conditional use permit as the qualifications of demonstrating no traffic impact and environmental damage are not met.

Gas stations are the largest cause of soil contamination in this country with over 90% of brownfield sites being caused by underground gas tanks. We should not allow this next to a protected water resource.

Traffic will be effected in an adverse way. This also allows for the city to deny a conditional use permit.

Best,

Ben Oveson

8

Norris, Nick

From: Nancy Chisholm [REDACTED]
Sent: Saturday, September 24, 2022 2:40 PM
To: Norris, Nick
Subject: (EXTERNAL) Re: Concerns about proposed Kum and Go

Hi Nick:

I thought of another idea. What if SLC buys the property and then leases it back to a nice restaurant or something else that can preserve the view?

Thanks for truly considering other options.

Nancy Chisholm
[REDACTED]

Sent from my iPhone

On Sep 23, 2022, at 5:38 PM, Nancy Chisholm [REDACTED]

Hello Nick:

9

I am writing because I am very concerned about the proposed construction of the kum and go gas station on the corner of sugarhouse park. These are my concerns:

1. The traffic is already intense at this intersection. Adding more traffic that will need to make a U turn or continue east on 2100 South to get back to I-80 will add traffic to a neighborhood that is already overwhelmed.
2. Don't waste the unobstructed breathtaking view of Mt Olympus.
3. I know the lot is expensive at nearly \$8 million but can't we create greenspace and get donors or use some of the city preservation funds?
4. It would be such a waste to add another gas station here as well as more traffic to 1300 East.
5. Why add more blithe to Sugar House when it could be so beautiful?

Thank you for your consideration. If I can help please let me know.

Nancy Chisholm
[REDACTED]

Norris, Nick

From: AJ Casper [REDACTED]
Sent: Saturday, September 24, 2022 2:32 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

We have nothing if not our earth. Every step of the way us humans have destroyed one beautiful thing after another. Please preserve this piece of nature, this is not okay!

11

Norris, Nick

From: kendelle mapstone [REDACTED]
Sent: Saturday, September 24, 2022 2:20 PM
To: Norris, Nick
Subject: (EXTERNAL) IMPORTANT MESSAGE FOR NICK NORRIS.

Dear Nick Norris, or whomever this message may concern,

My name is Kendell Mapstone, and I have lived in Salt Lake City for 24 years, and plan to raise a family here. That being said, I am utterly disgusted and frankly offended our city is considering putting a 'Kum & Go' across the street from Sugarhouse Park.

The vacant lot 'Sizzler' once inhabited has amazing potential, with views of the pond and close enough to walk to the park. I thought perhaps a small convenience store, cafe, or eatery would thrive there, but alas, our dear city landed on 'KUM & GO'. You have to be joking, right?

I would genuinely love to hear a reasonable explanation for this act, as there is a gas station not even 500 feet away. Litter and loitering in the area will undoubtedly increase, making the area feel unsafe to walk alone and contribute to Utah's air pollution.

Imagine a city that actually cares about the people who live there and work hard to bring resources that can increase quality of life.

Why can't you be creative and create spaces that make people inspired?

12

I understand a lot of locals are upset, and rightfully so.

As a member of our government, Nick, it is your job and duty to serve the community and listen to our complaints. When will Utah step to the plate and start to look at our city as not a money grab, but actually a fun place to live.

Stop ruining our city with apartments and gas stations.

Sincerely, and on behalf of our young community,

Kendell Mapstone

[REDACTED]

Please call if you would like me to explain my case further.

13

Norris, Nick

From: Erin Mortensen [REDACTED]
Sent: Saturday, September 24, 2022 1:46 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT IF OUR PARK

i have lived in the sugarhouse area of salt lake most of my life and putting a gas station (right across the street from another one) is a waste of time, money, and resources. why not do something for the community? a cafe, a restaurant and bar? something that will add to the culture, not distract from the parks beauty, create pollution, and even more traffic problems than there already are (and there are A LOT- especially in that area).

please consider what the people want. I don't care if it's "inconvenient" for you because frankly it's not about you.

get that gas station out of our park.

14

Norris, Nick

From: olivia radcliffe [REDACTED]
Sent: Saturday, September 24, 2022 1:23 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Park Kum and Go

Hello, my name is Olivia Radcliffe and I have been a resident of the Sugar House area my entire life. I am emailing you to oppose the new kum and go development. This will not only increase traffic but will be a terrible addition to the park. Sugar House is going downhill fast with these new developments and I am speaking behalf of my neighborhood when I say we don't want this to happen. Please take my voice into consideration.

Thank you,
Olivia

15

Norris, Nick

From: [REDACTED]
Sent: Saturday, September 24, 2022 1:11 PM
To: Brandon Hill
Cc: Norris, Nick; features@sltrib.com; letters@sltrib.com; Public Lands; Zoning; Mayor; Sugar House Community Council
Subject: (EXTERNAL) Re: Sugarhouse Park Development

If UDOT were still involved with 1300 East they would absolutely never allow a "right in right out" that close to the intersection of 1300 & 2100. I also highly doubt they would approve of an entrance/exit on 2100 South because of its proximity to the same intersection.

[Sent from the all new AOL app for iOS](#)

On Saturday, September 24, 2022, 12:40 PM, Brandon Hill <brandon.douglas.hill@gmail.com> wrote:

Thanks for your comments, Mike! I think you share concerns that most of us in the community agree with. Hopefully, we can put a stop to this development!
Brandon

16

Co-Chair Sugar House Chamber
Sugar House Community Council Trustee

On Fri, Sep 23, 2022 at 12:59 PM <mpete007@aol.com> wrote:

Mr. Norris,

I was more than surprised that the city would be considering to permit a new Convenience Store on the corner of 1300 East and 2100 South in Sugarhouse. Sugarhouse and Sugarhouse Park is the envy of every other city along the Wasatch Front. Building a Kum & Go with fuel I think would be the last of a very long list of things to use the property. I watched the last Zoom call with the Sugarhouse Community Council. I found it ironic that the person on the agenda before Kum & Go was talking about the Brand of Sugarhouse. Things he thought they could possibly do to showcase the history and uniqueness of the area. Kum & Go then followed with their updated design. None of which comes close to fitting in with the Sugarhouse Brand. Kum & Go had stock answers to all the Council's questions with the exception of one, What are they bringing to the area that is either needed or currently missing. To that question they had no answer. There is a gas station directly across the street and another one on 1700 South (both locally owned) plus a new CVS across the corner. There is not a single thing they bring new to the area. The traffic issue alone should be enough to rethink the permit. In speaking with the Utah Petroleum Dealers Association the average store does 1,200 transactions per day with most of those sales occurring during the busiest traffic hours. Not to mention the daily delivery trucks of fuel, Groceries, Beer, Coke, Pepsi and all the other items needed. In watching the station across the street there is hardly a time when they don't have some kind of delivery truck there. They also mentioned on the Zoom call they are installing Diesel which then makes it even more of a problem as they become a mini Truck Stop. I ask the Chevron why they did not offer Diesel and their answer was most diesel vehicles are either pulling a trailer or are much larger in size and they can't handle the traffic even

17

though that property is 4 times larger. This would become as bad if not worse than the Chick Fillet problem down the street as 1300 East has 2 to 3 times the traffic than 2100 South, plus Chick Fillet is not on an already busy intersection. In making a list of the pros and cons of a Kum & Go on that site I can't think of a single pro. There are much better fits for that area and ones that don't create the problems. Something like a bank, an office building, a small strip mall with retail. The best use would be for the city to purchase it while it is available and add it to the park. I am sure the Park people could think of a hundred ways to use it to make the park better. I think the neighbors and surrounding businesses could even help raise the money. There has not been a single person I have talked to about this site that thinks another gas station on that site is a good idea. I have had an office on 1300 East for over 20 years and love everything about Sugarhouse. The very last thing we need is a High Traffic business to add to our ever increasing traffic problems. I hope the city will help prevent Sugarhouse from becoming "gasoline alley" and losing the feel of the local Community it is.

Mike Peterson

18

Norris, Nick

From: Michael Claflin [REDACTED]
Sent: Saturday, September 24, 2022 1:01 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go degrades recreation space in SLC

Hi Nick,

Just putting in my two cents on the gas station plan for Sugar House park.

My thoughts are that we have a really unique and thriving community but there a growing problem.

Any open land for development is being turned into gas stations and car washes.

While I understand the need for fuel stations I think the location of this particular Kum and Go is inappropriate and detracting from the current ambiance and richness of our neighborhood.

Please reconsider the location and protect our recreational spaces.

19

Norris, Nick

From: [REDACTED]
Sent: Saturday, September 24, 2022 12:57 PM
To: Brandon Hill
Cc: Norris, Nick; features@sltrib.com; letters@sltrib.com; Public Lands; Zoning; Mayor; Sugar House Community Council
Subject: (EXTERNAL) Re: Sugarhouse Park Development

As you know it is almost impossible to get anyone in the neighborhood to agree on anything. This permit is the exception. I have yet to hear a single person for the project. Causing quite an outcry. It will definitely change the face of Sugarhouse. I don't think turning us into "Gasoline Alley" is good for Sugarhouse's image.

[REDACTED]

[REDACTED]

Thanks for your comments, Mike! I think you share concerns that most of us in the community agree with. Hopefully, we can put a stop to this development!
Brandon

20

Co-Chair Sugar House Chamber
Sugar House Community Council Trustee

On Fri, Sep 23, 2022 at 12:59 PM <mpete007@aol.com> wrote:

Mr. Norris,

I was more than surprised that the city would be considering to permit a new Convenience Store on the corner of 1300 East and 2100 South in Sugarhouse. Sugarhouse and Sugarhouse Park is the envy of every other city along the Wasatch Front. Building a Kum & Go with fuel I think would be the last of a very long list of things to use the property. I watched the last Zoom call with the Sugarhouse Community Council. I found it ironic that the person on the agenda before Kum & Go was talking about the Brand of Sugarhouse. Things he thought they could possibly do to showcase the history and uniqueness of the area. Kum & Go then followed with their updated design. None of which comes close to fitting in with the Sugarhouse Brand. Kum & Go had stock answers to all the Council's questions with the exception of one, What are they bringing to the area that is either needed or currently missing. To that question they had no answer. There is a gas station directly across the street and another one on 1700 South (both locally owned) plus a new CVS across the corner. There is not a single thing they bring new to the area. The traffic issue alone should be enough to rethink the permit. In speaking with the Utah Petroleum Dealers Association the average store does 1,200 transactions per day with most of those sales occurring during the busiest traffic hours. Not to mention the daily delivery trucks of fuel, Groceries, Beer, Coke, Pepsi and all the other items needed. In watching the station across the street there is hardly a time when they don't have some kind of delivery truck there. They also mentioned on the Zoom call they are installing Diesel which then makes it even more of a problem as they become a mini Truck Stop. I ask the Chevron why they did not offer Diesel and their answer was most diesel vehicles are either pulling a trailer or are much larger in size and they can't handle the traffic even

21

though that property is 4 times larger. This would become as bad if not worse than the Chick Fillet problem down the street as 1300 East has 2 to 3 times the traffic than 2100 South, plus Chick Fillet is not on an already busy intersection.. In making a list of the pros and cons of a Kum & Go on that site I can't think of a single pro. There are much better fits for that area and ones that don't create the problems. Something like a bank, an office building, a small strip mall with retail. The best use would be for the city to purchase it while it is available and add it to the park. I am sure the Park people could think of a hundred ways to use it to make the park better.. I think the neighbors and surrounding businesses could even help raise the money. There has not been a single person I have talked to about this site that thinks another gas station on that site is a good idea. I have had an office on 1300 East for over 20 years and love everything about Sugarhouse. The very last thing we need is a High Traffic business to add to our ever increasing traffic problems. I hope the city will help prevent Sugarhouse from becoming "gasoline alley" and losing the feel of the local Community it is.

Mike Peterson

22

Norris, Nick

From: Tyson Jensen [REDACTED]
Sent: Saturday, September 24, 2022 12:55 PM
To: nick.norris@slc.gov; Norris, Nick
Subject: (EXTERNAL) Kum & Get this gas station out of our park!

As a resident of the Sugarhouse area, I really enjoy Sugar House Park and its beautiful scenery. The new *Kum & Go* gas station is neither beautiful, nor practical. In fact, it's quite redundant. There is already an existing *Chevron* gas station across the street from where this new *Kum & Go* will be placed. In addition, this new gas station will create much, much more traffic in that area. This gas station will be an ugly addition to the Sugar House Park area with no real benefits. I think that a new restaurant with stunning views onto the park would be wonderful! Maybe even with rooftop access with even more views. This restaurant would be beneficial in many ways, the first being that there are no other restaurants like it. Second, this would bring more life to the area, as there is an abandoned *Sizzler* there now. Third, this restaurant would actually take advantage of the park's beautiful natural scenery and use it to benefit other people with the views while dining!

Thank you!
Best regards.
-Tyson Jensen, resident of Sugar House area

23

Norris, Nick

From: [REDACTED]
Sent: Saturday, September 24, 2022 12:48 PM
To: Brandon Hill
Cc: Norris, Nick; features@sltrib.com; letters@sltrib.com; Public Lands; Zoning; Mayor; Sugar House Community Council
Subject: (EXTERNAL) Re: Sugarhouse Park Development

I heard the neighbors are planning some kind of public function to protest at City Hall. Last I heard they were expecting over 500 people. I told them I would like to join and bring people from our office building. As I state in my email, out of all the uses for that area they are looking to permit the absolute worse one.

Thanks for your comments.

Mike

[REDACTED]

[REDACTED]

24

Thanks for your comments, Mike! I think you share concerns that most of us in the community agree with. Hopefully, we can put a stop to this development!

Brandon

Co-Chair Sugar House Chamber
Sugar House Community Council Trustee

On Fri, Sep 23, 2022 at 12:59 PM <mpete007@aol.com> wrote:

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25

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Mike Peterson

26

Norris, Nick

From: Ashan Mendis [REDACTED]
Sent: Saturday, September 24, 2022 12:46 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GO NO THANK YOU

We don't not want this eye sore next to our park. You guys have a chance to make this land a spot for the community to indulge in beautiful views but you are in support of a gas station instead. The community does not want this. Use your power properly!

Thank you,
Concerned citizen

27

Norris, Nick

From: Brandon Hill [REDACTED]
Sent: Saturday, September 24, 2022 12:41 PM
To: [REDACTED]
Cc: Norris, Nick; features@sltrib.com; letters@sltrib.com; Public Lands; Zoning; Mayor; Sugar House Community Council
Subject: (EXTERNAL) Re: Sugarhouse Park Development

Thanks for your comments, Mike! I think you share concerns that most of us in the community agree with. Hopefully, we can put a stop to this development!
Brandon

Co-Chair Sugar House Chamber
Sugar House Community Council Trustee

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28

watched the last Zoom call with the Sugarhouse Community Council. I found it ironic that the person on the agenda before Kum & Go was talking about the Brand of Sugarhouse. Things he thought they could possibly do to showcase the history and uniqueness of the area. Kum & Go then followed with their updated design. None of which comes close to fitting in with the Sugarhouse Brand. Kum & Go had stock answers to all the Councils questions with the exception of one, What are they bringing to the area that is either needed or currently missing. To that question they had no answer. There is a gas station directly across the street and another one on 1700 South (both locally owned) plus a new CVS across the corner. There is not a single thing they bring new to the area. The traffic issue alone should be enough to rethink the permit. In speaking with the Utah Petroleum Dealers Association the average store does 1,200 transactions per day with most of those sales occurring during the busiest traffic hours. Not to mention the daily delivery trucks of fuel, Groceries, Beer, Coke, Pepsi and all the other items needed. In watching the station across the street there is hardly a time when they don't have some kind of delivery truck there. They also mentioned on the Zoom call they are installing Diesel which then makes it even more of a problem as they become a mini Truck Stop. I ask the Chevron why they did not offer Diesel and their answer was most diesel vehicles are either pulling a trailer or are much larger in size and they can't handle the traffic even though that property is 4 times larger. This would become as bad if not worse than the Chick Fillet problem down the street as 1300 east has 2 to 3 times the traffic than 2100 south, plus Chick Fillet is not on a already busy intersection.. In making a list of the pros and cons of a Kum & Go on that site I can't think of a single pro. There are much better fits for that area and ones that don't create the problems. Something like a bank, an office building, a small strip mall with retail. The best use would be for the city to purchase it while it is available and add it to the park. I am sure the Park people could think of a hundred ways to use it to make the park better.. I think the neighbors and surrounding businesses could even help raise the money. There has not been a single person I have talked to about this site that think another gas station on that site is a good idea. I have had an office on 1300 East for over 20 years and love everything about Sugarhouse. The very last thing we need is a High Traffic business to add to our ever increasing traffic problems. I hope the city will help prevent Sugarhouse from becoming "gasoline alley" and losing the feel of the local Community it is.

Mike Peterson

Norris, Nick

From: Maura Monson [REDACTED]
Sent: Saturday, September 24, 2022 12:19 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

As a resident of Sugarhouse, I am disappointed to learn that a gas station will be put into the empty lot in the corner of sugarhouse park. There is one directly across the street from that location, and I feel that there are much better uses for the space. Consider putting in a restaurant or cafe or something less likely to cause traffic and pollution.

Sincerely,
Maura Monson

31

Norris, Nick

From: Ethan Heyns [REDACTED]
Sent: Saturday, September 24, 2022 12:01 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt Lake City..... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state. Please reconsider.

Thank you,
Ethan Heyns

32

Norris, Nick

From: Emmi Koszinowski [REDACTED]
Sent: Saturday, September 24, 2022 11:57 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GO MUST GO!!!

Hello there!

As someone who has lived here for most of the duration of her life, it's been difficult watching my city change so much and I believe our voices as locals should be heard. Utah is wonderful, growing and changing, but I do expect that there's more YOU can do for us and this city than a Kum and Go!

Sugar house park has been a gem for years and I hope it continues to flourish and that we continue to protect it. The location for your proposed gas station currently has some of the best views of the Wasatch Mountains. I would've hoped for something to be developed that takes that into consideration..... There is also a chevron right across the street. As much as two gas stations on the same intersection seems constructive all I consider is the traffic. The traffic is already heavy and chaotic on that end of sugar house and this would add to that immensely. The added pollution in that area is also a concern of mine and others. I propose we consider supporting a local vendor, a local cafe or even adding this space to the park itself as a community garden for everyone to enjoy the nature and views this space so graciously provides us.

33

I say no to Kum and Go and I know many others do as well. Let's keep Utah growing and gorgeous but without travesties such as this proposed gas station. Do better Mr. Norris I know you can. Keep Utah clean and green. I'm begging you.

Sincerely,
Paris Hilton
[REDACTED]

Sent from my iPhone

34

Norris, Nick

From: Chris Santucci [REDACTED]
Sent: Saturday, September 24, 2022 11:15 AM
To: Norris, Nick
Subject: (EXTERNAL) Re: Kum & get this gas station out of our park.

Please do not allow the planned Kum & Go gas station placement at the corner of Sugarhouse Park. It in no way serves the best interests of the SLC public.

Regards,

Chris Santucci
[REDACTED]

35

Norris, Nick

From: Brittany Bartholomew [REDACTED]
Sent: Saturday, September 24, 2022 9:33 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum n go has GOT TO GO

Hi Nick,

Hope you're doing well. I'm a resident of Salt Lake City and work at the sugarhouse clinic. We do not need another gas station at that corner, it will cause traffic congestion and really, why can't utilize the space to enjoy the views of the park and our beautiful city?

Thank you,

Brittany Bartholomew

36

Norris, Nick

From: [REDACTED]
Sent: Saturday, September 24, 2022 8:36 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM&GO at 1300 So. by Sugarhouse Park

Nick –

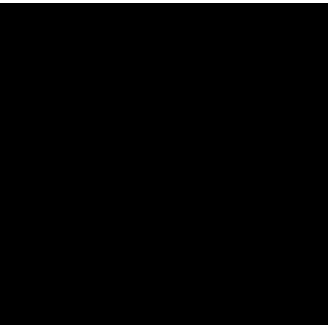
Please don't allow this space to be used for a gas station/mini market. A gas station would make an already busy intersection chaotic. Besides, this is a very ecstatically pleasing view of Mt. Olympus and Sugarhouse Park. Why waste this view on a gas station?

Thanks,

--Max

Maxim Holloway

[REDACTED]



Norris, Nick

From: Ben Engel [REDACTED]
Sent: Saturday, September 24, 2022 3:32 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugar house park

Don't put a gas station, if anything do an electric car charger with a place to eat or something. People will play at the park while their car charges, it'll help the air quality and get more people to the park. This worked for liberty park, I charge there all the time and go for a walk.

39

Norris, Nick

From: Tina Nguyen [REDACTED]
Sent: Saturday, September 24, 2022 3:31 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hello Mr. Norris. I'm sure you know what this email is about from the subject line, but it seems that a new gas station is just an absolutely terrible idea to put in that beautiful park, and I'm sure a lot of men will be making mega bank from this whole situation, but that's stupid. Money isn't everything. that view from those windows is everything. The people who will have to walk past TWO ugly gas stations everyday is. The air that you are further polluting is everything.

Also! Kum and Go?? Are you kidding me how is that still allowed to be a name of an actual company. It's absolutely hilarious so I'm not complaining but definitely doesn't belong in the park.

Anyway, I offer solutions,

- a cafe
- a bistro
- a family run diner
- a permanent snow cone shack
- a duck pond featuring duck water slides •a Weezer Memorial •a fully funded coffee shop ran by me.

40

- an amphitheater for the sole use of Homeless Shakespeare entertainers.
- a giant ball of yarn.
- an adult sized bouncy castle
- Art gallery full of pictures/sculptures of Jim Carey.
- a fruit snack fruit stand.
- a doggy day spa

There are other options use them.

41

Norris, Nick

From: Lindsey Cullimore [REDACTED]
Sent: Saturday, September 24, 2022 1:46 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

This is not an ideal spot to put a gas station! Literally not a respectable place to bring more people around this area to be putting gas in their car. It's a great time to spend our time but no way it will be a benefit for anyone!!!

42

Norris, Nick

From: flor sandoval [REDACTED]
Sent: Saturday, September 24, 2022 1:07 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THE GAS STATION OUT OFF OUR PARK

hello please for the love of god don't put that stuff gas station there. there is a million other spots to put one. come on.

Norris, Nick

From: Anthony D'Eustachio [REDACTED]
Sent: Sunday, October 9, 2022 7:28 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

No thanks. No thanks. No thanks. No thanks. No thanks. No thanks. No thanks. No thanks. No thanks. No thanks. No thanks. No thanks.

No Kum and Go.
No moneygrab.

How bout, a bar?

1

Norris, Nick

From: Tori Papiernik [REDACTED]
Sent: Friday, October 7, 2022 6:15 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go in Sugarhouse Park

As a resident of SLC, I am pleading with you to please not allow the Kum & Go to be put up by the Sugarhouse Park.

Not only would be it a waste of such amazing, beautiful space, it's not good for the economy. There is another gas station across the street. The views at this park are beautiful. Please don't allow another gas station to pollute our beautiful town.

--

-Victoria Papiernik

2

Norris, Nick

From: Michael Morrise [REDACTED]
Sent: Wednesday, October 5, 2022 2:04 PM
To: Norris, Nick
Subject: (EXTERNAL) Re: KUM & GET THIS GAS STATION OUT OF OUR PARK
Attachments: icymi.jpg

in case you missed it: I saw your comments on TikTok, sorry for getting riled up. I sent the email as written anyway, strong wording and all, so you can show it to the property owner! Thank you for your service.

Michael Morrise

On Wed, Oct 5, 2022 at 1:47 PM Michael Morrise <[REDACTED]>
Mr. Norris,

As a former resident of Sugar House, I'm very disappointed to hear about the Kum & Go gas station slated for development on the corner lot adjoining Sugar House Park. In your capacity as the SLC planning director, you have an ethical responsibility to make decisions that benefit the whole community, not economic elites. A gas station in that lot, right across the street from a perfectly functional Chevron, serves no tangible benefit other than the bottom lines of people who have plenty of money already. Please repent and find a better use for this space.

3

Thanks,
Michael Morrise

4

Norris, Nick

From: Michael Morrise [REDACTED]
Sent: Wednesday, October 5, 2022 1:48 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Mr. Norris,

As a former resident of Sugar House, I'm very disappointed to hear about the Kum & Go gas station slated for development on the corner lot adjoining Sugar House Park. In your capacity as the SLC planning director, you have an ethical responsibility to make decisions that benefit the whole community, not economic elites. A gas station in that lot, right across the street from a perfectly functional Chevron, serves no tangible benefit other than the bottom lines of people who have plenty of money already. Please repent and find a better use for this space.

Thanks,
Michael Morrise

5

Norris, Nick

From: ashton [REDACTED]
Sent: Tuesday, October 4, 2022 10:20 AM
To: Norris, Nick
Subject: (EXTERNAL) NO KUM AND GO

Hello,

As a resident of Salt Lake City for the past five years, the decision to use the vacant space on the north east corner of sugarhouse park for a Kum and Go is genuinely beyond my understanding. I'm a homeowner, I work here, I went to college here, I'm building a life here. We live in a beautiful state, a beautiful area, and one of the most beautiful spots is going to now house a gas station. Bonus - right across from another gas station. This is an obvious money ploy to every resident here. Do your job and do right by the community, not your wallet.

The area would be much better utilized as a restaurant, cafe, or some community centered business, not another environmentally draining business in our already dying state.

Reconsider the Kum and Go.

6

Norris, Nick

From: A G [REDACTED]
Sent: Monday, October 3, 2022 3:07 AM
To: Norris, Nick
Subject: (EXTERNAL) Gas station park

Dear nick

Don't be dumb don't put a ugly gas station in a beautiful park there literally one across the street.

Abby

7

Norris, Nick

From: Calvin Lassiter [REDACTED]
Sent: Sunday, October 2, 2022 5:18 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt Lake City..... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

8

Norris, Nick

From: Gillian Dalessandro [REDACTED]
Sent: Sunday, October 2, 2022 10:04 AM
To: Norris, Nick
Subject: (EXTERNAL) No gas station on the corner or 13th and 21st south

Dear Nick,

As a resident of SLC I would like to voice my strong opposition to another gas station/convenience store going into the northwest corner of Sugarhouse park. It is such a beautiful view, area and it should be used for a restaurant, bar, coffee shop. There is plenty of parking and beautiful views and it saddens me that the city would even consider something that is not needed or wanted in such a beautiful space.

Thanks for your consideration,
Gillian D'Alessandro

Sent from my iPhone

9

Norris, Nick

From: Nuura Al-daraji [REDACTED]
Sent: Saturday, October 1, 2022 6:37 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

If you won't listen to me, listen to all of her comments, no one wants this.

<https://www.tiktok.com/t/ZTRmXVf6j/>

Thank you,

Duuumbass

Norris, Nick

From: Nuura Al-daraji [REDACTED]
Sent: Saturday, October 1, 2022 6:34 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse Salt Lake City..... I will not stand to let another park further pollute the air and ruin on of the greatest public parks in the state. Not to mention the traffic, and there's a gas station right across the street, I do not understand the need for it. Open a coffee shop or something, for the people who are hanging out at the park or around it.

11

Norris, Nick

From: [REDACTED]
Sent: Friday, September 30, 2022 5:30 PM
To: Norris, Nick
Subject: (EXTERNAL) Northwest corner Sugarhouse park

Please do not put a gas station at the beautiful northwest corner Sugarhouse park. The site is perfect for a restaurant with a outdoor patio facing Mt. Olympus.

- Deanna

Sent from my iPhone

12

Norris, Nick

From: Heather Archuleta [REDACTED]
Sent: Thursday, September 29, 2022 9:39 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

I am a resident of Sugarhouse for over 20 years now.

Please stop ruining our neighborhood!

We DO NOT need another gas station in Sugarhouse!

Thanks

Heather Archuleta

13

Norris, Nick

From: Sam Harker [REDACTED]
Sent: Thursday, September 29, 2022 8:18 PM
To: diana.martinez@slc.gov; Norris, Nick
Subject: (EXTERNAL) Kum & get this gas station out of our park

As a resident of Cottonwood Heights, and frequent visitor of Sugarhouse Park it is appalling to hear of another gas station being built on such a beautiful space that would be better suited for almost anything else. Literally anything else.

The traffic at this intersection is already horrendous especially around rush hour and another gas station will make it even worse. Also, there is already a Chevron right across the street so there is no need for another gas station.

Furthermore, the idea of not being able to have a restaurant because of the liquor law - that it's too close to the park is ridiculous as the gas station will sell glassed and canned beer and seltzer's which is much more likely to make its way into the park. At least with a beverage at a restaurant customers are legally not allowed to leave with said alcoholic beverage.

Another gas station even closer to the park is going to pollute the air in the park and destroy the opportunity to have a beautiful landmark for the city.

14

Kum & Go is truly an eyesore that will ruin such a beautiful piece of land that could be used to highlight the beautiful views and the city/state as a whole. It's sat vacant for so many years, I'm sure we can do better than a gas station.

Respectfully,

Samantha Harker

15

Norris, Nick

From: Joy Hartmann [REDACTED]
Sent: Thursday, September 29, 2022 7:32 PM
To: Norris, Nick
Subject: (EXTERNAL) NO gas station on former Sizzler site.

This can be a very busy intersection....poor choice for another gas station.
The Chick Filet down the street 1/2 block already causes vehicles backed up on the road.

Please sign me NO, NO, NO!!!

Joy Hartmann
[REDACTED]

16

Norris, Nick

From: Kiera Layne [REDACTED]
Sent: Thursday, September 29, 2022 5:36 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Park Corner

Hi Nick,

I'm a resident of Salt Lake City, and frequently visit sugar house park. I've heard that there are plans for another gas station to be added to the vacant sizzler lot by sugar house park, and I wanted to add my thought, along with many other SLC residents, that this land could be used for something much more beneficial to the community. A social gathering space such as a cafe, bar, bookstore, etc. If you could pass along this message to whoever may have a say in this decision, it would be greatly appreciated. We do not need another gas station, especially directly across from an already existing gas station in an already crowded intersection. New spaces in the city for growth are hard to come by, so I hope that whoever makes this decision does so with more care for the community in mind.

Thank you,

Kiera Layne
An SLC resident

17

Norris, Nick

From: [REDACTED]
Sent: Thursday, September 29, 2022 4:01 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Park

Dear Mr Norris

Respectfully, as a resident of Sugarhouse and SLC, i do not support the current plan to build a Kum and Go gas station at the NW corner of Sugarhouse Park. The city and the local community deserve better than this...you are missing out on a great opportunity for a creative and site-specific design to take the place of the Sizzler.

Please pay attention to this great opportunity and don't waste it by placing a quick mart gas station on this very very precious corner lot!

Sincerely,

Mary Eddy

18

Sugarhouse resident since 2006

19

Norris, Nick

From: Colette Litster [REDACTED]
Sent: Thursday, September 29, 2022 1:55 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go location overlooking Sugarhouse Park

Mr. Norris,

The location overlooking Sugarhouse park that was vacated by Sizzler has one of the best views in the valley. The fact that Cum & Go is slated to take that space is literally a travesty. There is not a dearth of gas stations in that area. There is however a dearth of lovely places left in the valley to add something that would utilize such a fantastic view and lift the community. A beautiful restaurant, art school, community center, library extension, wedding or event center, would all be superior options to yet another gas station.

Please reconsider this approval.

Sincerely,
Colette Litster

[REDACTED]

20

Norris, Nick

From: Natalie Thorpe [REDACTED]
Sent: Thursday, September 29, 2022 1:28 PM
To: Norris, Nick
Subject: (EXTERNAL) Our green spaces don't need gas stations

Respectfully, as a resident of Sugarhouse and Salt lake City, I will not stand to let another money-grab further pollute our air and ruin one of the greatest public parks in the state.

The intersection of 2100 S and 1300 E is busy enough without adding yet another traffic-heavy business.

Please do better.

Sincerely,
Natalie

21

Norris, Nick

From: Rich Judge [REDACTED]
Sent: Thursday, September 29, 2022 10:55 AM
To: Norris, Nick
Cc: nick.norris@slc.gov
Subject: (EXTERNAL) Sugarhouse park

Stop the gas station from going in where Sizzler used to be. How about a breakfast cafe? Nice views, etc.

The traffic will be a nightmare at that intersection as it is always bad now. No gas station is needed!

RJ
Sugarhouse

22

Norris, Nick

From: Megan Tovar [REDACTED]
Sent: Wednesday, September 28, 2022 11:51 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK!

Hello

As a resident and realtor of Salt Lake City & Sugar House being one of my most FAVORITE areas there-in.. I cannot begin to imagine the chaos that this gas station will cause to the already overloaded flow of traffic that street and intersection has.

Please consider making further decisions that will truly benefit our community rather than do the opposite. The last thing that area needs is ANOTHER gas station.

Sincerely, Megan

23

Norris, Nick

From: Hanna Thistle [REDACTED]
Sent: Wednesday, September 28, 2022 11:28 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and get this gas station out of our park

Hello my name is Hanna Thistle. I am a SLC resident and deciding to put this gas station up is a disgusting decision.. I do not support it. Do not put up a gas station in sugar house park in that location. Do something sustainable for once. Good god. Also if you are the SLC planner, start planting HEMP in our city. Hemp sequesters (captures) carbon out of our dirty polluted air FOUR TIMES FASTER THAN TREES. Our lungs cannot take this. GROW HEMP IN SLC. Please email me back with your individual responses to both of these issues.

-Hanna Thistle

Get [Outlook for iOS](#)

24

Norris, Nick

From: Reilly M [REDACTED]
Sent: Wednesday, September 28, 2022 10:03 PM
To: Norris, Nick
Subject: Re: (EXTERNAL) Please no Kum & Go in Sugarhouse Park

Thank you, this is very helpful information!

Sent from my iPhone

> On Sep 26, 2022, at 11:34 AM, Norris, Nick <Nick.Norris@slcgov.com> wrote:

>

> Thank you for your comments. We appreciate your passion for Sugar House Park, your neighborhood, and our city. This proposal was submitted by Kum and Go, with the consent of the property owner. The property is privately owned. It is not a city proposal, but the city is required to process the application. You can find out more information about the project here: <https://www.slc.gov/planning/2022/02/07/kum-go-gas-station-conditional-use/> (sorry about all the links, our email system wont let me insert shorter links).

>

> The zoning of the property does allow a gas station at this location as a conditional use. A conditional use is a category of land use that requires a public process to identify potential impacts that the use may create and find ways to reduce

25

the impacts. Under Utah law, a conditional use is required to be approved if the impacts created by the use can be reduced. The role of the Planning Division is to take public input on the potential impacts and analyze the impacts to determine if the impacts can be reduced. The Planning Commission is the body that will make a decision regarding the proposed gas station. The Planning Commission is required to base their decision on the standards adopted by the city, which can be found here: https://codelibrary.amlegal.com/codes/saltlakecityut/latest/saltlakecity_ut/0-0-0-70835. We agree that there are far better uses for the property. However, the Planning Division and the Planning Commission have to analyze this specific proposal.

>

> Your comments will be made available to the Planning Commission prior

> to the decision being made so they are aware of the issues being

> identified by the community. The Planning Commission will hold a

> public hearing before making their decision. That public hearing has

> not been scheduled yet. If you would like to receive email

> notification of this public hearing or other public hearings held by

> the Planning Commission, you can join our email list here:

> <https://visitor.r20.constantcontact.com/manage/optin?v=001DY8jcNcrjp7L>

> XM-ZmKWAd5xRLH-fKMdggNZLYfv8I--IGTm_2FRB4Jl1Tgl1D1a6QDLvBLR2Zb39-kdC2K

> RGvgmLq6eC_J9rBfrllkK5Fuo%3D

> .

> We love to see more people engaged about the development of the city. If you are interested in helping shape the zoning and development of the city, here are several ways that you can:

26

- > 1. Sign up for the email list noted above. You can pick and choose the topics you are interested in and will receive an email about projects related to your interests and how to provide feedback on the work that the Planning Division does.
- > 2. Bookmark the list of projects that the city is seeking your input on. The list of projects includes private development applications and changes to zoning that the city is considering. These projects can be found on our open house page of our website: <https://www.sl.gov/planning/category/online-open-house/>
- > 3. Participate in your local community organizations, such as a community council. Community organizations that are registered with the city receive notification of all zoning related issues that may impact their neighborhood. A list of all active community councils can be found here: <https://www.sl.gov/attorney/recorder/recognized-community-organizations/>
- > 4. Join the Planning Commission. There are currently vacancies on the Planning Commission. Planning Commissioners are residents of the city who make decisions on development proposals and recommend zoning changes to the City Council. While they do not represent specific districts or neighborhoods, the intent is to have as many neighborhoods from all over the city as possible represented. If you are interested, you can learn more here: <https://slc.gov.force.com/slccrm/s/Request?rt=a0F5G00000JZD1AUAX&category=Admin>
- >
- > Finally, if you want to provide more input on the proposed gas station at the site of the former Sizzler site, please contact Diana Martinez at diana@martinez@slcgov.com Diana is the planner assigned to process the application and is best suited to answer any follow up questions that you may have.
- >
- > NICK NORRIS
- > Director
- > Planning Division

27

- >
- > DEPARTMENT of COMMUNITY and NEIGHBORHOODS SALT LAKE CITY CORPORATION
- >
- > TEL 801-535-6173
- > CELL 801-641-1728
- > Email nick.norris@slcgov.com
- >
- > WWW.SLC.GOV/PLANNING
- > Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.
- >
- >
- >
- > -----Original Message-----
- > From: Reilly M [REDACTED]
- > Sent: Thursday, September 22, 2022 8:50 PM
- > To: Norris, Nick <Nick.Norris@slcgov.com>
- > Subject: (EXTERNAL) Please no Kum & Go in Sugarhouse Park
- >

28

> Please don't put a gas station by the beautiful park in the city! There are children who play there, and it'll increase traffic, compromising the safety of the kids.

>

> Sent from my iPhone

29

Norris, Nick

From: Samantha Branch [REDACTED]
Sent: Wednesday, September 28, 2022 5:56 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & go (pls forward to decision makers)

Hello!

As a resident of SLC and a long time user of Sugar House Park I want to add my input on the proposed kum & go at the intersection next to sugar house park. I would LOVE to see something more useful and enriching for the community go there (local restaurant/bar, cafe, local shop of some sort..). Something that would take advantage of the gorgeous views and access to the park wold be great! With the gas station directly across the street and the heavy traffic in the area, a second gas station will be a detriment to the community. There are tons of options for gas in sugar house and the surrounding area, but there are not a ton of lots with such great park access and views!

I understand you didn't propose this, but if you could forward my thoughts to the decision makers I would really appreciate it.

Thank you for your time,

30

Norris, Nick

From: elsie sullivan [REDACTED]
Sent: Wednesday, September 28, 2022 4:46 PM
To: Norris, Nick
Subject: (EXTERNAL) Come and get this gas station out off our park

Respectfully, as a resident of sugarhouse Salt Lake City..... I will not stand and let another money grab further pollute our air and ruin one of the greatest parks in our state.

Norris, Nick

From: Isabela Chatwin [REDACTED]
Sent: Wednesday, September 28, 2022 3:23 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

I am a resident of Salt Lake City and I take my kids to sugar house park every day, rather than Liberty Park. That is because it is peaceful, quiet, safe, and beautiful. Not only is the Kum & Go gas station completely unnecessary, it will attract loitering adults that do not make me, as a parent, feel safe. If there was a cafe or ice cream shop there, I'm sure the families that actually use Sugar House Park, will be regular customers! Please don't pollute our air, traffic, and sight with this gas station!

33

Norris, Nick

From: Tanner W [REDACTED]
Sent: Wednesday, September 28, 2022 3:16 PM
To: Norris, Nick
Subject: Re: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Thank you!

Sent from my iPhone

> On Sep 26, 2022, at 11:39 AM, Norris, Nick <Nick.Norris@slcgov.com> wrote:

>

> Thank you for your comments. We appreciate your passion for Sugar House Park, your neighborhood, and our city. This proposal was submitted by Kum and Go, with the consent of the property owner. The property is privately owned. It is not a city proposal, but the city is required to process the application. You can find out more information about the project here: <https://www.sl.c.gov/planning/2022/02/07/kum-go-gas-station-conditional-use/> (sorry about all the links, our email system wont let me insert shorter links).

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34

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> RGvgmLq6eC_J9rBfrllkK5Fuo%3D

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>

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>

> NICK NORRIS

> Director

> Planning Division

36

>
> DEPARTMENT of COMMUNITY and NEIGHBORHOODS SALT LAKE CITY CORPORATION
>
> TEL 801-535-6173
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>
>
>
> -----Original Message-----
> From: Tanner W [REDACTED]
> Sent: Thursday, September 22, 2022 10:08 PM
> To: Norris, Nick <Nick.Norris@slcgov.com>
> Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK
>

37

> Literally the worst decision that could be made. You know what I'm referring to. I truly hope you think about this a little more.
>
> Sincerely... everyone.
>
> Thank you.
>
> - Tanner Winnie
>
> Sent from my iPhone

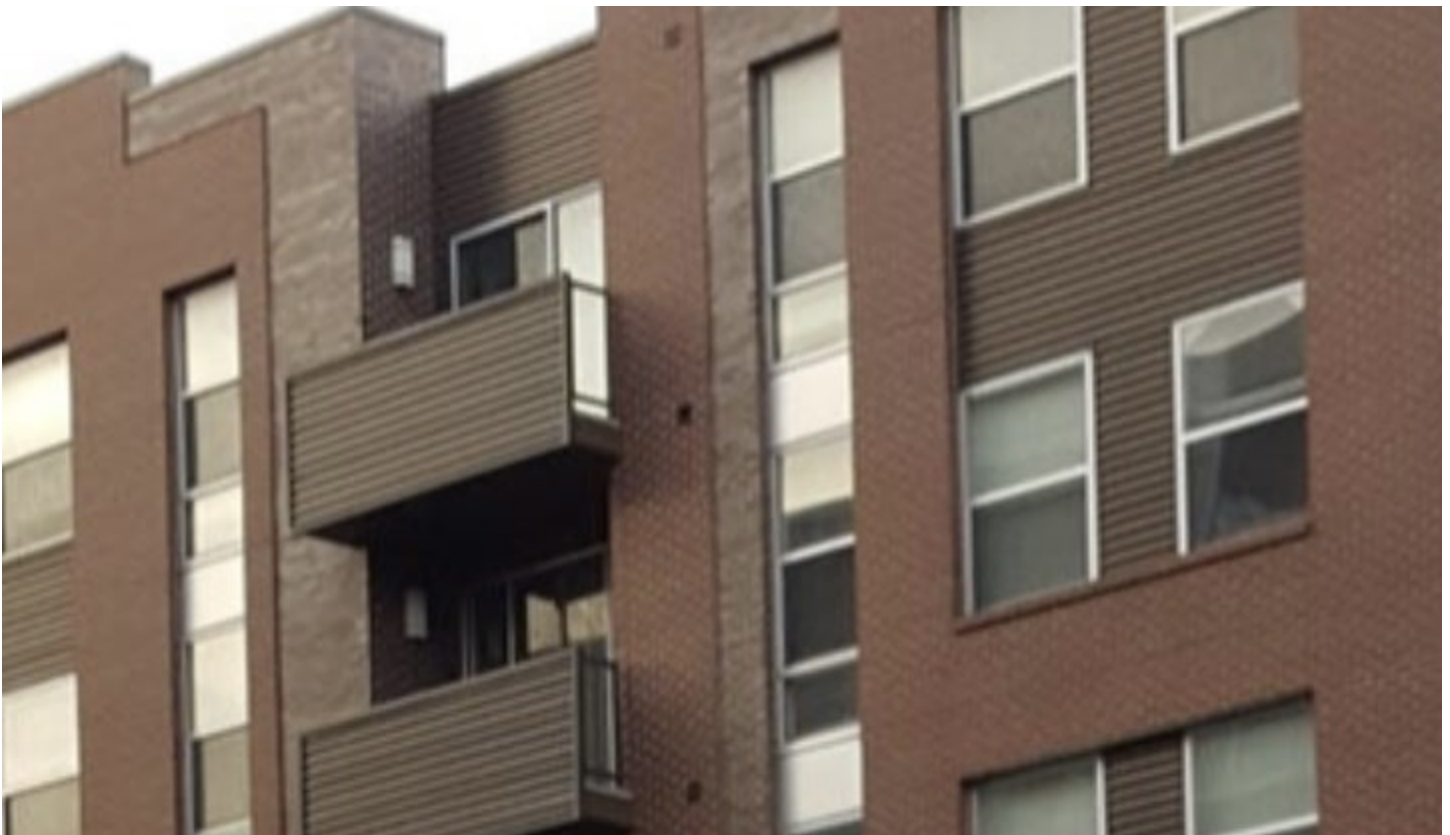
38

Norris, Nick

From: Roddy Clark [REDACTED]
Sent: Wednesday, September 28, 2022 2:50 PM
To: Norris, Nick
Subject: (EXTERNAL) Cum and go this gas station out of our park 🐔🐔🐔

As a resident of Subaru house, and Salt Lake City, I will not allow another money grab to pollute our air, and ruin one of the greatest parks in our state. You've already constructed a statue of a penis, and a vagina in the same corner. Please see attached photos. This is pathetic for sugar house. I, and my entire 5 block radius near 1700 east and 2100 south never to patronize this gas's station, and will do everything in our power to run it out of business.

39



40



41



42

Sent from my iPhone

43

Norris, Nick

From: Jarrod Jennings [REDACTED]
Sent: Wednesday, September 28, 2022 1:41 PM
To: Norris, Nick
Subject: (EXTERNAL) NO to the Kum and go cottonwood heights

<https://www.tiktok.com/t/ZTRas1jQW/>

I do NOT want this Kum and go put in here. We have enough gas stations/ convenience stores and could use some more small, quaint shops or a nice restaurant in that spot.

I am a cottonwood heights resident.

44



Jarrold H. Jennings, Esq.

[Redacted]
[Redacted]
[Redacted]

This transmission (including any attachments) may contain confidential information, privileged material (including material protected by the attorney-client or other applicable privilege), or constitute non-public information. Any use of this information by anyone other than the intended recipient is prohibited. If you have received this transmission in error, please immediately reply to the sender and delete this information from your system. Use, dissemination, distribution, or reproduction of this transmission by unintended recipients is not authorized and may be unlawful.

IRS CIRCULAR 230 NOTICE. To ensure compliance with requirements imposed by the IRS, we inform you that, unless specifically indicated otherwise, any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any tax-related matter addressed herein.

Norris, Nick

From: Katie Goeckeritz [REDACTED]
Sent: Wednesday, September 28, 2022 9:16 AM
To: Norris, Nick
Subject: (EXTERNAL) No Gas Station

Hello Nick,

I wanted to reach out to you about the old Sizzler building on the corner of 2100 S and Highland Ave. I have heard rumors that the plan is to put a gas station in that spot. I urge you to pick something more reflective of the community there. It is a beautiful spot to view Sugarhouse park, I personally would love to see a new bar or restaurant there. I know other residents of Sugarhouse would agree with me that a gas station would be a disappointment and a waste of the prime spot.

Thank you for your time,
Katie

47

Norris, Nick

From: Nate Packer [REDACTED]
Sent: Wednesday, September 28, 2022 8:45 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum n go

Nick,

I live in Sugarhouse. We have gas stations galore along 21st. Sdding one next to the park is a waste of a good piece of property

That land has sat dormant for years, let's wait a little longer if thats what it takes to get something better there, not a gas station.

As a resident who lives there I reject this planning decision and hold you to a higher standard.

Nate Packer

48

Norris, Nick

From: Mary Allen [REDACTED]
Sent: Wednesday, September 28, 2022 1:33 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go...or please don't.

Hello Mr. Norris,

My name is Mary Allen, and I am a long-time resident of Salt Lake City and current student.

I'm messaging you in regards to the plans to put in a Kum & Go gas station on the corner of 13th East and 21st South, and urge you to do what you can to halt this decision.

Sugarhouse Park has been a little piece of tranquility that I and many Salt Lake residents like myself have had the privilege of enjoying for several years. I believe another gas station this close in proximity to the boundaries of the park would severely degrade its overall quality and would, in my eyes, be something of a tragedy to the people of Salt Lake City...not to mention the nightmare of traffic this will cause in an area that is already oversaturated beyond all infrastructural help.

In a world where it feels like city walls are, quite literally, closing in, it can be disheartening when the few pieces of calm and beauty within the city are disrespected and taken for granted. I believe it is our job as citizens to support officials

49

like yourself in your duties, but also to speak out when we feel strongly about something like the livelihood of place as special as Sugarhouse Park.

I believe there are other options for this piece of land that will be of greater use to leverage the beauty that surrounds it, while simultaneously being better for our air quality and city infrastructure. Simply put: this area doesn't need another gas station, and we as citizens of Salt Lake City don't want one. If this is a "money grab", then I am severely disappointed in our city's leadership and am among many who can't respect officials that don't truly know a good thing when they have it.

I appreciate your service to our beloved city, and hope that you will strongly consider the contents of this email when taking the next steps in deciding what to do with this land.

Best regards,
Mary Allen

Norris, Nick

From: Ben Benson [REDACTED]
Sent: Wednesday, September 28, 2022 12:25 AM
To: Norris, Nick
Subject: (EXTERNAL) NO GAS STATION IN OUR PARK

As a citizen of Salt Lake City, I will not stand for another money grab to further pollute our air and ruin a beautiful green space of our city. Plans need to immediately change to reflect the sustainability goals of the city and delegates.

B.B.

51

Norris, Nick

From: Cassie Heminway [REDACTED]
Sent: Tuesday, September 27, 2022 10:56 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

As an emerging architect, weekly Sugarhouse park goer, and resident of Salt Lake City, it would be a tragedy to not let the northwest corner live to its fullest potential that would be beneficial to the health and wellness of its neighbors. Please don't let money sway the city's decision on its use of this vital space. Please give the northwest corner back to the residents of SLC!

52

Norris, Nick

From: Savanna Powers [REDACTED]
Sent: Tuesday, September 27, 2022 5:02 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK.

Not it man.

53

Norris, Nick

From: Lavvynder Rose [REDACTED]
Sent: Tuesday, September 27, 2022 4:41 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Salt Lake I am formally requesting that the plan to place a Kum & Go gas station at the corner of 2100 S and 1300 E be reconsidered.

We, the citizens of Salt Lake, will not allow another money grab to further pollute our air and ruin a treasured piece of our city.

Let's get that gas station plan gone and see something that will benefit the community (i.e. a beer garden, local coffee shop, etc.)

We don't want another gas station, we don't want another chain store. We want a community building space.

We want community focused leadership in Salt Lake.

I hope you consider how this will negatively impact your community and make the change necessary.

54

Thank you,

--

Lav Rose (they/them)

55

Norris, Nick

From: Kendall Richards [REDACTED]
Sent: Tuesday, September 27, 2022 4:41 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Park

Hi Nick,

As a resident of Salt Lake City and someone who lives right by Sugarhouse Park I am super disappointed in the choice to put a Kum & Go where Sizzler once was. The intersection at 2100 and 1300 is already hectic enough, adding Kum & Go to this area would make it even more dangerous and less pedestrian friendly. This is an opportunity to choose the city and residents over money.

Hope you will reconsider,
Kendall

56

Norris, Nick

From: J.M. Carlile [REDACTED]
Sent: Tuesday, September 27, 2022 4:27 PM
To: Norris, Nick
Subject: (EXTERNAL) No Gas Station at Sugarhouse Park!!

Please do *not* put a gas station where the old Sizzler currently stands next to Sugarhouse Park. This is one of the best parks in the city and a gas station would be an unnecessary eyesore, especially given that there's already one across the street, and another only a couple of blocks away. Please consider other options like a cafe, a restaurant/bar, or an addition to the park.

John-Mikael Carlile [REDACTED]

57

Norris, Nick

From: Roney, Michael [REDACTED]
Sent: Tuesday, September 27, 2022 4:23 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and get this gas station out of our park.

Nick, I would like to make a few comments and suggestions about this space on 13th/21st.

- 1) As a resident of Sugar House for over 30 years I beg you not to put a gas station in the space.
 - Due to poor negotiation by Salt Lake in re-zoning Sugar House we have already over crowded and over built this area.
 - With a gas station with not only car access, but also truck access the traffic will be untenable.
- 2) Better options.
 - First not to support a local business as an possibility goes against the desires of the residence of Salt Lake/Sugar house.
 - How many local businesses were allowed to participate?
 - A non-alcoholic restaurant did quite well there for over 40 years.
 - Not all restaurants need to have alcohol to be profitable.
 - I do drink but I would not advocate for the statute to be overridden by any park.

58

- A well designed restaurant and large patio overlooking Mount Olympus would more than compensate traffic over alcohol.
 - A coop of local businesses that fit the application of the park?
 - Dog wash
 - Outdoor game store.
 - a. Kites, inner tubes, sleds and the like.
 - Bike rentals
 - Local coffee house. NO DRIVE THROUGH.
 - NOTHING NATIONAL only local.
- 3) As I have been told KUM and GO is not written in stone yet I would request those who are in charge of finding a business/businesses for the space ramp up their efforts to thwart a major mistake in allowing a GAS station to be placed there.
- Pollution
 - Contamination of ground water
 - Infrastructure
 - Flow of traffic creating a dangerous mixture of walkers, runners, bikers and all park enthusiast.

I hope you can take the time to consider my email and work to keep a gas station or any other business that does not enhance the park out of that space. We already have to much of that in Sugar House.

Thank you for your consideration.

Best regards,

Mike Roney

59

Sugar House Resident

Premier Truck Group and its subsidiaries will never sell or rent your email address in violation of applicable law.

This email and any files transmitted with it are confidential and intended solely for use of the individual or entity to whom they are addressed. Please delete all copies if you are not the intended recipient.

60

Norris, Nick

From: Avery Dainton [REDACTED]
Sent: Tuesday, September 27, 2022 3:59 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OUR PARK!!!!

As a resident of Salt Lake City. I don't want the most beautiful park in the state to be ruined by this gas station called KUM and go. Pls what is that 😞😞 kindly think that is the dumbest idea. Isn't there a gas station RIGHT THERE. Queens come on, let's put a nice restaurant! Think smarter not harder.

Xoxo
Avery Dainton

61

Norris, Nick

From: Leah Cedeno [REDACTED]
Sent: Tuesday, September 27, 2022 3:17 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GO

As a resident of SLC who loves and appreciates the beauty of the park, DO NOT BUILD THE KUM AND GO. It will ruin the nature and cause a lot of traffic.

62

Norris, Nick

From: Samantha Dunaway [REDACTED]
Sent: Tuesday, September 27, 2022 12:53 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Good afternoon.

I do not support the placement of another gas station at the intersection of 1300 E and 2100 S. It would increase the already horrible traffic, in addition to contributing even further to the pollution and inversion crisis that SLC already struggles so much with. Please reconsider.

Sincerely,
Sammy Dunaway

63

Norris, Nick

From: Braxton Lenker [REDACTED]
Sent: Tuesday, September 27, 2022 12:40 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and get this gas station out of our park

We do not need another gas station polluting our air. Respectfully, please do not put another gas station destroying our beautiful views and air of this park. Do literally anything else. Please for the love of god.

64

Norris, Nick

From: lina m [REDACTED]
Sent: Tuesday, September 27, 2022 12:12 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

As a resident in Salt Lake City, it would be horrible to see a beautiful plot of land in Sugar House go towards more useless spots that cause pollution and ruin our beautiful state even further. The people want something that supports our land and keeps it beautiful. Please reconsider and have a great day!

Thank you,
A member of the community

65

Norris, Nick

From: Melissa Urban [REDACTED]
Sent: Tuesday, September 27, 2022 11:01 AM
To: Norris, Nick
Subject: RE: (EXTERNAL) No Kum, no Go at Sugarhouse park

RAD. Thanks so much for all of this info--just signed up for the mailing list and I love the idea of joining the planning committee--I'll look into that when my book tour winds down in November. Appreciate the response.

MU

**Melissa
Urban** *(she/her)*

66



On Mon, Sep 26, 2022 at 11:31 AM, Nick Norris <Nick.Norris@slcgov.com> wrote:

Thank you for your comments. We appreciate your passion for Sugar House Park, your neighborhood, and our city. This proposal was submitted by Kum and Go, with the consent of the property owner. The property is privately owned. It is not a city proposal, but the city is required to process the application. You can find out more information about the project here: <https://www.slc.gov/planning/2022/02/07/kum-go-gas-station-conditional-use/> (sorry about all the links, our email system wont let me insert shorter links).

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67

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1. Sign up for the email list noted above. You can pick and choose the topics you are interested in and will receive an email about projects related to your interests and how to provide feedback on the work that the Planning Division does.

68

2. Bookmark the list of projects that the city is seeking your input on. The list of projects includes private development applications and changes to zoning that the city is considering. These projects can be found on our open house page of our website: <https://www.sl.gov/planning/category/online-open-house/>
3. Participate in your local community organizations, such as a community council. Community organizations that are registered with the city receive notification of all zoning related issues that may impact their neighborhood. A list of all active community councils can be found here: <https://www.sl.gov/attorney/recorder/recognized-community-organizations/>
4. Join the Planning Commission. There are currently vacancies on the Planning Commission. Planning Commissioners are residents of the city who make decisions on development proposals and recommend zoning changes to the City Council. While they do not represent specific districts or neighborhoods, the intent is to have as many neighborhoods from all over the city as possible represented. If you are interested, you can learn more here: <https://slc-gov.force.com/slccrm/s/Request?rt=a0F5G00000JZD1AUAX&category=Admin>

Finally, if you want to provide more input on the proposed gas station at the site of the former Sizzler site, please contact Diana Martinez at diana@martinez@slcgov.com Diana is the planner assigned to process the application and is best suited to answer any follow up questions that you may have.

69

NICK NORRIS

Director

Planning Division

DEPARTMENT *of* COMMUNITY *and* NEIGHBORHOODS

SALT LAKE CITY CORPORATION

TEL 801-535-6173

CELL 801-641-1728

Email nick.norris@slcgov.com

WWW.SLC.GOV/PLANNING

70

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From: Melissa Urban [REDACTED]
Sent: Thursday, September 22, 2022 8:02 PM
To: Norris, Nick <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) No Kum, no Go at Sugarhouse park

Mr. Norris,

71

As a 12 year resident of Salt Lake City and a frequent visitor of Sugar House Park, I am dismayed to hear that the city is considering a Kum & Go gas station to settle into the most valuable piece of real estate adjacent the park. This is a location that could truly serve the neighborhood and park visitors with a restaurant, coffee shop, independent bookstore, or other gathering place, further enhancing the community energy of this park and allowing patrons to enjoy its beauty unfettered.

Instead, you are proposing yet another gas station, which is only going to add tremendous traffic, noise, and pollution to an already overcrowded and traffic-jammed block. This neighborhood does not require another gas station. There is literally a gas station *right across the street*. Sugarhouse and Salt Lake as a whole does not want this, and you are doing the park, the community, and the neighborhood a grave disservice by even considering it.

Please listen to your constituents and the residents of this neighborhood and do not approve this plot of land for this usage. We can do better, and a Kum & Go should not be your City Planning legacy.

Best,

72

Melissa Urban

Salt Lake City

--

73

74

Norris, Nick

From: Alexa A [REDACTED]
Sent: Tuesday, September 27, 2022 10:47 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GO

Please reconsider putting a Kum & Go in that beautiful spot near the park!! WE DONT NEED ANOTHER GAS STATION. This decision looks greedy & completely tone deaf to our already critical environmental crisis. PLEASE PLEASE PLEASE RECONSIDER.

75

Norris, Nick

From: Alix Tobias [REDACTED]
Sent: Tuesday, September 27, 2022 7:46 AM
To: Norris, Nick
Subject: (EXTERNAL) No kum n go over sugar house park.

Dear Nick Norris as lifelong residents of sugarhouse my mother and I are appalled at the money grab to put yet another high traffic gas station right across the street from another gas station over one of the most arguably beautiful views of sugar house park. This wonderful little nook of slc is already being ruined by high rises. We used to be able to see sky and trees and mountains and now we're literally surrounded by high rises. It's disgusting to see a historic part of utah be gutted so blatantly. I want you to know as residents my mother and I both are against putting a kum n go over the park. Kum and get it it out.

[Sent from Yahoo Mail for iPhone](#)

76

Norris, Nick

From: Ashley Kinney [REDACTED]
Sent: Tuesday, September 27, 2022 7:15 AM
To: Norris, Nick
Cc: martinez@slcgov.com
Subject: (EXTERNAL) Old Sizzler by Sugar House Park

Hi Nick,

My name is Ashley Kinney. I am the owner of a non-profit that serves our community and owner of a home in Highland Park.

I recently discovered that there may be a gas station replacing the old Sizzler by Sugar House Park and want to voice my opposition. We do not need a second gas station in that area. Traffic flow is already terrible in downtown Sugar House and that location would be prime for a cafe, bike shop, community center, etc.

Please let me know if there is a better forum to voice my opinion and concerns.

Best,
--

77

Ashley Kinney
[REDACTED]

78

Norris, Nick

From: megan maher [REDACTED]
Sent: Tuesday, September 27, 2022 1:21 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM&GO in the park

Please I beg of you please do not put that gas station there I BEG NICK 🙏 PLEASE. from the bottom of my soul don't do this to us nick DONT DO IT ☐

thanks,

A very kind woman from salt lake

Norris, Nick

From: Jamie Schooley [REDACTED]
Sent: Monday, September 26, 2022 11:39 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

Respectfully as a resident of Salt Lake, I will not stand for a KUM and Go to go on one of the most beautiful valuable lands in the area. This is a typical Utah move I will not put up with it. Not only Sugar House traffic and infrastructure is already a chaotic nightmare; but an eye sore to the community.

Sincerely
Jamie Schooley

--
Sent from Gmail Mobile

1

Norris, Nick

From: Biatrix Cebotari [REDACTED]
Sent: Monday, September 26, 2022 10:53 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and go gas station

Respectfully as a resident of Salt Lake City, I will not stand to allow another beautiful location, and one of the greatest parks in the state be ruined by a gas station.

Sent from my iPhone

2

Norris, Nick

From: greg jorgenson [REDACTED]
Sent: Monday, September 26, 2022 10:32 PM
To: Norris, Nick
Subject: (EXTERNAL) Sizzler for a gas station?

I really hope the rumors that Sugarhouse Park is getting a gas station? This is a once in a lifetime opportunity to put in a really cool concert venue or restaurant or something unique, please not another gas station.

Greg Jorgenson
[REDACTED]

3

Norris, Nick

From: Lacy Gill [REDACTED]
Sent: Monday, September 26, 2022 9:48 PM
To: Norris, Nick
Subject: (EXTERNAL) no gas statin

Dear Sirs,

Please, Please don't allow a gas station to be put on the corner of 1300 east on the corner of sugar house park. That is an eye sore and feels so terrible to introduce another gas station into this area. There is a gas station already across the street.

Thanks
Lacy Gill

4

Norris, Nick

From: Tonya Astorga [REDACTED]
Sent: Monday, September 26, 2022 9:31 PM
To: Norris, Nick
Subject: (EXTERNAL) There is already a gas station on the corner, put something else that has something to do with SugarHouse part. You put a gas station there it is going to look ghetto in Sugar House Park is a very nice place for family and kids to enjoy

Sent from my iPhone

5

Norris, Nick

From: Blue Pearl [REDACTED]
Sent: Monday, September 26, 2022 5:27 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & get this gas station out of our park

You want to put a gas station, not only right next to another gas station, but in Sugarhouse park? Nah, hell nah, keep that shit outta here.

-A concerned citizen of Salt Lake City

6

Norris, Nick

From: Tristan Bowler [REDACTED]
Sent: Monday, September 26, 2022 5:12 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Get this gas station out of the park

Greetings Nick,

I hope you are well. I am writing to inform of my displeasure about the future plans to put a Kum&Go in the old Sizzler lot near Sugarhouse park. An additional petrol station on the 2100S corridor is the last thing we need. I'd love to see this site go to a small business or become an electric charging station for people visiting the park or mall across the street.

Sincerely,
A concerned SLC resident
Tristan Bowler

--

Tristan Bowler
(*She/Her*)

7

Norris, Nick

From: Rafaela Bergoo [REDACTED]
Sent: Monday, September 26, 2022 2:28 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUT PARK

Respectfully, as a resident of Sugarhouse and Salt Lake City, I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

Rafaela Bergoo

8

Norris, Nick

From: Suzi Montgomery [REDACTED]
Sent: Monday, September 26, 2022 2:12 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM and get this gas station out of our park please!

Nick,
Please do not go through with putting a Kum & Go gas station where the Sizzler once was at Sugarhouse park. That spot would be so perfect as a restaurant or cafe where the community can convene. Do not let economics drive all of your urban planning decisions. This one is an obvious one I fee.

Respectfully,
Suzi

“We don’t see things as they are. We see things as we are.” -- Anais Nin
Suzi Montgomery

9

[REDACTED]

Norris, Nick

From: Sydney Grossman [REDACTED]
Sent: Monday, September 26, 2022 12:48 PM
To: Norris, Nick
Subject: Re: (EXTERNAL) Please don't put a Kum & Go in Sugarhouse Park

These resources are extremely helpful! Thank you so much!

On Mon, Sep 26, 2022 at 12:06 PM Norris, Nick <Nick.Norris@slcgov.com> wrote:

Thank you for your comments. We appreciate your passion for Sugar House Park, your neighborhood, and our city. This proposal was submitted by Kum and Go, with the consent of the property owner. The property is privately owned. It is not a city proposal, but the city is required to process the application. You can find out more information about the project here: <https://www.slc.gov/planning/2022/02/07/kum-go-gas-station-conditional-use/> (sorry about all the links, our email system wont let me insert shorter links).

The zoning of the property does allow a gas station at this location as a conditional use. A conditional use is a category of land use that requires a public process to identify potential impacts that the use may create and find ways to reduce

11

the impacts. Under Utah law, a conditional use is required to be approved if the impacts created by the use can be reduced. The role of the Planning Division is to take public input on the potential impacts and analyze the impacts to determine if the impacts can be reduced. The Planning Commission is the body that will make a decision regarding the proposed gas station. The Planning Commission is required to base their decision on the standards adopted by the city, which can be found here: https://codelibrary.amlegal.com/codes/saltlakecityut/latest/saltlakecity_ut/0-0-0-70835. We agree that there are far better uses for the property. However, the Planning Division and the Planning Commission have to analyze this specific proposal.

Your comments will be made available to the Planning Commission prior to the decision being made so they are aware of the issues being identified by the community. The Planning Commission will hold a public hearing before making their decision. That public hearing has not been scheduled yet. If you would like to receive email notification of this public hearing or other public hearings held by the Planning Commission, you can join our email list here: https://visitor.r20.constantcontact.com/manage/optin?v=001DY8jcNcrip7LXM-ZmKWAd5xRLH-fKMdggNZLYfv8l--IGTm_2FRB4Jl1Tgl1D1a6QDLvBLR2Zb39-kdC2KRGvgmLq6eC_J9rBfrllkK5Fuo%3D

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12

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13

Finally, if you want to provide more input on the proposed gas station at the site of the former Sizzler site, please contact Diana Martinez at diana@martinez@slccgov.com Diana is the planner assigned to process the application and is best suited to answer any follow up questions that you may have.

NICK NORRIS

Director

Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

SALT LAKE CITY CORPORATION

TEL 801-535-6173

CELL 801-641-1728

14

Email nick.norris@slcgov.com

WWW.SLC.GOV/PLANNING

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From: Sydney Grossman [REDACTED]
Sent: Friday, September 23, 2022 3:29 PM
To: Norris, Nick <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) Please don't put a Kum & Go in Sugarhouse Park

15

Hi Mr Norris,

I recently learned that a Kum & Go is planned to be built at the 1300 E/2111 South corner of Sugarhouse Park. As a frequent park visitor and city resident I am disappointed in the decision to put a gas station in this prime spot of real estate that could be better served for the community. Sugarhouse already deals with traffic problems, and adding another gas station will only exacerbate those issues. Additionally, with prime views of the Wasatch range, the land could better be used as a community gathering space such as a restaurant, cafe, or garden to enjoy the natural beauty that Salt Lake offers.

Let me know if there is another party to reach out to about this decision, as I hope the city reconsiders how best to use the land.

Best,

16

Norris, Nick

From: Anthony Moncur [REDACTED]
Sent: Monday, September 26, 2022 12:41 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House gas station

Nick- Please block the gas station planned at the corner of Sugar House park. There are enough gas stations in the area, and this will ruin the potential for something awesome that benefits the community & park better.

Thanks,

Anthony.

Norris, Nick

From: Emma Christopherson [REDACTED]
Sent: Sunday, September 25, 2022 3:13 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a 21+ year old resident of Sugarhouse and Salt Lake City, I will not stand by and let another money grab further pollute our air and ruin one of the greatest public parks in the state.

xoxo
gossip girl

(but actually Emma)

(and this decision ^ is actually gross)
(don't be gross)
(don't do it)

19

Norris, Nick

From: Mia Pieper [REDACTED]
Sent: Monday, September 26, 2022 11:48 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Get This Gas Station Out of Our Park

Dear Nick,

As a resident of Sugarhouse and Salt Lake City I am frustrated and saddened by your decision to allow a Kum and Go to be built on the corner of Sugarhouse Park. Not only will this create more traffic in an already dense area, but it will be an unnecessary eyesore to the parkgoers and the public as a whole. I respectfully ask that you reconsider your zoning rules for this space so that a small business or café may move in.

Thank you for your time,

Mia Haws • [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

20

[REDACTED]

[REDACTED]

■

Norris, Nick

From: Vanessa [REDACTED]
Sent: Monday, September 26, 2022 11:32 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GO

Good morning,

I'm writing to you today to share my disgust for the planned Kum & Go in the former Sizzler location. It is clear that this choice is solely based on money. What is arguably one of the best locations and has the potential to benefit and give back to the Sugarhouse Community, is being wasted on another gas station. Additionally, traffic on that corner is already heavy, and adding a gas station will definitely not help. I'm so disappointed with city planning allowing yet another chain business to build in Sugarhouse. It is really sad.

Sincerely,

A concerned resident,
Vanessa Gregory

Norris, Nick

From: Alta Swapp [REDACTED]
Sent: Monday, September 26, 2022 11:09 AM
To: Norris, Nick
Subject: (EXTERNAL) The gas station plan in sugar house

Hello,

I am a resident in sugar house and I love sugar house park it is one of the best places in the city, with so much greenery and fun for everyone, rivers, playgrounds, big hills. Now my problem is simply that I do not want to see a giant gas station towering over the lovely park when there is a gas station literally right next to it. First off putting a gas station there will cause a TREMENDOUS amount of traffic in that area and that will affect a lot of people. Secondly there is no use for a gas station in that particular area there is already one close by that gets the job done. Thirdly if you would like to build something there other things may be better for the community a cafe for example not a Starbucks a local cafe, it would be amazing for the park the local business and it would be a great place and a safe place for students of highland Highschool to go during lunch, after school if needing to wait for parents, to study, and to hangout with friends. So In conclusion putting a gas station in where sizzlers used to be is practically useless traffic will increase, the views of the park will decrease, and there will not be a place for the community. The park has made a perfect place for community throwing a gas station in will take apart of that community a cafe or a good small business will be loved by many people and increase the community and the love for sugar house.

23

Thank you for understanding and taking the time to read
- Rosie :)

24

Norris, Nick

From: Phoebe Taylor [REDACTED]
Sent: Monday, September 26, 2022 11:04 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GO get this gas station out of the park!

Hello!

Respectfully as a born and raised Utahn and avid Sugarhouse and Salt Lake City resident I would be incredibly saddened to see one of our greatest parks be polluted with a gas station when a gas station is already on the opposite side of the road. Not only will this pollute the surrounding area, it will bring in a mass amount of traffic to the already incredibly busy area. I realize this is only beneficial for the purposes of bringing in more money but there are other solutions and I'd say even better options for bringing in money to serve the state and community.

Do not be the person who destroys one of the most loved parks and polluted our already toxic and poisonous air. Be apart of the solution not part of Utah's demise!

With hope for a better future,
Phoebe T.

25

Norris, Nick

From: Madison E Malmgren [REDACTED]
Sent: Monday, September 26, 2022 10:46 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go in Sugarhouse Park

As a resident of salt lake city it saddens me to see a gas station being put in this location. This corner overlooks the scenic park and is a perfect location for a cute cafe or something that will enhance the experience and compliment sugarhouse park. but a gas station is a money grabber, ugly, and will cause horrible traffic in that area. I cannot stand for this.

26

Norris, Nick

From: Joan Brown [REDACTED]
Sent: Monday, September 26, 2022 10:24 AM
To: Norris, Nick
Subject: (EXTERNAL) Sizzles property

In regards to the Sizzler property and the apparent upcoming Kum and Go gas station....I have the same concerns as everyone else. I am most definitely against it! So there's nothing new that I can add that you haven't already heard over and over.

Now having said that, whats my biggest concern? The voice of the people is being ignored once again! That's inexcusable and frustrating!

Please, let's keep the quaintness and appeal of Sugarhouse!! It has changed! Some good improvements and some...well, quite frankly, terrible!!!!

We love our home and our neighborhood and Sugarhouse! It's a desirable place to live. Let's keep it that way and say no to a gas station!

27

Listen to the residents!
Thank you for your time.
Joan Brown



28

Norris, Nick

From: Laura McDonough [REDACTED]
Sent: Monday, September 26, 2022 10:20 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Park

Hi Nick, please reconsider the Kum & Go gas station at Sugarhouse Park. I was devastated to hear of this planned use of a piece of land bordering the park. Not only is there a gas station right across the street, it will further pollute our air and it's also a sad waste of beautiful space overlooking the park that could be a restaurant, cafe, anything else to compliment our gorgeous Sugarhouse Park and be a meaningful gathering place for Salt Lake City residents. Please please reconsider the Kum & Go.

Thank you!
Laura

--
Laura McDonough, MHSA

29

Norris, Nick

From: Grant Valentine [REDACTED]
Sent: Monday, September 26, 2022 9:54 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Nick,

Please don't put a gas station right next to the park.

Best

Grant

30

Norris, Nick

From: Mary Neville [REDACTED]
Sent: Monday, September 26, 2022 9:12 AM
To: Norris, Nick
Subject: (EXTERNAL) Against KUM&GO In Sugarhouse

Hi Mr. Norris,

I would like to say in the most respectful way possible, that I am very against a Kum&Go gas station going into that empty slot in Sugarhouse Park. I am a resident of Sugarhouse and I think this is the worst possible business to go there. I think it would be better as a cafe or rooftop bar or something that doesn't contribute to polluting our air and ruining sugarhouse's glorious views. Please do not put a Kum&Go there.

Thanks! Have a great day.

--

Mary Catherine Neville

"Joy is not made to be a crumb." - Mary Oliver

31

Norris, Nick

From: Grant Hardy [REDACTED]
Sent: Monday, September 26, 2022 9:00 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Sugarhouse park is a beautiful park known for its incredible views towards the mountains. Nobody wants another gas station that further pollutes the environment when there is literally one across the street. A restaurant with rooftop access or something would be fantastic. The traffic on that intersection is already bad enough with the Chick-Fil-A near among other very popular places.

Best regards,
Grant

32

Norris, Nick

From: Gabrielle Barton [REDACTED]
Sent: Monday, September 26, 2022 8:28 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a citizen of Sugar House and Salt Lake City... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks of our state.

33

Norris, Nick

From: Joseph Mashburn [REDACTED]
Sent: Monday, September 26, 2022 8:19 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Please reconsider what is going on such a precious piece of land within sugar house park

34

Norris, Nick

From: Eden Garland [REDACTED]
Sent: Monday, September 26, 2022 7:51 AM
To: Norris, Nick
Subject: (EXTERNAL) Decision to put gas station in sugarhouse park.

Dear Mr. Norris,

I was just informed of the decision to put in a place a gas station at the hill above sugarhouse park. This not only will severely negatively affect the environment of the park, harming the animals and the ecosystem. But it also will cause lots of traffic hazards as there is a gas station right across the street. Instead, putting in a cafe or restaurant to bring in the community, would be a much better option. We will not stand for this gas station that could harm the environment of one of our biggest parks! Please take this into consideration.

Thanks,

Eden Garland

35

Norris, Nick

From: Noah Pettit [REDACTED]
Sent: Monday, September 26, 2022 7:17 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Get this get gas station out of our park!

Respectfully, as a resident of sugarhouse and SLC... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

Sincerely, Noa

Sent from my iPhone

36

Norris, Nick

From: Sheila O'Driscoll [REDACTED]
Sent: Monday, September 26, 2022 6:10 AM
To: Norris, Nick
Subject: (EXTERNAL) Sizzler property

Mr. Norris

I'm writing you in an effort to again request that those who have been elected and appointed to serve the community listen to those who have a vested interest in the sustainability of the neighborhood and quality of life in the area adjacent to the property at 2100 South and 1300 East in Sugar House. (old Sizzler location) We do not want another oversized "mixed use" development or a gas station convenience store to occupy this space.

Sugar House Business District has been turned into a slot canyon of concrete, cinderblock and mortar over the last decade.

2100 South Street in the business district is a nightmare to use.

What could have been a unique and eclectic revitalized business area with local shops and businesses and affordable housing is now just over priced condos, apartments, brewpubs and eateries. Most of which have employees who work in the businesses and can't afford to live the housing available.

There is no need to continue this kind of development.

37

The added traffic, and density of people coming and going from this already busy intersection is certainly NOT going to enhance the safety, mitigate pollution, contribute to sustaining the quality of life in this well established neighborhood and the amenities that currently exist.

I can just see that it will be like the mess created when the Chik fil A was give a conditional use to add a drive thru.

While I may like the food provided at that particular eatery, I never stop in that location because of the mess the traffic is.

I can just see the same thing happening with a gas station and convenience store at the old Sizzler location.

This particular business is not going contribute in a positive way to the community adjacent to it.

I believe your first responsibility as a public servant, the planning commission and city council is to benefit the community that exists and is well established.

There is a gas station at 1300 East and 1700 South. Gas stations at 2100 east and 2100 South, at 2100 South and 2300 East.

Another gas station located close to Wilmington Ave on 1100 East.

It simply is not necessary. It will add to the the congestion, pollution and create a bigger safety hazard to pedestrians and others headed to and from the park. Not to mention the mess people wanting to return to the freeway trying to make left hand turns onto 2100 South and getting onto 1300 East and making U turns.

This proposal is NOT in the long term best interest for the area or community adjacent to it.

I sincerely encourage those tasked with making a decision regarding this location to deny the the proposal to build the gas station/ convenience store regardless of the changes the company has made to try to address the community concerns.

Sincerely,

Sheila O'Driscoll
[REDACTED]

38

[REDACTED]

[REDACTED]

Norris, Nick

From: lemon smith [REDACTED]
Sent: Monday, September 26, 2022 1:13 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum & NO! Gas station there

Hello Nick,

I live near SugarHouse Park and I am very disturbed by this proposal to put the Kum & Go near the park. I live next door to Robin Davis who is a retired environmental engineer for Salt Lake. She handled gas stations and knows the underground spills and leakage that occur.

This could be irreversible to the ecosystem at the park and the natural green space beauty that we have in a city area! We need that green space, so we must protect it and not allow dollars to cloud our judgement.

Please do not let this Kum & Go be put near the park. Do not let this be the next 1100 East. Sugar House does not have the same feel now as years past - with those Giant high rise apartments practically touching the sidewalk. It was so charming and cute before!

Let's protect the park!! Do not jeopardize it with the potential traffic, the AWFUL name plastered on it, but most of all the negative environmental impacts it could have. Those could be irreversible. Do not allow the chance of the ground water or the pond to be contaminated! Don't make the mistake - protect Sugar House Park! Save the remaining charm of Sugar House, please.

Thank you,
Starr Smith

Sent from my iPhone

41

Norris, Nick

From: Eve Nelson [REDACTED]
Sent: Sunday, September 25, 2022 9:52 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION, OUT OF OUR PARK.

Hi! I live in Holladay, UT and, can see absolutely NO benefit to the gas station going next sugar house park. Especially when there is a gas station across the street. I drive through sugar house all the time and it's already a high traffic area. Putting another gas station right there will only worsen that causing more accidents. In Utah gas stations are like Mormon churches. They're around every corner! We do not NEED another one. Our air quality already SUCKS. Don't be the reason it gets worse.

Sugar house park is a well beloved park in the slc community. Please be mindful that you could put something there that would benefit us as a community. Read and consider:)

Sarah Eve Nelson

42

Norris, Nick

From: Suzannah Woodward [REDACTED]
Sent: Sunday, September 25, 2022 9:32 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Park gas station

Hello Nick,

I am writing to you in regards to the Kum & Go gas station that is proposed to be built on the empty lot in the corner of Sugarhouse Park. As a Salt Lake resident who has briefly lived in other major cities throughout the years, I can say with absolute certainty that this gas station will only take away from the natural beauty of Sugarhouse Park and further congest traffic in this area. There is little practical utility to be gained, especially when there are over 5 gas stations within a 2 mile radius of the area.

In my experience, the best cities to live in are those with local businesses and pristine parks within a walkable distance from residential areas. With the salt lake valley's air quality reaching unprecedented levels of pollution in recent years, I would hope a city planner with the citizens' best interest at heart would feel the need to invest in infrastructure that makes our city more walkable, and divest from the automobile industry. Please reconsider the placement of a gas station in this lot.

43

I ask that you look towards the future when making these decisions, even if it is something as seemingly inconsequential as an empty lot.

Thank you for taking the time to read my email.

Best,
Suzannah

Sent from my iPhone

44

Norris, Nick

From: Baylee Larson [REDACTED]
Sent: Sunday, September 25, 2022 8:41 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House Park Gas Station

Hello,

My name is Baylee Larson. I have gone to multiple parks around Utah, and Sugarhouse park is one of the best I've been to. As a resident of Utah, I was disappointed to hear that there is going to be a gas station near the park when there is one right across the street. I think that this is a mistake and would cause many problems such as pollution, unnecessary traffic, etc. I hope that this vacant building will be used as something more than just a gas station, and be used as something like a rooftop access restaurant, cafe, something that would compliment the park and the people that visit very frequently. Please take this into consideration and think of the other people that are angered over this situation.

Thank you
Baylee Larson

45

Norris, Nick

From: Lina Boyer [REDACTED]
Sent: Saturday, September 24, 2022 11:17 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum & go by sugarhouse park

Hi,

I am writing to share that I do not feel another gas station on the corner of 1300 e and 2100 s is the right move for the community, it will cause increased traffic in an already busy intersection and does not benefit the community or fit the park in the way that a restaurant, cafe, etc would.

Thank you,
Lina Boyer

46

Norris, Nick

From: Camille Pace [REDACTED]
Sent: Sunday, September 25, 2022 5:30 PM
To: Norris, Nick
Subject: (EXTERNAL) Enable our community to stay healthy -

As a resident of sugar house & slc this is not a project I will support.

To me ... Sugar house park is a place where I go to find peace. Its a place where I feel safe to go alone. Its a landmark that represents the heart of the sugar house community. People go to get their daily burn in, kids walking to and back from school, dogs playing, families BBQ, friends gather etc.

why add a gas station? What will it bring our community? Short term and long term benefits? Does it really make sense to put a gas station into a community park?

As a member of this community I feel like we are well suited with gas stations. I am fully satisfied with my gas station resources.

47

As the planner for my community I urge you to think about what you're doing for us before you pull the trigger to add a Kum & go. What community are you building & how does it benefit the people in it? What legacy are you going to build and how do you want it to be represented?

https://www.google.com/search?q=redevelopment+projects+next+to+community+parks+that+have+a+positive+impact+on+community&rlz=1CDGOYI_enUS783US827&oq=redevelopment+projects+next+to+community+parks+that+have+a+positive+impact+on+community&aqs=chrome..69i57.26899j0j4&hl=en-US&sourceid=chrome-mobile&ie=UTF-8#ip=1

48

5:06

🔒 google.com

← how many gas stations are

49

Norris, Nick

From: Paige St. Jeor [REDACTED]
Sent: Sunday, September 25, 2022 4:56 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

We do not need another gas station in Salt Lake City. Fossil fuel vehicles will soon be a thing of the past. Please make a decision for our future and work to improve Sugarhouse Park rather than spoil it with a gas station.

Thanks,
Paige St. Jeor

51

Norris, Nick

From: Lucy Hawes [REDACTED]
Sent: Sunday, September 25, 2022 4:34 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum&Go on 2100 S 1300 E

Dear Mr. Norris,
The possibility of this gas station operating on one of the most beautiful sites in Salt Lake City is frustrating. This corner welcomes visitors to our city, to a high traffic shopping area and to Westminster campus. It is not what Utahns are. It would be a lost opportunity for a great site if Maverik acquired the site but at least Maverik represents Utah values.

Thanks,
Lucy Moreton Hawes

Lucy Hawes

Sent from my iPhone

52

Norris, Nick

From: rachel wright [REDACTED]
Sent: Sunday, September 25, 2022 4:26 PM
To: Norris, Nick
Subject: (EXTERNAL) Issue

Hi Mr. Norris,

I am reaching out, as are others, with major concerns regarding the Kum n Go planned for the northwest corner of Sugarhouse Park. My concerns can be summed up in three points: safety, public opinion, and neighborhood charm.

Safety: I walk at that intersection almost every day and it is already unsafe for pedestrians. I indicated this on the 2100 S redesign survey and, based on the results, so did many others. The addition of a gas station will inevitably create more traffic and diminish the already abysmal safety for anyone not in a car.

Public Opinion: When the gas station plan was initially unveiled, residents in the neighborhood spoke out in force. People responded to the redesign survey indicating concerns about that intersection and a desire for a more pedestrian- and bike-friendly neighborhood. The proposal moving forward goes against everything the public asked for, and makes the survey seem like a hoax designed simply to make us think we have a voice in our neighborhood. Why ask for input if it will be ignored?

53

Neighborhood Charm: residents of Sugarhouse have been asking for neighborhood charm to be maintained as the area is developed. Years ago, there was a survey on what residents wanted as the Sugarhouse Commons area was redeveloped. We indicated a desire for public art, green space, and local businesses. Again, nothing in that survey response indicated any support for a gas station at one of the most beautiful spots in our city.

I often tell people to be more civically engaged and reach out to officials when they have issues. This experience is making me realize just how useless it is to tell decision-makers what residents want for the area in which they live. It's heartbreaking and frustrating, and I hope someone at city steps in to protect the neighborhood and people they claim to love.

- Rachel Wright
[REDACTED]

54

Norris, Nick

From: [REDACTED]
Sent: Sunday, September 25, 2022 3:55 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Nobody wants this gas station here and it is ruining the beauty of the park. respectfully do NOT put this here.

Sincerely,
a utah resident

55

Norris, Nick

From: Becca Cackler [REDACTED]
Sent: Friday, September 23, 2022 12:03 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, a gas station across from another station is entirely unnecessary. This will bring in more traffic & crime to this beautiful park. Not to mention a gas station would be a terrible waste of the beautiful views and only further contribute to our pollution problem. No thank you. Let's keep this park family friendly and beautiful.

Sincerely,
B

56

Norris, Nick

From: Dr Father [REDACTED]
Sent: Sunday, September 25, 2022 3:11 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & get this gas station out of our park

“Oh jeez I have an idea let’s put a gas station right across the street from another gas station” I genuinely cannot believe you’re in charge of city planning it blows my mind. I am a resident of Salt Lake City, and you’re idea to put a kum and go gas station on 2100 south in sugar house park is not thought out well. You’re going to create more traffic in a already congested area, we don’t need more gas stations and pollution. We could however use things the community actually wants and will enjoy.

Sincerely,
A concerned citizen.

57

Norris, Nick

From: Richard Kofford [REDACTED]
Sent: Sunday, September 25, 2022 2:45 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go in Sugarhouse

I am a Sugarhouse resident and I would like to voice my objection to the Kum and Go being purposed in at 2100 s 1300 e.

The gas station that is across the street already causes congestion. We don't need another.

Find a better choice please.

Rich Kofford [REDACTED]

58

Norris, Nick

From: Cinchia Croxford [REDACTED]
Sent: Sunday, September 25, 2022 1:34 PM
To: Norris, Nick
Subject: (EXTERNAL) Park

Don't put a gas station by the park pleaseeeeeee! There's already a chevron! Come on man no more Polluting the air!

From,
Cc

59

Norris, Nick

From: Autumn Rivas [REDACTED]
Sent: Sunday, September 25, 2022 1:07 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully as a resident of SLC the need another another gas station in that location is unnecessary and going to ruin the entire aesthetic of the park. Think of the pollution and traffic it's going to bring. Be apart of the movement to keep SLC beautiful, it was be a shame to do anything different. Add a restaurant or cafe- something for the community.

--
Sent from Gmail Mobile

60

Norris, Nick

From: gary lacock [REDACTED]
Sent: Sunday, September 25, 2022 12:48 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & get this gas station out of our park

Respectfully as a resident of Salt Lake City, I want the values of our city to be represented with the shops and stores that are the thread that build our city into a cohesive blanket. KUM & Go would be a sore if built on the corner of sugar house park. Respectfully it think this build is a money grab that doesn't add to Sugarhouse or Salt Lake City. I hope you can find a way to appeal this built in hopes of creating a more beautiful Salt Lake City and Sugarhouse!

Sincerely
Gary A. Lacock
[REDACTED]

61

Norris, Nick

From: Ryanne Crosby [REDACTED]
Sent: Sunday, September 25, 2022 12:48 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hello Mr. Norris,

I am reaching out after hearing of the plans to replace the old Sizzler on 1300 E 2100 S with a Kum & Go gas station. As a resident of Salt Lake City, I ask that you reconsider and instead use the property to take advantage of the views and add to the park ambiance and experience, perhaps a restaurant or coffee shop with a patio to enjoy the scenery. We do not need another gas station, since there's a Chevron across the street and traffic can already get congested in that area.

Best,
Ryanne Crosby

62

Norris, Nick

From: Phenix White [REDACTED]
Sent: Sunday, September 25, 2022 12:39 PM
To: Norris, Nick
Subject: (EXTERNAL) Don't put a gas station bruh

I saw that one lady's TikTok and I think she's right. You already got a gas station right by it. Put like a open roof restaurant or sum.

63

Norris, Nick

From: Caroline Keller [REDACTED]
Sent: Sunday, September 25, 2022 12:22 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

Dear Nick,

I am a long time resident of the Sugarhouse neighborhood of Salt Lake City and I do not support the decision to put a Kum & Go in the vacant lot where Sizzler used to be.

The reasons I do not support this decision are as follows:

- There is already a gas station across the street from the Sizzler lot, why do we need another one?
- A Kum & Go does not utilize the BEAUTY of Sugarhouse Park and the views of the Wasatch front. A nice restaurant would be considerably better, as you could put in a patio that over looks the park with a gorgeous view of the Wasatch. Why would you not want that?
- Putting in another convenience store/gas station will drastically increase the traffic in that already congested area. WHY would we choose to make traffic worse than it already is?

64

I am curious to hear from your office's response to why a Kum & Go is the best decision for my neighborhood, because I certainly feel that you could do MUCH better.

Best regards,

Caroline Keller
Local Sugarhouse Resident

65

Norris, Nick

From: Bryan Jones [REDACTED]
Sent: Sunday, September 25, 2022 12:16 PM
To: Norris, Nick
Cc: Bryan Jones
Subject: (EXTERNAL) Gas station on the corner of Sugarhouse Park

Mr. Norris,

I'm writing to add my voice to those residents of Sugarhouse who most definitely do not want another gas station at that corner. A cafe, or even just the city expanding the park to the corner would be infinitely better than another gas station that will increase traffic and pollution there.

Best regards,

Bryan

66

[REDACTED]

Norris, Nick

From: William Jewkes [REDACTED]
Sent: Sunday, September 25, 2022 12:15 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and get this gas station hit of the park

Gas station bad park hood

Norris, Nick

From: Salty Snowflake [REDACTED]
Sent: Sunday, September 25, 2022 12:13 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go, ARE YOU SERIOUS?!?!?

As much fun as a Kum and Go experience is watching porn, I don't want a gas station overlooking Sugarhouse park. Stop with the nonsense!!! Perv

69

Norris, Nick

From: T Terry [REDACTED]
Sent: Sunday, September 25, 2022 12:09 PM
To: Norris, Nick
Subject: (EXTERNAL) Please stop the kum and go

The community doesn't want or need a gas station over looking sugarhouse park!

[Sent from Yahoo Mail for iPhone](#)

70

Norris, Nick

From: trey terry [REDACTED]
Sent: Sunday, September 25, 2022 12:07 PM
To: Norris, Nick
Subject: (EXTERNAL) NO NO NO Kum and Go

Mr Nick I grew up in Sugarhouse I utilize Sugarhouse park. Find something that adds value to the park. Not a gas station that only makes people joke about jizz on titties or up a butt. Yeah I went there.

Thanks, Trey

[Sent from Yahoo Mail for iPhone](#)

71

Norris, Nick

From: Cindy Davis [REDACTED]
Sent: Sunday, September 25, 2022 12:06 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THE GAS STATION AWAY FROM SUGARHOUSE PARK

Hi,

My name is Cindy Davis and I live in Sugarhouse very close to 2100 and Sugarhouse Park. I'd like my voice to be heard that I do NOT WANT a gas station across from the chevron and taking the vacant lot where the sizzler used to be. I'd love to see a library or a giant cafe/workspace go there for the public to enjoy the park and views of our beautiful wasatch :')

Thank you very much.
Cindy Davis

72

Norris, Nick

From: Jack Dudley [REDACTED]
Sent: Sunday, September 25, 2022 11:52 AM
To: Norris, Nick
Subject: (EXTERNAL) Please don't put that gas station there 😊

As a native and resident of Salt Lake City, and sugar house park being one of favorites to visit, I am extremely disappointed to see the decision to put a gas station in that empty lot. Please don't. It will make traffic even worse, and be a complete eye sore to anyone who visits.

Thanks,

Jack Dudley

73

Norris, Nick

From: Stacey Byrd [REDACTED]
Sent: Sunday, September 25, 2022 11:25 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

do it lol

74

Norris, Nick

From: Ellie Sandstrom [REDACTED]
Sent: Sunday, September 25, 2022 11:22 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hello,

Respectfully, no resident of Salt Lake wants to see this beautiful spot wasted on a gas station. There is one right across the street if people need gas. Please consider putting in a community and scenery friendly place. I do not want to see homeless camped outside of a gas station at one of the most beautiful parks in the city. The traffic is already so difficult to manage over there and this would not aid the situation in any way. Don't ruin sugarhouse park with a gas station, especially one named "Kum & Go."

Sincerely,
Ellie

75

Norris, Nick

From: Liberty Rohbock [REDACTED]
Sent: Sunday, September 25, 2022 11:21 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go gas station

As a resident of Suagarhouse and Salt Lake City.. please reconsider putting another gas station in one of the prettiest parks in our state, it's so beautiful and I would hate for it to be ruined.

Xoxo,
Libby

76

Norris, Nick

From: M Franco [REDACTED]
Sent: Sunday, September 25, 2022 11:19 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum & No

Hello Nick,

as someone who works for our government, I believe it should be in your best moral interest to listen to your local community, versus give into monetary persuasion.

The Kum&Go planned to replace the sizzlers in sugarhouse will not only be an unnecessary eyesore, but it will create more congestion in an already very busy environment.

Sugarhouse park has been a special places for utahns for years, and the last thing is residents want is for it to be money mongered by a gas station.

Please reconsider the decision to place another gas station next to a beautiful park, and opt for something that will cultivate community.

Norris, Nick

From: ? H a n n a h ç Oakley [REDACTED]
Sent: Sunday, September 25, 2022 11:14 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

As a salt lake city resident I cannot stand to have a kum and go taking up space in our beautiful park

79

Norris, Nick

From: Joseph Andrews [REDACTED]
Sent: Sunday, September 25, 2022 10:58 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go Gas Station at Sugar House Park is Unacceptable

I moved to SLC from Syracuse, New York 3 years ago. I grew up in Syracuse, and one growing discussion there is urban sprawl. How there is a lack of nature. Decades and decades of urban sprawl has resulted in road after road, street after street, and shopping plaza after shopping plaza. Where are the human-centered communities? This is one reason as to why I was so attracted to SLC- because there is a heightened balance between urban and nature here. Like the University Campus' many gardens and viewpoints. Or, Sugar House's walkable shops and parks.

I say this to ask- please do not put a Kum & Go Gas Station in this plot of land. Turn it into a viewpoint, or a cafe, or something else that would better respect Sugar House Park: not another gas station/convenience store that would be constructed across the street from an *already existing* Chevron.

We have seen this happen again and again. America has seen too much urban sprawl. For a country known for our natural beauty, we need to remember that natural beauty exists beyond our national parks. Natural beauty can be as much as a nice path to walk on; a hill to sit on, a cozy street with trees, etc.. Natural beauty can and *should* exist within our towns and cities too.

80

Related, we fail to see any practicality or long term importance to adding another gas station when there is already one.

So please, hear the community and understand that placing a Kum & Go on that plot of land will enact a “butterfly effect” of further traffic, pollution, and urban sprawl for Sugar House Park.

Please consider something that would better honor Sugar House, Sugar House Park, and the nature of the Salt Lake Valley that drew in so many people like myself to your city.

Thank you for your time and I hope you can help us make a difference in this.

81

Norris, Nick

From: Charlie Huelskamp [REDACTED]
Sent: Sunday, September 25, 2022 10:44 AM
To: Norris, Nick
Subject: (EXTERNAL)

The kum & go gas station in next to sugarhouse park is not needed! build a restaurant or something the people actually want.

82

Norris, Nick

From: Daeton M [REDACTED]
Sent: Sunday, September 25, 2022 9:51 AM
To: Norris, Nick
Subject: (EXTERNAL) Old sizzler location

Dear Mr. Norris,

I believe the current plan to put a gas station in the location of the old sizzler by sugar house part is not in the best interest of the people of Salt Lake City. Worsening traffic and wasting the potential of the real estate is not the right idea and I believe you should consider other options.

Thank you

83

Norris, Nick

From: Bobbi Garcia [REDACTED]
Sent: Sunday, September 25, 2022 6:54 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum and get this gas station out of our park

Good Morning, as a resident of Salt Lake City and home owner in sugarhouse where we pay a very high property tax we would like to petition the kum and go gas station. It's unnecessary. I can think of hundreds of other amazing things that would be great for the community on that land. What can we do to change the plans for this space?

Best!
Bobbi Garcia

Sent from my iPhone

84

Norris, Nick

From: Victoria Veit [REDACTED]
Sent: Sunday, September 25, 2022 2:45 AM
To: Norris, Nick
Subject: (EXTERNAL) Come and go is a mistake

Please please do what you can in your control to stop yet another gas station from being put on the edge of sugar house park where the old Red Lobster was. The space would be much more fit and more more beautiful with a restaurant overlooking the park. It also promotes the walkability which has been a focus in the area in recent years - as evidenced by the beautiful (and expensive) landscaping in the adjacent area, and also in consideration of the apartment complexes which have been built in several lots close by too.

85

Norris, Nick

From: Michael Bautner [REDACTED]
Sent: Sunday, September 25, 2022 12:49 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK please

Hello Nick

I would like to protest a GAS STATION in 2022 in on the corner of one of the most amazing parks in the state in sugar house. As a resident of Millcreek, and Utah native, can we please have something here for the community?

Michael

86

Norris, Nick

From: olivia brown [REDACTED]
Sent: Thursday, September 22, 2022 11:52 PM
To: Norris, Nick
Subject: (EXTERNAL) NO KUM & GO IN OUR PARKS

Hello Mr. Norris,

I would like to suggest that the Kum & Go gas station is an awful idea in Sugarhouse Park. The only thing kuming is traffic and it won't be going anytime soon. Better to evolve the space by adding a cute little cafe that sells pastries or a local restaurant. Hope you take these suggestions into full effect.

Kind regards,
Olivia Brown

1

Norris, Nick

From: Abi Eyre [REDACTED]
Sent: Thursday, September 22, 2022 11:49 PM
To: Norris, Nick
Subject: (EXTERNAL) Please don't put that Kum and Go in a no no zone

I recently viewed queen of slc's TikTok about the possibility of putting a kum and go in place of sizzler located near sugar house park and I must say I can think of a lot of ideas that would be much better suited for this space and traffic issues that already exist massively at this intersection one huge concern I have is safety! Getting through there is already very time consuming for most people with Westminster, the park, and most of the thriving business already situated there not to mention the gas station literally across the street I don't see the need for this as there's accidents there nearly every time I travel there. I understand business is business however when it has to do with a place that holds such a powerful presence it could be something amazing instead of a future problem shack in my eyes. I'm writing this in hopes you make a comment on why this is something up for consideration as convince of another entry to gas wouldn't cut it at such a valuable location. Something I'd personally love to see put there would be a workspace for college students something locally run rather than a big box coffee shop would definitely become a meeting point for lots of walking traffic as well. My friends at Westminster and even the U are constantly at sugar house park and complain they have to drive all over for a air conditioned space to just study and hang out and we all know the summers are getting hotter these days. Another idea would be a restaurant honestly not a drive through it's corner is close to other successful fine and regular sit in dining but it would have to be something with a better or cooler essence than a sizzler I

2

don't know anyone who lives in sugar house that regulars sizzler as it's quite frankly not been talked about much in 27 and below crowd which is who regulars this area the most. I obviously don't know the numbers but I do know this will cause massive headaches for me and a lot of others in the community. --
have an awesome day

3

Norris, Nick

From: Keara Ranck [REDACTED]
Sent: Thursday, September 22, 2022 11:46 PM
To: Norris, Nick
Subject: (EXTERNAL) CUM & GET THIS GAS STATION OIT OF OUR PARK

Hello!

My name is Keara and I grew up about a 10 minutes bike ride from sugar house park. I would frequently spend my days going to the firework show, sliding down the tube that goes under the bridge, feeding the ducks and geese, sledding, hammocking, building fairy houses, picnicking, swimming in the stream and just generally playing in the park. I also grew up going to Sizzlers (May she Rest In Peace) with my grandparents right there in the corner.

I was saddened to hear that the city was planning on putting a gas station on that now vacant corner. Sugar house is already densely crowded (in my opinion over crowded) which has led to much traffic, especially in that corner area and I don't think that a second gas station in that corner would benefit the community.

Suggestions I would make would be: a yummy cafe that serves good coffee and brunch, a gear shop where people could rent gear to use in the park, a fancy dinner place with views of the park and the mountains. Anything but a gas station.

4

Thanks for your consideration!

Keara

5

Norris, Nick

From: Daniela Hartin [REDACTED]
Sent: Thursday, September 22, 2022 11:38 PM
To: Norris, Nick
Subject: (EXTERNAL) WE DONT WANT KUM AND GO

As a resident of sugarhouse and salt lake city, i do not think it is right to put a kum and go when there is one on the other side of the street. It WILL cause traffic to an intersection that doesn't need anymore. Respectfully, stop wasting tax payer money on nonsense.

Sincerely
A Sugarhouse Resident

--
Dani Hartin

[REDACTED]
[REDACTED]

6

Norris, Nick

From: Katelyn Elizabeth [REDACTED]
Sent: Thursday, September 22, 2022 11:32 PM
To: Norris, Nick
Subject: (EXTERNAL) AGAINST KUM AND GO AT SUGARHOUSE PARK

As a resident of Sugarhouse and Salt Lake, I will not stand to let another money grab further pollute our air and ruin my favorite park!
This park is such a beautiful place, do NOT RUIN IT !

7

Norris, Nick

From: Dresden Curtis [REDACTED]
Sent: Thursday, September 22, 2022 11:17 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go

Please don't put another gas station across from another gas station 😞 no need for 2 gas stations. Why not put a rad local restaurant or any restaurant for that matter there? I'm referring to sugar house park by the way. If you haven't gotten 1000 emails already about this. Bad idea man.

Thanks
Dresden Curtis

8

Norris, Nick

From: [REDACTED]
Sent: Thursday, September 22, 2022 11:14 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

As a proud citizen. I (and many people around me) WILL NOT stand for a KUM and GO to be placed in such a beautiful spot. Respectfully, there are so many other things that can benefit the city, and especially the park. like a cute cafe, a little donut shop. honestly, ANYTHING but a gas station would be wonderful. please and thank you

Respectfully, proud citizen

9

Norris, Nick

From: Jacob Moyers [REDACTED]
Sent: Thursday, September 22, 2022 11:06 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

hey man don't put that gas station there. its not cool. there's already gas station across the street, stop being a money sucking zombie and put something cool there instead.

regards, urbenlink

10

Norris, Nick

From: [REDACTED]
Sent: Thursday, September 22, 2022 11:04 PM
To: Norris, Nick
Subject: (EXTERNAL) do not put another gas station at the intersection by sugarhouse park

I live near this intersection and it is an absolute nightmare. The worst thing that could possibly be done is adding another gas station. We have enough gas stations. Try adding something for people instead of cars maybe

11

Norris, Nick

From: Asim Hrvat [REDACTED]
Sent: Thursday, September 22, 2022 11:03 PM
To: Norris, Nick
Subject: (EXTERNAL) Come & Go Gas Station Sugar House

As a resident of Sugarhouse and Salt
Lake City,

I don't think building a gas station would be the best idea at the location you guys have chosen, being a marketing [REDACTED] I understand that you and the gas station owners are trying to make more money but you have to consider the idea of the traffic build that this will cause, also the view would be ruined.

--

Asim Adi Hrvat

[REDACTED]

12

Norris, Nick

From: Josie Dimick [REDACTED]
Sent: Thursday, September 22, 2022 10:59 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and get this gas station out of our park!!!!

As a resident of Salt Lake City, this money grab is not tolerated nor the horrendous traffic this will cause. This idea needs to go as quickly as it came.

13

Norris, Nick

From: Spencer Gerritsen [REDACTED]
Sent: Thursday, September 22, 2022 10:55 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

I am a resident in Salt Lake City Utah and I would like to come forward and say in the nicest way possible, please do not allow the gas station to be built on this lot. The park is much too pretty to have a second gas station right next to it.

14

Norris, Nick

From: SLC [REDACTED]
Sent: Thursday, September 22, 2022 10:51 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go Sugar House

Nick,

Hope this email finds you well. It's recently come to my attention the city plans to approve the building of a Kum and Go gas station at Sugar House park.

This is a blatant failure of city planning. Residents of Sugar House and Utah more broadly need city planning that makes sense. We need city planning that emphasizes small businesses, enables public transportation, and helps our climate. Through the approval of this monstrosity you have somehow managed to fail all three conditions.

The people of this city will not stand for this monstrosity. Please implement a sustainable program that helps small businesses and Utahns alike.

Ryan Hamby

--

15

Ryan Hamby

Norris, Nick

From: Kathryn Cunningham [REDACTED]
Sent: Thursday, September 22, 2022 10:50 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Get this gas station out of our park

Good evening Mr. Norris,

It's been brought to my attention the idea for a Kum and Go to be put in where Sizzler used to be by Sugarhouse Park.

Please know that this is a horrendous idea. The traffic on 1300 E is already horrendous especially as it bottle necks after 2100 S heading North.

There is already a Chevron on the corner of 1300 E and 2100 S and where it may be more inconvenient for drivers heading North bound it isn't too hard to take too lefts or get gas on the corner of 1300 E and 1700 S.

Other suggestions for this location would be:

- Cafe
- Add a small deck and a wall of windows and take in the view of Sugarhouse park
- A bar and grill

17

-Nothing says an afternoon out of the office like a beer and a view

Additionally either of these options would better compliment the vibe of the already existing establishments of the area. Even a cat cafe would give the area a unique charm.

Please don't ruin beauty Kum for the beauty, let Go of the gas station.

Respectfully,
Kathryn Cunningham

Norris, Nick

From: Megan Stoker [REDACTED]
Sent: Thursday, September 22, 2022 10:50 PM
To: Norris, Nick
Subject: (EXTERNAL) SUGAR HOUSE PARK LOT

<https://www.tiktok.com/t/ZTRasgnVJ/>

19

Norris, Nick

From: Michael Webster [REDACTED]
Sent: Thursday, September 22, 2022 10:50 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go

Hi Nick,

I just heard about the proposed Kum and Go slated to go into the spot on the corner of 21st and 13th and, as a resident of the area, I ask that you all reconsider this plan. There is an opportunity to add to an already beautiful park, in a spot with a beautiful view of the Wasatch front, and it would be a real shame to have a gas station there instead.

Truthfully, the focus should be on making Sugar House a pedestrian friendly, walkable part of our city anyway, and adding a gas station across from another gas station is the opposite of that.

Please consider alternatives.

Respectfully,
Michael Webster

Sent from my iPhone

20

Norris, Nick

From: Taylor [REDACTED]
Sent: Thursday, September 22, 2022 10:50 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go at Park Corner

Nick,

As a frequent user of the park on the weekends, I would love to place a complaint and disagreement with the decision to place a gas station at the corner of the park.

Out of the all the uses we have for our property in this beautiful city, a gas station does nothing to support the motivation for our community to get outside to experience our city and it's beauty. If nothing, it attracts the bad and negative to the community and makes it unsafe for our children and families to safely play in and enjoy.

Please take into your consideration that the actual people who use this park are the ones who matter, not another commercial organization.

Thank you,

21

Taylor

Norris, Nick

From: Patrick Salas [REDACTED]
Sent: Thursday, September 22, 2022 10:46 PM
To: Norris, Nick
Subject: (EXTERNAL) Do not build a kum and go by sugarhouse park

There's a gas station across the street, there is no good reason for this. Let it be a breakfast cafe, coffee shop, anything that actually brings life to the area.

23

Norris, Nick

From: Gabby B [REDACTED]
Sent: Thursday, September 22, 2022 10:42 PM
To: Norris, Nick
Subject: (EXTERNAL) kum & get this gas station out of our park -_-

hello,

i am writing because i heard that y'all are trying to put a gas station on the corner of sugar house park where sizzler used to be. i am here to tell you why this is asinine, and, frankly, inappropriate.

can you imagine the traffic, accidents, and overcrowding that would ensue if a gas station was added to THAT intersection? one of the busiest intersections in sugar house?

there are MANY other ways to fill the space that could be beneficial to the community in healthier ways. i see it may be good for the economy, but i think people's livelihoods should be prioritized over profit. additionally, gas stations simply are not nice to look at. that space should be occupied by something pretty to match the vibe of sugarhouse park, not an eyesore. or maybe even just make it into another parking lot for park-goers to use?

i could go on, but you'd be less likely to read all that. so, i'll leave you with this final thought:

24

the demographic of people who live in sugar house do NOT deserve to be further robbed of its quaint charm. you've already stripped us of many local gems in favor of building brand-new housing developments we can't even afford. we're tired of it. please don't poison sugar house park by building a gas station.

thank you for your consideration.

yours most sincerely,
gabrielle barker, a concerned citizen

25

Norris, Nick

From: Adam Bishop [REDACTED]
Sent: Thursday, September 22, 2022 10:42 PM
To: Norris, Nick
Subject: (EXTERNAL) Summerhouse Park planning

Mr. Norris, As a long time resident of Salt Lake City born and raised in Sugarhouse. I consider Sugar House Park to be a pillar of pride for the community. I am deeply concerned about the development plans for the former Sizzler site. I would like to share my view about it. I would like it to be annexed into the park. It could be reserved for park improvement and not a gas station and or business. I'd like to have it used to make the area better for the people whom use it.

I recommend having it reserved for parking or a monument. I really needs further discussion on this matter.

26

Norris, Nick

From: maddison barney [REDACTED]
Sent: Thursday, September 22, 2022 10:39 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hi! I am a resident in sugar house i really don't think we need another gas station. I would love to see a restaurant/bar or a Dutch Bros/ cafe. Something to enjoy the view!!

27

Norris, Nick

From: Vilde King [REDACTED]
Sent: Thursday, September 22, 2022 10:37 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GO SUGARHOUSE PARK

Hi Nick,

I'm a resident of sugarhouse a few blocks from the park. For the love of god, if you guys put in a Kum&Go (and I even love that gas station) in the lot where sizzler used to be in sugar house park, I will personally block the entrance every single day with my body and my dog. Even if you arrest me I will have someone else do it. That lot is so gorgeous and 13th is already clogged as it is. Protect that area. Do something for the community. There are so many options for you. A farm supply store, florist, cafe, a co-op, a visitors center for Christ sake! I don't want a gas station in that park. I don't need another one there are already 3 within a mile radius. Be better than that. Don't put a KUM and go there. I don't care about the money they'd (or hell you idk) would make. DON'T!

Thanks,
Vilde King
[REDACTED]

28

Norris, Nick

From: Abby McGowan [REDACTED]
Sent: Thursday, September 22, 2022 10:37 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar house vacant lot

Hi Nick,

I've been hearing that there are plans to build a gas station in a lot with arguably the best views in salt lake. I'm referring to the lot that was previously a Sizzler. This would be a tragic use of land given that there is a gas station literally across the street. A cafe or restaurant would be a much better fit for that spot.

Thanks,
Abby

Norris, Nick

From: natalie magliocchino [REDACTED]
Sent: Thursday, September 22, 2022 10:34 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Gas Station

Hello,

My name is Natalie Magliocchino and I'm a resident of Sugarhouse. I urge you not to put a gas station on the corner of 2100s and 1300e. There's already a chevron right by the park and it will cause more traffic. It also will be an eye sore in the park. Please reconsider putting a gas station there. I'm sure my neighbors agree.

Thank you,
Natalie

31

Norris, Nick

From: Lia Christensen [REDACTED]
Sent: Thursday, September 22, 2022 10:32 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM and get this gas station out of our park

As a sugar house native I am so sad to hear that there is a plan to put an ugly gas station at this pristine corner of sugar house park. This would be the best place for literally anything else. It has the best views and there is already a nice chevron across the street. We don't need anymore traffic on this busy corner.

Sent from my iPhone

32

Norris, Nick

From: Ricky Baeza [REDACTED]
Sent: Thursday, September 22, 2022 10:26 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hello Nick,

As a resident of Salt Lake City, I would love to see the abandoned lot near sugarhouse park to be a building that would serve the community. I feel as though Another gas station would result in further congestion of an already busy area. There are various other gas stations individuals can fuel their cars at including across the street. I hope the views and location of this area can be utilized for something other than a gas station.

--

Best wishes,
Ricardo

33

Norris, Nick

From: Rob Stod [REDACTED]
Sent: Thursday, September 22, 2022 10:25 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

You know the gas station is a terrible idea. You know that. Be better.

34

Norris, Nick

From: Elmira Sperling [REDACTED]
Sent: Thursday, September 22, 2022 10:23 PM
To: Norris, Nick
Subject: (EXTERNAL) Say NO to Kum and GO

City Planners,

Really? Please don't put in a gas station. The right hand side of that intersection is already CRAZY and who has even heard of a Kum and Go these days? They must be paying big bucks. Please don't put another gas station in, I've seen so many monster trucks eat the curbs at Chevron and narrowly avoid everyone within a 10' radius.

E
--

Elmira Sperling
[REDACTED]

35

Norris, Nick

From: Kayla Savage [REDACTED]
Sent: Thursday, September 22, 2022 10:19 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM&GO Gas Station

Hi Nick,

I'd appreciate if you rethought the gas station in Sugarhouse. There seems to be no purpose for this gas station. If most of the residents are saying they don't want a gas station then it's probably for a valid reason.

- Kayla Savage,

36

Norris, Nick

From: Shannon Mayo [REDACTED]
Sent: Thursday, September 22, 2022 10:16 PM
To: Norris, Nick
Subject: (EXTERNAL) About the Most Recent Horrible Idea...

Hi,

I am a resident of the sugarhouse area and I am writing to officially disagree with the proposed "Kum and Go" gas station to be placed next to sugarhouse park. As you probably (or I guess *should*) know, this area is already extremely congested (thanks CFA). The line for the light at that intersection gets longer every single day I swear. And with this, comes an increased rate of safety and traffic concerns. Adding a gas station here is only going to amplify these concerns and issues. To be frank with you- this is probably one of the worst ideas/proposals I've ever seen... actually maybe second to the LCC gondola, but that's a conversation for another time.

For the love of God please don't allow this to happen. If there's even one iota of care for our community, shut this down, and propose a different use of that space and view.

Thanks for listening,
SM

37

Norris, Nick

From: Zachary Bowman [REDACTED]
Sent: Thursday, September 22, 2022 10:16 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum n get this gas station out of out park

Hello Nick,

My family (as well as many SLC families) have enjoyed sugarhouse park for years. We go sledding there every winter and have regularly made laps around its walkways. The traffic on 1300 east has always been beastly, around the park, but knowing that future plans of a gas station being placed across from an already existing chevron baffles me. The congestion this will cause is a major concern, honestly confuses me when sugarhouse is such a great place for many unique businesses that could use the space in a way that doesn't cheapen the natural beauty of the park.

Sent from my iPhone

38

Norris, Nick

From: LaRaine Harmsen [REDACTED]
Sent: Thursday, September 22, 2022 10:13 PM
To: Norris, Nick
Subject: (EXTERNAL) GAS STATION AT SUGARHOUSE PARK?? I THINK NOT SIR.

Hello Mr Sir Gentleman Nick Norris.

Please do not put a Kum and Go gas station at the lot near sugarhouse park. This is ugly and will make it look like a trash dump. If you let this happen I will cry. I will send you video evidence of me crying if you do not believe me.

Seriously. Please. You could seriously put a nice restaurant or something good for the community, but you're putting a gas station that will be ugly and promote traffic and pollution near the park. There is already a gas station near there, we do not need another one.

Let's do something there to bring awareness to pollution and preservation of the park.

I'm not joking, I will cry.
-Raine

39

Norris, Nick

From: Trenton Stout [REDACTED]
Sent: Thursday, September 22, 2022 10:10 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum&go's gotta go

Instead of putting a gas station across the street from another gas station, how about a restaurant rebuild, an area for food trucks for the park, repurpose it for the park or anything else than a redundant service.

Thanks

40

Norris, Nick

From: Katherine Ness [REDACTED]
Sent: Thursday, September 22, 2022 10:09 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House Urban Planning: Alternatives

Nick,
A kum and go gas station is considered a low quality brand. You are actually lowering the appeal of the area by thinking of putting it in the sugar house park location. It is very short term thinking and in the long run it will diminish the economy and value of that area. Not to mention the number of people that have died from the traffic in that intersection already.

Adding a gas station across from a gas station is what people do on “small town” exits of the interstate. Sugarhouse park and a collage in that area indicate that it’s not a quick pit stop area for people driving through the interstate to quickly fill up.

If this is truly about finances, give the people of Salt Lake a chance to raise money or propose businesses that they support for that location. This would be a major disappointment to your people and you would probably get a lot of shame for it. Don’t do it- please think longer term and about the infrastructure for the area.
Urban planning should support generations to come and this feels like it destroys the foundation for the area.

41

I rave to my friends and family about Salt Lake and how I think it has the best infrastructure and urban planning for any city I have been to. If you put a Kum and Go on that corner, it degrades and sexualizes the corner giving everyone an icky feel. I will no longer be proud of the slc government.

Nick, if you have the ability to redirect this path toward a more homely and endearing experience for the people of slc, please do so. You can make this right.

Norris, Nick

From: Tanner W [REDACTED]
Sent: Thursday, September 22, 2022 10:08 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Literally the worst decision that could be made. You know what I'm referring to. I truly hope you think about this a little more.

Sincerely... everyone.

Thank you.

- Tanner Winnie

Sent from my iPhone

43

Norris, Nick

From: Malynne Cottam [REDACTED]
Sent: Thursday, September 22, 2022 10:03 PM
To: Norris, Nick
Subject: (EXTERNAL) PLEASE do not put another gas station in Sugarhouse Park

As a resident of Salt Lake City and frequent visitor of the park, I was very disappointed to learn that the Sizzler on the corner in Sugarhouse park would be replaced with a gas station when there is another one right across the street. A local business, more places to gather and enjoy the views, or something else to foster community would be a much better use of the space. Please reconsider. Thank you.

A Citizen

44

Norris, Nick

From: Alany Romero [REDACTED]
Sent: Thursday, September 22, 2022 9:58 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Salt Lake City, I don't and will not support nor stand another gas station being built near Sugar House Park. We need to preserve the beauty that is already there. Plus the amount of traffic flow will not be good for the families that are visiting the park. I urge you to reevaluate this decision.

-Alany Romero

45

Norris, Nick

From: Lucas sena [REDACTED]
Sent: Thursday, September 22, 2022 9:57 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar house park gas station

Hey bro please don't let this terrible discussion actually happen. Can you guys pick something that will utilize that space properly, even if it's a chain put something nicer than a gas station.

46

Norris, Nick

From: Jake Kolu [REDACTED]
Sent: Thursday, September 22, 2022 9:55 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go station at Sugar House Park

I cannot begin to fathom how this is acceptable in your eyes. One of the most beloved parks in all of Salt Lake, and location anyone would kill for, and it's being used for ANOTHER gas station? JUST CROSS THE STREET. Do not ruin the opportunity to have a beautiful, park-friendly local business there by putting an ugly gas station. Compliment the park, don't give in to corporate funds. Be proud of your city not sold to the highest bidder. I am ashamed to be a SLC and Sugarhouse resident because of things like this. So the right thing, DO NOT build the gas station there.

Jake Kolu

47

Norris, Nick

From: Anna Mellor [REDACTED]
Sent: Thursday, September 22, 2022 9:54 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hello Nick,

Please do not allow a kum & go to be built at the corner of Sugarhouse park. It would be great if that could be turned into a local shop/restaurant & we could support small businesses that way. Pretty much anything besides a gas station - particularly one with such a horrible name.

Let's not further add to the air pollution - particularly right next to the park where residents are trying to enjoy fresh air & exercise.

From your local Sugarhouse resident,
Anna Mellor

48

Norris, Nick

From: Max Strayer [REDACTED]
Sent: Thursday, September 22, 2022 9:50 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House Solution

Good evening Nick,

My name is Max Strayer and I am one of your concerned constituents.

I am a local real estate agent who works in the notable Redman building on 2100 S and strive to build Salt Lake City into the best and most community oriented city it can possibly be.

I would greatly appreciate and support any new consideration for the business/ industry that is to inhabit the south/east corner of 1300 E and 2100 S.

The current plan of the Kum and Go gas station causes great discern and disappoint in local government.

With that being said, I completely understand your perspective on implementing an industry that can yield a profit from such an expensive plot of real estate.

49

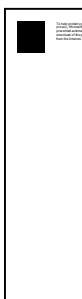
I do not intent to complain without a solution so I ask you to reconsider this decision and meet with me and my commercial real estate team to formulate a plan that is considerate of the community and focused on an alternative solution. A solution that will appease the local residents and created an iconic place in Sugar House that will be revered.

The infrastructure and cultural implications are too much for this community to bare.

I look forward to your response and wish you nothing but the best.

My best,

--



MAX STRAYER

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

50

[REDACTED]
[REDACTED]
[REDACTED]

■

Norris, Nick

From: Sierra Rankow [REDACTED]
Sent: Thursday, September 22, 2022 9:49 PM
To: Norris, Nick
Subject: (EXTERNAL) We do not want Kum & Go at Sugarhouse Park

Mr. Norris,
As a resident of Sugarhouse and as someone who walks and brings my young children regularly to the park, I cannot stress how unwanted this ANOTHER gas station is. That spot could be better used for anything else. It does not serve the community, it will add dangerous and unnecessary traffic, and will be an eye sore for such a beautiful spot.
-Sierra Rankow

Norris, Nick

From: Addison Trupp [REDACTED]
Sent: Thursday, September 22, 2022 9:47 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House Kum & Go

Respectfully, as a resident of Sugar House and Salt Lake City I am strongly against the construction of another money grab that further pollutes the air and impacts the beauty of the park. I strongly urge the city to reconsider the plans for the site.

Addison

53

Norris, Nick

From: Sarah P [REDACTED]
Sent: Thursday, September 22, 2022 9:46 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Park Gas Station??

Hi Mr. Norris,

As a resident of Sugarhouse, I'm pretty dumbfounded that the city is planning on replacing the empty Sizzler building on 1300 E and 2100 S with a gas station. There's a Chevron across the street! This could be a fantastic location for a restaurant or a coffee shop, maybe just an extension of the park with seating? Just something to engage all the young people who live in the area, ya know? I don't know why we'd want to bring more car traffic to an already congested intersection between the University and I-80.

I'm really curious why the city is going with another gas station, I'm not saying there's not a good reason, but myself and many of my peers can't figure out what it is.

Love to hear back if you have time.

Sarah Preece

54

Norris, Nick

From: Pam Spam [REDACTED]
Sent: Thursday, September 22, 2022 9:42 PM
To: Norris, Nick
Subject: (EXTERNAL) Gas station in Sugarhouse Park... really?

Hello,

As a Utah local and resident of Sugarhouse, it's disappointing but unsurprising that once again my own government proves to me that they care more about money than the health, safety, and general wellness of their citizens and environment. Putting ANOTHER gas station on the corner of the Sugarhouse park shows a degradation of our local governments morals and we will not stand for it. Utah is suppose to be one of the most geographically diverse and naturally beautiful places in the world, but thanks to money grubbing people like you, it looks more like a truck side rest stop where one only stops to take a shit. What happened to promoting local busyness and a safe and environmentally clean walking environment? Keep you gas stations out of our parks.

Respectfully,
Someone who actually cares about the people who live here

55

Norris, Nick

From: Jenika McCandless [REDACTED]
Sent: Thursday, September 22, 2022 9:42 PM
To: Norris, Nick
Subject: (EXTERNAL) Please Make the City Better

Hello,

Please don't put a nasty gas station at the corner of 13th and 21st. Like, seriously. Put a local business there. Or a spot for food trucks. That intersection already sucks enough.

Thank you

56

Norris, Nick

From: Jamie Heckert [REDACTED]
Sent: Thursday, September 22, 2022 9:41 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GO Gas Station

Hello Nick,

I've recently heard that there are plans to put a Kum & Go gas station on the corner of 2100 S and 1300 E. As a resident of this area, I would be very disappointed to see this go into development. I believe that this would create even more congestion at this already busy intersection as well as detract from the beauty of this area. I also firmly believe this development would have a negative environmental impact. Please consider an establishment that would help enhance the community.

Kindly,

Jamie Heckert

57

Norris, Nick

From: Cory Inman [REDACTED]
Sent: Thursday, September 22, 2022 9:40 PM
To: Norris, Nick
Subject: (EXTERNAL) Please change decision to allow a Gas station next to sugar house park

Good evening Mr. Norris,

Please to not allow a gas station to be built on the corner of Sugar house park. Please continue to code this for a restaurant or public space. The views from this part of the park are a special aspect of what makes Salt Lake City great! My family uses this park regularly and this space could certainly be used better.

Thank you for your time and consideration!

Cory Inman

Cory Inman, PhD
[REDACTED]

58

Norris, Nick

From: RebekahRae Newman [REDACTED]
Sent: Thursday, September 22, 2022 9:39 PM
To: Norris, Nick
Subject: (EXTERNAL) Let's improve SLC together yeah?

Hi there,

It's come to my attention that a beautiful piece of prime real estate that is a park to the gem that is sugar House park is about to go to waste on a gas station. While I do love a good kum-and-go, could we not find a different location that isn't stealing a prime opportunity to make SLC just a touch more iconic?

It is in the best interest of residents and visitors that this piece of real estate go to cafe or even art gallery. The possibilities are endless. Let's rethink this together. I'd love to help.

Thanks for your time.

Rebekah

Norris, Nick

From: Erin Thunell [REDACTED]
Sent: Thursday, September 22, 2022 9:37 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar house park proposal

Hi there,

As a resident of the Sugarhouse neighborhood and Salt Lake City, please understand: No one here wants another gas station on the corner of 1300e and 2100s. As a representative of this city, you should be embarrassed to even consider the proposition & should know that implementing this plan will reflect terribly on you directly. There is absolutely no infrastructure for the traffic, chaos & pollution another gas station will bring to that intersection. A terrible plan all around. Please on the citizens behalf, reconsider.

Thanks for your time,
Erin Thunell

61

Norris, Nick

From: Wynter Mindnich [REDACTED]
Sent: Thursday, September 22, 2022 9:36 PM
To: Norris, Nick
Subject: (EXTERNAL) SHP Gas station complaint

Howdy,

As a resident of sugar house SLC I am offended by the city's plan for a second gas station on 1300 e where the sizzler once was. A gas station is a lost opportunity to add something meaningful for the community, a cafe, restaurant, bike rental, ice cream, etc. A gas station will only take away from the parks positive essence. It also will just increase traffic in that area. At the end of the day a gas station is lame and would do more damage than good to the community of sugar house.

Regards,
Wynter Mindnich
Sugar House resident

62

Norris, Nick

From: Louisa Peterson [REDACTED]
Sent: Thursday, September 22, 2022 9:35 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse lot

Hi nick, my name is Louisa Peterson and i live in Salt Lake City.

The lot on 2100 south that has been empty for years is beautiful and has great potential. I was very sad to hear that the decision made for the lot was to put in another gas station. We have a Chevron across the street from this lot and I think it would be such a loss for the community to put another right across the street.

This lot has so much potential - especially with the view of the park. I'm sure you've had a lot of emailed concerns by now, but I thought I would email and give my thoughts in hope to see this lot live up to the potential it has to offer.

Thank you!

Louisa

63

--

Louisa Peterson

Norris, Nick

From: Ashley Kipps [REDACTED]
Sent: Thursday, September 22, 2022 9:32 PM
To: Norris, Nick
Subject: (EXTERNAL) DON'T RUIN SUGARHOUSE PARK

As a resident of Salt Lake City it's horrifying to see that local officials want to put a GAS STATION in a GREEN SPACE?! There are so many options that could actually benefit our community members and Sugarhouse Park and a random chain gas station is not one of them.

A community garden?
A cafe?
A stop n go coffee stand?
An outdoor seating restaurant?

Please don't fail those you serve by doing this.

Ashley

65

Norris, Nick

From: Dallin Garber [REDACTED]
Sent: Thursday, September 22, 2022 9:31 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum n' Go

I've lived in Sugar House for over seven years and during that time I've watched it really change and grow. That corner of 13th and 21st could be a lot of really cool things, but another gas station seems like the worst possible option. I'm hoping the city will consider anything but that.

Thank you!

66

Norris, Nick

From: Landon Guss [REDACTED]
Sent: Thursday, September 22, 2022 9:28 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM

Kum on man.

You're going to let Kum ruin our Sugarhouse Park? I don't know about you, but I don't want Kum anywhere near my park.

Respectfully, please don't let them Kum in our park.

--

With regards chock full of sincerity, Landon Guss

67

Norris, Nick

From: Sarajane George [REDACTED]
Sent: Thursday, September 22, 2022 9:27 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM N GO NO

As a resident of sugarhouse/Millcreek area I would like to express my concern and disgust of the plan for the gas station on 1300 east and 2100 south. We don't need it. Put a nice restaurant or cafe plz.

Respectfully,
JANIE GEORGE

68

Norris, Nick

From: lita lasukau [REDACTED]
Sent: Thursday, September 22, 2022 9:26 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt Lake City. I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

Thanks,
Makalita

--

69

Best regards,

MAKALITA LASUKAU

70

Norris, Nick

From: Jess Hansen [REDACTED]
Sent: Thursday, September 22, 2022 9:23 PM
To: Norris, Nick
Subject: (EXTERNAL) NO to KUM n GO!

Nick... how did you let this happen! A kum and go in one of the most valuable real estate spots in sugar house? Cmon you can do better than this! There needs to be a place for the community, a place where people can gather and enjoy beautiful sugar house park! Please please please reconsider this decision and choose a better company to have this beautiful lot! Kum n go is the scum between my toes!

Hope you make a new choice

71

Norris, Nick

From: Amelia Greenall [REDACTED]
Sent: Thursday, September 22, 2022 9:09 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go

As a resident of Salt Lake County who regularly enjoys Sugarhouse Park, I think that putting a Kum & Go gas station is an enormous waste of space that could be used for something to better beautify the area. There is already a gas station across the street, something like a restaurant or cafe or event center would be more beneficial to both the locals and the area's beauty and the economy. Please reconsider.

72

Norris, Nick

From: Karlie Place [REDACTED]
Sent: Thursday, September 22, 2022 9:05 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & Get this Gas Station out of our Park

Hello,

I am a SLC resident and I am appalled to hear there is a gas station being added to the sugar house park property. This is a disgusting use of a beautiful piece of property and I urge city planning to rethink this decision as an opportunity to enhance the space instead of turning it into a glorified parking lot.

City resident

73

Norris, Nick

From: Mathew Putzier [REDACTED]
Sent: Thursday, September 22, 2022 9:03 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Salt Lake City..... I will not stand to let another money grab further pollute our air and ruin the Sugerhouse state park, so please do not put that kum an go in the vacant lot at Sugarhouse Park, that park means so much to so many people, and it will be doing that park a disservice to put that there.

Thank you for your time

74

Norris, Nick

From: Annika Machado [REDACTED]
Sent: Thursday, September 22, 2022 9:02 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House park

Hello Mr. Norris,

I am a resident of Salt Lake City who utilizes Sugarhouse Park frequently. It is an oasis of greenery and calm in the growing and crowded Sugarhouse neighborhood. I am writing to express my wish to NOT build another gas station in the empty Sizzler lot. I think something more related to the park would be better for the community and create less traffic. Please reconsider the Kum and Go.

Thank you!

75

Norris, Nick

From: Julane [REDACTED]
Sent: Thursday, September 22, 2022 9:00 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Land Development

Hello, I am a resident of Salt Lake City. I am respectfully disagreeing with any plans to have a gas station built in the northwest corner of Sugarhouse Park. We do not need it. I would support something like a cafe, seated area, etc. over a gas station with such a horrendous name.

Julane Machado

76

Norris, Nick

From: Callie Nielsen [REDACTED]
Sent: Thursday, September 22, 2022 8:59 PM
To: Norris, Nick
Subject: (EXTERNAL) NO TO KUM & GO GAS STATION

Respectfully as a resident of sugarhouse and Salt Lake City I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

Thank you

77

Norris, Nick

From: Tori Alexander [REDACTED]
Sent: Thursday, September 22, 2022 8:58 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and get this gas station out of our park

Hello,

As a resident of Sugarhouse and Salt Lake City. I don't want such an amazing spot for the community to have a gas station built to pollute such an amazing park. Please consider this area for an extension to the park.

Thank you

78

Norris, Nick

From: Serg Rezanov [REDACTED]
Sent: Thursday, September 22, 2022 8:55 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse park KUM and GO?

Can you please do something about this Kum and Go they are planning to put in sugarhouse park? What the hell? That is a terrible decision. Who lets this slide? Put something nice in there instead of a fucking gas station.

--

Serg Rezanov.

79

Norris, Nick

From: Andie Mace [REDACTED]
Sent: Thursday, September 22, 2022 8:54 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUR OF OUR PARK

As a resident of Salt Lake City, and a frequenter of Sugarhouse park, I am fervently against this gas station. It will further pollute our air and ruin one of the greatest parks in the state of Utah. Please reconsider.

80

Norris, Nick

From: Jordan Lopez [REDACTED]
Sent: Thursday, September 22, 2022 8:50 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House Kum N Go Bad Idea

Dear Nick Norris,

Please don't ruin one of the most amazing views in SLC with a gas station. The vacant sizzler lot should be turned into something that would benefit the community in a greater way. We are all doing just fine going to the chevron for gas. AREN'T WE MOVING ELECTIC ANYWAY? Why another gas station? It isn't necessary. Please consider adding another restaurant or cafe into the area as a place for people to enjoy the beauty of the neighborhood that is Sugarhouse.

Thank you!

-Jordan Lopez

81

Norris, Nick

From: Reilly M [REDACTED]
Sent: Thursday, September 22, 2022 8:50 PM
To: Norris, Nick
Subject: (EXTERNAL) Please no Kum & Go in Sugarhouse Park

Please don't put a gas station by the beautiful park in the city! There are children who play there, and it'll increase traffic, compromising the safety of the kids.

Sent from my iPhone

82

Norris, Nick

From: michael de st. aubin [REDACTED]
Sent: Thursday, September 22, 2022 8:49 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt lake City..... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

83

Norris, Nick

From: Tera Little [REDACTED]
Sent: Thursday, September 22, 2022 8:48 PM
To: Norris, Nick
Subject: (EXTERNAL) Please give Sugar House Park the venue it deserves

Dear Mr. Norris

I live just outside Salt Lake City (in North Salt Lake) but my son and I are frequent visitors of Sugar House Park. One of our favorite weekend activities is grabbing lunch at the nearby Chick-fil-A and having a picnic lunch at the park before he visits the playground.

I recently learned of the city's plan to approve a gas station on the vacant lot next to the park. SLC has plenty of gas stations. Please reconsider the Kum and Go gas station and poll the SLC residents to determine a more fitting venue for this iconic gem!

As a fellow public servant, I can empathize with the position you find yourself in but also understand the value of transparent, collaborative approaches to finding solutions. I hope there is still opportunity to influence the decision-making process for this vacant lot next to a lovely park.

Respectfully as a citizen interested in stewarding the greatest good for the greatest number,

84

Tera Little

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

85

Norris, Nick

From: MORGORINO [REDACTED]
Sent: Thursday, September 22, 2022 8:43 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt Lake City..... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state. Kum n go will ruin 2100 s how about we do something for the public. Money doesnt run all

86

Norris, Nick

From: Danielle Hogle [REDACTED]
Sent: Thursday, September 22, 2022 8:41 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum get this gas station out of our park

Dear Nick,

I am writing as a lifetime Sugarhouse resident to respectfully ask that we stop with the money grab strategy for Sugarhouse. We do not need another gas station right across the street from one. Please do not build that eyesore there. It could be better utilized as a cafe or restaurant, even a cooking school. Thank you.

Regards,

Danielle Hogle

87

Norris, Nick

From: Isa Arguelles [REDACTED]
Sent: Thursday, September 22, 2022 8:39 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse park gas station

Hello Mr. Norris,

As a SLC resident and frequent visitor of the Sugarhouse park, I wanted to reach out to you and plead that we do not let the Sizzler lot turn into a gas station. This is a beautiful park and we should be building something that our community can use and enjoy. Maybe a restaurant or some cute local stores. Please do not let this turn into a gas station and ruin this beautiful park.

Best,
Isabel

88

Norris, Nick

From: Cassie Tighe [REDACTED]
Sent: Thursday, September 22, 2022 8:32 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hi Mr. Norris,

As a resident of the Sugar House neighborhood and someone who frequents the Sugar House park daily, PLEASE do not approve the Kum & Go gas station move into the old Sizzler lot. As a city with overwhelming air quality issues, we cannot allow another polluter to move in. Especially since there is a Chevron across the street and 2100 already has enough traffic problems.

As a future-oriented and quality of life oriented neighborhood, we should be looking at better ways to utilize this space that will help Sugar House continue to thrive and set an example for other neighborhoods in SLC.

Thank you,

Cassie Huntington

89

Norris, Nick

From: Theo Gochnour [REDACTED]
Sent: Thursday, September 22, 2022 8:31 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum n Go

Nick,

I know you already know what this email is going to be about. I'm sure you agree with us SLC residents who are appalled at the proposal to put a gas station adjacent to one of the state's great urban parks. Please let me know if there is anything we can do to stop this. It's backwards, short sighted, and wrong. Please do everything in your power to stop this.

Thanks,
Ted

90

Norris, Nick

From: Lia Thompson [REDACTED]
Sent: Thursday, September 22, 2022 8:28 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hi there,

My name is Lia and I am constituent of Salt Lake City. I am writing to you about my concern for the proposed gas station on the south-east corner of 2100 s and 1300 e.

I went to Highland Highschool and walked through Sugarhouse park everyday on my way home. The top of the hill just east of 1300 e has inarguably the most beautiful view of the mountains in the whole park. Think of all the things that could exist on the plot of land that would take better advantage of the view than a Kum & Go.

A nice cafe, where you can sit outside and enjoy the views of the park and the mountains. Or a restaurant with outdoor dining.

Considering there is a gas station directly across the street, don't you think it's a bit redundant, and a waste of a beautiful plot, to add another gas station that will only further congest the already congested intersection?

91

Please take the time to think about this decision, and make the decision that will truly impact our community in a positive way.

Sincerely, a concerned constituent.

Norris, Nick

From: Janice Lui [REDACTED]
Sent: Thursday, September 22, 2022 8:23 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF SUGARHOUSE PARK

Please do not build a Kum & Go in sugar house park where the Sizzlers used to be. I tell you that they are the worst of all the chain gas stations. Please instead erect something that would contribute to the community's integration or culture.

93

Norris, Nick

From: Chelsi Wright [REDACTED]
Sent: Thursday, September 22, 2022 8:15 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GO stays out of Sugar house park

Mr. Norris,

Respectfully as a Salt Lake City resident that spends much time at Sugar house park. I completely disagree with the idea of putting yet ANOTHER gas station near a beautiful park that not only takes away from the beautiful park, it's in an already traffic prone intersection, there is a gas station ACROSS the street and whose to stay this won't be a repeat of 2011 liberty park pond pollution.

Thanks, I know you will see passed the dollar signs and actually care for the safety and preservation of one of Salt Lakes greatest parks 😊

Get [Outlook for iOS](#)

94

Norris, Nick

From: Rachel Morin [REDACTED]
Sent: Thursday, September 22, 2022 8:15 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, I believe it is a terrible decision to place a gas station in the Sugarhouse Park. This should be a location for a local business or something that park goers would enjoy and benefit from, not an eyesore of corporate America.

Sincerely,
An unhappy and disappointed resident

95

Norris, Nick

From: Jennifer Rockwood [REDACTED]
Sent: Thursday, September 22, 2022 8:12 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & get this gas station out of our park

Hello, my friend

I just learned that the city is planning on putting a gas station in the old Sizzler on the corner of 1300 E and 2100 S. I drive by this corner every day on my commute, and a gas station there would be a huge disappointment. It would be an eyesore right in front of the mountain views and would seriously ruin the vibes of Sugarhouse Park, arguably the best park in the city. That's not even getting into Salt Lake's air pollution; heaven knows we do not need any more gas stations making the problem worse.

I'd love to see a restaurant or cafe there, maybe even something like an art gallery. Whatever it ends up being, I'd like my community to be able to really enjoy the space and look out of big windows onto our mountains.

Thank you,

Jennifer Rockwood

96

Norris, Nick

From: Stephanie [REDACTED]
Sent: Thursday, September 22, 2022 8:10 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully as a resident of the Sugar House in Salt Lake area. I will not stand, let another money, grab further pollute to our air and ruin one of our greatest public parks in the state. Rather putting a gas station on the lot of the park. I would love to see some thing for the community and complements the park. that that would also benefit the view that that corner has of our park and of our beautiful mountains. I was born and raised here and seeing this to my FAVORITE park is deeply saddening.

- Stephanie Flegal

97

Norris, Nick

From: laikyn broadhurst [REDACTED]
Sent: Thursday, September 22, 2022 8:09 PM
To: Norris, Nick
Subject: (EXTERNAL) Keep the park pretty

Nooooo please don't put a gas station on sugarhouse park. Please <3

98

Norris, Nick

From: Lauralee Browne Gonzalez [REDACTED]
Sent: Thursday, September 22, 2022 8:09 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & Get this gas station out of our park!

Hello Nick!

As a resident of SLC, I will not stand to let another money pit gas station ruin one of the greatest parks (Sugarhouse Park) that SLC has to offer! This intersection/area is already busy enough with Chevron.

Please do not let this happen!

--

Lauralee Browne Gonzalez
[REDACTED]

99

Norris, Nick

From: Lashay Clawson [REDACTED]
Sent: Thursday, September 22, 2022 8:08 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GO GAS STATION SUGARHOUSE

As a resident in sugarhouse, respectfully please do not put the kum and go station at 2100 s 1300 e. It will ruin the beautiful scenery at sugarhouse park. It's already so bad with traffic this will make it extremely worse. Instead make it a restaurant, cafe or something that would be enjoyable for the community. Don't make it a kum and go please!

100

Norris, Nick

From: Meghan O'keefe [REDACTED]
Sent: Thursday, September 22, 2022 8:04 PM
To: Norris, Nick
Subject: (EXTERNAL) PLEASE No Gas Station!

Hi Nick,

I am a resident of the Sugarhouse neighborhood of Salt Lake City. Our community is not in need of another gas station. The corner of Sugarhouse Park has an incredible view and that lot should be used for something that values and represents the park.

Please don't waste this area!

Sent from my iPhone

101

Norris, Nick

From: Melissa Urban [REDACTED]
Sent: Thursday, September 22, 2022 8:02 PM
To: Norris, Nick
Subject: (EXTERNAL) No Kum, no Go at Sugarhouse park

Mr. Norris,

As a 12 year resident of Salt Lake City and a frequent visitor of Sugar House Park, I am dismayed to hear that the city is considering a Kum & Go gas station to settle into the most valuable piece of real estate adjacent the park. This is a location that could truly serve the neighborhood and park visitors with a restaurant, coffee shop, independent bookstore, or other gathering place, further enhancing the community energy of this park and allowing patrons to enjoy its beauty unfettered.

Instead, you are proposing yet another gas station, which is only going to add tremendous traffic, noise, and pollution to an already overcrowded and traffic-jammed block. This neighborhood does not require another gas station. There is literally a gas station *right across the street*. Sugarhouse and Salt Lake as a whole does not want this, and you are doing the park, the community, and the neighborhood a grave disservice by even considering it.

102

Please listen to your constituents and the residents of this neighborhood and do not approve this plot of land for this usage. We can do better, and a Kum & Go should not be your City Planning legacy.

Best,

Melissa Urban
Salt Lake City



103

Norris, Nick

From: Sarah T [REDACTED]
Sent: Thursday, September 22, 2022 7:57 PM
To: Norris, Nick
Subject: (EXTERNAL) Urgent

Respectfully,

Please do not build a gas station at the vacant space in sugar house park. This park is one of the gems of slc. A gas station would ruin it. Please please rethink this ignorant decision.

Best

104

Norris, Nick

From: Stephanie Pendergrast [REDACTED]
Sent: Thursday, September 22, 2022 7:56 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, the area should be a cafe with drink options for all to enjoy the beautiful park, not some ugly gas station!

105

Norris, Nick

From: Kendall Rodriguez [REDACTED]
Sent: Thursday, September 22, 2022 7:48 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt Lake City..... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

Xoxo,
Gossip girl

106

Norris, Nick

From: [REDACTED]
Sent: Friday, September 23, 2022 11:52 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a SLC resident, I will not stand and allow this decision to happen. Not only is it killing more of our air but it ruins the beauties that SLC has to offer.

Sent from my iPhone

1

Norris, Nick

From: Kathryn Cunningham [REDACTED]
Sent: Friday, September 23, 2022 11:26 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Get this gas station out of our park

Dear. Mr. Norris,

I hope this email finds you in good spirits. Say tomorrow is a lovely day to walk through the park, maybe Sugar House Park. It's a beautiful spot to play frisbee, walk the dogs, go on a date. It would be dreadful if there was anything to ruin your experience. Like maybe a gas station. Blowing fumes into the park for you to choke on. My next correspondents will include the impacts that can have to human health.

We both know that people don't Kum to a park for gas. They Go to enjoy themselves and have a safe place to take kids.

Best,
Kathryn Cunningham

2

Norris, Nick

From: Jack Dahlstrom [REDACTED]
Sent: Friday, September 23, 2022 11:00 PM
To: Norris, Nick
Subject: (EXTERNAL) No Kum & Go

This is an unnecessary and hurtful idea for Salt Lake City. With its rapid growth in population, the last thing we need is another major chain impeding on our local appreciated public spaces. Please keep this lot empty for further generations to enjoy. No need for more congestion in the Sugarhouse area.

3

Norris, Nick

From: Hal Kosik [REDACTED]
Sent: Friday, September 23, 2022 10:17 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar house park

Good evening,

I'm writing as a citizen of SLC and a frequent sugar house park visitor. I'd like to voice my disapproval and dissatisfaction at the decision to use the vacant corner lot as a gas station. Y'all can come up with something better.

Thanks!

Hal Kosik

4

Norris, Nick

From: Javin Smolka [REDACTED]
Sent: Friday, September 23, 2022 10:15 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GO GAS STATION

I will not stand for your choice to put a gas station right next to one of the most popular and beloved parks in downtown Utah. along with ruined the view and taking advantage of a spot that could be used for a community friendly service, it will also add to the already difficult intersection by bringing more cars coming in and out of the lot. across from ANOTHER gas station on the same street.

5

Norris, Nick

From: Brendan Callaway [REDACTED]
Sent: Friday, September 23, 2022 10:11 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Sugarhouse park is a staple of SLC with beautiful sceneries and lots of love from communities all over the valley. I will not stand for another money grab GAS STATION?!?!?! to further pollute our air and our city! It will cause far too much traffic. There is also already another gas station across the street. Why do we need more? Do not ruin one of the best parks in the state for a convenience store.

Most disrespectfully
A concerned Utah county citizen 🙅

Sent from my iPhone

6

Norris, Nick

From: Kat Marsden [REDACTED]
Sent: Friday, September 23, 2022 9:37 PM
To: Norris, Nick
Subject: (EXTERNAL) All my taxpayer friends and I are moving to California if you put a Kum & Go in Sugarhouse Park!!

-The traffic on 13th East is already insane, do we need another gas station right there??
-Sugarhouse park is one of the few threads stringing up my fragile will to live
-Don't put a gas station in it
-Please do whatever is in your power to plan the city of SLC for the people that live in it.
-If the ducks in the Sugarhouse park pond leave because of trash, gas, and construction noise I will never be happy again

Thanks for all you do (especially this if you can swing it)

-a concerned citizen

--

Kat Marsden

"The present tense of regret is indecision. The future tense of fear is either comedy or tragedy. The past tense of toast is toasted." -Welcome to Night Vale

7

Norris, Nick

From: Ashleigh Hammond [REDACTED]
Sent: Friday, September 23, 2022 9:26 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Please advocate for something other than a damn gas station on the corner of the sugarhouse lot.

Sent from my iPhone

8

Norris, Nick

From: Lauren Sanders [REDACTED]
Sent: Friday, September 23, 2022 9:24 PM
To: Norris, Nick
Subject: (EXTERNAL) No to Kim & Go

Nick! Please do not allow the Kum & Go in sugarhouse. I'm a long-time resident of this area and can not stand to see it packed with another ugly thing. Sugarhouse has gone so downhill lately with all the apartment complexes and has taken away from much of the charm. Please consider other options, for the environment and residents!

Thanks,
Lauren

Sent from my iPhone

9

Norris, Nick

From: Stacey Dunn [REDACTED]
Sent: Friday, September 23, 2022 9:14 PM
To: Norris, Nick
Subject: (EXTERNAL) NO to KUM & GO!!!

WTF, Nick!?!? No no no no to the convenience store on 13th and 21st. My dad, your uncle, would be appalled!!! (Tim Dalton Dunn!) There are other options!!!!!!!!!!

-Stacey Dunn

10

Norris, Nick

From: Brad Keyes [REDACTED]
Sent: Friday, September 23, 2022 9:14 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go

Nick,

As a concerned resident, I'd like to voice my strong opposition to the decision to put a Kum & Go on the corner of sugarhouse park. If we don't make a concerted effort to improve our city and boost one of the biggest gems of the salt lake valley (sugarhouse park), then it will loose its shine. I can guarantee you that most of, if not all of the residents in the area would oppose this decision. With this location, we have an incredible opportunity to put something special there. And we're going to put a gas station/convenience store? Certainly we can do better for ourselves and for our community.

Sincerely,
Brad Keyes

11

Norris, Nick

From: Olivia Harmer [REDACTED]
Sent: Friday, September 23, 2022 9:14 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

Respectfully as a resident of SLC, I will not accept the greed involved in setting up a gas station at sugar house park which will make the traffic worse and pollute the air. A cafe or library with rooftop access would be MUCH BETTER

Olivia

12

Norris, Nick

From: Zachary Lloyd [REDACTED]
Sent: Friday, September 23, 2022 8:39 PM
To: Norris, Nick
Subject: (EXTERNAL) The future Kum&Go is an insult to every person who lives in Utah

The Sugarhouse park is a beautiful area where so many families can do as they please. The inclusion of a new gas station right on top of that is a spit in the face of everyone. The Road right off of Sugarhouse Park is a nightmare to drive in anyway, so another gas station would be terrible. I am a resident of Salt Lake City and frequent visitor of Sugarhouse park and i think your plans are abhorrent and meaningless.

-A Resident

13

Norris, Nick

From: Linnea Durrant [REDACTED]
Sent: Friday, September 23, 2022 8:37 PM
To: Norris, Nick
Subject: (EXTERNAL) Corner of sugarhouse

Hello my name is Linnea and as a resident of sugarhouse my entire life I would like to let you know I don't think it's the best use of the community space and money to put a Kum and Go and the corner of sugarhouse park. I enjoy the views from that area and I feel since we have a gas station right across the street the community has no real need. Maybe instead look into something like a cafe or literally anything else.

Sincerely, Linnea

Sent from my iPhone

14

Norris, Nick

From: Jayden Taua [REDACTED]
Sent: Friday, September 23, 2022 8:15 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go???

Dear Representative of our beautiful park,

Please refrain from obstructing our park with the atrocity that is a Kum & Go gas station... the city (and therefore the country) has enough corporate gas station chains. This would only serve to create traffic at an already busy intersection and would miss an opportunity to invest in the community. Please let a local business or restaurant set up shop at this prime piece of real estate and not some corporate fat cats looking to capitalize on the beauty of this location (or, for gods sake, give us sizzler back).

Thank you,
-a concerned citizen

Sent from my iPhone

15

Norris, Nick

From: Jayne Moyes [REDACTED]
Sent: Friday, September 23, 2022 8:12 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar house park gas station proposal

Hello Mr Norris,

I'm emailing you as a life long resident of Salt Lake City and a frequenter of Sugar House Park. The proposed gas station on 13th East and 2100 South is not the right use of the vacant Sizzler. The views from that lot and it's proximity to the park would be better served as the home to a local business. Having a gas station at this intersection (across the street from another gas station i might add) would cause the traffic at this already overcrowded area to grow. I value this city because of its focus on uplifting local businesses and celebrating the natural beauty of our surroundings. I am not alone in contesting this addition and am happy to receive any criticisms of my complaints.

Thank you for taking the time to hear a member of our community, Jayne Moyes

16

Norris, Nick

From: Jayden Taua [REDACTED]
Sent: Friday, September 23, 2022 8:12 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House Park

Dear Representative of our beautiful park,

Please refrain from obstructing our park with the atrocity that is a Kum & Go gas station... the city (and therefore the country) has enough corporate gas station chains. This would only serve to create traffic at an already busy intersection and would miss an opportunity to invest in the community. Please let a local business or restaurant set up shop at this prime piece of real estate and not some corporate fat cats looking to capitalize on the beauty of this location (or, for gods sake, give us sizzler back).

Thank you,
-a concerned citizen

Sent from my iPhone

17

Norris, Nick

From: C. E. C. [REDACTED]
Sent: Friday, September 23, 2022 7:54 PM
To: Norris, Nick
Subject: (EXTERNAL) Southeast corner of 2100 S 1300 E (NO KUM & GO)

Dear Mr. Norris,

I am writing to voice my disapproval of the plans to construct a Kum & Go gas station in the empty lot bordering Sugarhouse park. If you are interested in hearing a proposal for a better use of this lot, please reach out to me or any of the other concerned citizens you have already heard from to understand what the community would actually benefit from.

Thank you.

Regards,
Carlton

18

Norris, Nick

From: Lexyi Zollinger [REDACTED]
Sent: Friday, September 23, 2022 7:26 PM
To: Norris, Nick
Subject: (EXTERNAL) NO to the Kum & Go

I refuse to let such a valuable place in sugarhouse and Salt Lake City be bought up and used to gas. What a waste of public lands. As if 2100 s and that area isn't bad enough. Are you FOR REAL? Do better. Create something beautiful not something that's solely an inconvenience and ugly. Wtf.

Alexie Zollinger (She/her/hers)

19

Norris, Nick

From: Danica Dummer [REDACTED]
Sent: Friday, September 23, 2022 7:25 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar house park

Hi,

I live on the border of Sugarhouse and Millcreek and I am emailing to express my opinion about the proposed gas station going in on the north west corner of Sugar house Park. That location has gorgeous views of both the park and the mountains and would be an excellent location for a restaurant, bar, café, or breakfast spot. I am extremely disappointed that the city has moved forward with plans to put a gas station on that corner. There's already a gas station across the street and this will significantly impact the traffic in the area. That lot is a great opportunity to enrich the community.

Thank you,

Danica Dummer

20

Norris, Nick

From: Jacob Meadows [REDACTED]
Sent: Friday, September 23, 2022 7:19 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and get this gas station out of this beautiful park

The proposed plans for a gas station on the south East corner of 13th and 21st South should be seriously reconsidered this site has the best view of the park and untapped potential to become a community hub. May I instead suggest a two story building; restaurant/ dinner on the first story and a bar with a patio and rooftop access to magnify the street appeal and improve upon our lacking tourist attractions, having this space be for lounging and enjoying the views is more important than installing a second gas station across from the chevron. Not only would it be able to increase beauty in the area but also encourage walkable city-scaping. Salt lake is not nearly friendly enough to pedestrians and foot traffic, by adding this it would be doing our air a great service by reducing the amount of cars being driven in the area.

21

Norris, Nick

From: Two Girls Two Feet [REDACTED]
Sent: Friday, September 23, 2022 6:57 PM
To: Norris, Nick
Subject: (EXTERNAL) ABSOLUTELY NOT KUM AND GO

As a local of this area why would the city put the most awful gas station in such a perfect spot for an amazing restaurant or bar that would make the value of the area go up! PLEASE RECONSIDER AND DO NOT OPEN A KUM AND GO!!!!

Sent from my iPhone

22

Norris, Nick

From: Allison Brotherton [REDACTED]
Sent: Friday, September 23, 2022 6:37 PM
To: Norris, Nick
Cc: Fowler, Amy
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Good evening Nick,

As a huge fan of Sugarhouse Park and the area itself, I was so upset to hear that a gas station is going to be put in the location of the old Sizzler! The amount of traffic that this intersection already sees would be a huge disruption to the area but also, it would take away the potential to have a much less invasive business potentially provide views to its patrons.

I don't know if the area is already zoned for a gas station but I'm assuming it will have to be rezoned since the last business was a restaurant. In that case, this is something that can still be stopped. As a resident, I would not be happy with this change. Maybe it is worth reaching out to the property owners, Romney Farr Properties. I'm sure it's a lucrative deal, but it's not worth the cost to the community! I would rather have a place to gather!

Thank you in advance for your help and have a great weekend!

23

Allie Brotherton

Norris, Nick

From: Bryan Parry [REDACTED]
Sent: Friday, September 23, 2022 5:49 PM
To: Norris, Nick
Subject: (EXTERNAL) NO KUM & GET in SUGARHOUSE PARK!

PLEASE PLEASE PLEASE reconsider allowing Kum & Get to occupy the corner of SH Park. This shouldn't ONLY be a decision for money - you have a chance to enhance a neighborhood, raise home values around the park, and enrich the lives of thousands of us by not approving this sale to go thru. This is also going to be hell for that intersection.

Please reconsider,
Respectfully,
Bryan Parry
Sugarhouse Resident

25

Norris, Nick

From: Nancy Chisholm [REDACTED]
Sent: Friday, September 23, 2022 5:39 PM
To: Norris, Nick
Subject: (EXTERNAL) Concerns about proposed Kum and Go

Hello Nick:

I am writing because I am very concerned about the proposed construction of the kum and go gas station on the corner of sugarhouse park. These are my concerns:

1. The traffic is already intense at this intersection. Adding more traffic that will need to make a U turn or continue east on 2100 South to get back to I-80 will add traffic to a neighborhood that is already overwhelmed.
2. Don't waste the unobstructed breathtaking view of Mt Olympus.
3. I know the lot is expensive at nearly \$8 million but can't we create greenspace and get donors or use some of the city preservation funds?
4. It would be such a waste to add another gas station here as well as more traffic to 1300 East.
5. Why add more blithe to Sugar House when it could be so beautiful?

26

Thank you for your consideration. If I can help please let me know.

Nancy Chisholm



Norris, Nick

From: Amy Simpson [REDACTED]
Sent: Friday, September 23, 2022 5:20 PM
To: Norris, Nick
Subject: (EXTERNAL) No to a gas station on edge of Sugar House Park. :(

Hello,

I believe people (especially Westminster students) are likely to take beer, snacks, other items out of the gas station and roam the park, probably creating a trash problem.

If it were a nice family café or restaurant that would have a patio for enjoying the view and beautiful park, it would encourage neighborly interaction and coming together to enjoy the surroundings, including the play areas and jogging trails.

I think a gas station there is a terrible idea. We already have a large gas station on that intersection, plus another a few blocks away on 1700 south and 1300 east. The Sharooz already sells lots of beer and snacks to Westminster students.

I'd rather see an electric charging station there if it must be transportation-related!

I hope you will consider the neighborhood's wish to put something family-friendly, park-friendly, and view-friendly there.

Thank you for reading this,

Amy Simpson



Norris, Nick

From: Brent Christiansen [REDACTED]
Sent: Friday, September 23, 2022 5:07 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM &GET THIS GAS STATION OUT OF OUR PARK

As a 25 year member of the Sugarhouse community I am appalled at the prospect of another convenience store in the neighborhood. The short sightedness of this is astounding on a different level! Bowing down to big money is a travesty, but what should I expect from our public service representative's. File my complaint under do better. Not even a consideration for a locally owned business I'm sure. Here's a simple idea, give the community what they want.

Brent Christiansen

Norris, Nick

From: Heather Blakley [REDACTED]
Sent: Friday, September 23, 2022 4:57 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go monstrosity

Good evening,

Please for the love of everything do not put a Kum & Go where the Sizzler was. 1. There's already a gas station across the street. 2. That corner is going to be an absolute bigger nightmare than it is and cause more congestion. 3. The air quality is already bad enough. We don't need MORE gas stations in this city. 4. Let's put something in that will allow people to enjoy the view of the mountains and park.

And finally - I thought this was a Christian state. Why would you allow an entity that has a questionably un-family friendly name to be such a prominent place in Sugarhouse?

You are doing amazing work to make Salt Lake City walkable, inviting, and a fun place to be. Keep that going by putting something better in instead of a Kum & Go. Keep it local!!

Thanks,

31

Heather Blakley
--
Heather Blakley

Norris, Nick

From: Abby Clark [REDACTED]
Sent: Friday, September 23, 2022 4:44 PM
To: Norris, Nick
Subject: (EXTERNAL) SAVE OUR PARK

Hello Nick. We will not stand to have our beautiful park ruined by a gas station. This gas station is completely unnecessary being that there is already one across the street. Do not ruin our city.

Thanks,
Everyone that enjoys sugar house park

Sent from my iPhone

33

Norris, Nick

From: Alyssa Maxwell [REDACTED]
Sent: Friday, September 23, 2022 3:47 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Please Let it Go

Hello,

As a resident of Sugarhouse I was excited for the potential of something beneficial going into the corner of Sugarhouse Park, where the old Sizzler used to be. It would be an excellent location for literally anything except a second gas station. Please reconsider placing a gas station called "Kum n' Go" on this location, as it will add a gas station where not needed. And honestly who came up with this name? (I thought kum n go was what they called Pioneer Park at night. HEY-O).

Respectfully,
A Concerned Citizen

34

Norris, Nick

From: Arianna Rees [REDACTED]
Sent: Friday, September 23, 2022 4:22 PM
To: Norris, Nick
Subject: (EXTERNAL) No to Kum & Go Gas Station

Hello, Nick.

I'm not sure if you're the right person to contact. I'm reaching out as a Sugarhouse resident to express my dismay at the plans to put a Kum & Go gas station on the northwestern corner of the park.

With another gas station directly across the street, the plan to build a Kum & Go is both confusing and frustrating to me. As I'm sure you know, traffic is already snarled and backed up on 21st because of the Chick-fil-A a block away from the intersection. Building a gas station right across from another gas station will only make the traffic in the area worse and diminish an opportunity to build something that works with, not against, the beautiful character of the park. Kum & Go gas stations are jokingly referred to online as Cum & Go. I don't think we want that for our park.

If it were up to me, I'd love to see a little indoor outdoor cafe on the corner of the park where neighbors and friends can gather to get coffee or work on their laptops with a view of Olympus in eyesight. The park is special and beautiful, and we shouldn't build another gas station there.

35

If you're not the right person to direct these concerns to, I'd love to be directed to the person who is.

Thank you for your time.

--

Arianna Rees
Writer & Editor

Norris, Nick

From: Molly Dooley Jones [REDACTED]
Sent: Friday, September 23, 2022 4:15 PM
To: Norris, Nick
Subject: (EXTERNAL) OPPOSE Sugarhouse Kum and Go Gas Station

Hi Nick,

Thank you for taking public comments on this issue.

The proposed Kum and Go gas station at the corner of 2100S 1300e is unacceptable. Sugarhouse residents deserve a cafe at the least, housing + cafe at the best.

Please do everything you can to oppose this gas station. It pollutes our park and doesn't benefit the community or Salt Lake more broadly.

Best,

--

Sent from my mobile, please excuse all typos and brevity.

37

Norris, Nick

From: Chris and Tena Rohr [REDACTED]
Sent: Friday, September 23, 2022 4:01 PM
To: Norris, Nick
Subject: (EXTERNAL) Gas station at Sugarhouse Park

Nick Norris,

Do not allow a gas station to be built on the corner of Sugarhouse park. The area deserves almost anything other than a traffic congesting Kum and Go or any multi-story building. It certainly does not need another gas station across the street from an existing station.

Chris Rohr

38

Norris, Nick

From: Jules Allbor [REDACTED]
Sent: Friday, September 23, 2022 3:58 PM
To: Norris, Nick
Subject: (EXTERNAL) Re: SAY NO TO THE KUM AND GO !!

Okay so I just saw a TikTok comment you left. Please forward this to the appropriate people if possible. So sorry! Thank you in advance!

On Fri, Sep 23, 2022 at 3:56 PM Jules Allbor <julie.allbor@gmail.com> wrote:

Dear Director Norris,

It has come to my attention as a citizen of the state of Utah and a resident of the area, that there is consideration of a new gas station in Sugarhouse Park. Frankly, we don't need it. There is a Chevron literally across the street and driving in the area is already a nightmare. I don't think we need another gas station that will just benefit the gas company and I'm sure the city. But MORE pollution and traffic where our beautiful park is? Absolutely not. It's a ridiculous idea and whoever thought of putting a new, unnecessary gas station is one, clearly isn't thinking about what is at stake. We could have a local cafe, a new coffee store, perhaps another, not gross restaurant. Personally, I don't think we need more pollution to our already dying Earth. With that being said, I ask that you and our other representatives in charge of this plan take into consideration the people who love the Sugarhouse Park.

Sincerely,

39

Julie Allbor

Norris, Nick

From: Jules Allbor [REDACTED]
Sent: Friday, September 23, 2022 3:57 PM
To: Norris, Nick
Subject: (EXTERNAL) SAY NO TO THE KUM AND GO !!

Dear Director Norris,

It has come to my attention as a citizen of the state of Utah and a resident of the area, that there is consideration of a new gas station in Sugarhouse Park. Frankly, we don't need it. There is a Chevron literally across the street and driving in the area is already a nightmare. I don't think we need another gas station that will just benefit the gas company and I'm sure the city. But MORE pollution and traffic where our beautiful park is? Absolutely not. It's a ridiculous idea and whoever thought of putting a new, unnecessary gas station is one, clearly isn't thinking about what is at stake. We could have a local cafe, a new coffee store, perhaps another, not gross restaurant. Personally, I don't think we need more pollution to our already dying Earth. With that being said, I ask that you and our other representatives in charge of this plan take into consideration the people who love the Sugarhouse Park.

Sincerely,

Julie Allbor

41

Norris, Nick

From: Erin Dobbins [REDACTED]
Sent: Friday, September 23, 2022 3:54 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hello Nick,

I hope this email finds you well. The Sugar House Park is one of the best and most beautiful in our state, so why is it y'all have decided to add this eyesore to it? Please, do not move forward with the plans to build a Kum and Go (yuck) adjacent to this beautiful park.

Sincerely,

A Concerned Salt Lake County Resident

42

Norris, Nick

From: Michael Romero [REDACTED]
Sent: Friday, September 23, 2022 3:51 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GO SHOULD NOT BE THERE AT ALL

I am a owner and resident of SUGARHOUSE and Salt Lake City, and putting in another gas station on a 3-2 lane road should not be accepted, this will cause more stress on driver getting to and from places and most likely cause an accident due to fast lights changing

Sent from my iPhone

43

Norris, Nick

From: Savvy Bennett [REDACTED]
Sent: Friday, September 23, 2022 3:44 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

As a resident of Sugarhouse and Salt Lake City, I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state. You can do better than a mf gas station guys....there's already one right across the street. This is so unnecessary and such a waste of funds and a beautiful piece of property. Find something better. A fkn Kum & Go gas station is the last thing we need on the edge of this beautiful, amazing park. Grow up and use your brain. Jesus as my witness, our government officials will be the downfall of humanity if this is the kind of shit you try to pull. WE DONT NEED GAS STATIONS ON EVERY CORNER.

Respectfully,
gossip girl

44

Norris, Nick

From: Jordan Taylor [REDACTED]
Sent: Friday, September 23, 2022 3:43 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and get this gas station out of our park

Respectfully, as a resident of sugarhouse and Salt Lake City, I think the decision to add a gas station to the corner of sugarhouse park is terrible for this picturesque location.

We already have gas stations all over the city and one across the street from this location. Can't such a beautiful location be used for a something like a cafe or restaurants. A place that park goers can enjoy and something that would even attract more people to the park?

Concerned resident

Sent from my iPhone

45

Norris, Nick

From: victoria schofield [REDACTED]
Sent: Friday, September 23, 2022 3:38 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of the Salt Lake City Sugarhouse area. Another gas station?! Chevron is right across from the street!!! This view is too beautiful to be wasted on a gas station right by the park.

Please DO NOT ruin our public state park.

Thank you!!
Concerned Citizen

46

Norris, Nick

From: Sydney Grossman [REDACTED]
Sent: Friday, September 23, 2022 3:29 PM
To: Norris, Nick
Subject: (EXTERNAL) Please don't put a Kum & Go in Sugarhouse Park

Hi Mr Norris,

I recently learned that a Kum & Go is planned to be built at the 1300 E/2111 South corner of Sugarhouse Park. As a frequent park visitor and city resident I am disappointed in the decision to put a gas station in this prime spot of real estate that could be better served for the community. Sugarhouse already deals with traffic problems, and adding another gas station will only exacerbate those issues. Additionally, with prime views of the Wasatch range, the land could better be used as a community gathering space such as a restaurant, cafe, or garden to enjoy the natural beauty that Salt Lake offers.

Let me know if there is another party to reach out to about this decision, as I hope the city reconsiders how best to use the land.

Best,

47

Sydney Grossman

Norris, Nick

From: Phoebe Ross [REDACTED]
Sent: Friday, September 23, 2022 3:26 PM
To: Norris, Nick
Subject: (EXTERNAL) SUGARHOUSE GAS STATION

Hello,

I am shocked and appalled at the decision to put yet another gas station at 2111 South 1300 East.

Actions such as this speak louder than words supporting small businesses and communities. City Council needs to reverse this decision to support our small businesses and communities.

Best,
Phoebe

49

Norris, Nick

From: Lauren Isbell [REDACTED]
Sent: Friday, September 23, 2022 3:17 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go, No

There are so many better things that can be put by a park as beautiful as Sugar House. I'm aware this is a private ownership issue. Not only is it an extreme eyesore and a problem for an already incredibly busy intersection, a park is a necessity in a city. This is hurtful to the kids in the area with the immediate increase in pollution in an already highly-polluted city. As a citizen in Utah, I know there are a lot of local businesses/crafts that could benefit from an area like this. And another chain gas station is a huge no. Salt Lake City is a gorgeous destination, and every tourist and local person could really benefit from such a scenic location being utilized to showcase it. This lot should be used for something that boosts what makes SLC so beautiful, instead of something that will harm our overall health and development. Nobody in this state should ever choose the convenience of a gas station on every corner, to a chance to improve our architecture or community. Make SLC an experience, not a chain.

50

Norris, Nick

From: Nicole Danser [REDACTED]
Sent: Friday, September 23, 2022 2:52 PM
To: Norris, Nick
Subject: (EXTERNAL) No Gas Station in Sugarhouse Park

Hello Nick,

As a resident of Sugarhouse and a frequent user of the Sugarhouse Park, I am surprised and upset at the news that a prime location (already across from a gas station, which causes major traffic)-- is being considered for another gas station.

This intersection is almost always already gridlocked with traffic, and adding a gas station is going to vastly increase traffic in the area. It also removes the opportunity for a public amenity of some sort to be placed in the location instead, like a e-bicycle charging and renting station, a cafe, a daycare, a grocery store, really anything would be more helpful to the locals and park-goers in this area.

Turning this location into a gas station will also create a petroleum brownfield, making it far harder to convert the gas station (when it is resold) back to something other than a gas station. A brownfield is a term applied to a property where

51

its expansion, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance.

Please do not make our already poorly developed city, and neighborhood, become worse.

Thank you,
Nicole

52

Norris, Nick

From: Ashley Hall [REDACTED]
Sent: Friday, September 23, 2022 2:43 PM
To: Norris, Nick
Subject: (EXTERNAL) New KUM & GO location

Hello Nick,

With news of the abandoned Sizzler location being turned into a Kum & Go gas station in the Sugarhouse area, I had to email you. As a resident of Sugarhouse and Salt Lake City, we do not need another gas station at this already busy location. I feel strongly that another gas station would ruin one of the nicest public parks in the state.

Maybe try something less cash grabby?

Respectfully,
Ashley

53

Norris, Nick

From: Erika Myhre [REDACTED]
Sent: Friday, September 23, 2022 2:30 PM
To: Norris, Nick
Subject: (EXTERNAL) 2100 Kum & Go Gas Station

Hi Nick,

I am writing to you re: the proposed gas station going in near Sugarhouse Park. I hope this can be reconsidered given there is a gas station across the street from this location. Further, I believe this space would be better used in other ways (e.g. restaurant, bar, additional park space, etc). I'm not sure how far along this project is, but I'd like to express my opposition to the matter.

Thank you for your time.

Best,

Erika M. Myhre, M.S., CCC-SLP
[REDACTED]

54

Norris, Nick

From: Hannah Aedo [REDACTED]
Sent: Friday, September 23, 2022 2:17 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

I don't live in Salt Lake, but I visit often. The city is already heavily polluted as is. Respectfully, why the hell would you put another gas station in an intersection that already has one?

I stand with the people in Salt Lake who are also against this decision. I wish you would also consider that we should try to move away from gas. We already know how bad it is for the planet.

So please, don't put a gas station with the most ridiculous name in that spot and ruin one of the greatest public parks in the state.

(it would be the perfect spot for a restaurant with open seating, overlooking the city)

Hannah

Norris, Nick

From: Clare Peterson [REDACTED]
Sent: Friday, September 23, 2022 2:13 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Zoning

Dear Mr. Norris,

I am a resident of Sugarhouse [REDACTED] and it's my understanding the city has approved the use of the area the former Sizzler inhabited for an additional gas station.

This location has arguably the best views in Salt Lake. I would love to see this turned into some sort of community space such as a restaurant incubator with multiple startup restaurants cycling in (we could use the help of Spice Kitchen that supports immigrant small businesses), or beer garden, or concert venue, or something like Millcreek gardens that creates a space for all.

I am unsure if this falls under your purview, but building an inclusive and beautiful city certainly seems like something you'd be interested in. Thank you for your time and consideration.

Best,

57

Clare Peterson

Norris, Nick

From: Wayneandlorena [REDACTED]
Sent: Friday, September 23, 2022 2:02 PM
To: Norris, Nick
Subject: (EXTERNAL) Feedback: Gas Station Proposed

Hi Nick,

I understand there is a proposed change to the sizzler to make it a another gas station. I think this is not a great idea and would cause additional traffic. It seems like a wasted opportunity so close to the park to not have property be used for some thing for the community like a restaurant, or basically anything that's not a gas station.

I hope you consider the feedback in your decision.

Thanks for listening.

Lorena Ponce de Leon

Sent from my iPhone

59

Norris, Nick

From: Grace Carsey [REDACTED]
Sent: Friday, September 23, 2022 1:55 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House Park

Mr. Norris,

I am emailing you to ask for your help in the prevention of the new Come and Go gas station that is planned to be built in Sugar House Park. Salt Lake City is a beautiful city and Sugar House Park provides the community a place to appreciate Utah's beauty. It would be devastating to the community to see this area polluted rather than preserved. My proposal is that something for the community goes there instead like a café, sitting area, or small Utah owned restaurant. The building of this gas station is not in the best interest of the community. I can tell from reading about you online that you are a man who values community and the planet. Only three hours from when I send this email you re-tweeted a post explaining how E-bikes could be used to help the climate crisis. Your appreciation for the planet and community is an admirable thing and is something that I wish all city directors valued as well. So I know as a person who values community and the planet you will consider the following.

60

First, environmental psychologists have known for years that merely seeing natural landscapes almost immediately improves our emotional well-being (Neill et al. 2018). Sugar House Park provides people in your community a resource for their own mental health. But even more than that, research finds that communities who are able to access and experience nature are also correlated with increase prosocial behaviors like generosity, helpfulness, and cooperation (Weinstein et al. 2019) This suggests that having a place for residents to escape urban life and look at and experience nature may actually improve the quality of the city. It affects the atmosphere of the city and I hypothesize even crime rates.

Second, as an individual who is also interested in how we can help the climate crisis I feel that the biggest hurdle of all will be getting the rest of the world to have the same values that you and I do. How can we save a planet that no one cares about? A Beautiful paper by (Cheng and Monroe 2012) found that children that grow up near natural areas were more likely to engage in pro-environmental behavior. As a planning director this is great news for you. It gives you an actionable goal to help your community become eco-conscious individuals who raise eco-conscious children.

As you can see the implications of this gas station are far greater than what I believe anyone initially thought. The building of this gas station pollutes Sugarhouse Park giving people, living in a pandemic and ever polarizing and isolating world, one less resource; it disrupts the view of the landscape and it doesn't allow for a communal area for people. Even greater than the impact this will have on the cities community I believe you are also missing your chance to impact the world and even the climate crisis. We know that exposure to nature creates individuals who will grow up to care about the environment like you and I do and who will hopefully save our planet. You have an opportunity to influence a lot of peoples beliefs about our planet by preserving Sugarhouse Park, and

61

the implications of that are even greater than the city, it is the future of our planet. Every single person in their own small way can impact the future of our planet, but I believe you have a larger than average opportunity to make an impact on the beliefs of many people and the generations to come. It is your civil responsibility to do the right thing.

As a leader in our community, and a man who has a the best interest of the community and the planet, I ask that you align your actions with your values and help in the prevention of the pollution of Sugar House Park.

Sincerely,
Grace Carsey

62

Norris, Nick

From: Meredith Jacobsen [REDACTED]
Sent: Friday, September 23, 2022 1:54 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go Proposal 2100 S 1300 E

Hello,

I am emailing in order to state my formal opposition to the proposed Kum & Go gas station on the corner of 2100 S and 1300 E in Salt Lake City. This area is an incredibly prime piece of real estate. With the some of the best views of the east bench and Sugarhouse Park, it would be much better utilized either as a cafe or being reabsorbed into the park. Another gas station is already existing across the street and this area is plagued with car centric deign and traffic. The Kum & Go would be a huge mistake for this plot.

Thank you,

Meredith Jacobsen

63

Norris, Nick

From: Cole Boydston [REDACTED]
Sent: Friday, September 23, 2022 1:51 PM
To: Norris, Nick
Subject: (EXTERNAL) NO KUM & GO AT THE PARK :(

As a resident of the Sugarhouse area, please strongly reconsider plans to put another gas station at the intersection of 2100 s and 1300 e in the Sizzler lot. That is prime real estate with amazing views of the park and mountains - why miss the opportunity to highlight and elevate the crown park of Salt Lake City?

Say no to the gas station. Stop the emphasis of vehicular travel in the area and continue developing for residents who want to love where they live, not hide from the noise and traffic.

Respectfully,
Cole

64

Norris, Nick

From: Austin Jensen [REDACTED]
Sent: Friday, September 23, 2022 1:50 PM
To: Norris, Nick
Subject: (EXTERNAL) Request to stop the Kum & Go development near Sugar House Park

Dear Nick,

As a citizen of Salt Lake County and a regular user of the beautiful Sugar House Park, I'm sending this request to please stop the development of the Kum & Go gas station on the northwest corner of Sugar House Park. We are very interested in supporting a sustainable and meaningful effort to develop that property in a way that contributes to the beauty of the park, while meeting the needs of Sugar House citizens. If I can make myself available to share my thoughts with other stakeholders please let me know.

Thank you for your consideration,
Austin Jensen [REDACTED]

65

Norris, Nick

From: Reanna York [REDACTED]
Sent: Friday, September 23, 2022 1:47 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse park

As a resident please do not add in another gas station where the old sizzlers was. It has such a beautiful view to the park and could be used for so much more for our community.

Sent from my iPhone

66

Norris, Nick

From: Chris and Tena Rohr [REDACTED]
Sent: Friday, September 23, 2022 1:46 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Park

9/23/22

Greetings Nick Norris:

I oppose the installation of a Kum n Go gas station at the corner of Sugarhouse Park. This area would better serve the community as a cute cafe or a restaurant and bar. Oil, gas, and coal are obsolete, if we hope to save the planet. Listen to the people and do NOT put in a gas station.

Sincerely,
Tena Rohr

67

Norris, Nick

From: Heidi Clawson [REDACTED]
Sent: Friday, September 23, 2022 1:39 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM &GET THIS GAS STATION OUT OF OUR PARK

Respectfully as a resident of SLC I will not stand to let another money grab further pollute our air and ruin one of the greatest parks in the state.

Thank you

68

Norris, Nick

From: Emma Slikker [REDACTED]
Sent: Friday, September 23, 2022 8:47 AM
To: Norris, Nick
Subject: (EXTERNAL) SAY NO 2 KUM & GO!

Please do not allow a gas station in this beautiful location. A cafe or restaurant and bar would better serve our community. There is already a chevron across the street and a CVS for any other convenience store needs. Please think of the community.

Sincerely,
Emma Slikker
[REDACTED]

69

Norris, Nick

From: Lauren Martucci [REDACTED]
Sent: Friday, September 23, 2022 1:32 PM
To: Norris, Nick
Subject: (EXTERNAL) Veto for the Kum and Go on 1300 e 2100 s

Hi there,

I've recently heard about a ridiculous plan that the empty lot where Sizzler used to reside will become a Kum&Go gas station. Why is this necessary? I think a locally owned restaurant, coffee shop, bar, etc would be a WAY better option, considering it has one of the best views of the park and the mountainous landscape. What, are you trying to make more money?? Lol. What this plan will do is cause a hell of a lot more traffic than there already is. Like seriously have you been in that area during rush hour?? It is 100% a nightmare. Adding ANOTHER gas station when there's already a chevron there is going to make it so much worse. Please do not go forward with a Kum & Go. It's unnecessary and also a huge eye sore. Ugliest gas station ever.

Thx

70

Norris, Nick

From: BrandiTheKween [REDACTED]
Sent: Friday, September 23, 2022 1:24 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Disrespectfully, put anything else there and we will spend our money accordingly.

Cafe
Restaurant
Bar
Museum
Bookstore
Thrift shop
Anything but a KUM & GO

71

Norris, Nick

From: ethan fallis [REDACTED]
Sent: Friday, September 23, 2022 1:23 PM
To: Norris, Nick
Subject: (EXTERNAL) Regarding -new gas station-sugar house park There must be a better

Respectfully, as a utah resident, we do not need a gas station on the corner of our beautiful park. Let alone when we have one across the street.

We should be trying to preserve what little green community space we have left and create reasons to visit those spaces.

Please consider abandoning this project for something that the local community as a whole would like to put there.

Thank you for your consideration,

A 30 year resident.

--
[REDACTED]

72

Norris, Nick

From: Anais Chantal Samuels [REDACTED]
Sent: Friday, September 23, 2022 1:23 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Mr Norris,

Putting the gas station here is a terrible idea. This area is already very prone to accidents and with the new apartment buildings getting built, the traffic and accidents will substantially increase. As a Salt Lake City resident, the needs of those who live here should be met. Sugarhouse park is absolutely beautiful and will now be obstructed by this gas station. Also, there is a gas station already across the street. Please, reconsider.

73

Norris, Nick

From: Ali Dangel [REDACTED]
Sent: Friday, September 23, 2022 1:19 PM
To: Norris, Nick
Subject: (EXTERNAL) Kim & Go Sugarhouse

Hi Nick,

As a resident of Sugarhouse [REDACTED] I very strongly oppose the decision to build a gas station in the plot where Sizzler used to be. There is already a Chevron directly across the street and as we're trying to move away from gas, adding a second gas station on one block seems very unnecessary. Not to mention, that intersection (and surrounding streets) is already extremely congested as is and adding a gas station will only make the traffic more severe and could lead to more accidents on the road. Salt Lake has already been losing so much of its charm due to so many luxury apartments and business buildings and this is a great opportunity to provide a place for the community - maybe a restaurant with rooftop access that can overlook one of the most beautiful parks in Utah. I realize that I am just a resident in Sugarhouse but I implore you to rethink the decision of Kum & Go.

74

Best,
Ali Dangel

75

Norris, Nick

From: Nichole Jensen [REDACTED]
Sent: Friday, September 23, 2022 1:17 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Get This Gas Station Out Of Our Park!!!

Respectfully, as a Salt Lake County resident, I will not stand to let another money grab to further pollute our air and ruin one of the greatest public parks in the state.

NO Kum&Go gas station in Sugarhouse park.

Have the day you deserve,

--

Nichole Jensen
Pronouns: she | her

76

Norris, Nick

From: Nichole Jensen [REDACTED]
Sent: Friday, September 23, 2022 1:16 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Get This Gas Station Out Of Our Park!!!

Respectfully, as a Salt Lake County resident, I will not stand to let another money grab to further pollute our air and ruin one of the greatest public parks in the state.

NO Kum&Go gas station in Sugarhouse park.

Have the day you deserve,

77

Norris, Nick

From: Parker Lamborn [REDACTED]
Sent: Friday, September 23, 2022 1:12 PM
To: Norris, Nick
Subject: (EXTERNAL) Regarding the Gas Station at Sugarhouse Park

Please, no. We have so much more beauty in our city to enjoy, how are we possibly okay with furthering the dirty, car-focused society at the expense of enjoying the natural beauty we have. Do better with city planning please. No more ugly cash-grabbing gas stations, strip malls, huge apartment complexes with little-to-no focus on walkability, community, beauty, or sustainability.

I want to live somewhere beautiful, don't you?

SLC Resident,
Parker Lamborn

78

Norris, Nick

From: Connor Kendell [REDACTED]
Sent: Friday, September 23, 2022 1:10 PM
To: Norris, Nick
Subject: (EXTERNAL) Why are you putting a another gas station in Sugar House!?

Hey, just found out that the empty sizzlers that's been sitting empty in sugar house has plans to be a Kum & Go gas station. This is incredibly stupid and will be widely regarded as a cash grab. There is no reason to put another gas station right across from a chevron. How about instead we put a nice little Cafe or something that people will appreciate. Also you guys should focus on making the city more dense and walkable to increase foot traffic and make us less dependent on cars, there's also studies that show they are better for the economy than having a single business surrounded by parking spaces. But you probably don't care and only want to line your own pockets.

79

Norris, Nick

From: Daniel Kimball [REDACTED]
Sent: Friday, September 23, 2022 1:02 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum gas station <> Alternative Solutions

Hi Nick,

There is a gas station across the street. Any chance we could put in something family oriented like an ice cream Parlor? Or a cafe or really anything that would add to the park?

Hope this finds you well.

80

Norris, Nick

From: [REDACTED]
Sent: Friday, September 23, 2022 1:00 PM
To: Norris, Nick
Cc: [REDACTED]
[REDACTED]

Mr. Norris,

I was more than surprised that the city would be considering to permit a new Convenience Store on the corner of 1300 East and 2100 South in Sugarhouse. Sugarhouse and Sugarhouse Park is the envy of every other city along the Wasatch Front. Building a Kum & Go with fuel I think would be the last of a very long list of things to use the property. I watched the last Zoom call with the Sugarhouse Community Council. I found it ironic that the person on the agenda before Kum & Go was talking about the Brand of Sugarhouse. Things he thought they could possibly do to showcase the history and uniqueness of the area. Kum & Go then followed with their updated design. None of which comes close to fitting in with the Sugarhouse Brand. Kum & Go had stock answers to all the Council's questions with the exception of one, What are they bringing to the area that is either needed or currently missing. To that question they had no answer. There is a gas station directly across the street and another one on 1700 South (both locally owned) plus a new CVS across the corner. There is not a single thing they bring new to the area. The traffic issue alone should be enough to rethink the permit. In speaking with the Utah Petroleum Dealers Association the average store does 1,200 transactions per day with most of those sales occurring during the busiest traffic hours. Not to mention the daily delivery trucks of fuel,

81

Groceries, Beer, Coke, Pepsi and all the other items needed. In watching the station across the street there is hardly a time when they don't have some kind of delivery truck there. They also mentioned on the Zoom call they are installing Diesel which then makes it even more of a problem as they become a mini Truck Stop. I ask the Chevron why they did not offer Diesel and their answer was most diesel vehicles are either pulling a trailer or are much larger in size and they can't handle the traffic even though that property is 4 times larger. This would become as bad if not worse than the Chick Fillet problem down the street as 1300 East has 2 to 3 times the traffic than 2100 South, plus Chick Fillet is not on an already busy intersection. In making a list of the pros and cons of a Kum & Go on that site I can't think of a single pro. There are much better fits for that area and ones that don't create the problems. Something like a bank, an office building, a small strip mall with retail. The best use would be for the city to purchase it while it is available and add it to the park. I am sure the Park people could think of a hundred ways to use it to make the park better. I think the neighbors and surrounding businesses could even help raise the money. There has not been a single person I have talked to about this site that think another gas station on that site is a good idea. I have had an office on 1300 East for over 20 years and love everything about Sugarhouse. The very last thing we need is a High Traffic business to add to our ever increasing traffic problems. I hope the city will help prevent Sugarhouse from becoming "gasoline alley" and losing the feel of the local Community it is.

Mike Peterson

82

Norris, Nick

From: Leigh Cottle [REDACTED]
Sent: Friday, September 23, 2022 12:51 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

~Cause an insane amount of traffic. There's already too much already.

~Gas station across the street already

~Moving away from gas and SLC strives to be cleaner and greener ~help the community so much financially, socially for a nice cafe, restaurant, local shop ~tacky as hell

Sent from my iPhone

83

Norris, Nick

From: Kelly Witzl [REDACTED]
Sent: Friday, September 23, 2022 12:49 PM
To: Norris, Nick
Subject: (EXTERNAL) NO KUM AND GO IN SHP

As a resident of Sugarhouse I would be greatly disappointed if a gas station were to be put into this vacant lot. It has so much potential to be something better and there is already a gas station across the street. This would also make traffic at this intersection worse than it already is. This is not something that the people want or need. Please reconsider this proposal and design a park with people in mind, not profits.

Nick - thank you for passing these comments along to the right people.

Disgruntled resident,
Kelly W

84

Norris, Nick

From: Murilo Bueno [REDACTED]
Sent: Friday, September 23, 2022 12:48 PM
To: Norris, Nick
Subject: (EXTERNAL) We don't need to Kum and Go

Please consider the built of another gas station to what is already a traffic central, we do not need our money to go towards a gas station when there could be a cafe or restaurant there next to the park, let's improve the area not rare or down . This is an insult to the community, there are plenty of gas stations in the area.

Thanks
Murilo Bueno

Sent from my iPhone

85

Norris, Nick

From: anika boyden [REDACTED]
Sent: Friday, September 23, 2022 12:27 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS STATION OUT OF OUR PARK

Respectfully, as a resident of the Sugarhouse and Salt Lake City.... I don't think we should be implementing another gas station when there is already one across the street. I speak for the community when I say we would rather enjoy a beautiful rooftop restaurant in that lot instead of another ugly gas station. Work for the people not for economic gain!!!

86

Norris, Nick

From: Gabriella Fuelling [REDACTED]
Sent: Friday, September 23, 2022 12:16 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a nearby resident of Sugarhouse and Sugarhouse Park, currently living in Millcreek, I am appalled by the overall city planning and development that has been happening over the last 5 years, to what was once known as a quiet, quaint neighborhood, Sugarhouse. The development that has happened near the 2100 South and 1100-1300 East area is overwhelmingly unnecessary and disgusting. Traffic congestion on 1100 east near whole foods is unbearable already and the apartment/condo units that have recently been built are not even fully complete or occupied. Therefore, congestion will continue to increase and the nearby infrastructure truly is not suitable or capable to support the increase of population and traffic.

Now, it appears that another development that will add to the already congested area is in the works with a new KUM & GO gas station to be built where the Sizzler restaurant once was on 2100 South and 1300 East near Sugarhouse Park. Please know that as a local resident I am not in support of another money grab that is this development, which will further pollute our air and ruin one of the greatest public parks in the state. Surely, there have to be alternatives to this development that could enhance the community in a positive way.

87

Thank you for your time.

Gabriella Fuelling

88

Norris, Nick

From: Wittenberg, Andrew
Sent: Friday, September 23, 2022 12:14 PM
To: Norris, Nick
Subject: Re: (EXTERNAL) ABC4 Interview Request

Thanks! Tried to call you a bit ago for heads up. Good here.

Sent from my iPhone

On Sep 23, 2022, at 12:03 PM, Norris, Nick <Nick.Norris@slcgov.com> wrote:

FYI. I'm fine with doing this interview.

Nick Norris
Planning Director
Salt Lake City
sent from my cell phone, please excuse typos

89

Begin forwarded message:

From: Kade Garner [REDACTED]
Date: September 23, 2022 at 11:53:35 AM MDT
To: "Norris, Nick" <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) ABC4 Interview Request

Hey Nick,

I'm a reporter with ABC4 news. I am reaching out to set an interview up with you in regards to the construction of a proposed Kum and Go gas station at Sugar House Park replacing the former Sizzler restaurant.

You may have seen the TickTock video that went viral overnight regarding the gas station. I would like to have an interview with you to dispel any miss information there is out there on zoning rules and regulations, possible increase in traffic when the gas station is here, etc.

I'm hoping to set up the interview this afternoon, if that would be possible please let me know. [REDACTED]

Sent from my iPhone

90

Norris, Nick

From: Kelly Clements [REDACTED]
Sent: Friday, September 23, 2022 12:13 PM
To: Norris, Nick
Subject: (EXTERNAL) Not another gas station!

Respectfully, do not put ANOTHER gas station at the corner of 2100 s 1300 e.
I will not stand to let another money grab further pollute our air and ruin a beautiful park!

91

Norris, Nick

From: Peter Moore [REDACTED]
Sent: Friday, September 23, 2022 12:12 PM
To: Norris, Nick
Subject: (EXTERNAL) URGENT:

Mr. Norris,

It is urgent that you reevaluate the decision to put a Kum & Go gas station next to the Sugarhouse park. I believe a respectable man such as yourself understands the deplorable consequences of further destruction to our climate and health by way of another gas station in that area. I am sure you will find a different solution that is both beneficial to the public and the city.

Respectfully,

Peter Moore

92

Norris, Nick

From: Abbey Casper [REDACTED]
Sent: Friday, September 23, 2022 12:02 PM
To: Norris, Nick
Subject: (EXTERNAL) more like cum and get this gas station out of my mountain view

Hello, I apologize for the informality of the subject line.

My name is Abbey and I am opposed to the proposed gas station location on the corner of 21st and 13th, and I am very sure I am not the only one who is.

Considering that this is the best spot of land to view the beautiful mountains in all of Sugar House, and this street is already VERY congested AND, there is literally a chevron across the street, this would be a terrible investment and waste of land.

Why not instead a lovely little family owned cafe, with outdoor seating to enjoy the view??

Sent from my iPhone

93

Norris, Nick

From: Kathryn Phillips [REDACTED]
Sent: Friday, September 23, 2022 12:02 PM
To: Norris, Nick
Subject: (EXTERNAL) No to kum and go at Sugarhouse park

Please don't put the gas station in the old Sizzler spot at Sugarhouse park. The traffic there is already nuts. Have you ever tried to cross that intersection on foot? It's scary and gross because of all the cars and congestion and this gas station will make it so much worse. This is a beautiful major city park, you need to put something there that will foster community. What about a cool convenience store/cafe hybrid with big windows where people can enjoy the park views in the winter? Or a restaurant bar, or a library, or a splash pad, etc. Literally anything besides yet another cash grab that will further degrade Sugarhouse.

Please do better.

Kathryn Phillips
[REDACTED]

Sent from my iPhone

94

Norris, Nick

From: Rob Colvin Art [REDACTED]
Sent: Friday, September 23, 2022 11:54 AM
To: Norris, Nick
Subject: (EXTERNAL) Don't Let It Happen Please!

Dear Nick,

I just learned that a Come & Go is going up on the corner at Sugar House Park where the old Sizzler existed. This is sad and disturbing to say the least! I lived in Sugar House for 5 years and it was a great place to live! I have wonderful memories there and I like how the area has improved in many ways, but another gas station isn't what you need, especially when there's one right across the street already. That spot would be prime for a business catered towards park goers, something like an ice cream shop or soda shop, not another ugly gas station.

Please, please don't let this happen.

Sincerely,
Rob Colvin

95

Norris, Nick

From: Kade Garner [REDACTED]
Sent: Friday, September 23, 2022 11:53 AM
To: Norris, Nick
Subject: (EXTERNAL) ABC4 Interview Request

Hey Nick,

I'm a reporter with ABC4 news. I am reaching out to set an interview up with you in regards to the construction of a proposed Kum and Go gas station at Sugar House Park replacing the former Sizzler restaurant.

You may have seen the TickTock video that went viral overnight regarding the gas station. I would like to have an interview with you to dispel any miss information there is out there on zoning rules and regulations, possible increase in traffic when the gas station is here, etc.

I'm hoping to set up the interview [REDACTED]
[REDACTED]

Sent from my iPhone

96

Norris, Nick

From: Sponge Delliskave [REDACTED]
Sent: Friday, September 23, 2022 11:27 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Sugarhouse Park is an absolutely beautiful place. Putting a gas station in it would absolutely ruin it. Our air is bad enough as is...plus there's a Chevron directly across the street. A cafe or a little restraint would be so much better. Respectfully, please don't do this to our wonderful park. It's such a busy area as is. We're running out of places that are so green and lush, and we want our park to stay beautiful. Please don't put a gas station in our park!!

Sincerely,

A concerned Salt Lake City resident

--

- Amber Delliskave

97

Norris, Nick

From: Cameron Clark [REDACTED]
Sent: Friday, September 23, 2022 11:23 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse park gas station

I really don't want a kum and go in are Beautiful park, I think that would be an eye sore. Please take it into consideration, thank you very much! Have a good day!

98

Norris, Nick

From: Marcia Garza [REDACTED]
Sent: Friday, September 23, 2022 11:22 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Dear Mr. Norris,

As a long time Salt Lake City and Sugarhouse resident, I respectfully ask you to not put this gas station in this location. Give something back to the community like a restaurant or cafe with views overlooking the park. Keep Sugarhouse Park beautiful and local!

Thank you,
Marcia Garza

99

Norris, Nick

From: Marisol Rocha [REDACTED]
Sent: Friday, September 23, 2022 11:20 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugar house Park Gas Station

Speaking on behalf of the people who grew up in the Sugarhouse area...

Please do not, and I repeat, DO NOT put a Gas Station where the old Sizzlers use to be. It is destroying a beautiful little piece of land that should be used for something the community would love much more rather than ANOTHER gas station at that intersection.

Thank you.

100

Norris, Nick

From: Nina Pruyn [REDACTED]
Sent: Friday, September 23, 2022 11:15 AM
To: Norris, Nick
Subject: (EXTERNAL) No Kum&Go at Sugarhouse Park!

Dear Mr. Norris,
Respectfully, as a resident of Sugarhouse and SLC for over a decade, please DO NOT put a gas station where the Sizzler used to be. It seems a waste of a space that could be utilized in so many better ways, and there's a gas station on the opposite corner! This is rather appalling. Sugarhouse Park deserves so much more!

Sincerely,
Nina Pruyn
[REDACTED]

101

Norris, Nick

From: kerri Utley [REDACTED]
Sent: Friday, September 23, 2022 11:12 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully as a resident of Salt Lake City since 2004, I have loved the city and the area I live in. BUT I cannot tolerate having a gas station being built in a great location. The old vacant lot can be turned into a cafe that will be used by hundreds of highschool and college students. Will increase the community and overall will be better than any Gas station. I am disappointed that you have chosen an ugly and disgusting gas station to be built in a prime location in Sugar house. Please, Please, Please reconsider what you will be building!! Thousands of fellow Utans want you to.

102

Norris, Nick

From: Cynthia Nichols [REDACTED]
Sent: Friday, September 23, 2022 11:09 AM
To: Norris, Nick
Subject: (EXTERNAL) SAY NO 2 KUM & GO

Please improve our city and make it better by putting something that would benefit our community and park on the corner of sugarhouse park. Sugarhouse park is honestly one of the best public parks in salt lake & a disgusting & polluting gas station will only worsen our traffic, air & the sugarhouse area.

Thanks for considering & acting on our plea!

Kate Nichols
[REDACTED]

103

Norris, Nick

From: Ashton Hornsby [REDACTED]
Sent: Friday, September 23, 2022 11:05 AM
To: Norris, Nick
Subject: (EXTERNAL) Vacant Lot Near Sugarhouse Park

Hello,

I'm a long term resident of the Sugarhouse area and have heard rumors of a gas station being put in the vacant lot where Sizzler used to be on 2100 S 1300 E. Why? Isn't there already a gas station across the street? My neighbors and I believe a something for the community would be best in that location. Maybe restaurants and shops? An extension to the park? It has great views and amazing potential! Let's not waste it.

Thank you for your time!
-Ashton Hornsby

104

Norris, Nick

From: Joshua Barrios [REDACTED]
Sent: Friday, September 23, 2022 11:03 AM
To: Norris, Nick
Subject: (EXTERNAL) Please no gas station at sugar house park

Hi Nick,

I live just south of the park, I love this park, this piece of land is so beautiful and has so much potential. Please, let's not ruin it with a kum n go gas station. There are plenty of gas stations in this area, there are fewer places to get a good coffee or some food with a gorgeous view of the park and mountains. Places we can take our kids and enjoy spaces near where we live.

I urge you to do anything you can to enhance the park, not add another eyesore to an otherwise beautiful area.

Thank you for your time and effort,
Josh

105

Norris, Nick

From: Jen Gmail [REDACTED]
Sent: Friday, September 23, 2022 10:58 AM
To: Norris, Nick
Subject: (EXTERNAL) NO to the Kum and Go!

I have lived in Salt Lake City for 42 years. I grew up in this neighborhood and am raising my children here. We use Sugarhouse Park almost daily. We DO NOT want this Kum and Go to use the old Sizzler space. Not one neighbor I have talked to wants a gas station in that spot. This is horrible planning. That is arguably one of the best pieces of real estate on Salt Lake and putting a gas station on it is not only environmentally irresponsible, it's stupid and a complete waste. Listen to the residents! No Kum and Go!

Sent from my iPhone

106

Norris, Nick

From: alyssa abbott [REDACTED]
Sent: Friday, September 23, 2022 10:58 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & NOOO

Please do not ruin this park by allowing a gas station on the corner of Sugarhouse park. This will completely ruin this gem and amazing park. There is so much potential for this land that could add to the community and to the park like shops/restaurants. Do not give in to another cash grab corporation that will only result in pollution of the park and insane traffic.

Respectfully,
Alyssa A

107

Norris, Nick

From: Corinne Kelly [REDACTED]
Sent: Friday, September 23, 2022 10:57 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF THE PARK!!!

Hello Mr. Norris,

It has recently come to my attention that you want to make a poor decision regarding a beautiful piece of land in Salt Lake and infect it with yet another gas station (when there is ALREADY one right across the street....) Let's not, shall we! Make good decisions and rethink this one! Is this really what's best for the people of Salt Lake or is it in YOUR best interest? Rethink, rethink, rethink!

With much love,

A girl who enjoys a good park and well thought out ideas

108

Norris, Nick

From: Matthew Nanes [REDACTED]
Sent: Friday, September 23, 2022 10:57 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go Away

Nick,

You know we don't need another gas station near Sugarhouse Park. We can do better.

Thanks!
Matthew Nanes

109

Norris, Nick

From: Allison Liddle [REDACTED]
Sent: Friday, September 23, 2022 10:53 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUT PARK

Mr. Norris,

In regards to the Kum & Go that is currently planned for the vacant lot next to Sugarhouse park, I think this is a misuse of this space. As you are already aware, one of the most visited and most popular parks in the state is located right below this lot. To put in a gas station will only further create traffic and pollute this area, which includes a water source (which are rare nowadays) running through it, which will in turn be polluted. Furthermore, we do not need a gas station across the street from another gas station. The traffic this could create is unsafe, especially with the schools (specifically Highland High School) so close by. This is overall poor planning.

As a resident of Sugarhouse and Salt Lake City, I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

Respectfully,

110

Norris, Nick

From: Kiran Valenzuela [REDACTED]
Sent: Friday, September 23, 2022 10:50 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go Needs To Go

Hello, my name is Kiran and I live in SLC. I recently heard about the proposition to build ANOTHER gas station by Sugarhouse Park. That's literally a terrible idea and would further hurt the environment. Kindly reconsider the current plans.

A concerned SLC resident,
Kiran

Norris, Nick

From: V S [REDACTED]
Sent: Friday, September 23, 2022 10:48 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go at Sugarhouse

No thank you. That has got to be one of the worst places for a gas station/convenience store – not so much for the store as for the traffic. It's already bad traffic around there and this will make it worse. The CVS is still a disaster when trying to get in or out from 1300E. Whenever I have to get a Rx or any kind of pharmacy item, I much prefer to go to Smiths on 800S. I'm always nervous if I have to travel around lunch time on 2100S because of the terrible driveway design for the Chik-filet. Sugarhouse already has a host of bad traffic decisions done to it, why make it worse?

I take my kid to soccer at Fairmont Park coming from the northeast direction (traveling south down 1300E) twice a week. I cannot stand the thought of worsening the traffic in that area. Plus, increased accidents. Please no.

Thank you,

[REDACTED]

[REDACTED]

Norris, Nick

From: Kasey Hoskins [REDACTED]
Sent: Friday, September 23, 2022 10:48 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugar House SLC We can not move forward with this gas station and pulley our parks.

Thank you.

115

Norris, Nick

From: McKay Mattingly [REDACTED]
Sent: Friday, September 23, 2022 10:41 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum and go

Dude. Don't put a kum and go there. Nobody wants a kum and go. There's a gas station across the street. Make it a cafe. Make it a local restaurant. Make it a bar. Make it something for the community. Literally anything else.

116

Norris, Nick

From: Audrey Struempler [REDACTED]
Sent: Friday, September 23, 2022 10:36 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt Lake City..... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

May I suggest a cafe or something that will benefit the people and enhance the park experience?

Also - we both know damn well the last we need is another gas station when there's already a Chevron there... anyways
Xoxo Audrey

117

Norris, Nick

From: McKenna Jensen [REDACTED]
Sent: Friday, September 23, 2022 10:33 AM
To: Norris, Nick
Subject: (EXTERNAL) Re: KUM & GET THIS GAS STATION OUT OF OUR PARK

On another note, how do we change this and stop this from happening? (I saw your comment on Queen of SLC's Tik Tok and apologize if this came off as an attack on you and not the decision makers)

On Fri, Sep 23, 2022 at 10:28 AM McKenna Jensen [REDACTED] wrote:

Hi Nick,

As a Salt Lake City resident and someone who cares about parks and recreation in the city, I am outraged to see that ANOTHER gas station is scheduled to be built across from Sugarhouse Park when THERE IS A CHEVRON RIGHT ACROSS THE STREET ALREADY. We already are in a climate crisis and do not need another thing to be polluting Utah air quality. This would completely ruin the park and be devastating to our community. DO BETTER.

McKenna Jensen

118

Norris, Nick

From: McKenna Jensen [REDACTED]
Sent: Friday, September 23, 2022 10:28 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hi Nick,

As a Salt Lake City resident and someone who cares about parks and recreation in the city, I am outraged to see that ANOTHER gas station is scheduled to be built across from Sugarhouse Park when THERE IS A CHEVRON RIGHT ACROSS THE STREET ALREADY. We already are in a climate crisis and do not need another thing to be polluting Utah air quality. This would completely ruin the park and be devastating to our community. DO BETTER.

McKenna Jensen

119

Norris, Nick

From: KJ Leuthauser [REDACTED]
Sent: Friday, September 23, 2022 10:25 AM
To: Norris, Nick
Subject: (EXTERNAL) NO KUM AND GO IN SUGARHOUSE PARK

I am a resident of Salt Lake City. Sugarhouse will not benefit from a Kum and Go in the park it will ruin part of the natural beauty that is salt lake and create major traffic issues. This cannot stand. We do not want this.

120

Norris, Nick

From: Eliza Spogis [REDACTED]
Sent: Friday, September 23, 2022 10:24 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go at Sugarhouse Park

Dear Mr. Norris and whom it may concern,

Please, hear the residents of Sugar House and Salt Lake City, and do NOT move forward with putting a Kum & Go gas station at the intersection of 2100 S and 1300 E. We have a gas station across the street. It would cause a profound amount of further car traffic and congestion to an already bursting-at-the-seams intersection. Make the property available for something that would ADD to the community, like a restaurant (with a rooftop with the best views the city literally has to offer), a cafe, etc.

Literally anything other than another gas station. One across the street is plenty enough.

Thank you for being thoughtful and sensible people and turning this into an opportunity to ADD to a neighborhood, not take away from it.

Thank you,
Eliza Spogis

121

Sugar House resident

Norris, Nick

From: kyle kramer [REDACTED]
Sent: Friday, September 23, 2022 10:21 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go needs to go

Hello, I've just had this brought to my attention that a Kum & Go gas station is thought to be built at 2100 S and 1300 E next to sugarhouse park. I do not think this is a good fit and does not do the park justice at all. It's going to cause major traffic jams at that stop light which are already an issue. I've lived in this area for the past 15 years. Do not build a gas station here. Do something that takes advantage of the beautiful mountain scenery and park.

Sent from my iPhone

123

Norris, Nick

From: Hannah Montoya Lazar [REDACTED]
Sent: Friday, September 23, 2022 10:19 AM
To: Norris, Nick
Subject: (EXTERNAL) Development Near Sugarhouse Park

Hi Nick,

I am a resident of Salt Lake City and one of my favorite parks is Sugarhouse Park. I recently learned that there are plans to put a gas station where the old Sizzler's used to be. There's already a gas station across the corner, and that could be used so much more efficiently to serve the community. Why not a restaurant or bar with a nice patio? A food truck park? Please reconsider another gas station that the community does not need.

Sincerely,
Hannah

--
Hannah Montoya Lazar
[REDACTED]

124



Norris, Nick

From: Megan Nelson [REDACTED]
Sent: Friday, September 23, 2022 10:19 AM
To: Norris, Nick
Subject: (EXTERNAL) Please don't put a gas station on the the corner of SH Park

I'm begging you not to put a gas station on that corner lot of Sugarhouse Park. It would do everyone - and the park - a major disservice. The fact that it's even being considered represents a major failure of public planning.

That intersection already has a gas station and is constantly overcrowded with traffic. Another gas station would further increase traffic and the incidence of traffic violations. Another gas station would decrease the desirability of the entire area.

It would benefit the community if a restaurant or coffee shop were put there instead. Even an abandoned Sizzlers is better!

Norris, Nick

From: Elise Serena [REDACTED]
Sent: Friday, September 23, 2022 10:12 AM
To: Norris, Nick
Subject: (EXTERNAL) Proposed Kum and Go Gas Station

Hi,

I am a [REDACTED] and have heard about the proposed Kum and Go gas station slated to be put on the corner of Sugar House Park. As I have learned in many of my classes, adding a gas station directly across the street from another is unnecessary and causes more traffic and in an already congested area. Not only this, but a gas station would block beautiful views of our cherished Wasatch Front. Sugar House Park is one of our only green spaces and must be protected. If development must continue, a local cafe or shop may be a better option. Give a local business an opportunity to develop and contribute to their community. Adding a place where ALL residents (even those without cars needing fuel) can go and enjoy.

Thank you for your consideration,
Elise Serena

127

Norris, Nick

From: Brittany Blackham [REDACTED]
Sent: Friday, September 23, 2022 9:55 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugar house park gas station

Hello,

I'm writing as a resident of salt lake that I do not support the idea of a gas station going in the lot on the corner of sugar house park, which was previously a sizzler.

As a frequent park chilling college student and dog mom, I believe that a much better use of the property would be a local business restaurant or bar. Something that can still be an activity but also incorporate enjoying the view of the mountains and landscape.

Please retract the plan for the gas station, this does not make sense considering the location.

Brittany Blackham

128

Norris, Nick

From: Lindsay Gilson [REDACTED]
Sent: Friday, September 23, 2022 9:55 AM
To: Norris, Nick
Subject: (EXTERNAL) SUGARHOUSE PARK SIZZLER LOCATION - NO GAS STATION

Hi Nick,

Writing to express my disagreement with allowing a Kum and Go gas station to occupy the old sizzler location.

I grew up in Millcreek and have eagerly watched this entire neighborhood modernize over the past 20 years. I still feel like we're missing the mark on making that sugarhouse area a real gathering place for the community, because of:

1. **Traffic:** Sometimes I drive out of my way to avoid this street. I can't imagine if we add another gas station what that will do
2. **Gas Station:** There's already a gas station there! I'm not missing gas! I'm missing another restaurant like the Dodo that has patio space and yummy food!
3. **Kum and Go:** the tackiest gas station name and branding. That view of the mountains and sugarhouse park is prime real estate!! We can do better!!

129

Please please please don't put ANOTHER gas station in such a crowded spot.

Lindsay

130

Norris, Nick

From: Kyle Lake [REDACTED]
Sent: Friday, September 23, 2022 9:54 AM
To: Norris, Nick
Subject: (EXTERNAL) NO KUM N GO

Don't ruin the beauty of sugar house park!!! Also, the traffic in sugar house is terrible, why make it worse!!??

Sent from my iPhone

131

Norris, Nick

From: Sarah Goehring [REDACTED]
Sent: Friday, September 23, 2022 9:53 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Park Concerns

Good morning Nick,

I hope this email finds you well. I'm writing to address the plans to add a Kum & Go gas station to the lot previously occupied by Sizzler at Sugarhouse Park. As a longtime Salt Lake County resident, I have multiple concerns with this plan.

First, there's a Chevron quite literally across the street from this lot. It's not around the corner or down the road a bit—it is directly across 1300 E from the lot. This will cause enormous amounts of traffic and congestion at an already-busy intersection. I use UTA to travel because of a disability that prevents me from driving, and I noticed a bus stop across 2100 S at this intersection. Salt Lake City already has a huge problem of inattentive drivers. Having pedestrians try and make their bus at an intersection with two congested gas stations? It will be dangerous for everyone involved. I encourage city planners to try and navigate the area using UTA for a week before moving forward with this plan to feel the stress for yourselves.

132



Additionally, this is a prime space to appreciate the serenity of Sugarhouse Park. I feel this would be a fantastic opportunity for a more community-oriented space with rooftop views. This could be a locally-owned building like a restaurant, bookstore, greenhouse, or coffee shop. Adding a gas station—again, right next to an existing gas station—has no aesthetic benefit. In fact, I’d find it to significantly detract from the natural beauty. I think this space would be better utilized by a building where people can reflect on the landscape around them.

Lastly, I’m struggling to find the benefit of adding the gas station in the first place. This lot has been empty for more than a year while the city deliberated plans for it. Is a Kum & Go truly the best option proposed? Were there no interested parties that suggested something that would actually benefit people visiting the park?

I’m genuinely frustrated with this decision. I would rather see the city buy this lot and use it for something better. The potential traffic chaos, pedestrian dangers, and aesthetic damage of a gas station isn’t worth the convenience, especially since there’s already a gas station. I encourage you to reconsider the plan to install a Kum & Go.

Have a great rest of your day,
Sarah Goehring (she/her)

Norris, Nick

From: Ethan Fraatz [REDACTED]
Sent: Friday, September 23, 2022 9:48 AM
To: Norris, Nick
Subject: (EXTERNAL) No to Kum & Go

As a member of Salt Lake City, please do not let a gas station be built by one of the most gorgeous parks. Sugar house park does not need a gas station!!!!

135

Norris, Nick

From: Kate Hanus [REDACTED]
Sent: Friday, September 23, 2022 9:38 AM
To: Norris, Nick
Subject: (EXTERNAL) Get this gas station out of our park

Respectfully, as a resident of Sugarhouse and Salt Lake City, I will not stand to let another money grab further pollute our air and ruin one of the greatest parks in the state.

The area doesn't need another gas station and especially not one that would add an eye sore to an otherwise beautiful park. A gas station in this location will cause more traffic to an already busy intersection.

Thank you for your time,
Kate

--
Kate Hanus
[REDACTED]

136

Norris, Nick

From: Leslie Carranza [REDACTED]
Sent: Friday, September 23, 2022 9:27 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUR OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt Lake City..... We all think it would be best to not put a "kum and go" at this location (that used to be sizzler) because it has an amazing view and there's already a chevron across the street 😊 we politely suggest an alternative to encourage people to come in solely for the beautiful view of our beautiful mountains here in the 801. Thank you.

Sent from my iPhone

Norris, Nick

From: Brayden Palmer [REDACTED]
Sent: Friday, September 23, 2022 9:27 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GO MUST GO

Us residents of Salt Lake City will not sit back and let a completely useless fossil fuel station spoil the beautiful ambiance in Sugarhouse Park! We won't stand to see an air polluting, economic-greed-driven eyesore destroy one of the best public parks in the state.

We can do better!

139

Norris, Nick

From: Harrison, Sage [REDACTED]
Sent: Friday, September 23, 2022 9:21 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House Park Proposal

Nick,

Good morning, I'm sure you've been getting quite a few emails and messages lately about the gas station proposal on the corner of Sugar House Park, previously the Sizzlers location. I know you are very familiar with the area, but as a real estate agent who has lived in SLC most of my life and Sugar House currently, I'm very worried about the city's decision on this. I know community pressure is rough and planning is a grueling process but please use your position to help the residents and passersby of Sugar House. The amount of unsafe driving due to the amount of traffic in that intersection is a ticking time bomb and everyone including UDOT knows it's dangerous. Please do something for the people. Give us something we can enjoy without affecting other gas station businesses that have been in this location for a while now. Please don't ruin our beautiful park with the fumes, smell, and traffic of the proposed station. We want something that makes our city better, not worse. I appreciate your openness to the situation if you've continued reading and I hope Sugar House can count on you to represent what the people want, not what the city wants.

Yours truly,

140

Sage Harrison
[REDACTED]

Wire Fraud is Real. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions. Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication.

141

Norris, Nick

From: Maddie Mayhew [REDACTED]
Sent: Friday, September 23, 2022 9:13 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM \$ GET THIS GAS STATION OUT OF OUR PARK

Hello,

PLEASE do not build a gas station at the stunning Sugar House Park. I am absolutely against it. A small cafe or local restaurant would be much better.

Best,
Resident of Salt Lake City

142

Norris, Nick

From: Raffaele Fossa [REDACTED]
Sent: Friday, September 23, 2022 9:13 AM
To: Norris, Nick
Subject: (EXTERNAL) We don't need this gas station in the park

Respectfully, as a resident of Sugarhouse and Salt Lake City..... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

Thanks

143

Norris, Nick

From: Sienna BriAnn Crandall [REDACTED]
Sent: Friday, September 23, 2022 9:09 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum & get this gas station our of our park

Respectfully, as a resident of Holladay and a frequent user of sugarhouse park, I am upset at the decision for another money-grabbing tactic such as this. Our state does not need another gas station in the vicinity of the 7/11 across the street. This will further pollute our air and ruin one of the absolute best parks in the city. I am disgusted by your choice for this change. Please use this area for good, such as a cute cafe, a public/community garden, or any number of things for the community. We do not need or want another gas station. Please use your creativity and make something great such as: the all abilities park in Spanish fork Utah, which has seen great success, It has 4.9 stars on google reviews as of today 9/23. This would help to bring our community together in a great and safe way.

Thank you

--

Sienna BriAnn Allred.

144

Norris, Nick

From: Lauren Clark [REDACTED]
Sent: Friday, September 23, 2022 9:02 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

Hello Mr. Norris. I'm sure you know what this email is about from the subject line, but it seems that a new gas station is just an absolutely terrible idea to put in that beautiful park, and I'm sure a lot of men will be making mega bank from this whole situation, but that's stupid. Money isn't everything. that view from those windows is everything. The people who will have to walk past TWO ugly gas stations everyday is. The air that you are further polluting is everything.

Also! Kum and Go?? Are you kidding me how is that still allowed to be a name of an actual company. It's absolutely hilarious so I'm not complaining but definitely doesn't belong in the park.

Anyway, I offer solutions,

- permanent snow cone shack
- duck pond featuring duck water slides
- a Weezer Memorial
- a fully funded coffee shop ran by me.
- an amphitheater for the sole use of Homeless Shakespeare entertainers.
- a giant ball of yarn.

145

- adult sized bouncy castle
- Art gallery full of pictures/sculptures of Jim Carey.
- fruit snack fruit stand.
- doggy day spa

I have tons others but I don't want to waste to much of your time but the point is, anything is better than a Kum and Go gas station.

Sincerely, a poor gal with a dream and and to much time on her hands.

146

Norris, Nick

From: Eric Wood [REDACTED]
Sent: Friday, September 23, 2022 9:02 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum and get this gas station out of our park

As a resident of Salt Lake City and someone who frequents sugar house park and who lives literally within a few hundred feet of the park, I am imploring you to not move forward on another gas station at the location of the vacant red lobster. This intersection is incredibly busy and adding a gas station will undoubtedly create more traffic and make life for the residents in the area more difficult.

We, the residents, do not want this. And let me be clear. I am not opposed to an establishment being there but something like a gas station when there is one across the street is completely unnecessary. I implore you to explore other options for this location and DO NOT, put a kum and go gas station on the corner of 2100 s and 1300 e. Please help us preserve the park and the area around it for the residents who enjoy its beauty and serenity.

Sincerely,
Eric Wood
[REDACTED]

Sent from my iPhone

Norris, Nick

From: Erin Sanders [REDACTED]
Sent: Friday, September 23, 2022 8:58 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM and get your dirty money out of our parks!

It's utterly stupid and irresponsible city planning to let a gas station go up near sugarhouse park at that intersection which is arguably one of the most chaotic intersections in the Salt Lake Valley. Not only does this create more safety hazards for drivers and pedestrians, it's threatening the ecology of the park.

Surely there are a million other things that you could put in place of a gas station.

Thing logically and listen to the people who live here!

Concerned resident.

149

Norris, Nick

From: Georgia Jensen [REDACTED]
Sent: Friday, September 23, 2022 8:57 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse park vacant lot

Hello mister government man! As a frequent visitor of sugarhouse park I have one question... Huh?! Why a stupid gas station? Especially when there is literally one RIGHT ACROSS THE STREET! Traffic is already bad enough as it is in that area.

Respectfully, dumb move. Please reconsider. Perhaps a nice mom and pop café, or a small business. Not another corporate mess, ok?

Thanks

150

Norris, Nick

From: Jaidelynn Rogers [REDACTED]
Sent: Friday, September 23, 2022 8:57 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum and go

Please reconsider your plans to put a gas station on the corner of Sugarhouse park. There are much better options that could attract tourists and aid in less pollution to our city.

Respectfully,

Dr. Jaidelynn Rogers
[REDACTED]
[REDACTED]ers
[REDACTED]

151

Norris, Nick

From: Taylor Jones [REDACTED]
Sent: Friday, September 23, 2022 8:54 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

As a born and raised native of sugarhouse and SLC I will not allow for another money grab that will further ruin our air quality. When the traffic on 1300 is already a nightmare to commute to and from the university of utah campus as well there is already a gas station on the opposite side of the street. The park is beautiful don't let the park be ruined by an unnecessary eyesore.

Thanks

-Taylor Jones

152

Norris, Nick

From: Daniya Jaff [REDACTED]
Sent: Friday, September 23, 2022 8:50 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House Park

Don't let greed for money ruin this beauty! There is already a gas ration there. We don't need another one!! Respectfully, as a resident of Sugarhouse and Salt Lake City..... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

153

Norris, Nick

From: Martinez, Diana
Sent: Friday, September 23, 2022 8:51 AM
To: Meghan Balough; Planning Public Comments
Subject: RE: (EXTERNAL) No gas station at SH Sizzler site

Thank you for your comments about this proposal. Your input will be included in the staff report and passed along to the Planning Commission when these petitions are scheduled for a Public Hearing at a future date and time. The date of that meeting is not clear at this point.

Please let me know if you have additional questions or comments and again, we thank you for your input.

Regards,

Diana Martinez
Principal Planner
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS SALT LAKE CITY CORPORATION

154

Desk phone number: 801-535-7215

Email diana.martinez@slcgov.com

WWW.SLC.GOV/PLANNING

Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

-----Original Message-----

From: Meghan Balough [REDACTED]

Sent: Thursday, September 22, 2022 6:24 PM

To: Planning Public Comments <planning.comments@slcgov.com>

Subject: (EXTERNAL) No gas station at SH Sizzler site

Hello,

I am a longtime Sugarhouse resident and I absolutely oppose the idea of putting a gas station on the Sizzler site. I have concerns about the creek and the (already terrible) traffic in the area.

Thank you,

155

Meghan Balough

156

Norris, Nick

From: Catie Bingham [REDACTED]
Sent: Friday, September 23, 2022 8:48 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM and Go Gas Station - Sugarhouse Park

As a registered voter and resident of Salt Lake City, I am disappointed at your decision to bring in another carbon based Gas Station to the Sugar House area. This is a poor choice to further pollute our air and destroy the beautiful SugarHouse Park area. I will continue to follow this development and fight it every step of the way.

Concerned Citizen

Catie Bingham

157

Norris, Nick

From: Isabella Rutledge [REDACTED]
Sent: Friday, September 23, 2022 8:44 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Sugarhouse Park is one of the best public parks in the state, and building a gas station there in an open lot that could be used to support a local business (cafe/bar/restaurant) instead is just unforgivable. Do not build a Kum & Go in our park!

158

Norris, Nick

From: [REDACTED]
Sent: Friday, September 23, 2022 8:31 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Sizzler

Hi Nick,

My whole life I have lived near sugarhouse park. I even had great memories at Sizzler.

Can't we do better than a gas station at that corner?

Thanks for listening!
Chris

159

Norris, Nick

From: Emma Kate Campbel [REDACTED]
Sent: Friday, September 23, 2022 8:30 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House Kum and Go

It has recently come to my attention as a SLC resident that a gas station has been proposed on the corner of Sugar House park. MY only question is why. Do you plan on creating more traffic and accidents? Do you not want to improve the quality of the park by adding a coffee shop or local business to help them thrive in the local economy? As a resident of SLC I cannot stand for this outrageously tone deaf planning and hope you reconsider your efforts in this area.

Emma-Kate Campbell
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

160

[REDACTED]

161

Norris, Nick

From: More Portal [REDACTED]
Sent: Friday, September 23, 2022 8:27 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt Lake City..... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

XOXO,
Gossip girl

162

Norris, Nick

From: Erika Tingey [REDACTED]
Sent: Friday, September 23, 2022 8:26 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse kum & go NO!! Please read:

Nick,

If you have any authority or say in the matter. DO NOT let another gas station get built on an iconic spot in sugarhouse park corner. We need something fun and local there with nice views of the park and good food or coffee or a bar. Don't let this happen- our city is depending on you.

Do us proud,

Erika Beckrest

163

Norris, Nick

From: nick gilges [REDACTED]
Sent: Friday, September 23, 2022 8:25 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugar house park gas station

Hi,

I am a resident of Salt Lake City I love going to sugar house park. Please do not allow another gas station to be put on the corner of sugar house park.

Thank you

Sent from my iPhone

164

Norris, Nick

From: Chris Rusay (KO) [REDACTED]
Sent: Friday, September 23, 2022 8:17 AM
To: Norris, Nick
Cc: Martinez, Diana
Subject: (EXTERNAL) PLNPCM2022-00053 Conditional Use -Gas Station
Attachments: GRADING- Plans Kum and Go.pdf; GAS-Station-PLNPCM2022-00053.pdf

Hi Nick,

I am forwarding message I have cc'd Diana Martinez on this message, after being in touch with Judi Short.

This site is located 30 feet (4439ft) above elevation of the Parley's creek and lake in Sugarhouse park (4409ft). The hill from the SITE drops steeply towards Parleys creek and lake.

It has a direct line of flow to the SOUTH EAST from the Gas Station into the lake. A breach of Gas station tanks, a spill from an offloading tanker, or even ground seepage could infiltrate the Parley's creek watershed. This would then enter and contaminate the parleys creek watershed as it heads West through the City.

Per the Galloway preliminary plans their Tanks are on the South East corner directly next to steep hill into park.

Please see attached PDF for their grading plan.

165

I have attached a PDF of elevations for reference.

Request Type: Conditional Use- Gas Station
Location: 2111 South 1300 East
Zone: CB -Community Business Zone
Overlay: Groundwater Source Protection Overlay District

[REDACTED]

[REDACTED]

166

Norris, Nick

From: Canaan Hagin [REDACTED]
Sent: Friday, September 23, 2022 8:16 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum & get this gas station out of our park!

As a resident of the area; the need for
Another gas station directly across from one that's hardly busy enough sounds absurd. Gas stations also attract pan handlers and the park does a pretty good job of keep transients away from it. The chevron has plenty of homeless people there and it'll only drag them closer. I feel this idea is only going to affect the park negatively, and is just an opportunity for someone to make money. It's also going to bring more noise just outside the peaceful park. There's plenty of places to come And go. Make something that benefits the park instead of something that is going to pollute the air more and also have hazardous fuel even closer to this beautiful parks trees etc. Even an electric vehicle Charge station would make more sense and less people frustrated. Not that I support those either. There's a lot of people that do not agree with this and will defend the park. Thanks for your time. Have a great day!

Sent from my iPhone

167

Norris, Nick

From: liat ankonina [REDACTED]
Sent: Friday, September 23, 2022 8:06 AM
To: Norris, Nick
Subject: (EXTERNAL) Kim & go gas station - sugarhouse park

Good morning,

As a resident and home owner in Salt Lake City, I'd like to voice my concern regarding the future plans to build a gas station in the old sizzler parking lot. This is truthfully an abomination, and it sounds like the citizens of slc collectively hate this idea. Salt lake has the potential to have character and be built for people, rather than cars. Unfortunately, decisions like this will turn it into the next soulless western city with a gas station on every corner. I ask you, as a public servant, to prioritize architectural integrity and the well being of our city.

Thanks,
Liat Ankonina

168

Norris, Nick

From: shelby volosin [REDACTED]
Sent: Friday, September 23, 2022 8:01 AM
To: Norris, Nick
Subject: (EXTERNAL) Nobody wants a gas station in sugar house park

Please do not let a gas station be put on that corner of 13th and 21st we do not need it... there is a chevron across the street... why would you contaminate the most beautiful park I've ever seen with gas fumes.... Why would u make 13th even busier than it always is. Respectfully no.

Sincerely,
A concerned sugar house resident

169

Norris, Nick

From: Stephanie Aswad [REDACTED]
Sent: Friday, September 23, 2022 7:49 AM
To: Norris, Nick
Subject: (EXTERNAL) NO GAS STATION IN SUGARHOUSE PARK

Dear Mr Norris

As a lifetime resident of Salt Lake City and patron of Sugarhouse Park, Respectfully there is no need to put another gas station where the old sizzler used to be. It will just cause traffic and pollute the city more than it already is. That corner is the best view of the park and there should be something there that can bring the community together! A restaurant or a pub or even a cafe would be such a better option than a Kum and Go!!!! There is literally a chevron across the street that works just fine. Please don't ruin one of the best public parks in Salt Lake for a gas station.

Hoping you make the right decision,
Steph

170

Norris, Nick

From: steven dever [REDACTED]
Sent: Friday, September 23, 2022 7:50 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM and Get this gas station out of our park

Respectfully. Why do we need a gas station at the corner of the park..... Why do we need yet another eye sore in sugarhouse???? the park area does not need anything like this. I have lived in sugarhouse for over 25 years and have to say the planning that has taken place this last 8 or so years has destroyed the roads up and down sugarhouse. The traffic it has caused has forced many of my neighbors to leave. This smells of just a money grab. Stop with this planning and focus on something more useful in sugarhouse. The idea that it will be turned into something is exciting and I am thankful. BUT we do not need a gas station in this area. The key to sugarhouse is how nice it used to be. Maybe we need to get back to that.

Thank you for your time.
Steven Anthony Dever

[REDACTED]

171

Norris, Nick

From: Mark Rudin [REDACTED]
Sent: Friday, September 23, 2022 7:45 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go

Nick! Absolutely and utterly crushed that this is the best you can do. It's pitiful and you will definitely be voted out of office for this. Do not put a gas station in our beautiful park. That intersection is already a mess.

- Mark Rudin

172

Norris, Nick

From: Kylee Richardson [REDACTED]
Sent: Friday, September 23, 2022 7:39 AM
To: Norris, Nick
Subject: (EXTERNAL) No Go Kum and go

ABSOLUTELY PLEASE DO NOT BUILD A KUM AND GO BY THE PARK!

Thank you for your time:),

Kylee Richardson

173

Norris, Nick

From: Connell O'Donovan [REDACTED]
Sent: Friday, September 23, 2022 7:05 AM
To: Norris, Nick
Subject: (EXTERNAL) NO TO KUM & GO!

Director Norris:

That southeast corner in Sugar House has spectacular views and is prime real estate. There's already a gas station across the street. PLEASE PLEASE PLEASE do not put another ugly gas station there! How about a really beautiful café, with a large patio to showcase the beauty of the park and mountains?

Thank you for your consideration,

Connell O'Donovan
Utah historian and Liberty Wells resident
he/him/his

174

Norris, Nick

From: Lauren Pilcher [REDACTED]
Sent: Friday, September 23, 2022 6:46 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

I am a Sugarhouse resident, and love living in Salt Lake! Sugarhouse park is the best place to go, and does not need another Gas Station on its corner to pollute the park and cause traffic on an already busy corner of the city. I understand money is to be made and consumerism must continue, but we should be preserving the park and not polluting it! This space would be best used as a restaurant or greenhouse, something that would add to those visiting the park, no take away from it. Thank you for your time, I hope people can raise their concern enough that you reconsider!

Lauren Young

175

Norris, Nick

From: Michael howell [REDACTED]
Sent: Friday, September 23, 2022 6:19 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse park

Hello,

I would like to voice my opposition to the kum and go being put in sugarhouse park. I think there could be a much better use of the space.

Thank you,

Michael Howell

176

Norris, Nick

From: Kristen Hansmann [REDACTED]
Sent: Friday, September 23, 2022 5:52 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum and go Gas Station

Nick,

As a Utah resident I do not support the Kum and Go gas station at Sugar house Park. This is poor planning for that area and takes away from the beauty. Please do your part to protest our city.

-Kristen

Sent from my iPhone

177

Norris, Nick

From: Mychal Golavar [REDACTED]
Sent: Friday, September 23, 2022 5:11 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GO

Hello Nick,

Absolutely not!! Please don't put a gas station in the park. I don't think we need another gas station. Adding one will only increase the rate of drifters. I have no issue with homeless people. But you and I know that will increase crime in the future. Please reconsider.

Thank you.

178

Norris, Nick

From: Maia Parisot [REDACTED]
Sent: Friday, September 23, 2022 4:50 AM
To: Norris, Nick
Subject: (EXTERNAL) SAY NO TO KUM & GO

As a resident of sugarhouse and Salt Lake City, I am deeply concerned about wasting the space near sugarhouse park by turning it into another gas station. Traffic will continue to be a nightmare as there is already a gas station across the street. A kum and go will be a waste of the beautiful park views. I am livid!!! I hope you listen to the concerns of myself and my neighbors.

Maia Parisot

179

Norris, Nick

From: Ainsley Geary [REDACTED]
Sent: Friday, September 23, 2022 4:30 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Salt Lake City and Sugarhouse I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state. There is already a gas station across the street and with a freeway on/off ramp just down the road the traffic increase will be terrible.

Respectfully,
A concerned citizen

180

Norris, Nick

From: Heather Surles [REDACTED]
Sent: Friday, September 23, 2022 3:53 AM
To: Norris, Nick
Subject: (EXTERNAL) Don't be a capitalistic loser

Don't put that gas station there. And you know where I'm taking about. Fix this.

Get [Outlook for iOS](#)

181

Norris, Nick

From: Caitlin Caouette [REDACTED]
Sent: Friday, September 23, 2022 2:33 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse

Hi nick, you probably have received many messages about what to do with the empty plot which was once a family restaurant. (Sizzler)

I should remind you, that sugar house in its own right was built on community.. from far back when the settlers made it their home. Please consider keeping this last gem of salt lake clean and true to what we all really want at the end, a community. Sugar house is the last place in salt lake that holds true to uniqueness...

Keep sugar house unique.

A gas station is temporary and fake. Bring life back into sugar house, and don't let money speak for your plans.. you'll see..

Please consider the future.

-Cait caouette

182

Norris, Nick

From: Aleczauder Ruggles [REDACTED]
Sent: Friday, September 23, 2022 2:02 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse park Cum and Go

Please stop this gas station from being built and put something beautiful and useful to the community there instead.

Respectfully, a Salt Lake City Resident.

-Aleczauder Ruggles

183

Norris, Nick

From: Olivia Roberts [REDACTED]
Sent: Friday, September 23, 2022 1:59 AM
To: Norris, Nick
Subject: (EXTERNAL)

As an Sugarhouse resident, I will not stand by and watch another money grab further pollute our air and ruin one of the greatest public parks in the state. Do better.

184

Norris, Nick

From: Brandon Aguilar [REDACTED]
Sent: Friday, September 23, 2022 1:29 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum and get this gas station out of our park

This the last thing this space needs. Nobody wants this gas station in this location. It will be a nuisance for the area.

185

Norris, Nick

From: Koen Olsen [REDACTED]
Sent: Friday, September 23, 2022 1:24 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go Gas Station

Mr Norris,
Please don't ruin the Sugarhouse park with a lousy gas station.
Thank you,
Koen Olsen

186

Norris, Nick

From: Andoena Deskaj [REDACTED]
Sent: Friday, September 23, 2022 12:36 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

There really is no reason to put another gas station right across the chevron... that's why we have a chevron there. We don't need two gas stations that are 5ft from each other, not to mention the fact that it's right where the park is... and the fact that it's going to make traffic 10x worse in sugarhouse. On behalf of other sugarhouse residents don't build that, it's ugly and ruins the view.

187

Norris, Nick

From: Mallory Schmachtenberger [REDACTED]
Sent: Friday, September 23, 2022 12:36 AM
To: Norris, Nick
Subject: (EXTERNAL) Concerning the Sugar house park development plans.

I've

188

Norris, Nick

From: Ethan Slade [REDACTED]
Sent: Friday, September 23, 2022 12:33 AM
To: Norris, Nick
Subject: (EXTERNAL) Concerning our park in SLC

Good sir, as a Utah resident and a patron of the wonderful sugarhouse park, I would like to inform you that your decision to put a Kum' n' go next to a beautiful park is a shamefully irresponsible decision on behalf of the parks department of Salt Lake City. If you could, reverse this decision or the park's success will decline.

Thank you, Ethan Slade

189

Norris, Nick

From: Gavin Kuehl [REDACTED]
Sent: Friday, September 23, 2022 12:27 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Sugarhouse park is an absolutely beautiful park with so much potential beauty. Seeing that a gas station was going to replace one of the most spectacular views of the park is hard to imagine. The traffic and noise this will create will ruin the magic. Imagine how many more tourists and activity you would get if there was a rooftop restaurant that overlooks the park! Respectfully, don't do this to the citizens of Salt Lake, take the high ground and make a positive change.

Thank you for your time,
- Gavin K

190

Norris, Nick

From: Mia J. [REDACTED]
Sent: Friday, September 23, 2022 12:26 AM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Park Gas Station

Hi,
I'm concerned about the gas station that is planned to be built on this beautiful piece of land at Sugarhouse Park.

As a Utah resident, I respectfully disagree with this decision.

Mia Sheneman
[REDACTED]

--

Thanks,
Mia Sheneman

191

Norris, Nick

From: sierra champion [REDACTED]
Sent: Friday, September 23, 2022 12:21 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum and get this gas station out of our park.

how about this. maybe not putting a gas station in a park.

192

Norris, Nick

From: Alex Walz [REDACTED]
Sent: Friday, September 23, 2022 12:10 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum and go/sugar house park

Please for the love of god don't build a KUM AND GO or any gas station for that matter in the empty lot at the top of sugar house park. Put in something that would accentuate the beauty of the park instead of diminish it(IE. restaurant, cafe, coffee shop).

Thanks,
Alex Walz (concerned sugar house resident)

193

Norris, Nick

From: Ariel Draper [REDACTED]
Sent: Friday, September 23, 2022 12:05 AM
To: Norris, Nick
Subject: (EXTERNAL) Kum & get this gas station away from our beautiful park.

While I understand this isn't your proposal, putting a restaurant, cafe or something other than a gas station will bring more money to sugar house as the kfc across has a 2.6/5 stars so people already avidly avoid this restaurant. I myself have had not great experiences at the kfc. I love going to this park and always recommend this park over nearby parks. It would be a shame to see this beautiful location ruined with another gas station. If you'd be so kind as to forward this to the planning commission it'd be greatly appreciated and thank you for you time!

194

Norris, Nick

From: Phoebe Little [REDACTED]
Sent: Friday, September 23, 2022 12:02 AM
To: Norris, Nick
Subject: (EXTERNAL) KUMming and GOing is rude.

Hi Nick!

Could you please not put a KUM and GO gas station where the empty Sizzler is in Sugarhouse? That road is already too congested, I avoid it at all costs. How about a nice restaurant for those who like the park????? Could be cool!!

Also, it's not nice to KUM and GO

Xoxo,
Phoebe Little

195

Norris, Nick

From: Markell K [REDACTED]
Sent: Friday, September 23, 2022 12:01 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

As a Salt Lake City resident in the Sugarhouse neighborhood, I am deeply disappointed and honestly disgusted in the plans to put a Kum & Go gas station on the property of our beloved Sugarhouse Park. Rather than using the land opportunity as a community space, such as a park cafe, something similar to the skating grounds and splash pads like the Milcreek Commons, tennis courts, literally anything other than this gas station. Which will only aid in the horrible pollution in the valley, promote even more traffic congestion on 2100 S and 1300 E, and frankly be wasted opportunity for such a beautiful view of our Wasatch mountains. I am literally begging you to strongly reconsider your plans. I do not believe they are in the best interests of our community.

Thank you.

196

Norris, Nick

From: Jared Snelson [REDACTED]
Sent: Friday, September 23, 2022 12:00 AM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

As someone who frequents Sugarhouse park and the surrounding area- please for the love don't put a gas station in the sizzler lot. Please.

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go
Date: Thursday, October 6, 2022 12:20:23 PM

Please say no to the Kum and Go at sugarhouse park. This will do material damage to the neighborhood and be a step backwards for the entire community.

AB

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kim and Go
Date: Monday, October 17, 2022 10:34:59 AM

Hello Ms. Martinez,

I have spent thousands of hours in Sugarhouse park over the past 30 years. A gas station on that corner is redundant and would represent such a lost opportunity and a betrayal by the city. Let's put something that attracts foot, not car traffic on that corner which is already so congested with cars. Couldn't something be put in place that serves the whole community, not just those who drive? Count me in the no column for a Kum and Go.

Thanks,
Angie Elegante

[Norris, Nick](#)
[Martinez, Diana](#)
FW: (EXTERNAL) Kum&Get Out
Monday, November 28, 2022 8:34:53 AM

From: [REDACTED]
Sent: Saturday, November 26, 2022 7:08 AM
To: Norris, Nick <nick.norris@slcgov.com>
Subject: (EXTERNAL) Kum&Get Out

Hi hello I am a citizen of Salt Lake City and I for one would HATE to see a gas station in the sugar house park. It would be a horrendous sight. It would disturb the beauty of the park. There is no need for ANOTHER GAS STATION WHEN ONE IS ACROSS THE STREET.

I can promise you no one wants a Kum & Go.

Thank you for your time.

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go application
Date: Thursday, October 6, 2022 9:50:55 AM

Hello Diana,

I have nothing against Kum and Go, and gas stations in general, but firmly believe that this is the wrong time and place for one to be located within Sugarhouse Park. As one of a handful of truly regional parks in the Salt Lake Valley, Sugarhouse Park should be protected as much as possible. Additionally, as there is already one across the street, this area is not in great demand for a gas station. Ideally the new development on this corner should be environmentally sensitive and enhance the park, not threaten it with more exhaust and vehicles.

Please do not allow a gas station on this one of a kind parcel.

Thank you,
Alex Roy
SLC Resident

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: FW: (EXTERNAL) Gas Station Sugarhouse Park
Date: Friday, October 14, 2022 11:35:13 AM

NICK NORRIS

Director
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

TEL 801-535-6173
CELL 801-641-1728
Email nick.norris@slcgov.com

WWW.SLC.GOV/PLANNING

Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

From: Arlana Stone [REDACTED]
Sent: Friday, October 14, 2022 11:30 AM
To: Norris, Nick <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) Gas Station Sugarhouse Park

As a Sugarhouse native, I do NOT want another gas station next to our beautiful park. Please reconsider adding something that is more fitting like a cafe, outdoor gym area, or even a playground.

Sincerely,

--

Arlana Stone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) NO KUM AND GO !!! PLEASE CONSIDER RESIDENT OPINIONS
Date: Friday, October 14, 2022 3:06:28 PM

Hello,

I am a resident of Sugarhouse and have been since I was 6 years old. I am privileged t up to see it blossom and grow over the last 27 years, some things are bad, some good. Please PLEASE consider not allowing a Kum and Go on the corner of 1300 S and 2100 East. Having a gas station at that corner has potentially harmful effects, causing more traffic on that corner (which backs up nearly to Stratford avenue during rush hours). Please work with the private owner of the property to have them consider how Kum and Go would be harmful to our community.

Sincerely

--

Ana S. Velasquez

From: [REDACTED]
To: [Martinez, Diana](#)
Cc: [Fowler, Amy](#)
Subject: (EXTERNAL) 13th east & 21st south
Date: Wednesday, February 9, 2022 2:27:28 PM

Diana/Amy,

I'm a resident on [REDACTED] for the last 20 plus years. What has gone on with over development in sugar house the last 10 years is unconscionable. You have ruined the neighborhood and turned it into a cluster.

Now you want to approve a Kum and go? You cannot be serious! Why? Because that would aesthetically improve things? Especially right next to a park? Or maybe just to provide a convenient pit stop for the many people who cruise our neighborhood on a constant basis looking to steal.

This is a disgrace. Can't you allow for something with some warmth like a local restaurant or cafe or the like?

I don't think you appreciate the groundswell of disdain that is brewing toward government at every level. And ineptitude. Even amongst more liberal types.

No one around here supports this (along with further development that we know does not actually meet UDOT specs).

The plebes are catching on so maybe time to start listening.

Cody Adams
[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Public comment against gas station 2100s & 1300 e
Date: Tuesday, February 8, 2022 11:57:44 AM

Ms Martinez-

I'm writing to express my disappointment and concern at the proposed gas station build at the old sizzler location on the southeast corner of 2100s and 1300e.

This lot possesses in my opinion, and the opinion of many of our neighbors, the best view in sugar house and whatever that is built there should display that. Sugar house park is a landmark for Salt Lake City. It is a place for families and active people to flock and to enjoy the outdoors and views within our city.

Building another gas station there would contribute to pollution, crime and congestion along that busy corridor. That intersection is a central hub for sugarhouse and this would drastically impact traffic flow in this area, and make 1300 e congested for a ways up and down the street. Business would suffer due to lack of ease of access and parking difficulty. Noise from traffic congestion would harm our home values.

This site would be best suited by something like an apartment complex and restaurant and retail space that displays views of the park and does not contribute to congestion noise and crime in our beautiful district. I am scared that if this should pass, Salt Lake City as a whole will be missing an opportunity for growth in the right direction.

Please, please let this not happen.

Best,

Samira Oveson

[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Gas station proposed at 21st S. and 13th East
Date: Thursday, February 10, 2022 10:56:22 AM

To whom it may concern:

Having lived in the Sugarhouse area for over 60 years both my husband and I have enjoyed Sugarhouse Park and its surrounding area. We have grown to love the green space with so many options to be outdoors, walk, run, bike, drive, take in the scenery of the Wasatch Mt. range and take time to bird watch; recently being able to watch a bald eagle interact with the local bird population at the park.

The north west side of the park along 21st South and 13th East is an oasis for locals who enjoy all the park has to offer as well as the bird population.

Putting in a gas station on the corner of those streets would cause more traffic issues and more pollution, which we feel it would also have an affect on the wild life in the area.

Sugarhouse development has made it almost unrecognizable. The dense concentrations of apartments, condos and unique businesses are meant to encourage less reliance on the automobile and more on alternatives. We have plenty of gas stations, we should be looking at something like a Blue Plate Diner or similar for this location. A destination that can be accessed easily (walking, public transit, bicycle) from the park or many developments now proximal to it.

We hope the public outcry will facilitate a more pedestrian opportunity.

With optimism,
Brad and Paula Allen

Sent from my iPhone

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: Fwd: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK
Date: Monday, November 21, 2022 6:37:10 AM

From: [REDACTED]
Date: November 19, 2022 at 7:16:54 PM MST
To: "Norris, Nick" <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Really? Another gas station? No. Find something better that will serve the community. A cafe, restaurant, bar, or really anything other than another goddam gas station.

Respectfully,
Andrew

Sent from my iPhone

From: [REDACTED]
To: [Norris, Nick](#)
Subject: (EXTERNAL) Sizzler Replacement
Date: Monday, October 10, 2022 11:49:40 AM

Dear Nick,

Maybe a small Urban Style/ coffee café with a rooftop patio, taking advantage of the view! Don't you feel like it would be a better replacement of the Sizzler in Salt Lake City?

Not a gas station!

I would love to be on your planning committee.

Regards,

Brenda Poore

[REDACTED]

From: [REDACTED]
To: [Norris, Nick](#)
Subject: (EXTERNAL) Keep the Beauty
Date: Monday, October 10, 2022 11:44:08 AM

Good Morning Nick,

I'm so sorry to hear that they want to put a gas station in place of the Sizzler in Salt Lake City, it feels like a really poor idea for a beautiful location. I believe that it will just invite more homeless hanging around beautiful parts of the city. I hope your planning committee can find a much better alternative to make use of this priceless space.

Respectfully,

Brenda Poore

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Corner of 13th & 21st
Date: Friday, September 30, 2022 9:18:44 AM

PLEASE PLEASE PLEASE listen to the residents of the Sugarhouse area and DO NOT approve a gas station for this incredible plot of land. A food truck lot with a stage for local musicians to play and an awesome deck with local artwork and incredible views to hang out on would be such an awesome and unique addition to our area. I realize it wouldn't be a "money generator" like a gas station but with all the development going on in Sugarhouse we need something cool and unique that will benefit everyone in our community, not some corporation in Ohio!!

Thank you for your consideration.
Brandie Schulz
Sugarhouse resident for 30+ years.

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Gas station adjacent to Sugarhouse Park
Date: Friday, February 11, 2022 3:12:11 PM

Hello,

Please do not allow a gas station to be built on the site of the former Sizzler restaurant. This will increase traffic in an already congested area, add to the local air pollution in the adjacent park, and potentially contaminate the stream that flows nearby from storm water runoff or leaking underground tanks. There are many gas stations in the area already, including one literally across the street. Any other kind of business would be much more appropriate for this site.

Plus, the name is disgusting. "Kum," spelled with a K, is a euphemism for semen. It's offensive and insulting to put on a sign what would be prohibited on a license plate.

Thank you.

Elizabeth Ballantyne
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Don't Go - PLNPCM2022-00053
Date: Tuesday, March 22, 2022 9:49:51 PM

Hello Ms. Martinez,

I would like to add my OPPOSITION to the proposal for a gas station on the corner of 1300 East and 2100 South where the old Sizzler was.

This is a terrible proposition! Here are a few reasons:

We already have a gas station across the street.

Putting a gas station on this lot will be prohibitive for just about every business on this lot thereafter due to the damaging environmental impact leftover from gas stations.

Thank you for your consideration.

Margo Becker

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go Gas Station Proposal
Date: Tuesday, February 8, 2022 9:48:29 PM

Hello,

My name is Belma Balic and I live [REDACTED]

I strongly disagree with the proposal to put a gas station where the Old Sizzler was.

1. There is already a gas station across the street and we literally have a Texaco on 17th south that is not really used or doesn't appear to be operating.
2. A restaurant or a public space next to Sugarhouse Park would make more sense for the neighborhood and promote more local business
3. We've already had so much development in the area that has taken away from the charm of the neighborhood. Due to the developments there is heavy traffic there at all times and a second gas station across the street from one would add on to more traffic, pollution, water waste and possible casualties due to all the cars coming in and out of the gas station. We already have so many gas stations within a 2 mile radius, what benefit is there to add another?

Thank you for your consideration. If you can please respond and let me know that my comment was recorded that would be great.

Thank you,

Belma Balic

Sent from my iPhone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go gas station
Date: Friday, February 11, 2022 12:09:36 AM

Building a gas station on the old Sizzler site in Sugarhouse would be a sad waste of a very important and prominent lot. While I cannot say what the best use of the property would be (restaurant? housing? an extension of the park?), I cannot think of a worse use of this land than as a gas station. I would much rather it remain vacant until a better use can be found. There is already a gas station across the street, and more within a relatively short driving distance. Sugarhouse is one of the most walkable neighborhoods in the city, but it still has a long ways to go to be as walkable as it could be, given its wide roads and bad traffic. Adding more traffic constantly turning in and out of this property on what is already a highly congested intersection is a monumentally terrible idea that would add absolutely nothing of value to the neighborhood. I strongly urge the planning commission to deny this conditional use request.

- Jason Berntson

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go proposal
Date: Wednesday, February 23, 2022 8:16:50 AM

Hello Diana

We don't need another gas station or convenience store on 1300 e 2100 s.

1. Traffic hazards are becoming horrendous at that intersection.
2. Gas stations have ceramic double walled tanks that over time, leak and need to be refurbished every 20 years. It's a maintenance problem forever.
3. Cars, trucks, motorcycles drip oil and gas in the floor and all of that ends up in the water table / supply.
4. Do not put public restrooms there, it will only fill up with vagrants shooting in drugs and spoil the park for the public.
5. Put in an outdoor fitness park, museum, out door theatre expand it like red butte to put in a greenhouse and garden learning center.
6. Tram stop, EV charging station with entrance from Sugarhouse park not 1300 East.
7. Offer it to Chik Fila because their current location causes heavy traffic and they are growing.
8. Sky bridge park entrance to avoid pedestrian accidents.
9. Tourist Lookout tower for all of Sugarhouse view of the city and mountains.

So many ideas.

Good luck in your decision making
John

Sent from my iPhone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go Gas Station in Sugar House
Date: Wednesday, February 9, 2022 2:05:06 PM

Hello! I am writing to register my disappointment at the possibility of the development of a gas station on the corner of 2100 South and 1100 East. My primary concern is the traffic in that area. It would be best to not have cars coming and going (as the name implies) in rapid succession from that spot. There is enough going on there already to make traveling through the area challenging for pedestrians as well as automobiles. My second concern is for keeping Parley's Creek safe from contamination. Finally, this property is adjacent to a public park that is widely used by the community. The development of that area should be in line with the usage of the rest of the property.

Elizabeth Braymen

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Petition Number: PLNPCM2022-00053 Kum & Go Gas Station (Conditional Use)
Date: Wednesday, February 9, 2022 9:49:41 AM

Hello Diana,

We wanted to give you our comments on the proposal for a gas station at the old Sizzler site.

We live in District 7 at [REDACTED]

We chose to live in Sugar House because of its unique character and walkability. Adding a redundant gas station to one of the most desirable locations in the city would truly be a shame. The street view of this location is one of the best in the city. It would be an excellent location for a restaurant with windows and patio facing the park and mountains.

We certainly do not need more traffic and the poor air that brings in that area.

Please keep Sugar House charming and walkable.

Thank you,

Brian Hanni

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sizzler Lot
Date: Monday, February 7, 2022 10:06:46 PM

Diana,

I am writing in opposition to the proposed gas station being built on the old sizzler lot in sugarhouse. We live in a progressive, family-friendly area and yet another gas station is the last thing we need next to our beautiful park.

Modern, desirable cities do not have an abundance of gas stations, one across the street from another. With a busy gas station right across 13th, it would only serve to add to the congestion and ugliness of this area.

Furthermore, this idea is outdated. Carmakers are abandoning fossil fuels due to climate change. If we must accommodate another car-focused business, it should at least be a charging station.

I would prefer just about anything to a gas station in this area, please consider denying this idea. Thank you,

Cody Brown

March 20, 2022

Ms. Judi Store

Sugarhouse Community Council
2473 South 700 East
Salt Lake City, UT 84106

Dear Ms. Store,

My wife and I have lived in our Sugarhouse home for over thirty years and our family has enjoyed spending time in Sugarhouse and Sugarhouse Park. During this time, we have observed two constants, 1) exponential growth of new commercial properties and expensive high-rise residential housing, and, 2) increased demand by Salt Lake residents for open space with utilization of Sugarhouse Park and all it has to offer.

These comments are in regard to the Conditional Use Application for the Kum & Go gas station/convenience store located on the old Sizzler site. In my opinion, the request should not be approved by the Planning Commission as it is not in conformance with the Conditional Use Criteria.

There are many specific conditional use criteria detrimental effects (21A.54.080 B) that I believe can not be mitigated to achieve compliance with the Salt Lake City Planning Commission applicable standards. The specific detrimental effect issues (B 1-15) and concerns associated with the proposed project are summarized below:

Traffic Congestion Compliance (B.5, B.8)

The proposed two entrance and exit driveways are designed to be 30 feet wide with one off of 1300 East in the northbound right turn lane and the other on 2100 South, both limited to right turns and eastbound travel. It appears that the driveway design width, and exiting vehicles would hinder the ability of large semi and dual tanker fuel trucks delivering product. The result would be traffic backups into the intersection. (We have all seen the traffic backup on 2100 South trying to turn into Chick-fil-a.) The project sponsor and SLC traffic engineers need to evaluate traffic flow and feasibility of getting large trucks into and out of the site without impacting service levels on 1300 East and 2100 South.

With the new apartment residents in Sugarhouse, the intersection will have an increase in vehicle and pedestrian traffic impacting the ability for customers and trucks to enter and exit the property.

Safety Concerns (B6, B.7)

The current design drawings show signage, building and landscape locations that could impede line of sight at the intersection for vehicular as well as non-motorized and pedestrian

traffic. Sugarhouse Park is heavily utilized by pedestrians and bicycles now and demand will only increase. With limited visibility and mixed traffic, Kum & Go customers may not see the foot and bike traffic, resulting in adverse safety risks.

Utility Capacity and Environmental Damage (B.10, B.12)

SLC Public Service should analyze if existing utility infrastructure (power, gas, water and sewer) can support the proposed project. Specific assessments should be conducted to determine impacts to surrounding waterways and drainages associated with excavation for fuel tanks. The project could also create negative environmental damage to Sugarhouse Park and stormwater courses from fuel spills caused by customers and refueling tanker drivers overfilling tanks. Garbage and trash not properly contained will blow off the site and into Sugarhouse Park and adjoining properties.

Proposed Project Compatibility with Adjacent Uses (B.3, B.13, B.14)

In my opinion it doesn't appear that the proposed gas and convenience store is compatible or suited due to the unmitigatable impacts to users of Sugarhouse Park and traffic flow. Traffic, noise and light impacts from a 24/7 operation will impact adjacent park users and residents. As previously mentioned, the placement of signs, landscaping, lights and building, as designed, will limit line of sight for all traffic (pedestrian, non-motorized, trucks and cars) resulting in an increased safety risk.

I am requesting that the SLC Planning Division deny the conditional use permit request and consider discussions with Sugarhouse Community Council on other uses for the site. One idea I have discussed with neighbors is to get SLC to purchase the property and construct a community education building for classes and exhibits. The building should include space for a concessionaire serving coffee/soda, lite meals or snacks that is more compatible with adjacent park users' and residents' desires. The site then should be incorporated into Sugarhouse Park and managed.

Thank you for the opportunity to provide these comments and recommendations. I hope you will seriously consider and recommend that the application be denied.

Sincerely,

Jim Burruss

Jim and Patti Burruss



CC

Erin Mendenhall, SLC Mayor

Amy Fowler, SLC Council

Diana Martinez, SLC Planning

Landon Clark, Sugarhouse Community Council

Megann Kopecky

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sugarhouse Park (former Sizzler site)
Date: Tuesday, February 8, 2022 9:46:43 PM

Hi Diana,

I live in district 7 and oppose the site being used for a gas station.

I actually have been hoping to find the right person to discuss a different plan and project for the site. Would that be you?

I would like to see a building used by the community where runners can meet their running group, friends can meet and buy a cup of coffee Pre or post walk, and local artists can perhaps display their work.

Along with this, the roof of the building could be used as a venue space with a beautiful mountain backdrop.

The building could also host a gym and wellness space, such as yoga, sports and creative therapies.

I am very much interested in helping build out this space, or potentially even owning it if that is an option.

I have heard it is public park land. Therefore, I would like to help make a push for this space to be community focused and take advantage of it being attached to the park and a great meeting spot for many groups, sports, and art goers.

A gas station would be a detriment to our community on this corner. First of all, it is not needed. To access this corner one must be heading northbound and therefore it doesn't even make sense to stop there on the way to the I-80.

The character of sugarhouse and the park can be seen on days in the park where local bands set up their instruments to play, kids bring their sleds to enjoy the snow, and dogs run up and down the hills. Friends meet to go for a walk or a run.

The residences across the street will also suffer an eye sore of a gas station on the corner, especially when so many interesting and wonderful community/social/sports/art focused programs and ideas could utilize this space.

I personally had a photographer photograph my family in sugarhouse park, which provides gorgeous scenery. Imagine a building that enhanced the park instead of detracting from the gem we have in the heart of our community.

Imagine a roof of a building with the backdrop of the mountains behind it. People would want to get married there, take photos there, play music there, have a cup of coffee there, or perhaps exercise there.

It saddens me to think of the wasted potential of this site going to something like a gas station, especially when the community will not go out of its way to support it.

My home is about a 15 minute walk from the park. My family, including my four year old and seven year old walk our dog there. We run and play, we go to the playground, we sled on the snowy hills.

I have also attended both nonprofit and corporate events in the park. It is a beautiful spot that every visitor that comes off the I-80 knows and sees.

Our community is unique in that we look for local first businesses. Look at Harmons and Jolleys. We walk there from our neighborhood. We keep the Kings English Bookstore afloat. We take our kids to Caputos, Tulle Bakery and Sweetaly.

Another gas station does not align with our neighborhood and it most certainly doesn't in a

space that is practically inside our beautiful and beloved park.

Please contact me with any information you may have regarding possible alternatives for this space/development.

Sabrina Abbott Byron



From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Proposed Gas Station - PLNPCM2022-00053 Conditional Use - Gas Station
Date: Sunday, February 13, 2022 12:59:35 PM

Dear Ms. Martinez,

I am writing to you concerning the proposed gas station for the former sizzler location by Sugar House Park.

As a nearby resident [REDACTED] I am very concerned about the proposed gas station. My concerns are the following:

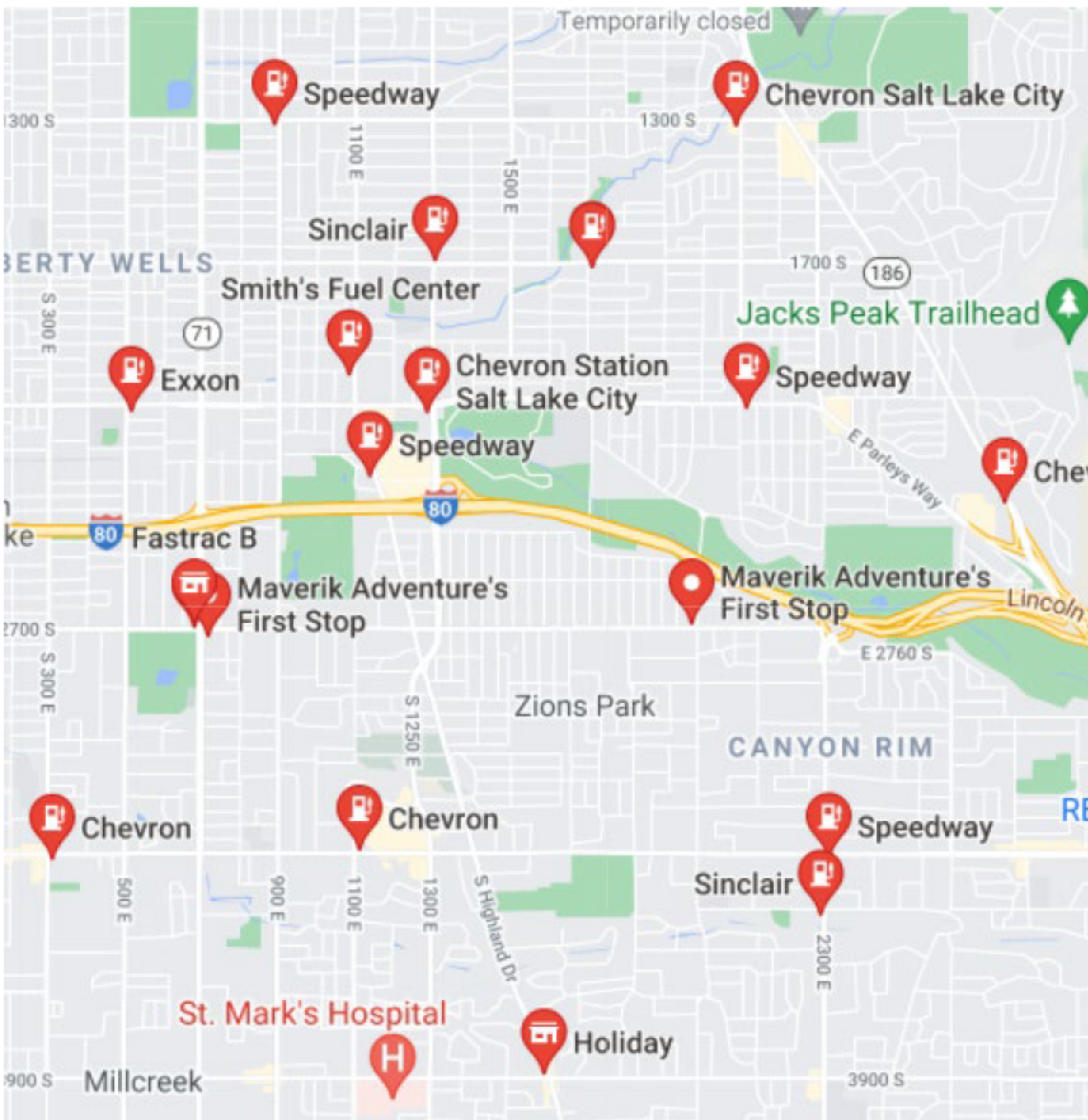
1. The gas station goes against the character of the neighborhood: the neighborhood is a walking and biking one. People take advantage of and frequently use the sidewalks and streets for biking in the neighborhood and to/from the Sugar House Park to their homes. A gas station will greatly increase cars stopping, starting, turning and creating hazards for pedestrians and bikers.

Additionally, the gas station is an eye sore that is not in keeping with park-goers and others walking/biking the perimeter of Sugar House Park. The Park is an oasis used not only by residents but others who want an opportunity to enjoy the outdoors in a beautiful, peaceful, green space. The gas station would take away from all of those aspects by taking away from peacefulness - cars constantly coming and going - away from green space - a concrete behemoth abutting the park - and the beauty - again, a concrete behemoth that will not only be visually unappealing but cause spewn about garbage that will frequently make its way into the park.

2. We do not need a 2nd gas station just feet away and catty-corner to the Chevron. Is not one gas station sufficient to meet the needs of the neighborhood????? Why do we need a 2nd one!? Will it make gas more accessible? NO! Will it provide more food options? NO! But, will it create more difficult traffic for not only pedestrians and bikers to navigate, but also motorists? YES!(Cars trying to enter and leave the gas station add to the multiple directions at multiple times - not even governed by traffic lights - for bikers and pedestrians and make it hard for them to safely navigate.) It will create more light pollution, noise, concrete wasteland, and garbage.

3. The gas station will have to be well lit at all hours of the day and night to ensure that passers by see it, feel it is "safe" and are attracted to enter. this means that all this "extra" light, not to mention the noise, will spill over into the park which will sit on the backside of the gas station. That too will take away from the park experience and the desire for beauty, natural light and greenery.

I am a concerned resident who is strongly opposed to adding one more, highly unnecessary, gas stations to an area that is already well-served by gas stations. How many are possibly needed to serve not only my immediate neighborhood, but also those around me. In case there is any question about the abundance of gas stations that already exist 19!!!! in under two miles and here is a picture.



I hope that you will seriously consider this resident's and others' concerns.

Regards - cynthia hofmann

Cynthia Hofmann



From: [Clark, Aubrey](#)
To: [Martinez, Diana](#)
Subject: FW: (EXTERNAL) NO to Kum and go!
Date: Monday, November 21, 2022 8:36:53 AM

From: [REDACTED]
Sent: Friday, November 18, 2022 3:26 PM
To: Clark, Aubrey <aubrey.clark@slcgov.com>
Subject: (EXTERNAL) NO to Kum and go!

Ms. Clark,

As a resident of Sugarhouse, Sugarhouse park is such an incredible to asset to our community. Having a gas station put in is not only a terrible eyesore in such a beautiful place, it's a wasted opportunity. A coffee shop or cafe that could be a place for the community to take in the views together would be much more suitable. There is already a gas station across the street, not to mention this is already a high traffic area! I also worry about the ecological damage this could do. Please do not allow this money grab to ruin our community!

Best,
Claire Barclay

From: [REDACTED]
To: [Martinez, Diana](mailto:Diana.Martinez@slcgov.com)
Subject: Re: (EXTERNAL) NO NO NO to Kum & Go!
Date: Monday, October 10, 2022 11:00:52 AM

Yes, but there could be a chance for the City to buy or take eminent domain to save the intersection from severe over crowding. Kum has 400 gas stations, they don't need this one. Also will there be an environmental impact study? The giant gas tanks could leak into a major water supply!

On Mon, Oct 10, 2022 at 8:47 AM Martinez, Diana <Diana.Martinez@slcgov.com> wrote:

The subject property is privately owned. It is not owned by the City, nor is it part of Sugar House Park.

Thank you for your comments about this proposal. Your input will be included in the staff report and passed along to the Planning Commission when these petitions are scheduled for a Public Hearing at a future date and time. The date of that meeting is not clear at this point.

Please let me know if you have additional questions or comments and again, we thank you for your input.

Regards,

Diana Martinez

Principal Planner

Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

SALT LAKE CITY CORPORATION

Desk phone number: 801-535-7215

Email diana.martinez@slcgov.com

WWW.SLC.GOV/PLANNING

Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

From: Carol Hansen [REDACTED]
Sent: Sunday, October 9, 2022 3:10 PM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: (EXTERNAL) NO NO NO to Kum & Go!

Please please please do not use the land at 2100 South and 1300 East for a new gas station. This intersection is already a nightmare, and this is before the new development at 21&21 is finished adding at least 200 cars to the area! I have lived in Sugarhouse for 40+ years, my great grandfather gave the city land for the first library in Sugarhouse. We live with many new neighbors and residents that have moved to Sugarhouse for its livability and unique character. NO ONE I know wants another gas station there that will only support out of towners driving through! The gas will be expensive and it will just wreak havoc on the already too busy for its size intersection. None of the locals use the existing gas station. This is NOT West Valley City, or Draper. Sugarhouse is hanging onto its charm by a narrow thread. Keep Sugarhouse charming!!!

PLEASE PLEASE PLEASE divert the land to the park which is already overflowing with use. Add a park cafe, add more parking in the park. This will ALSO provide for easier access to Allen Park. The City has done a pretty good job with Sugarhouse, trying to make it more unique with trees and locally owned shops, the Hollow and Allen Park. Adding the gas station will just make it unlivable and destroy all the good that has been done. Let's make Sugarhouse even nicer and more special with a park based cafe and even a small amphitheater for a local music venue!!! **Increase the quality of our lives, not the pockets of some out of town evil polluting corporation.** THANKS!!!! Show the residents that the City really cares!

NO NO NO to Kum and Go!!! Thanks for listening.

Carol Hansen
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Proposed Gas Station - PLNPCM2022-00053 Conditional Use - Gas Station
Date: Sunday, February 13, 2022 12:59:35 PM

Dear Ms. Martinez,

I am writing to you concerning the proposed gas station for the former sizzler location by Sugar House Park.

As a nearby resident [REDACTED] I am very concerned about the proposed gas station. My concerns are the following:

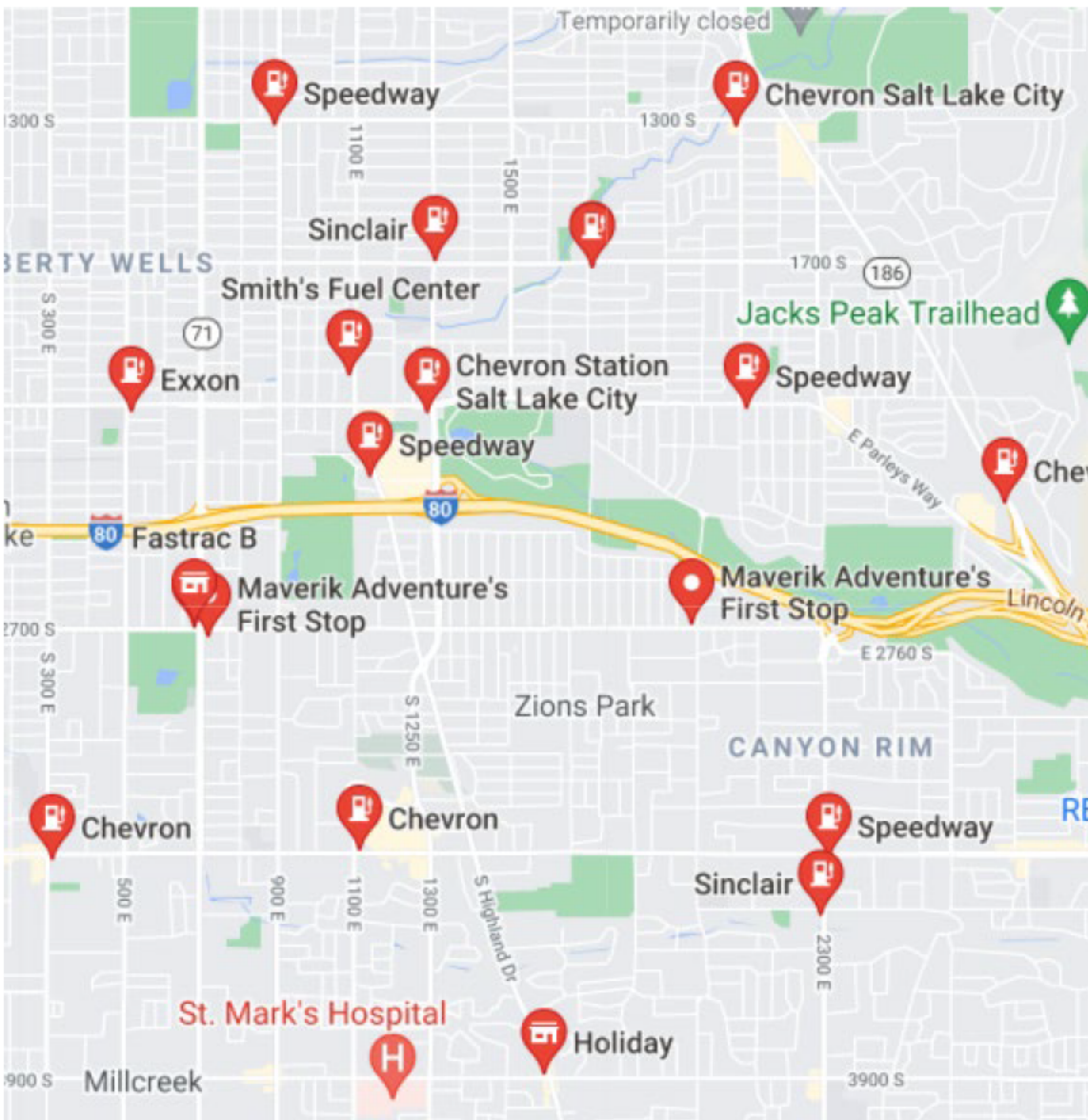
1. The gas station goes against the character of the neighborhood: the neighborhood is a walking and biking one. People take advantage of and frequently use the sidewalks and streets for biking in the neighborhood and to/from the Sugar House Park to their homes. A gas station will greatly increase cars stopping, starting, turning and creating hazards for pedestrians and bikers.

Additionally, the gas station is an eye sore that is not in keeping with park-goers and others walking/biking the perimeter of Sugar House Park. The Park is an oasis used not only by residents but others who want an opportunity to enjoy the outdoors in a beautiful, peaceful, green space. The gas station would take away from all of those aspects by taking away from peacefulness - cars constantly coming and going - away from green space - a concrete behemoth abutting the park - and the beauty - again, a concrete behemoth that will not only be visually unappealing but cause spewn about garbage that will frequently make its way into the park.

2. We do not need a 2nd gas station just feet away and catty-corner to the Chevron. Is not one gas station sufficient to meet the needs of the neighborhood????? Why do we need a 2nd one!? Will it make gas more accessible? NO! Will it provide more food options? NO! But, will it create more difficult traffic for not only pedestrians and bikers to navigate, but also motorists? YES!(Cars trying to enter and leave the gas station add to the multiple directions at multiple times - not even governed by traffic lights - for bikers and pedestrians and make it hard for them to safely navigate.) It will create more light pollution, noise, concrete wasteland, and garbage.

3. The gas station will have to be well lit at all hours of the day and night to ensure that passers by see it, feel it is "safe" and are attracted to enter. this means that all this "extra" light, not to mention the noise, will spill over into the park which will sit on the backside of the gas station. That too will take away from the park experience and the desire for beauty, natural light and greenery.

I am a concerned resident who is strongly opposed to adding one more, highly unnecessary, gas stations to an area that is already well-served by gas stations. How many are possibly needed to serve not only my immediate neighborhood, but also those around me. In case there is any question about the abundance of gas stations that already exist 19!!!! in under two miles and here is a picture.



I hope that you will seriously consider this resident's and others' concerns.

Regards - cynthia hofmann

Cynthia Hofmann



From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Why are we putting another gas station in sugar house!?
Date: Friday, September 23, 2022 1:08:44 PM

Hey, just found out that the empty sizzlers that's been sitting empty in sugar house has plans to be a Kum & Go gas station. This is incredibly stupid and will be widely regarded as a cash grab. There is no reason to put another gas station right across from a chevron. How about instead we put a nice little Cafe or something that people will appreciate. Also you guys should focus on making the city more dense and walkable to increase foot traffic and make us less dependent on cars, there's also studies that show they are better for the economy than having a single business surrounded by parking spaces. But you probably don't care and only want to line your own pockets.

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Proposed Kum & Go Location at Sugarhouse Park
Date: Friday, September 30, 2022 8:26:56 AM

Ms. Martinez,

The location overlooking Sugarhouse park that was vacated by Sizzler has one of the best views in the valley. The fact that Kum & Go is slated to take that space is literally a travesty. There is not a dearth of gas stations in that area. There is however a dearth of lovely places left in the valley to add something that would utilize such a fantastic view and lift the community. A beautiful restaurant, art school, community center, library extension, wedding or event center, would all be superior options to yet another gas station.

Please reconsider this approval.

Sincerely,
Colette Litster
Salt Lake County Resident

[REDACTED]

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: Fwd: (EXTERNAL) NO KUM & GO
Date: Wednesday, October 19, 2022 9:14:40 PM

Nick Norris
Planning Director
Salt Lake City
sent from my cell phone, please excuse typos

Begin forwarded message:

From: Caroline Retel [REDACTED]
Date: October 17, 2022 at 1:05:28 AM MDT
To: "Norris, Nick" <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) NO KUM & GO

As a resident of Salt Lake City and Sugarhouse, I cannot stand for a gas station to damage our community. Don't fuck up our traffic and ruin the chill vibes because of capitalist bullshit.

From: [REDACTED]
To: [Norris, Nick](#)
Cc: [Martinez, Diana](#)
Subject: RE: (EXTERNAL) PLNPCM2022-00053 Conditional Use -Gas Station
Date: Monday, September 26, 2022 1:18:33 PM

Hi Nick,

Thank you for your message, and thank you for your hard work at the city. I imagine you are fielding many questions and comments, especially in regards to the old Sizzler site. I have designed, and built in SLC and South Salt lake and can appreciate the process and challenges.

As an interested citizen I realize and respect the process regarding the Planning Division and Planning Commission in the case of this Conditional Use request. As citizens if we can show potential risk of Environmental contamination to Parley's creek and Sugarhouse we can potentially have the Conditional Use for Gas Station denied, and at least put ball back into owners court to decide on other Use scenario or even a sale of property.

I will definitely keep abreast of the Planning Commission meeting and hope to attend.

Warm regards,
Chris

--

Christopher Rusay Design Director / Founder

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

From: Norris, Nick <Nick.Norris@slcgov.com>
Sent: Monday, September 26, 2022 11:54 AM
To: Chris Rusay (KO) [REDACTED]
Cc: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: RE: (EXTERNAL) PLNPCM2022-00053 Conditional Use -Gas Station

Thank you for your comments. We appreciate your passion for Sugar House Park, your neighborhood, and our city. This proposal was submitted by Kum and Go, with the consent of the property owner. The property is privately owned. It is not a city proposal, but the city is required to process the application. You can find out more information about the project here: <https://www.slc.gov/planning/2022/02/07/kum-go-gas-station-conditional-use/> (sorry about all the links, our email system wont let me insert shorter links).

The zoning of the property does allow a gas station at this location as a conditional use. A conditional use is a category of land use that requires a public process to identify potential impacts that the use may create and find ways to reduce the impacts. Under Utah law, a conditional use is required to be approved if the impacts created by the use can be reduced. The role of the Planning

Division is to take public input on the potential impacts and analyze the impacts to determine if the impacts can be reduced. The Planning Commission is the body that will make a decision regarding the proposed gas station. The Planning Commission is required to base their decision on the standards adopted by the city, which can be found here:

https://codelibrary.amlegal.com/codes/saltlakecityut/latest/saltlakecity_ut/0-0-0-70835. We agree that there are far better uses for the property. However, the Planning Division and the Planning Commission have to analyze this specific proposal.

Your comments will be made available to the Planning Commission prior to the decision being made so they are aware of the issues being identified by the community. The Planning Commission will hold a public hearing before making their decision. That public hearing has not been scheduled yet. If you would like to receive email notification of this public hearing or other public hearings held by the Planning Commission, you can join our email list here:

https://visitor.r20.constantcontact.com/manage/optin?v=001DY8jcNcrjp7LXM-ZmKWAd5xRLH-fKMdggNZLYfv8l--lGTm_2FRB4Jl1Tgl1D1a6QDLvBLR2Z7b39-kdC2KRGvgmLq6eC_J9rBfrllkK5Fuo%3D

We love to see more people engaged about the development of the city. If you are interested in helping shape the zoning and development of the city, here are several ways that you can:

1. Sign up for the email list noted above. You can pick and choose the topics you are interested in and will receive an email about projects related to your interests and how to provide feedback on the work that the Planning Division does.

2. Bookmark the list of projects that the city is seeking your input on. The list of projects includes private development applications and changes to zoning that the city is considering. These projects can be found on our open house page of our website:

<https://www.slc.gov/planning/category/online-open-house/>

3. Participate in your local community organizations, such as a community council. Community organizations that are registered with the city receive notification of all zoning related issues that may impact their neighborhood. A list of all active community councils can be found here:

<https://www.slc.gov/attorney/recorder/recognized-community-organizations/>

4. Join the Planning Commission. There are currently vacancies on the Planning Commission. Planning Commissioners are residents of the city who make decisions on development proposals and recommend zoning changes to the City Council. While they do not represent specific districts or neighborhoods, the intent is to have as many neighborhoods from all over the city as possible represented. If you are interested, you can learn more here: <https://slc.gov.force.com/slccrm/s/Request?rt=a0F5G00000JZD1AUAX&category=Admin>

Finally, if you want to provide more input on the proposed gas station at the site of the former Sizzler site, please contact Diana Martinez at diana@martinez@slcgov.com. Diana is the planner assigned to process the application and is best suited to answer any follow up questions that you may have.

NICK NORRIS
Director
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

SALT LAKE CITY CORPORATION

TEL 801-535-6173
CELL 801-641-1728
Email nick.norris@slcgov.com

WWW.SLC.GOV/PLANNING

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From: Chris Rusay (KO) [REDACTED]
Sent: Friday, September 23, 2022 8:17 AM
To: Norris, Nick <Nick.Norris@slcgov.com>
Cc: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: (EXTERNAL) PLNPCM2022-00053 Conditional Use -Gas Station

Hi Nick,

I am forwarding message I have cc'd Diana Martinez on this message, after being in touch with Judi Short.

This site is located 30 feet (4439ft) above elevation of the Parley's creek and lake in Sugarhouse park (4409ft). The hill from the SITE drops steeply towards Parleys creek and lake. It has a direct line of flow to the SOUTH EAST from the Gas Station into the lake. A breach of Gas station tanks, a spill from an offloading tanker, or even ground seepage could infiltrate the Parley's creek watershed. This would then enter and contaminate the parleys creek watershed as it heads West through the City.

Per the Galloway preliminary plans their Tanks are on the South East corner directly next to steep hill into park.

Please see attached PDF for their grading plan.

I have attached a PDF of elevations for reference.

Request Type: Conditional Use- Gas Station
Location: 2111 South 1300 East
Zone: CB -Community Business Zone
Overlay: Groundwater Source Protection Overlay District

--

Christopher Rusay Design Director / Founder
[REDACTED]

[REDACTED]

[REDACTED]

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: Fwd: (EXTERNAL) Gas station plan
Date: Wednesday, February 1, 2023 5:06:54 PM

Nick Norris
Planning Director
Salt Lake City
sent from my cell phone, please excuse typos

Begin forwarded message:

From: Leslie Chadwick [REDACTED]
Date: February 1, 2023 at 5:00:13 PM MST
To: "Norris, Nick" <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) Gas station plan

I strongly oppose any plan of having a gas station built to replace the Sizzler adjacent to Sugarhouse Park. Please do the right thing and avoid building something that would be an eyesore. A gas station is not needed, and would contribute to lines of traffic on an already busy corner.

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) 1300 E 2100 S
Date: Saturday, February 12, 2022 8:12:29 AM

Hi!

I live in Sugarhouse and recently heard about the plans for a gas station to replace the Sizzler. I have loved walking or biking to Sugarhouse park for 15 years. I moved to the area from out of state back then to work at U medical campus, where I still work. Sugarhouse Park has been an oasis of open space and natural beauty for me to enjoy. And now that I have kids, it's a place we enjoy being as a family. The one eyesore of the park has been the corner that was commercialized. Now that Sizzler closed, we have a chance to fix that, but a gas station would only make it worse. I'm nervous about more cars constantly coming and going from it, turning in and pulling out, making it less safe for little kids walking or riding bikes to the park. A major reason we live in this neighborhood is for the walkability of it.

Thank you for your consideration,
Amanda Choudhary

Sent from my iPhone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sugarhouse Park Kum & Go
Date: Friday, March 25, 2022 9:30:54 PM

Diana Martinez,

As a longtime resident of both Sugarhouse and Salt Lake City, I would like to voice my opposition to the conditional use proposal for the gas station/convenience store on the north west corner of Sugarhouse Park. Sugarhouse Park is an irreplaceable part of the Sugarhouse community and it is highlighted by its stunning backdrop of the Wasatch Mountains. A convenience store on this corner would block the amazing views of our beloved mountains, and provide little contribution to the community other than another mediocre national chain store that does nothing for the local fabric of our community.

Surely we can find a better use for this irreplaceable corner of the park to contribute to the community. Ideally, perhaps Sugarhouse or Salt Lake City could purchase the parcel and add it to the park.

Thank you for your time,

Tony Church
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) former Sizzler property at 2100 S 1300 East
Date: Friday, February 11, 2022 3:23:29 PM

I understand this property where the Sizzler was formerly located is being sold to a gas station. Please prevent that from happening.

This is already a dangerous intersection. And there is already one gas station near the intersection. Another gas station on that corner would increase the amount of traffic going in and out, with drivers positioning their cars in fueling spots, and then trying to exit. If they need to go back to the freeway, they will be trying to make a U-turn. This is NOT a good use of this property.

Try to find a use of this property that would bring something positive to the area. The best use would be for the city to buy the plot and add it to the Sugarhouse Park! The next best use would be to re-create a restaurant there, with window seats so diners can look out at the Park.

My husband and I spent many happy times enjoying lunch for Seniors in the former Sizzler. It was a treat to look out and watch the ducks, cyclists, dog walkers, and trees growing their leaves in the spring, then later turning colors in the fall.

This property is uniquely situated because of its view-location near the Park. Please do what you can to keep this property as a restaurant or as a part of the park.

Carolyn Clark & Rick Gamble
Salt Lake City residents

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go
Date: Tuesday, February 28, 2023 12:17:17 PM

Hey there- I am a resident of sugarhouse. Thanks for your work.

I just wanted to send along my disapproval of the idea
Of a Kum and go gas station going where the sizzler used to be.

If you need more from me, let me know.

Steele croswhite.

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sizzler property
Date: Friday, February 11, 2022 5:25:40 PM

When the Sizzler was on this site, did people complain? You do realise that some people will complain even if this was going to be a portal to immense riches and happiness?

Why doesn't everybody butt out and let the property owner do their own thing?

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) kum and go gas station
Date: Monday, October 10, 2022 8:14:27 PM

Hi-

I live near [REDACTED] I drive by 1300E and 2100s everyday several times. I will be sad to see the empty lot across from KFC become a gas station. Sugarhouse park is an escape for residents from the concrete and metal of the city. Gas pumping and its deleterious environment connotations do not fit well with the beauty of the site. The lot s right next to an art installation that the city spent a lot of money on and the site has tremendous mountain views. A restaurant with an open patio facing the mountains would be ideal, but short of ideal, many things would be better than a gas station. Please consider not allowing the gas station.

- Deanna

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sugarhouse Park Lot
Date: Saturday, October 1, 2022 9:42:06 AM

Good morning Diana:

I understand that the Planning Commission has not approved the Kum&Go for the NW corner of Sugarhouse house park. As a long time resident of Sugarhouse, I urge you to not approve the Kum&Go.

That is such a beautiful lot, and an entrance into our community. To have a Kum&Go would be an absolute disgrace. In addition to it being an eyesore, gas stations may be obsolete in 5 to 10 years. It does not contribute to cleaner air and the company is not a Utah based company.

Wouldn't it be best for the community to take our time with that important piece of land, and wait for a more appropriate business to build on that lot?

Please urge the commission to do the right thing.

My best,
Dena Eytan

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: Fwd: (EXTERNAL) NO Kum&Go
Date: Wednesday, October 12, 2022 8:23:37 AM

Nick Norris
Planning Director
Salt Lake City
sent from my cell phone, please excuse typos

Begin forwarded message:

From: Dave Marquardt [REDACTED]
Date: October 12, 2022 at 7:56:57 AM MDT
To: "Norris, Nick" <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) NO Kum&Go

Please please don't build a gas station. I can't think of a more backward looking investment in what is a beautiful corner of the park.

Thank you

--

Proudly leading...
[Beehive Sport and Social Club](#)
[Infinite Games](#)

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: FW: (EXTERNAL) Kum and go somewhere else
Date: Friday, October 14, 2022 2:08:35 PM

NICK NORRIS
Director
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

TEL 801-535-6173
CELL 801-641-1728
Email nick.norris@slcgov.com

WWW.SLC.GOV/PLANNING

Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

-----Original Message-----

From: Dom Martinez [REDACTED]
Sent: Friday, October 14, 2022 2:07 PM
To: Norris, Nick <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) Kum and go somewhere else

Dear Mr Norris,

As a true faithful man to god, I also am faithful to our beautiful state. With that said, a gas station (pardon my language) is not fricking nice! Gosh darn it! I will not stand for this pollution that my two children and wife have to inhale as we have bible study near by on our Sunday picnics! I know God will tell you how wrong this is.

Respectfully,

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Gas Station NW corner of Sugar House Park
Date: Wednesday, September 28, 2022 9:09:48 PM

Hello and thank you for trying to purchase the lot NW corner of Sugar House Park. I live at [REDACTED] which is less than 1 mile from this lot. It's clear residents do not want a gas station there and I am hoping you and the planning commission can help us. Kum and Go is based in Iowa and this gas station will not really benefit Utah, gasoline may be obsolete in 10 years, the smell of gasoline at the park is not appropriate. Thank you.

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Please do not approve Kum and Go at sugarhouse park!!
Date: Friday, February 11, 2022 7:38:42 PM

I am a resident living at [REDACTED] right around the corner from the proposed site of a Kum and Go gas station. I feel strongly that this would be a visual and environmental blight on this beloved and highly used park. My children love to ride their bikes and scooters to the park when the weather is nice, and I love to walk around the perimeter with my friends and all of us would be breathing more polluted air - some studies have found that the air and gas stations contains much higher levels of toxic fumes do used to the vaporization of gasoline during the filling process. The park also feels very safe right now, with the majority of people using it wanting to recreate in the outdoors. I would not feel as comfortable with my kids riding around independently, knowing the type of crowd that often hangs out around convenience stores. A gas station / convenience store gives nothing to the residents of the neighborhood, and ruins an otherwise beautiful location. A little market, restaurant, a coffee shop, store or cafe- there are so many businesses that could be profitable and enjoyable here, allowing people to enjoy the incredible views of the mountains from that location and supporting smaller local businesses. Please please please don't let this one of a kind site become an ugly, polluting, less safe gas station.

thank you,
Adryon Burton Denmark
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sugarhouse Gas Station Proposal
Date: Tuesday, February 8, 2022 8:55:46 AM

Hi Diana,

We live off [REDACTED] [REDACTED] We regularly walk to Sugar House Park with our dog and drive 21st S daily for work.. To have cars going in and out of this corner would be dangerous for both and unsitely.

It would be so nice to have a coffee shop or small café with outdoor patio overlooking the park.

I think people would stop during walks or bike rides at a casual restaurant.

Sugarhouse is already over run with apartments and chain businesses.

Why not do something nice for locals. There will be a lot more of those soon!

Thank,

Holly Jamison

Sent from [Mail](#) for Windows

From: [REDACTED]
To: [Norris, Nick](#)
Subject: (EXTERNAL) NO TO KUM AND GO
Date: Monday, October 10, 2022 4:18:05 AM

Hi Nick,

I am 24 and lived in Salt Lake City from ages 8-22. Sugar house park features in some of my happiest, most treasured memories. It is difficult at times to watch Utah's beautiful natural landscapes become desecrated by conservative Utah policy and politicians (even with a more liberal city government!), and that is why I'm writing you today. I'm begging you to reconsider putting in a kum and go gas station in place of the vacant lot by sugar house park!

Increasing traffic to a beautiful area simply for money is the picture of giving in to corporate greed. We do not need another gas station there.

Thank you for reading my email. I hope to hear back from you.

Best,
Emma Brain

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[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go Sugar House Park
Date: Monday, September 26, 2022 3:20:35 PM

It has recently come to my attention as a SLC resident that a gas station has been proposed on the corner of Sugar House park. MY only question is why. Do you plan on creating more traffic and accidents? Do you not want to improve the quality of the park by adding a coffee shop or local business to help them thrive in the local economy? As a resident of SLC I cannot stand for this outrageously tone deaf planning and hope you reconsider your efforts in this area.

Emma-Kate Campbell

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go Gas Station Sugarhouse (Conditional Use Application)
Date: Wednesday, September 28, 2022 10:36:31 AM

Dear Diana,

Thank you for taking the time to read through the public comments for this proposed conditional use permit. My name is Emily Currie, and I am a homeowner/engaged citizen in the Sugarhouse neighborhood, just a six (6) blocks away from the proposed development site (former Sizzler restaurant).

I would like to state my opposition to the granting of this conditional use permit for several reasons:

1) There are over 12 gas stations within a 1-mile radius of the newly proposed gas station. Therefore, there are plenty of alternative options for refueling, including the Chevron that is immediately across 1300 E. There is no need for an additional gas station on this parcel.

2) A gas station would increase congestion on both 2100 S and 1300 E. Both of these streets are major thoroughfares for the Sugarhouse neighborhood, and are already overcrowded as it is (as noted by the City with the proposed transportation study/improvements to 2100 S from 700 E to 1300 E). A gas station on the parcel would create a backup on 1300 E going traveling north, causing additional delays, especially during commuting hours. Additionally, the proximity to the I-80 interchange at 1300 S exacerbates this issue.

3) According to the SLC Zoning Map, the Property is zoned CB: Community Business. Per the Zoning Code, "The CB Community Business District is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site." Gas station uses are not aligned to the intended purpose of the CB Zoning Classification, as this use is not pedestrian-oriented. As such, the application should be denied as it does not facilitate pedestrian retail, and is not a permitted use by right per the zoning code.

4) The City has done an incredible job over the past decade to revitalize Sugarhouse and create a sense of neighborhood pride for its citizens. A gas station would be detrimental to this sense of community as it is an impersonal business not intended to increase the quality of life of the local population, rather is geared toward passerby's coming off the highway to refuel. Additionally, studies show that gas stations have negative impacts on the local environment (potential for leaking USTs), human health, and property values.

5) We are already seeing shifts in the market from gas-powered vehicles to hybrid or electric, making a gas station a short-term solution for this site, with long-term environmental repercussions. Most automakers are expecting to stop selling new gasoline-powered vehicles altogether by 2035. Global electric vehicle sales are already rapidly increasing - doubling from 2020 to 2021 (U.S. Department of Energy study).

6) Salt Lake City and the State of Utah has an obligation to its citizens to reshape the transportation systems so that Utahns are less reliant on carbon-producing modes of transport to get around. An additional gas station is in direct opposition to this goal.

Again, thank you for taking these points into consideration when you are reviewing the conditional use permit application for the proposed Kum & Go at 2100 S 1300 E. I hope the City can find a more neighborhood-friendly alternative use/development for this parcel that benefits the citizens of Sugarhouse and the wider SLC community.

Warm regards,

Emily Currie



From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Case PLNPCM.2022-00053
Date: Friday, March 25, 2022 4:57:17 PM

Dear Ms. Martinez,

As a Sugar House resident I would like to register my opposition to the proposed Kum and Go gas station proposed for the southeast corner of the intersection of 1300 E. and 2100 S. The area is too congested and the distance to the on and off-ramps for I-80 are too close for the additional traffic the proposed station will generate. As a Sugar House resident, I am all too aware of a prior conditional use that was approved that has become a circulation nightmare: the Chic-fil-A (pardon me if I misspelled it). I hope the Planning Commission will not make a similar mistake, just as the City and UDOT are planning intersection improvements to improve congestion.

I am particularly concerned about the impact of delivery trucks, who will need to enter the site from 1300 E. and then turn east onto 2100 S. I assume they will rumble up 2100 E., then get on Parley's Way, to return to I-80. This traffic pattern would be in direct opposition to Section 21A.54.080.B5: *Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;* and Section 21.54.080.B8: *Access to the site does not unreasonably impact the service level of any abutting or adjacent street.* The additional truck usage generated by the proposed gas station trucks will contribute to the traffic disruption of thousands of people using 2100 S. and Parley's Way. Currently, the trucks hauling away dirt from the new construction at 2100 S. and 2100 E. are a real impediment to traffic flow but at least that will end (someday). The traffic forced to head east, "kuming and going," (sorry -- I couldn't resist!) will become an unfortunate part of a quiet residential and low-scale commercial neighborhood.

Sugar House has suffered enough. I urge the Planning Commission to vote "no" on this proposal.

Thank you for considering my comments.

Regards,

Elizabeth Giraud, AICP

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sizzler location -- Lets Develop It
Date: Wednesday, February 9, 2022 11:51:06 AM

Council Woman:

I wrote you as I am in favor of a gas station or any other business on the location of the old Sizzler on 2100 S 1300 E – I feel anything done tastefully will clean up the corner and be better then what we have today.

I live not far away up near [REDACTED] and drive by this location on a daily basis; with a gas station the traffic will not change much (it will stop all the U Turns to get to the current Chevron).

Regards
Eric Povilus

[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sugarhouse Park NW
Date: Saturday, October 1, 2022 9:48:35 AM

Hi Diana—

I am a resident of the Sugarhouse area and have been following what will happen to the Sizzler property. As other neighbors have said, another gas station and convenience store on the property is ludicrous. The homeless population will surely be attracted to a business like that. Gas stations may be obsolete in 5 to 10 years, it does not contribute to cleaner air, and kum& go gas station is based in Ohio, not Utah.

We only get to make this decision once and need to consider options that will enhance the park and neighborhood. Still my blood boils every time I drive past the ridiculous “art installation” of mini-golf-type artificial red rock near that same corner. Talk about a “miss” and huge mistake.

We would like to see a charming restaurant with outdoor seating, or rental equipment to use in the park. If the parking lot would be too small, the city could give up a little piece of the park.

Please let neighbors have some input.

Thank you—
Liz Warner

Sent from my iPhone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go Gas Station (1300S/2100E)
Date: Wednesday, February 9, 2022 11:14:12 PM

Hello Diana,

Thank you for being the one to accept comments from the public on this location.

I'm writing you as a mother, neighbor, and consumer, to express my concern about the plans for this property on the southeast corner of 2100 South & 1300 East.

Sugar House Park represents health, play, and tranquility. First and foremost, I feel a gas station at that location, in such close proximity to the park, would create toxic fumes for those of us biking, walking, and jogging daily for better health; and for our kids playing in close proximity.

Also, I strongly feel that, visually, a gas station would cause a huge imbalance in the look of that area- with a KFC, CVS, and Chevron taking up the other four corners- it would give a total over-commercialized feel rather than the smart feel of small business and creativity that Sugarhouse so wonderfully depicts. I could very much imagine Sugarhouse Coffee (or some other light & bright cafe) setting up there, with a patio facing the park. Perhaps an upscale bicycle shop? Ultimately, something without a drive-thru.

I strongly believe that a gas station at that location will create strange traffic patterns in an already congested area.

Thank you, again, for accepting my comments and I wish you a great rest of your week!

Sincerely,

Sharon Bates
[REDACTED]
[REDACTED]

Norris, Nick

From: olivia brown [REDACTED]
Sent: Thursday, September 22, 2022 11:52 PM
To: Norris, Nick
Subject: (EXTERNAL) NO KUM & GO IN OUR PARKS

Hello Mr. Norris,

I would like to suggest that the Kum & Go gas station is an awful idea in Sugarhouse Park. The only thing kuming is traffic and it won't be going anytime soon. Better to evolve the space by adding a cute little cafe that sells pastries or a local restaurant. Hope you take these suggestions into full effect.

Kind regards,
Olivia Brown

1

Norris, Nick

From: Abi Eyre [REDACTED]
Sent: Thursday, September 22, 2022 11:49 PM
To: Norris, Nick
Subject: (EXTERNAL) Please don't put that Kum and Go in a no no zone

I recently viewed queen of slc's TikTok about the possibility of putting a kum and go in place of sizzler located near sugar house park and I must say I can think of a lot of ideas that would be much better suited for this space and traffic issues that already exist massively at this intersection one huge concern I have is safety! Getting through there is already very time consuming for most people with Westminster, the park, and most of the thriving business already situated there not to mention the gas station literally across the street I don't see the need for this as there's accidents there nearly every time I travel there. I understand business is business however when it has to do with a place that holds such a powerful presence it could be something amazing instead of a future problem shack in my eyes. I'm writing this in hopes you make a comment on why this is something up for consideration as convince of another entry to gas wouldn't cut it at such a valuable location. Something I'd personally love to see put there would be a workspace for college students something locally run rather than a big box coffee shop would definitely become a meeting point for lots of walking traffic as well. My friends at Westminster and even the U are constantly at sugar house park and complain they have to drive all over for a air conditioned space to just study and hang out and we all know the summers are getting hotter these days. Another idea would be a restaurant honestly not a drive through it's corner is close to other successful fine and regular sit in dining but it would have to be something with a better or cooler essence than a sizzler I

2

don't know anyone who lives in sugar house that regulars sizzler as it's quite frankly not been talked about much in 27 and below crowd which is who regulars this area the most. I obviously don't know the numbers but I do know this will cause massive headaches for me and a lot of others in the community. --

have an awesome day

3

Norris, Nick

From: Keara Ranck [REDACTED]
Sent: Thursday, September 22, 2022 11:46 PM
To: Norris, Nick
Subject: (EXTERNAL) CUM & GET THIS GAS STATION OIT OF OUR PARK

Hello!

My name is Keara and I grew up about a 10 minutes bike ride from sugar house park. I would frequently spend my days going to the firework show, sliding down the tube that goes under the bridge, feeding the ducks and geese, sledding, hammocking, building fairy houses, picnicking, swimming in the stream and just generally playing in the park. I also grew up going to Sizzlers (May she Rest In Peace) with my grandparents right there in the corner.

I was saddened to hear that the city was planning on putting a gas station on that now vacant corner. Sugar house is already densely crowded (in my opinion over crowded) which has led to much traffic, especially in that corner area and I don't think that a second gas station in that corner would benefit the community.

Suggestions I would make would be: a yummy cafe that serves good coffee and brunch, a gear shop where people could rent gear to use in the park, a fancy dinner place with views of the park and the mountains. Anything but a gas station.

4

Thanks for your consideration!

Keara

5

Norris, Nick

From: Daniela Hartin [REDACTED]
Sent: Thursday, September 22, 2022 11:38 PM
To: Norris, Nick
Subject: (EXTERNAL) WE DONT WANT KUM AND GO

As a resident of sugarhouse and salt lake city, i do not think it is right to put a kum and go when there is one on the other side of the street. It WILL cause traffic to an intersection that doesn't need anymore. Respectfully, stop wasting tax payer money on nonsense.

Sincerely
A Sugarhouse Resident

--
Dani Hartin

[REDACTED]
[REDACTED]

6

Norris, Nick

From: Katelyn Elizabeth [REDACTED]
Sent: Thursday, September 22, 2022 11:32 PM
To: Norris, Nick
Subject: (EXTERNAL) AGAINST KUM AND GO AT SUGARHOUSE PARK

As a resident of Sugarhouse and Salt Lake, I will not stand to let another money grab further pollute our air and ruin my favorite park!
This park is such a beautiful place, do NOT RUIN IT !

7

Norris, Nick

From: Dresden Curtis [REDACTED]
Sent: Thursday, September 22, 2022 11:17 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go

Please don't put another gas station across from another gas station 😞 no need for 2 gas stations. Why not put a rad local restaurant or any restaurant for that matter there? I'm referring to sugar house park by the way. If you haven't gotten 1000 emails already about this. Bad idea man.

Thanks
Dresden Curtis

8

Norris, Nick

From: mar [REDACTED]
Sent: Thursday, September 22, 2022 11:14 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

As a proud citizen. I (and many people around me) WILL NOT stand for a KUM and GO to be placed in such a beautiful spot. Respectfully, there are so many other things that can benefit the city, and especially the park. like a cute cafe, a little donut shop. honestly, ANYTHING but a gas station would be wonderful. please and thank you

Respectfully, proud citizen

9

Norris, Nick

From: Jacob Moyers [REDACTED]
Sent: Thursday, September 22, 2022 11:06 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

hey man don't put that gas station there. its not cool. there's already gas station across the street, stop being a money sucking zombie and put something cool there instead.

regards, urbenlink

10

Norris, Nick

From: [REDACTED]
Sent: Thursday, September 22, 2022 11:04 PM
To: Norris, Nick
Subject: (EXTERNAL) do not put another gas station at the intersection by sugarhouse park

I live near this intersection and it is an absolute nightmare. The worst thing that could possibly be done is adding another gas station. We have enough gas stations. Try adding something for people instead of cars maybe

11

Norris, Nick

From: [REDACTED]
To: Norris, Nick
Subject: (EXTERNAL) Come & Go Gas Station Sugar House

As a resident of Sugarhouse and Salt
Lake City,

I don't think building a gas station would be the best idea at the location you guys have chosen, being a marketing [REDACTED] I understand that you and the gas station owners are trying to make more money but you have to consider the idea of the traffic build that this will cause, also the view would be ruined.

--

Asim Adi Hrvat

[REDACTED]

12

Norris, Nick

From: Josie Dimick [REDACTED]
Sent: Thursday, September 22, 2022 10:59 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and get this gas station out of our park!!!!

As a resident of Salt Lake City, this money grab is not tolerated nor the horrendous traffic this will cause. This idea needs to go as quickly as it came.

13

Norris, Nick

From: Spencer Gerritsen [REDACTED]
Sent: Thursday, September 22, 2022 10:55 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

I am a resident in Salt Lake City Utah and I would like to come forward and say in the nicest way possible, please do not allow the gas station to be built on this lot. The park is much too pretty to have a second gas station right next to it.

14

Norris, Nick

From: SLC [REDACTED]
[REDACTED] 51 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go Sugar House

Nick,

Hope this email finds you well. It's recently come to my attention the city plans to approve the building of a Kum and Go gas station at Sugar House park.

This is a blatant failure of city planning. Residents of Sugar House and Utah more broadly need city planning that makes sense. We need city planning that emphasizes small businesses, enables public transportation, and helps our climate. Through the approval of this monstrosity you have somehow managed to fail all three conditions.

The people of this city will not stand for this monstrosity. Please implement a sustainable program that helps small businesses and Utahns alike.

Ryan Hamby

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15

Ryan Hamby

Norris, Nick

From: Kathryn Cunningham [REDACTED]
Sent: Thursday, September 22, 2022 10:50 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Get this gas station out of our park

Good evening Mr. Norris,

It's been brought to my attention the idea for a Kum and Go to be put in where Sizzler used to be by Sugarhouse Park.

Please know that this is a horrendous idea. The traffic on 1300 E is already horrendous especially as it bottle necks after 2100 S heading North.

There is already a Chevron on the corner of 1300 E and 2100 S and where it may be more inconvenient for drivers heading North bound it isn't too hard to take too lefts or get gas on the corner of 1300 E and 1700 S.

Other suggestions for this location would be:

- Cafe
- Add a small deck and a wall of windows and take in the view of Sugarhouse park
- A bar and grill

17

-Nothing says an afternoon out of the office like a beer and a view

Additionally either of these options would better compliment the vibe of the already existing establishments of the area. Even a cat cafe would give the area a unique charm.

Please don't ruin beauty Kum for the beauty, let Go of the gas station.

Respectfully,
Kathryn Cunningham

18

Norris, Nick

From: Megan Stoker [REDACTED]
Sent: Thursday, September 22, 2022 10:50 PM
To: Norris, Nick
Subject: (EXTERNAL) SUGAR HOUSE PARK LOT

<https://www.tiktok.com/t/ZTRasgnVJ/>

19

Norris, Nick

From: Michael Webster [REDACTED]
Sent: Thursday, September 22, 2022 10:50 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go

Hi Nick,

I just heard about the proposed Kum and Go slated to go into the spot on the corner of 21st and 13th and, as a resident of the area, I ask that you all reconsider this plan. There is an opportunity to add to an already beautiful park, in a spot with a beautiful view of the Wasatch front, and it would be a real shame to have a gas station there instead.

Truthfully, the focus should be on making Sugar House a pedestrian friendly, walkable part of our city anyway, and adding a gas station across from another gas station is the opposite of that.

Please consider alternatives.

Respectfully,
Michael Webster

Sent from my iPhone

20

Norris, Nick

From: Taylor [REDACTED]
[REDACTED] 50 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go at Park Corner

Nick,

As a frequent user of the park on the weekends, I would love to place a complaint and disagreement with the decision to place a gas station at the corner of the park.

Out of the all the uses we have for our property in this beautiful city, a gas station does nothing to support the motivation for our community to get outside to experience our city and it's beauty. If nothing, it attracts the bad and negative to the community and makes it unsafe for our children and families to safely play in and enjoy.

Please take into your consideration that the actual people who use this park are the ones who matter, not another commercial organization.

Thank you,

21

Taylor

Norris, Nick

From: Patrick Salas [REDACTED]
To: Norris, Nick
Subject: (EXTERNAL) Do not build a kum and go by sugarhouse park

There's a gas station across the street, there is no good reason for this. Let it be a breakfast cafe, coffee shop, anything that actually brings life to the area.

23

Norris, Nick

From: Gabby B [REDACTED]
Sent: Thursday, September 22, 2022 10:42 PM
To: Norris, Nick
Subject: (EXTERNAL) kum & get this gas station out of our park -_-

hello,

i am writing because i heard that y'all are trying to put a gas station on the corner of sugar house park where sizzler used to be. i am here to tell you why this is asinine, and, frankly, inappropriate.

can you imagine the traffic, accidents, and overcrowding that would ensue if a gas station was added to THAT intersection? one of the busiest intersections in sugar house?

there are MANY other ways to fill the space that could be beneficial to the community in healthier ways. i see it may be good for the economy, but i think people's livelihoods should be prioritized over profit. additionally, gas stations simply are not nice to look at. that space should be occupied by something pretty to match the vibe of sugarhouse park, not an eyesore. or maybe even just make it into another parking lot for park-goers to use?

i could go on, but you'd be less likely to read all that. so, i'll leave you with this final thought:

24

the demographic of people who live in sugar house do NOT deserve to be further robbed of its quaint charm. you've already stripped us of many local gems in favor of building brand-new housing developments we can't even afford. we're tired of it. please don't poison sugar house park by building a gas station.

thank you for your consideration.

yours most sincerely,
gabrielle barker, a concerned citizen

25

Norris, Nick

From: Adam Bishop [REDACTED]
Sent: Thursday, September 22, 2022 10:42 PM
To: Norris, Nick
Subject: (EXTERNAL) Summerhouse Park planning

Mr. Norris, As a long time resident of Salt Lake City born and raised in Sugarhouse. I consider Sugar House Park to be a pillar of pride for the community. I am deeply concerned about the development plans for the former Sizzler site. I would like to share my view about it. I would like it to be annexed into the park. It could be reserved for park improvement and not a gas station and or business. I'd like to have it used to make the area better for the people whom use it.

I recommend having it reserved for parking or a monument. I really needs further discussion on this matter.

26

Norris, Nick

From: maddison barney [REDACTED]
Sent: Thursday, September 22, 2022 10:39 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hi! I am a resident in sugar house i really don't think we need another gas station. I would love to see a restaurant/bar or a Dutch Bros/ cafe. Something to enjoy the view!!

27

Norris, Nick

From: Vilde King [REDACTED]
Sent: Thursday, September 22, 2022 10:37 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GO SUGARHOUSE PARK

Hi Nick,

I'm a resident of sugarhouse a few blocks from the park. For the love of god, if you guys put in a Kum&Go (and I even love that gas station) in the lot where sizzler used to be in sugar house park, I will personally block the entrance every single day with my body and my dog. Even if you arrest me I will have someone else do it. That lot is so gorgeous and 13th is already clogged as it is. Protect that area. Do something for the community. There are so many options for you. A farm supply store, florist, cafe, a co-op, a visitors center for Christ sake! I don't want a gas station in that park. I don't need another one there are already 3 within a mile radius. Be better than that. Don't put a KUM and go there. I don't care about the money they'd (or hell you idk) would make. DON'T!

Thanks,
Vilde King
[REDACTED]

28

Norris, Nick

From: Abby McGowan [REDACTED]
Sent: Thursday, September 22, 2022 10:37 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar house vacant lot

Hi Nick,

I've been hearing that there are plans to build a gas station in a lot with arguably the best views in Salt Lake. I'm referring to the lot that was previously a Sizzler. This would be a tragic use of land given that there is a gas station literally across the street. A cafe or restaurant would be a much better fit for that spot.

Thanks,
Abby

Norris, Nick

From: natalie magliocchino [REDACTED]
Sent: Thursday, September 22, 2022 10:34 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Gas Station

Hello,

My name is Natalie Magliocchino and I'm a resident of Sugarhouse. I urge you not to put a gas station on the corner of 2100s and 1300e. There's already a chevron right by the park and it will cause more traffic. It also will be an eye sore in the park. Please reconsider putting a gas station there. I'm sure my neighbors agree.

Thank you,
Natalie

31

Norris, Nick

From: Lia Christensen [REDACTED]
Sent: Thursday, September 22, 2022 10:32 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM and get this gas station out of our park

As a sugar house native I am so sad to hear that there is a plan to put an ugly gas station at this pristine corner of sugar house park. This would be the best place for literally anything else. It has the best views and there is already a nice chevron across the street. We don't need anymore traffic on this busy corner.

Sent from my iPhone

32

Norris, Nick

From: Ricky Baeza [REDACTED]
Sent: Thursday, September 22, 2022 10:26 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hello Nick,

As a resident of Salt Lake City, I would love to see the abandoned lot near sugarhouse park to be a building that would serve the community. I feel as though Another gas station would result in further congestion of an already busy area. There are various other gas stations individuals can fuel their cars at including across the street. I hope the views and location of this area can be utilized for something other than a gas station.

--

Best wishes,
Ricardo

33

Norris, Nick

From: Rob Stod [REDACTED]
Sent: Thursday, September 22, 2022 10:25 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

You know the gas station is a terrible idea. You know that. Be better.

34

Norris, Nick

From: Elmira Sperling [REDACTED]
Sent: Thursday, September 22, 2022 10:23 PM
To: Norris, Nick
Subject: (EXTERNAL) Say NO to Kum and GO

City Planners,

Really? Please don't put in a gas station. The right hand side of that intersection is already CRAZY and who has even heard of a Kum and Go these days? They must be paying big bucks. Please don't put another gas station in, I've seen so many monster trucks eat the curbs at Chevron and narrowly avoid everyone within a 10' radius.

E
--

Elmira Sperling
[REDACTED]

35

Norris, Nick

From: Kayla Savage [REDACTED]
Sent: Thursday, September 22, 2022 10:19 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM&GO Gas Station

Hi Nick,

I'd appreciate if you rethought the gas station in Sugarhouse. There seems to be no purpose for this gas station. If most of the residents are saying they don't want a gas station then it's probably for a valid reason.

- Kayla Savage,

36

Norris, Nick

From: Shannon Mayo [REDACTED]
Sent: Thursday, September 22, 2022 10:16 PM
To: Norris, Nick
Subject: (EXTERNAL) About the Most Recent Horrible Idea...

Hi,

I am a resident of the sugarhouse area and I am writing to officially disagree with the proposed "Kum and Go" gas station to be placed next to sugarhouse park. As you probably (or I guess *should*) know, this area is already extremely congested (thanks CFA). The line for the light at that intersection gets longer every single day I swear. And with this, comes an increased rate of safety and traffic concerns. Adding a gas station here is only going to amplify these concerns and issues. To be frank with you- this is probably one of the worst ideas/proposals I've ever seen... actually maybe second to the LCC gondola, but that's a conversation for another time.

For the love of God please don't allow this to happen. If there's even one iota of care for our community, shut this down, and propose a different use of that space and view.

Thanks for listening,
SM

37

Norris, Nick

From: Zachary Bowman [REDACTED]
Sent: Thursday, September 22, 2022 10:16 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum n get this gas station out of out park

Hello Nick,

My family (as well as many SLC families) have enjoyed sugarhouse park for years. We go sledding there every winter and have regularly made laps around its walkways. The traffic on 1300 east has always been beastly, around the park, but knowing that future plans of a gas station being placed across from an already existing chevron baffles me. The congestion this will cause is a major concern, honestly confuses me when sugarhouse is such a great place for many unique businesses that could use the space in a way that doesn't cheapen the natural beauty of the park.

Sent from my iPhone

38

Norris, Nick

From: LaRaine Harmsen [REDACTED]
Sent: Thursday, September 22, 2022 10:13 PM
To: Norris, Nick
Subject: (EXTERNAL) GAS STATION AT SUGARHOUSE PARK?? I THINK NOT SIR.

Hello Mr Sir Gentleman Nick Norris.

Please do not put a Kum and Go gas station at the lot near sugarhouse park. This is ugly and will make it look like a trash dump. If you let this happen I will cry. I will send you video evidence of me crying if you do not believe me.

Seriously. Please. You could seriously put a nice restaurant or something good for the community, but you're putting a gas station that will be ugly and promote traffic and pollution near the park. There is already a gas station near there, we do not need another one.

Let's do something there to bring awareness to pollution and preservation of the park.

I'm not joking, I will cry.
-Raine

39

Norris, Nick

From: Trenton Stout [REDACTED]
Sent: Thursday, September 22, 2022 10:10 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum&go's gotta go

Instead of putting a gas station across the street from another gas station, how about a restaurant rebuild, an area for food trucks for the park, repurpose it for the park or anything else than a redundant service.

Thanks

40

Norris, Nick

From: Katherine Ness [REDACTED]
Sent: Thursday, September 22, 2022 10:09 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House Urban Planning: Alternatives

Nick,
A kum and go gas station is considered a low quality brand. You are actually lowering the appeal of the area by thinking of putting it in the sugar house park location. It is very short term thinking and in the long run it will diminish the economy and value of that area. Not to mention the number of people that have died from the traffic in that intersection already.

Adding a gas station across from a gas station is what people do on “small town” exits of the interstate. Sugarhouse park and a collage in that area indicate that it’s not a quick pit stop area for people driving through the interstate to quickly fill up.

If this is truly about finances, give the people of Salt Lake a chance to raise money or propose businesses that they support for that location. This would be a major disappointment to your people and you would probably get a lot of shame for it. Don’t do it- please think longer term and about the infrastructure for the area.
Urban planning should support generations to come and this feels like it destroys the foundation for the area.

41

I rave to my friends and family about Salt Lake and how I think it has the best infrastructure and urban planning for any city I have been to. If you put a Kum and Go on that corner, it degrades and sexualizes the corner giving everyone an icky feel. I will no longer be proud of the slc government.

Nick, if you have the ability to redirect this path toward a more homely and endearing experience for the people of slc, please do so. You can make this right.

Norris, Nick

From: Tanner W [REDACTED]
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Literally the worst decision that could be made. You know what I'm referring to. I truly hope you think about this a little more.

Sincerely... everyone.

Thank you.

- Tanner Winnie

Sent from my iPhone

43

Norris, Nick

From: Malynne Cottam [REDACTED]
Sent: Thursday, September 22, 2022 10:03 PM
To: Norris, Nick
Subject: (EXTERNAL) PLEASE do not put another gas station in Sugarhouse Park

As a resident of Salt Lake City and frequent visitor of the park, I was very disappointed to learn that the Sizzler on the corner in Sugarhouse park would be replaced with a gas station when there is another one right across the street. A local business, more places to gather and enjoy the views, or something else to foster community would be a much better use of the space. Please reconsider. Thank you.

A Citizen

44

Norris, Nick

From: Alany Romero [REDACTED]
Sent: Thursday, September 22, 2022 9:58 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Salt Lake City, I don't and will not support nor stand another gas station being built near Sugar House Park. We need to preserve the beauty that is already there. Plus the amount of traffic flow will not be good for the families that are visiting the park. I urge you to reevaluate this decision.

-Alany Romero

45

Norris, Nick

From: Lucas sena [REDACTED] >
Sent: Thursday, September 22, 2022 9:57 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar house park gas station

Hey bro please don't let this terrible discussion actually happen. Can you guys pick something that will utilize that space properly, even if it's a chain put something nicer than a gas station.

46

Norris, Nick

From: Jake Kolu [REDACTED]
Sent: Thursday, September 22, 2022 9:55 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and Go station at Sugar House Park

I cannot begin to fathom how this is acceptable in your eyes. One of the most beloved parks in all of Salt Lake, and location anyone would kill for, and it's being used for ANOTHER gas station? JUST CROSS THE STREET. Do not ruin the opportunity to have a beautiful, park-friendly local business there by putting an ugly gas station. Compliment the park, don't give in to corporate funds. Be proud of your city not sold to the highest bidder. I am ashamed to be a SLC and Sugarhouse resident because of things like this. So the right thing, DO NOT build the gas station there.

Jake Kolu

47

Norris, Nick

From: Anna Mellor [REDACTED]
Sent: Thursday, September 22, 2022 9:54 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hello Nick,

Please do not allow a kum & go to be built at the corner of Sugarhouse park. It would be great if that could be turned into a local shop/restaurant & we could support small businesses that way. Pretty much anything besides a gas station - particularly one with such a horrible name.

Let's not further add to the air pollution - particularly right next to the park where residents are trying to enjoy fresh air & exercise.

From your local Sugarhouse resident,
Anna Mellor

48

Norris, Nick

From: Max Strayer [REDACTED] PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House Solution

Good evening Nick,

My name is Max Strayer and I am one of your concerned constituents.

I am a local real estate agent who works in the [REDACTED] and strive to build Salt Lake City into the best and most community oriented city it can possibly be.

I would greatly appreciate and support any new consideration for the business/ industry that is to inhabit the south/east corner of 1300 E and 2100 S.

The current plan of the Kum and Go gas station causes great discern and disappoint in local government.

With that being said, I completely understand your perspective on implementing an industry that can yield a profit from such an expensive plot of real estate.

49

I do not intent to complain without a solution so I ask you to reconsider this decision and meet with me and my commercial real estate team to formulate a plan that is considerate of the community and focused on an alternative solution. A solution that will appease the local residents and created an iconic place in Sugar House that will be revered.

The infrastructure and cultural implications are too much for this community to bare.

I look forward to your response and wish you nothing but the best.

My best,

--



MAX STRAYER

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

50



Norris, Nick

From: Sierra Rankow [REDACTED]
Sent: Thursday, September 22, 2022 9:49 PM
To: Norris, Nick
Subject: (EXTERNAL) We do not want Kum & Go at Sugarhouse Park

Mr. Norris,
As a resident of Sugarhouse and as someone who walks and brings my young children regularly to the park, I cannot stress how unwanted this ANOTHER gas station is. That spot could be better used for anything else. It does not serve the community, it will add dangerous and unnecessary traffic, and will be an eye sore for such a beautiful spot.
-Sierra Rankow

Norris, Nick

From: Addison Trupp [REDACTED]
Sent: Thursday, September 22, 2022 9:47 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House Kum & Go

Respectfully, as a resident of Sugar House and Salt Lake City I am strongly against the construction of another money grab that further pollutes the air and impacts the beauty of the park. I strongly urge the city to reconsider the plans for the site.

Addison

53

Norris, Nick

From: Sarah P [REDACTED]
Sent: Thursday, September 22, 2022 9:46 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Park Gas Station??

Hi Mr. Norris,

As a resident of Sugarhouse, I'm pretty dumbfounded that the city is planning on replacing the empty Sizzler building on 1300 E and 2100 S with a gas station. There's a Chevron across the street! This could be a fantastic location for a restaurant or a coffee shop, maybe just an extension of the park with seating? Just something to engage all the young people who live in the area, ya know? I don't know why we'd want to bring more car traffic to an already congested intersection between the University and I-80.

I'm really curious why the city is going with another gas station, I'm not saying there's not a good reason, but myself and many of my peers can't figure out what it is.

Love to hear back if you have time.

Sarah Preece

54

Norris, Nick

From: Pam Spam [REDACTED]
Sent: Thursday, September 22, 2022 9:42 PM
To: Norris, Nick
Subject: (EXTERNAL) Gas station in Sugarhouse Park... really?

Hello,

As a Utah local and resident of Sugarhouse, it's disappointing but unsurprising that once again my own government proves to me that they care more about money than the health, safety, and general wellness of their citizens and environment. Putting ANOTHER gas station on the corner of the Sugarhouse park shows a degradation of our local governments morals and we will not stand for it. Utah is suppose to be one of the most geographically diverse and naturally beautiful places in the world, but thanks to money grubbing people like you, it looks more like a truck side rest stop where one only stops to take a [REDACTED]. What happened to promoting local busyness and a safe and environmentally clean walking environment? Keep you gas stations out of our parks.

Respectfully,
Someone who actually cares about the people who live here

55

Norris, Nick

From: Jenika McCandless [REDACTED]
Sent: Thursday, September 22, 2022 9:42 PM
To: Norris, Nick
Subject: (EXTERNAL) Please Make the City Better

Hello,

Please don't put a nasty gas station at the corner of 13th and 21st. Like, seriously. Put a local business there. Or a spot for food trucks. That intersection already sucks enough.

Thank you

56

Norris, Nick

From: Jamie Heckert [REDACTED]
To: [REDACTED] September 22, 2022 9:41 PM
Subject: Norris, Nick
(EXTERNAL) KUM & GO Gas Station

Hello Nick,

I've recently heard that there are plans to put a Kum & Go gas station on the corner of 2100 S and 1300 E. As a resident of this area, I would be very disappointed to see this go into development. I believe that this would create even more congestion at this already busy intersection as well as detract from the beauty of this area. I also firmly believe this development would have a negative environmental impact. Please consider an establishment that would help enhance the community.

Kindly,

Jamie Heckert

57

Norris, Nick

From: Cory Inman [REDACTED]
Sent: Thursday, September 22, 2022 9:40 PM
To: Norris, Nick
Subject: (EXTERNAL) Please change decision to allow a Gas station next to sugar house park

Good evening Mr. Norris,

Please to not allow a gas station to be built on the corner of Sugar house park. Please continue to code this for a restaurant or public space. The views from this part of the park are a special aspect of what makes Salt Lake City great! My family uses this park regularly and this space could certainly be used better.

Thank you for your time and consideration!

Cory Inman

[REDACTED]

58

Norris, Nick

From: RebekahRae Newman [REDACTED]
[REDACTED] September 22, 2022 9:39 PM
To: Norris, Nick
Subject: (EXTERNAL) Let's improve SLC together yeah?

Hi there,

It's come to my attention that a beautiful piece of prime real estate that is a park to the gem that is sugar House park is about to go to waste on a gas station. While I do love a good kum-and-go, could we not find a different location that isn't stealing a prime opportunity to make SLC just a touch more iconic?

It is in the best interest of residents and visitors that this piece of real estate go to cafe or even art gallery. The possibilities are endless. Let's rethink this together. I'd love to help.

Thanks for your time.

Rebekah

Norris, Nick

From: Erin Thunell [REDACTED]
Sent: Thursday, September 22, 2022 9:37 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar house park proposal

Hi there,

As a resident of the Sugarhouse neighborhood and Salt Lake City, please understand: No one here wants another gas station on the corner of 1300e and 2100s. As a representative of this city, you should be embarrassed to even consider the proposition & should know that implementing this plan will reflect terribly on you directly. There is absolutely no infrastructure for the traffic, chaos & pollution another gas station will bring to that intersection. A terrible plan all around. Please on the citizens behalf, reconsider.

Thanks for your time,
Erin Thunell

61

Norris, Nick

From: Wynter Mindnich [REDACTED]
Sent: Thursday, September 22, 2022 9:36 PM
To: Norris, Nick
Subject: (EXTERNAL) SHP Gas station complaint

Howdy,

As a resident of sugar house SLC I am offended by the city's plan for a second gas station on 1300 e where the sizzler once was. A gas station is a lost opportunity to add something meaningful for the community, a cafe, restaurant, bike rental, ice cream, etc. A gas station will only take away from the parks positive essence. It also will just increase traffic in that area. At the end of the day a gas station is lame and would do more damage than good to the community of sugar house.

Regards,
Wynter Mindnich
Sugar House resident

62

Norris, Nick

From:

Louisa Peterson [REDACTED]



Nick

Subject:

(EXTERNAL) Sugarhouse lot

Hi nick, my name is Louisa Peterson and i live in Salt Lake City.

The lot on 2100 south that has been empty for years is beautiful and has great potential. I was very sad to hear that the decision made for the lot was to put in another gas station. We have a Chevron across the street from this lot and I think it would be such a loss for the community to put another right across the street.

This lot has so much potential - especially with the view of the park. I'm sure you've had a lot of emailed concerns by now, but I thought I would email and give my thoughts in hope to see this lot live up to the potential it has to offer.

Thank you!

Louisa

63

--

Louisa Peterson

64

Norris, Nick

From: Ashley Kipps [REDACTED]
Sent: Thursday, September 22, 2022 9:32 PM
To: Norris, Nick
Subject: (EXTERNAL) DON'T RUIN SUGARHOUSE PARK

As a resident of Salt Lake City it's horrifying to see that local officials want to put a GAS STATION in a GREEN SPACE?! There are so many options that could actually benefit our community members and Sugarhouse Park and a random chain gas station is not one of them.

A community garden?
A cafe?
A stop n go coffee stand?
An outdoor seating restaurant?

Please don't fail those you serve by doing this.

Ashley

65

Norris, Nick

From: Dallin Garber [REDACTED]
Sent: Thursday, September 22, 2022 9:31 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum n' Go

I've lived in Sugar House for over seven years and during that time I've watched it really change and grow. That corner of 13th and 21st could be a lot of really cool things, but another gas station seems like the worst possible option. I'm hoping the city will consider anything but that.

Thank you!

66

Norris, Nick

From: Landon Guss [REDACTED]
Sent: Thursday, September 22, 2022 9:28 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM

Kum on man.

You're going to let Kum ruin our Sugarhouse Park? I don't know about you, but I don't want Kum anywhere near my park.

Respectfully, please don't let them Kum in our park.

--

With regards chock full of sincerity, Landon Guss

67

Norris, Nick

From: Sarajane George [REDACTED]
Sent: Thursday, September 22, 2022 9:27 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM N GO NO

As a resident of sugarhouse/Millcreek area I would like to express my concern and disgust of the plan for the gas station on 1300 east and 2100 south. We don't need it. Put a nice restaurant or cafe plz.

Respectfully,
JANIE GEORGE

68

Norris, Nick

From: lita lasukau <[REDACTED]>
To: Norris, Nick
Subject: (EXTERNAL) KUM AND GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt Lake City. I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

Thanks,
Makalita

--



Norris, Nick

From: Jess Hansen [REDACTED]
Sent: Thursday, September 22, 2022 9:23 PM
To: Norris, Nick
Subject: (EXTERNAL) NO to KUM n GO!

Nick... how did you let this happen! A kum and go in one of the most valuable real estate spots in sugar house? Cmon you can do better than this! There needs to be a place for the community, a place where people can gather and enjoy beautiful sugar house park! Please please please reconsider this decision and choose a better company to have this beautiful lot! Kum n go is the scum between my toes!

Hope you make a new choice

71

Norris, Nick

From: Amelia Greenall [REDACTED]
Sent: Thursday, September 22, 2022 9:09 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & Go

As a resident of Salt Lake County who regularly enjoys Sugarhouse Park, I think that putting a Kum & Go gas station is an enormous waste of space that could be used for something to better beautify the area. There is already a gas station across the street, something like a restaurant or cafe or event center would be more beneficial to both the locals and the area's beauty and the economy. Please reconsider.

72

Norris, Nick

From: Karlie Place [REDACTED]
Sent: Thursday, September 22, 2022 9:05 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & Get this Gas Station out of our Park

Hello,

I am a SLC resident and I am appalled to hear there is a gas station being added to the sugar house park property. This is a disgusting use of a beautiful piece of property and I urge city planning to rethink this decision as an opportunity to enhance the space instead of turning it into a glorified parking lot.

City resident

73

Norris, Nick

From: Mathew Putzier [REDACTED]
Sent: Thursday, September 22, 2022 9:03 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Salt Lake City..... I will not stand to let another money grab further pollute our air and ruin the Sugerhouse state park, so please do not put that kum an go in the vacant lot at Sugarhouse Park, that park means so much to so many people, and it will be doing that park a disservice to put that there.

Thank you for your time

74

Norris, Nick

From: Annika Machado [REDACTED]
Sent: Thursday, September 22, 2022 9:02 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House park

Hello Mr. Norris,

I am a resident of Salt Lake City who utilizes Sugarhouse Park frequently. It is an oasis of greenery and calm in the growing and crowded Sugarhouse neighborhood. I am writing to express my wish to NOT build another gas station in the empty Sizzler lot. I think something more related to the park would be better for the community and create less traffic. Please reconsider the Kum and Go.

Thank you!

75

Norris, Nick

From: Julane [REDACTED]
Sent: Thursday, September 22, 2022 9:00 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse Land Development

Hello, I am a resident of Salt Lake City. I am respectfully disagreeing with any plans to have a gas station built in the northwest corner of Sugarhouse Park. We do not need it. I would support something like a cafe, seated area, etc. over a gas station with such a horrendous name.

Julane Machado

76

Norris, Nick

From: Callie Nielsen [REDACTED]
Sent: Thursday, September 22, 2022 8:59 PM
To: Norris, Nick
Subject: (EXTERNAL) NO TO KUM & GO GAS STATION

Respectfully as a resident of sugarhouse and Salt Lake City I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

Thank you

77

Norris, Nick

From: Tori Alexander [REDACTED]
Sent: Thursday, September 22, 2022 8:58 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum and get this gas station out of our park

Hello,

As a resident of Sugarhouse and Salt Lake City. I don't want such an amazing spot for the community to have a gas station built to pollute such an amazing park. Please consider this area for an extension to the park.

Thank you

78

Norris, Nick

From: Serg Rezanov [REDACTED]
Sent: Thursday, September 22, 2022 8:55 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse park KUM and GO?

Can you please do something about this Kum and Go they are planning to put in sugarhouse park? What the hell? That is a terrible decision. Who lets this slide? Put something nice in there instead of a [REDACTED] gas station.

--

Serg Rezanov.

79

Norris, Nick

From: Andie Mace [REDACTED]
Sent: Thursday, September 22, 2022 8:54 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUR OF OUR PARK

As a resident of Salt Lake City, and a frequenter of Sugarhouse park, I am fervently against this gas station. It will further pollute our air and ruin one of the greatest parks in the state of Utah. Please reconsider.

80

Norris, Nick

From: Jordan Lopez [REDACTED]
Sent: Thursday, September 22, 2022 8:50 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugar House Kum N Go Bad Idea

Dear Nick Norris,

Please don't ruin one of the most amazing views in SLC with a gas station. The vacant sizzler lot should be turned into something that would benefit the community in a greater way. We are all doing just fine going to the chevron for gas. AREN'T WE MOVING ELECTIC ANYWAY? Why another gas station? It isn't necessary. Please consider adding another restaurant or cafe into the area as a place for people to enjoy the beauty of the neighborhood that is Sugarhouse.

Thank you!

-Jordan Lopez

81

Norris, Nick

From: Reilly M [REDACTED]
Sent: Thursday, September 22, 2022 8:50 PM
To: Norris, Nick
Subject: (EXTERNAL) Please no Kum & Go in Sugarhouse Park

Please don't put a gas station by the beautiful park in the city! There are children who play there, and it'll increase traffic, compromising the safety of the kids.

Sent from my iPhone

82

Norris, Nick

From: michael de st. aubin [REDACTED]
Sent: Thursday, September 22, 2022 8:49 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt lake City..... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

83

Norris, Nick

From: Tera Little [REDACTED]
[REDACTED]
To: Norris, Nick
Subject: (EXTERNAL) Please give Sugar House Park the venue it deserves

Dear Mr. Norris

I live just outside Salt Lake City (in North Salt Lake) but my son and I are frequent visitors of Sugar House Park. One of our favorite weekend activities is grabbing lunch at the nearby Chick-fil-A and having a picnic lunch at the park before he visits the playground.

I recently learned of the city's plan to approve a gas station on the vacant lot next to the park. SLC has plenty of gas stations. Please reconsider the Kum and Go gas station and poll the SLC residents to determine a more fitting venue for this iconic gem!

As a fellow public servant, I can empathize with the position you find yourself in but also understand the value of transparent, collaborative approaches to finding solutions. I hope there is still opportunity to influence the decision-making process for this vacant lot next to a lovely park.

Respectfully as a citizen interested in stewarding the greatest good for the greatest number,

84

Tera Little



85

Norris, Nick

From: MORGORINO [REDACTED]
Sent: Thursday, September 22, 2022 8:43 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt Lake City..... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state. Kum n go will ruin 2100 s how about we do something for the public. Money doesnt run all

86

Norris, Nick

From: Danielle Hogle [REDACTED]
Sent: Thursday, September 22, 2022 8:41 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum get this gas station out of our park

Dear Nick,

I am writing as a lifetime Sugarhouse resident to respectfully ask that we stop with the money grab strategy for Sugarhouse. We do not need another gas station right across the street from one. Please do not build that eyesore there. It could be better utilized as a cafe or restaurant, even a cooking school. Thank you.

Regards,

Danielle Hogle

87

Norris, Nick

From: Isa Arguelles [REDACTED]
Sent: Thursday, September 22, 2022 8:39 PM
To: Norris, Nick
Subject: (EXTERNAL) Sugarhouse park gas station

Hello Mr. Norris,

As a SLC resident and frequent visitor of the Sugarhouse park, I wanted to reach out to you and plead that we do not let the Sizzler lot turn into a gas station. This is a beautiful park and we should be building something that our community can use and enjoy. Maybe a restaurant or some cute local stores. Please do not let this turn into a gas station and ruin this beautiful park.

Best,
Isabel

88

Norris, Nick

From: Cassie Tighe [REDACTED]
Sent: Thursday, September 22, 2022 8:32 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hi Mr. Norris,

As a resident of the Sugar House neighborhood and someone who frequents the Sugar House park daily, PLEASE do not approve the Kum & Go gas station move into the old Sizzler lot. As a city with overwhelming air quality issues, we cannot allow another polluter to move in. Especially since there is a Chevron across the street and 2100 already has enough traffic problems.

As a future-oriented and quality of life oriented neighborhood, we should be looking at better ways to utilize this space that will help Sugar House continue to thrive and set an example for other neighborhoods in SLC.

Thank you,

Cassie Huntington

89

Norris, Nick

From: Theo Gochnour [REDACTED]
Sent: Thursday, September 22, 2022 8:31 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum n Go

Nick,

I know you already know what this email is going to be about. I'm sure you agree with us SLC residents who are appalled at the proposal to put a gas station adjacent to one of the state's great urban parks. Please let me know if there is anything we can do to stop this. It's backwards, short sighted, and wrong. Please do everything in your power to stop this.

Thanks,
Ted

90

Norris, Nick

From: Lia Thompson [REDACTED]
Sent: Thursday, September 22, 2022 8:28 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Hi there,

My name is Lia and I am constituent of Salt Lake City. I am writing to you about my concern for the proposed gas station on the south-east corner of 2100 s and 1300 e.

I went to Highland Highschool and walked through Sugarhouse park everyday on my way home. The top of the hill just east of 1300 e has inarguably the most beautiful view of the mountains in the whole park. Think of all the things that could exist on the plot of land that would take better advantage of the view than a Kum & Go.

A nice cafe, where you can sit outside and enjoy the views of the park and the mountains. Or a restaurant with outdoor dining.

Considering there is a gas station directly across the street, don't you think it's a bit redundant, and a waste of a beautiful plot, to add another gas station that will only further congest the already congested intersection?

91

Please take the time to think about this decision, and make the decision that will truly impact our community in a positive way.

Sincerely, a concerned constituent.

Norris, Nick

From: Janice Lui [REDACTED]
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF SUGARHOUSE PARK

Please do not build a Kum & Go in sugar house park where the Sizzlers used to be. I tell you that they are the worst of all the chain gas stations. Please instead erect something that would contribute to the community's integration or culture.

93

Norris, Nick

From: Chelsi Wright [REDACTED]
Sent: Thursday, September 22, 2022 8:15 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GO stays out of Sugar house park

Mr. Norris,
Respectfully as a Salt Lake City resident that spends much time at Sugar house park. I completely disagree with the idea of putting yet ANOTHER gas station near a beautiful park that not only takes away from the beautiful park, it's in an already traffic prone intersection, there is a gas station ACROSS the street and whose to stay this won't be a repeat of 2011 liberty park pond pollution.

Thanks, I know you will see passed the dollar signs and actually care for the safety and preservation of one of Salt Lakes greatest parks 😊

Get [Outlook for iOS](#)

94

Norris, Nick

From: Rachel Morin [REDACTED]
Sent: Thursday, September 22, 2022 8:15 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, I believe it is a terrible decision to place a gas station in the Sugarhouse Park. This should be a location for a local business or something that park goers would enjoy and benefit from, not an eyesore of corporate America.

Sincerely,
An unhappy and disappointed resident

95

Norris, Nick

From: Jennifer Rockwood [REDACTED]
Sent: Thursday, September 22, 2022 8:12 PM
To: Norris, Nick
Subject: (EXTERNAL) Kum & get this gas station out of our park

Hello, my friend

I just learned that the city is planning on putting a gas station in the old Sizzler on the corner of 1300 E and 2100 S. I drive by this corner every day on my commute, and a gas station there would be a huge disappointment. It would be an eyesore right in front of the mountain views and would seriously ruin the vibes of Sugarhouse Park, arguably the best park in the city. That's not even getting into Salt Lake's air pollution; heaven knows we do not need any more gas stations making the problem worse.

I'd love to see a restaurant or cafe there, maybe even something like an art gallery. Whatever it ends up being, I'd like my community to be able to really enjoy the space and look out of big windows onto our mountains.

Thank you,

Jennifer Rockwood

96

Norris, Nick

From: Stephanie [REDACTED]
Sent: Thursday, September 22, 2022 8:10 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully as a resident of the Sugar House in Salt Lake area. I will not stand, let another money, grab further pollute to our air and ruin one of our greatest public parks in the state. Rather putting a gas station on the lot of the park. I would love to see some thing for the community and complements the park. that that would also benefit the view that that corner has of our park and of our beautiful mountains. I was born and raised here and seeing this to my FAVORITE park is deeply saddening.

- Stephanie Flegal

97

Norris, Nick

From: laikyn broadhurst [REDACTED]
Sent: Thursday, September 22, 2022 8:09 PM
To: Norris, Nick
Subject: (EXTERNAL) Keep the park pretty

Nooooo please don't put a gas station on sugarhouse park. Please <3

98

Norris, Nick

From: Lauralee Browne Gonzalez [REDACTED]
Sent: Thursday, September 22, 2022 8:09 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & Get this gas station out of our park!

Hello Nick!

As a resident of SLC, I will not stand to let another money pit gas station ruin one of the greatest parks (Sugarhouse Park) that SLC has to offer! This intersection/area is already busy enough with Chevron.

Please do not let this happen!

--

Lauralee Browne Gonzalez
[REDACTED]

99

Norris, Nick

From: Lashay Clawson [REDACTED]
[REDACTED] September 22, 2022 8:08 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GO GAS STATION SUGARHOUSE

As a resident in sugarhouse, respectfully please do not put the kum and go station at 2100 s 1300 e. It will ruin the beautiful scenery at sugarhouse park. It's already so bad with traffic this will make it extremely worse. Instead make it a restaurant, cafe or something that would be enjoyable for the community. Don't make it a kum and go please!

100

Norris, Nick

From: Meghan O'keefe [REDACTED]
Sent: Thursday, September 22, 2022 8:04 PM
To: Norris, Nick
Subject: (EXTERNAL) PLEASE No Gas Station!

Hi Nick,

I am a resident of the Sugarhouse neighborhood of Salt Lake City. Our community is not in need of another gas station. The corner of Sugarhouse Park has an incredible view and that lot should be used for something that values and represents the park.

Please don't waste this area!

Sent from my iPhone

101

Norris, Nick

From: Melissa Urban [REDACTED]
Sent: Thursday, September 22, 2022 8:02 PM
To: Norris, Nick
Subject: (EXTERNAL) No Kum, no Go at Sugarhouse park

Mr. Norris,

As a 12 year resident of Salt Lake City and a frequent visitor of Sugar House Park, I am dismayed to hear that the city is considering a Kum & Go gas station to settle into the most valuable piece of real estate adjacent the park. This is a location that could truly serve the neighborhood and park visitors with a restaurant, coffee shop, independent bookstore, or other gathering place, further enhancing the community energy of this park and allowing patrons to enjoy its beauty unfettered.

Instead, you are proposing yet another gas station, which is only going to add tremendous traffic, noise, and pollution to an already overcrowded and traffic-jammed block. This neighborhood does not require another gas station. There is literally a gas station *right across the street*. Sugarhouse and Salt Lake as a whole does not want this, and you are doing the park, the community, and the neighborhood a grave disservice by even considering it.

102

Please listen to your constituents and the residents of this neighborhood and do not approve this plot of land for this usage. We can do better, and a Kum & Go should not be your City Planning legacy.

Best,

Melissa Urban
[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]



[REDACTED]

103

[REDACTED]

From: Sarah T [REDACTED]
Sent: Thursday, September 22, 2022 7:57 PM
To: Norris, Nick
Subject: (EXTERNAL) Urgent

Respectfully,

Please do not build a gas station at the vacant space in sugar house park. This park is one of the gems of slc. A gas station would ruin it. Please please rethink this ignorant decision.

Best

[REDACTED]

Norris, Nick

From: Stephanie Pendergrast [REDACTED]
Sent: Thursday, September 22, 2022 7:56 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, the area should be a cafe with drink options for all to enjoy the beautiful park, not some ugly gas station!

105

Norris, Nick

From: Kendall Rodriguez [REDACTED]
Sent: Thursday, September 22, 2022 7:48 PM
To: Norris, Nick
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt Lake City..... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

Xoxo,
Gossip girl

106

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Cum & Go Gas Station
Date: Tuesday, February 8, 2022 3:36:30 PM

As a long-time resident and patron of Sugarhouse, I am writing to express opposition to the proposed gas station on 2100 S & 1300 E. From growing up going to the Saturday movies and ice skating at Hygiea, to watching Sugarhouse wane and then boom again, I feel it would be detrimental to the park and commercial center in several ways.

First, the traffic has increased exponentially, especially with the additional of several thousand housing units nearby. The ingress and egress to this site is far from ideal. The only possible exit is to go east on 2100 S. This would mean having to do a U turn if any other direction was desired. Dangerous for other drivers and pedestrians.

Second, Sugarhouse park has seen more and more use, and with the connector to the commercial area thru the tunnel is a desirable place to recreate. Having a convenience store on the corner could lead to increased trash and would detract from the connection to nature patrons of the park are seeking. A business that would enhance use of the park would be more in line with the aims of having a park. Such as, bike or skate rental, a restaurant, an extension of Tracey Aviary or Red Butte garden.

Third, drawing more vehicles right next to the park would increase air pollution as cars idle while waiting, and noxious fumes from the gasoline are emitted. There is also the danger of spillage into Parley's creek. So much work has been done to create Hidden Hollow and other places to enjoy the creek, it would be devastating to flora and fauna were such an event to occur.

Please deny this permit

Lisa Emery

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Gas station on SW corner of 2100s
Date: Friday, February 11, 2022 10:35:32 PM

Good evening. I just wanted to voice my objection to the planned gas station on this corner. I'm sure I am stating the obvious, but I cannot think of a worse plot of land to build a gas station. This is a beautiful corner located inside the best public park in all of Salt Lake. Moreover, it has some of the best views. A gas station should not be permitted, rather you should encourage retail with a balcony requirement on the backside of the building so all of the runners, bikers and people enjoying the park, can also enjoy a snack or drink. Please reject the application and tell them to build it somewhere else. People can pump gas anywhere, just don't do it inside Sugar House park. I can only imagine the owners want nothing but profits, while not having to invest much into building something of value. And since that is assuredly the case, tell them to build in any of the hundreds of run down building/lots, vacant lots, massive unused parking lots that are located all over Salt Lake City.

Thanks so much!

Ryan Ermisch

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#); [Fowler, Amy](#)
Subject: (EXTERNAL) Sugarhouse Corner
Date: Thursday, February 10, 2022 10:22:55 AM

Hi,

I'm writing as a resident of Sugar House to oppose the development of a Kum and Go (or any similar development) on the corner of Sugarhouse Park in the old Sizzler location. As a mother of a child learning to drive, I can tell you that corner is already massively congested and difficult to navigate. I worry that more constant in and out of a gas station will only add to the navigation issues there, not to mention taking away from the neighborhood feel.

We frequent the park and purchased our home here a few years ago based on the quaint neighborhood vibe. While I appreciate the redevelopment on the commercial side of the street in the Target area, I have a greater appreciation for the park and beautiful opportunity in the neighborhood.

I want to live in and around a neighborhood, not a commercial development. I do not want the skyline further obstructed with signage. I do not want more bright lights brought to the neighborhood area. While I understand it is a commercial development area, a cafe, neighborhood gathering space, public art space, or similar use would help maintain the neighborhood's pride and uniqueness. I think this is especially important on the corner of the park, where there is a unique opportunity to reopen the space to something lovely and distinct. Also, as a parent of children who practice in the park multiple times a week, I would rather have something to appreciate nature, art, or the neighborhood. There is a gas station on the other side of the street if that's needed.

I know that there is public comment now. I was informed of the plans by a neighbor, but don't feel this has been shared with residents fully. I feel if other residents knew the options, they would not support a garrish gas stop.

Thank you for your consideration.
Meghan Everette

Martinez, Diana

From: dodie fraughton [REDACTED]
Sent: Saturday, February 19, 2022 2:01 PM
To: Martinez, Diana
Subject: (EXTERNAL) Sizzler site

Dear Ms. Martinez,

I am a resident of Sugar House and am writing to object to the placement of a gas station on the northeast corner of the park. I have heard that this plan may have already been refused, I certainly hope it's true. This is one of the most beautiful views in the city and we need to be thoughtful about what goes in there.

We could certainly use a small public gathering space...a cafe or an art space, something that complements the walkability of the neighborhood. Please consider the character of this neighborhood and be discriminating in choosing an appropriate solution.

While traveling through the United States I have seen many examples of wise land use in similar situations. I hope Salt Lake will take the time to consider how best to preserve this important piece of land. The park is a treasure and should be treated as such. Please honor the beauty of this corner! Let's create a space where many people can experience what makes Sugar House one of the best places to live.

Dodie Fraughton
[REDACTED]

Sent from my iPad

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Comments on Kum & Go Gas Station
Date: Tuesday, February 8, 2022 9:59:11 PM

Ms. Martinez,

I do not think that putting a gas station in the place of the previous Sizzler is a good idea. I live at [REDACTED] and regularly visit Sugarhouse Park. Sugarhouse Park is one of Salt Lake's gems, with wide open spaces. This is a great opportunity to improve the open space, with ideally a business that would complement the park (for example, a bike rental shop or a cafe). I would prefer to see something that promotes spending time in leisure and in community at the park. A gas station, in particular, is a very bad idea at that corner. There is already a gas station directly across the street. There is a CVS on the other corner that serves convenience type of foods as well as fast food on the last corner. I do not see this gas station fulfilling any needs that are not already being met by the other businesses. Yes, there are businesses on the other corner, but they are at least separated by major streets from the park. Adding a gas station directly adjacent to the park (on the same lot) will destroy the character of the park and neighborhood. The deserted Sizzler is an eyesore, but adding in a gas station will just make that worse.

In addition, the park has a large amount of pedestrian traffic as well as bikes, scooters, families, etc. A gas station will greatly increase traffic on that corner and cause potential pedestrian / bike / car collisions. I run there as do many people. In addition, that is a very busy intersection with people crossing the street from the park to shopping in Sugarhouse. My kids cross that street, but with another gas station, I don't know if I am comfortable allowing them to. In particular, this gas station would have the potential to be even busier because it is directly off the highway (on the same side of the street as cars exiting the highway), and will have an exceptional amount of cars entering and exiting the highway. I do not think this will add anything to the environment of the neighborhood and, in fact, the addition of underground fuel tanks seems very problematic so close to a large park.

Please reconsider approving this application.

Regards,
Amanda Funai

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go Gas Station on 13th East
Date: Tuesday, November 15, 2022 6:55:25 PM

Ms. Martinez,

I am writing to provide input to the current proposal for a Kum and Go Gas Station on 13th East. Please consider that this retail gas station will only exacerbate congestion and safety issues at that the 21st and 13th intersection. As a SLC homeowner that lives on 13th East [REDACTED] I have seen countless accidents all along this corridor in the 15 years I have lived in my current home. I walk my dog down to Sugarhouse Park regularly and I have nearly been hit by distracted drivers a few times, while they try to navigate that busy intersection. I can only assume with cars regularly going in and out of a gas station at that corner, this will only get worse. Additionally, as the neighborhood has allowed aggressive apartment development in Sugarhouse, there has been sparse conversation about how to handle the increased traffic. I don't mind more folks living in Sugarhouse as long as we are wisely planning for the future. At current state with Chick-Fil-A and other stores, our neighborhood is becoming a backed-up nightmare.

A few years back, I was assured by the mayor's office that changing the lane striping and parking on 13th was to encourage "calming" traffic on the street and that this was a passionate directive of our SLC mayor's office. If SLC is truly committed to calming efforts, let's not accept enterprises that undermine that mission. This lot is adjacent to a beautiful park and there are so many good retail options for that space outside of ANOTHER gas station.

Please, please consider rejecting this proposal. For the future of Sugarhouse Park, 13th East and the safety of SLC citizens, we need to better alternatives for that corner.

Respectfully,

Laura Gilchrist, MBA
[REDACTED]
[REDACTED]
[REDACTED]



From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Case PLNPCM.2022-00053
Date: Friday, March 25, 2022 4:57:17 PM

Dear Ms. Martinez,

As a Sugar House resident I would like to register my opposition to the proposed Kum and Go gas station proposed for the southeast corner of the intersection of 1300 E. and 2100 S. The area is too congested and the distance to the on and off-ramps for I-80 are too close for the additional traffic the proposed station will generate. As a Sugar House resident, I am all too aware of a prior conditional use that was approved that has become a circulation nightmare: the Chic-fil-A (pardon me if I misspelled it). I hope the Planning Commission will not make a similar mistake, just as the City and UDOT are planning intersection improvements to improve congestion.

I am particularly concerned about the impact of delivery trucks, who will need to enter the site from 1300 E. and then turn east onto 2100 S. I assume they will rumble up 2100 E., then get on Parley's Way, to return to I-80. This traffic pattern would be in direct opposition to Section 21A.54.080.B5: *Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;* and Section 21.54.080.B8: *Access to the site does not unreasonably impact the service level of any abutting or adjacent street.* The additional truck usage generated by the proposed gas station trucks will contribute to the traffic disruption of thousands of people using 2100 S. and Parley's Way. Currently, the trucks hauling away dirt from the new construction at 2100 S. and 2100 E. are a real impediment to traffic flow but at least that will end (someday). The traffic forced to head east, "kuming and going," (sorry -- I couldn't resist!) will become an unfortunate part of a quiet residential and low-scale commercial neighborhood.

Sugar House has suffered enough. I urge the Planning Commission to vote "no" on this proposal.

Thank you for considering my comments.

Regards,

Elizabeth Giraud, AICP

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go Convenience Store Comment
Date: Monday, February 14, 2022 5:00:47 PM

Hello,

I think it is completely inappropriate to put another gas station on this corner. The zoning for this entire intersection should be revisited and amended to encourage the kind of development that complements the entire community, not drivers passing through the area to get on the freeway. 2100 S and 1300 E are long overdue for pedestrian and bike upgrades that complement Sugar House park, and this development does the absolute opposite. Not to mention that this intersection is the Eastern entrance to the burgeoning Sugar House business district and this kind of development is an embarrassment to the city.

Thank you,
Theo Gochnour

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go-NO!
Date: Monday, February 7, 2022 8:40:12 PM

I strongly oppose the construction of a Kum and Go at this site. My reasons are:

-it will add more traffic and congestion to an already extremely busy intersection.

-there are several gas stations in a 2 mile radius of this site (at least 5)

-cars idling and congestion immediately next to Sugarhouse Park will create unnecessary, unsafe walking and breathing conditions for pedestrians and park users.

Consideration of this last opposing comment should be of utmost importance. Why not consider a business that would support the activities in the park??!!

Thank you for reading my comments. I hope a better alternative business can be found for this site. I also hope the health and safety of local residents is a priority when making decisions about the future of this property-not selling to a top bidder.

Sincerely,
Victoria Gorman
Sent from my iPhone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go Gas Station
Date: Tuesday, February 15, 2022 8:40:15 AM

Hi Diana,

I am writing to express opposition to the Kum & Go Gas Station at 2111 S 1300 E.

- This property is adjacent to Sugar House Park, and there are many different uses that would be more compatible with outdoor recreation and pedestrian access.
- This is an important intersection with potential for local placemaking rather than an unsustainable automobile-oriented use.
- There is already a gas station at the intersection.

Thank you for your time!

-Matt Gray

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go status
Date: Tuesday, October 11, 2022 12:23:29 PM

Hello,

Can you tell me if there will be a meeting for residents of the Sugarhouse neighborhood to voice their concerns about the proposed Kum & Go station on 2100 South? My husband and I would very much like to attend a meeting or have an opportunity to voice our concerns in some way.

Thank you for your reply.

Heidi Makowski
Sugarhouse resident

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: FW: (EXTERNAL) No to the Kum and Go at the corner of Sugarhouse Park
Date: Tuesday, October 11, 2022 4:07:32 PM

NICK NORRIS

Director
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

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Email nick.norris@slcgov.com

WWW.SLC.GOV/PLANNING

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From: Holly Riordan [REDACTED]
Sent: Tuesday, October 11, 2022 4:04 PM
To: Norris, Nick <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) No to the Kum and Go at the corner of Sugarhouse Park

Hi Nick,

As a resident of Salt Lake City and in this neighborhood I would ask that you and the city planning comity reconsider putting this kum and go on the edge of sugar house park where it is planned.

Every single person I've talked to disagrees with this decision and thinks it should go to a coffee shop, restaurant, etc somewhere the views can sit and be appreciated. It is so distributing to me that a gas station would go there and ruin the feel of this beautiful park. The outdoor space is what makes Salt Lake so great. I guarantee you this is an extremely unpopular choice to put this there and will cause so much traffic

I ask if you, please reconsider.

Holly

--

Holly Riordan

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go gas station
Date: Tuesday, February 8, 2022 9:11:54 AM

Hello Diana -

My family and I are strongly against this project, and feel that it should not move forward.

First of all, "Kum & Go" is a terrible name for a gas station, or any establishment really. TERRIBLE. That area is for mixed residential use as well, and families with children live near there! Disgraceful and embarrassing.

Secondly, there is already a gas station at that intersection. What exactly is the need for another one?

Third, the view of and from Sugarhouse Park would be obstructed and downgraded by more commercialism - the building itself, the huge signs, the high ceilings over the gas pumps, etc. What a shame.

Lastly, the accessibility of a convenience store right next to a public park will most definitely bring in more litter, which would only desecrate the iconic, historical, protected space of Sugarhouse Park that has been enjoyed for generations.

We hope you will reconsider and not move forward with these plans.

--Jackie Myers

From: [REDACTED]
To: [Martinez, Diana](mailto:Diana.Martinez@slcgov.com)
Cc: [REDACTED]
Subject: Re: (EXTERNAL) RE: Proposed Kum & Go Gas Station at 2111 S. 1300 East
Date: Thursday, February 10, 2022 10:45:22 AM

Diana: I would also like to add my approval and support to Josh Stewart's comments about the proposed Kim and Go gas station at the former Sizzler site.

Respectfully,

Janet Hemming
Chair
Yalecrest Neighborhood Council

On Feb 9, 2022, at 6:04 PM, Martinez, Diana <Diana.Martinez@slcgov.com> wrote:

Thank you. I will note that in my staff report.

Diana Martinez

Principal Planner
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

Desk phone number: 801-535-7215
Email diana.martinez@slcgov.com

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From: [REDACTED]
Sent: Wednesday, February 9, 2022 3:37 PM
To: [REDACTED] Martinez, Diana
<Diana.Martinez@slcgov.com>; [REDACTED]
[REDACTED]
Cc: [REDACTED]
[REDACTED]
[REDACTED]
Subject: (EXTERNAL) RE: Proposed Kum & Go Gas Station at 2111 S. 1300 East

Ms. Martinez,

I support Joshua Stewart's comments and request.

Sincerely,

Ellen R. Reddick
Chair Bonneville Hills Community Council
Chair D6 East Bench Master Planning Group
801.581.0369

From:

[REDACTED]

Subject: Proposed Kum & Go Gas Station at 2111 S. 1300 East

Ms. Martinez,

Please disapprove the Kum & Go Gas Station conditional use for gasoline sales and service at this prominent city location next to beautiful Sugarhouse Park and 1300 East.

The proposed use is inconsistent and **harmful** to the Sugarhouse Community Masterplan in every condition and will create additional public safety hazards for the pedestrians and cyclists in the area. It also goes against city transportation priorities and plans, air pollution reduction as well as the Parks and Recreation Reimagine Nature planning goals and objectives.

The Sugarhouse Master Plan states the following:

1. Policies to help protect the stable, well-kept residential neighborhoods of Sugar House;
2. Programs that support neighborhoods with infrastructure, parks, trails, convenient commercial services, and housing improvements to sustain the quality of life in the neighborhoods;
3. A reiteration of a direction for the Sugar House Business District that promotes a vibrant character compatible with the historical character of the area, and directs new development to create the synergy necessary to support a light rail station, encouraging "pedestrian-first" development;
4. A renewed commitment to a mixed land use strategy in the Business District through incentives for residential development;
5. Policies that support the maintenance and enhancement of recreational and natural resources such as parks, open space and trails;

6. An integrated program for mobility throughout the community with a commitment toward optimizing the pedestrian experience and alternatives to automobile travel, particularly in the Sugar House Business District, which is a necessary element of a viable commercial center;
7. Policies that support the preservation of neighborhood character as well as historic and natural resources; and
8. Implementation strategies for accomplishing the goals and policies of this master plan.

The Kum & Go Gas Station would violate the masterplan in the following ways:

1. Gas stations increase air pollution, oil run off, attract transient persons, tend to attract litter and waste and create light and noise pollution at an already busy corner
2. Gas stations would go against the millions of dollars invested in walkable and active transportation infrastructure, parks and trails in this immediate vicinity
3. The primary use of a gas station is to promote automobile usage - not encourage a pedestrian-first development and auto traffic will be harmful to pedestrian vibrancy
4. This is an ideal location for expanding open space for the park and city or be a residential use next to a beautiful park and gorgeous mountain views- not for a gas station
5. Vehicular traffic will not enhance Sugarhouse park but add air pollution to a major recreation area - and this is a key visibility corner to the park
6. This use supports and encourages additional vehicular traffic - not pedestrian traffic and will actually make it less safe for the many nearby residents to cross the street to go to Sugarhouse Park.
7. A gas station will have obnoxious lighting and signage that is neither historic nor will it enhance the natural park like environment next door
8. A gas station already exists across the street and an additional one is harmful to the goals and policies of the area

This proposed use flies in the face of years of efforts to improve the community character of Sugarhouse, beautify the park, improve active transportation as well as misses the opportunity to expand the park's open space footprint at this very prominent civic corner.

With concern,

Josh Stewart
Architect



From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) 21st and 13th gas station
Date: Monday, February 14, 2022 1:41:32 PM

Nobody I've talked to in my neighborhood wants a gas station there. Actually everyone I talk to thinks the city should just buy the property and make it part of the park! Or put a cafe with access only from park. So many parks in Europe have lovely cafes within the park. Sugarhouse park gets used soooo much! I walk there several times a week and a gas station is the last thing needed. Especially as **it will just have expensive gas for people who are driving through** on I-80! We all drive to Costco for our gas, or at least use a Maverick up 27th. So **PEOPLE THAT LIVE in Sugarhouse do NOT want a gas station!**

Thanks
Carol Hansen & David G. Smith

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sugarhouse Gas Station
Date: Wednesday, February 9, 2022 5:10:30 PM

Diana,

I am writing to express my disappointment that the property adjacent to Sugarhouse Park is slated to be a gas station. I live [REDACTED] from Sugarhouse Park and visit the park often—for bike rides, picnics, sports, and family gatherings.

I don't deny that the property developer is currently within his or her rights, and that they must think that this is their best return on investment.

However, I believe it is a missed opportunity by the city and community. There are no other parcels like this one—basically in the crown jewel park in the Valley. This will affect not only those who live in the area, but all residents in the region (County?) that come to Sugarhouse park to get outside, be with family, and experience an escape from the humdrum of everyday life.

A gas station will only remind us all of the traffic, congestion, and rat race that we experience in so many other parts of our lives. It will send a message to all of us that another gas station was prioritized over the community--over the outdoors, over the residents, over our visitors.

It is also a missed opportunity to do something meaningful and special there—that can't be enjoyed anywhere else, and it would have to be something that is integrated with the park itself. This might include:

- Café with indoor/outdoor seating (and lots of bike parking)
- Coffee, hot chocolate, cold drinks
- Bike rentals/bike shop (its right on the Parley's Trail)
- Other recreation equipment rental/available
- Snack bar/ice cream/picnics to go
- Outdoor/Indoor Art Exhibit Space or Gallery
- Farmers Market/Produce stand
- Festival booths/kiosks
- Public Art—murals, sculpture, or interactive art space
- A second floor meeting and performance space looking out at the park, or rooftop deck, with wifi and coffee/snacks/café.
- It could even have a branch of the SLC library that is just a holds and pickup spot

I can see families making it a tradition to bike to the park and have breakfast, brunch, lunch while there. Getting snacks and reading. Browsing and buying from local craft and food vendors. People working from the top deck in biking gear and enjoying lunch and drinks.

To allow this the city might need to make some concessions to how the park can be accessed from the property, maybe help pay for some underground parking, and or some tax incentives or other

financial contributions to make the developer whole. Isn't there a state fund currently providing resources for outdoor/recreation related projects? We would all benefit from this if it is done correctly, and would be worth some taxpayer money.

I use gas stations just like everyone else, but I don't want to see one in the park, when that space could have been helping create memories and establishing family traditions. And getting more people out to the park, with fond memories and desires to return.

Sincerely,
David Haynie



Sent from [Mail](#) for Windows

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Public Comments - Kum & Go Gas Station
Date: Friday, March 11, 2022 2:36:03 PM

Dear Ms. Martinez and others in the Planning Division,

I'm reaching out to express my concerns in regard to the proposed Kum & Go Gas Station near Sugar House Park, Petition Number PLNPCM2022-00053. As a nearby resident, I believe that approving the construction of a Kum & Go gas station, or any similar gas station, would be a step in the wrong direction for the Sugar House community and the Sugar House Park. Approving this petition would negatively impact a number of issues that we, as a community, should be striving to uphold and enhance. Below are my main points of concern.

- There are already a number of gas filling stations nearby the proposed location. The market is already saturated and the need for another gas station in this area is either non-existent or, at the very least, could be utilized in a way that better serves the community. There are 6 gas stations within a 1 mile radius of the proposed Kum & Go location. Surely this optimal space on a main street of Sugar House and Sugar House Park can be used for something that better fits the community's desires and needs.
- Studies show that gas filling stations bring both localized air pollution and soil pollution. Without getting into the data and scientific details, adding another gas station to this area would only exacerbate the already unrestrained pollution we have to deal with on a daily basis as residents of Salt Lake City. As a community, we should be striving to reduce emissions from personal vehicles and soil pollution from gas and oil leaks, not encouraging it by providing more gas options in an area already saturated with gas filling stations. For these reasons (among others noted later in this email), approving this filling station so close to one of the most popular parks in Salt Lake City would likely become a deterrent for park usage.
- The intersection of the proposed Kum & Go is one I use very frequently as a pedestrian, bicyclist, and driver. During most hours of the day it is already congested with traffic. Adding another gas station on the corner would only exacerbate this problem, causing unneeded additional vehicle traffic and hazards to pedestrians and bicyclists attempting to enjoy Sugar House Park or the businesses in Sugar House. Ultimately because of this, I believe this gas station would be a hindrance to the success of local businesses and for park enjoyment for both community residents and visitors.
- The residents and visitors of Salt Lake City deserve clean public spaces that are also visually appealing. A gas station, overlooking Sugar House Park, in the heart of the Sugar House neighborhood, would disrupt the appeal and aesthetics of the otherwise beautiful retreat. The additional noise, traffic, and pollution, caused by this gas station would all make running, walking, biking or however folks currently enjoy the park a much worse experience, ultimately negatively impacting the appeal of Sugar House.

I urge you to deny the construction of the "Kum and Go" gas station at the proposed location of 2111 South 1300 East for these reasons. Surely there is another type of business or usage which can complement the park and Sugar House area rather than detract from it.

Sincerely, a concerned neighbor,

Michael Heinze

From: [REDACTED]
To: [Zoning](#)
Subject: (EXTERNAL) Corner of 2100 south and 1300 East
Date: Friday, January 28, 2022 12:23:29 PM

Please, no gas station right on the border of Sugarhouse Park. That corner needs to house something besides another terrible business that adds nothing to our community. We could use something there that would add ambience to the corner, that would be used by those at the Park, that would encourage outdoor activities, rather than more driving on our already congested streets. Make Sugarhouse walkable for all.

Lynn Hoffman-Brouse

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go
Date: Thursday, February 10, 2022 11:42:46 AM

Good morning Diana,

I am an airline pilot, but I have been wanting to open a coffee shop/ bike shop combo my whole life. My friends and I live in the neighborhood and we have always said something really cool could be in that spot, why is there a sizzler of all things ha. I just saw that the proposal is a gas station, but this doesn't benefit the community like a multi use space like a coffee shop or bike shop would. With all the activity in the park, it could be an amazing resource. Is it too late to apply for something like this? I admit, I am not educated in how to begin the process.

Thanks,

Casey

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Public Comment Kum & Go Gas Station
Date: Saturday, February 12, 2022 10:38:22 AM

Diana,

I am writing this email as part of the comment period for the proposed Kum & Go located at 2111 South 1300 East. I have never participated in public input for such development, but felt it necessary to voice my opposition.

This property is on a prime corner with the potential for redevelopment that would better serve the public. I believe things to consider are the quality of life, safety, and the environment impacted by the decisions made here. My concern is as follows:

- This is a very shortsighted plan with zero regard for the needs of the community.
- We don't need 2 gas stations across the street from each other. Especially in that area.
- This has become a high traffic area. Adding more cars access pumps creates safety hazards to motorists and patrons of the nearby park.
- If we are to ever shift away from a car centric culture in Utah and improve air quality, it begins here. One less unnecessary gas station contributing to more traffic and further dependence on single occupancy vehicles.
- This is a prime location with the potential to activate this street corner, making it safer for pedestrians and bringing back some of the charm sugarhouse was known for.

Thanks for your time, and I hope the commission makes the right decision for the future of the area.

Max H.

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Old Sizzler location
Date: Tuesday, February 22, 2022 12:54:04 PM

Dear Diana,

I understand that you are the best person to email with comments on the proposed gas station, Kum & Go, at the SE corner of 1300 E and 2100 S, the previous Sizzler location. I have worked at [REDACTED] across the street and two buildings south, for 28 years. In that time, I've seen many changes and I've tried to welcome all (including my favorite, the underground access from the west-side of the street on 1300 E, to Sugar House Park - so nice). Not only do I work in a nearby building, but I also enjoy the Park often.

For many years I used the Chevron next to my office, on the NW corner of 1300 E 2100 S, to fill my car with gas, but over the last few years I've stopped, mostly because the traffic there has become such a cluster with some drivers rushing to make the left turn light, or desperate to merge onto 1300 east to access the freeway - it's become a harrowing attempt to pull in or to exit.

My biggest fear though, with the proposed gas station, is that the view on that corner, over the expanse of SH Park, and up at the big sky and the Wasatch Range will be obstructed, or in the least enjoyed only by those standing for a few minutes at a gas pump. We live in a place with such lovely vistas, choosing a gas station for the site feels like as a community we are only looking to short-term consumption rather than the long-term joys of taking in the beauty that is so special and specific to our city. I don't often write letters like this, though I wish I took the time to do this more, but this particular project has such meaning to me in my daily life; I felt the need to do something. Thank you for being my sounding board.

All best,
Dawn

Dawn Houghton, [REDACTED]

[REDACTED]

From: [REDACTED]
To: [Zoning](#)
Subject: (EXTERNAL) Please consider plans at the old Sugarhouse Sizzler location
Date: Friday, January 28, 2022 1:21:50 PM

Dear Zoning Commission,

I am writing to express my disappointment for the current plans to build a Kum and Go gas station at the location of the old Sizzler restaurant at 2100S and 1300 E. There is already plenty of gas stations in the area to meet the needs of community members. Please consider another opportunity that will either meet a community unmet need and will dovetail with the aesthetics of Sugarhouse park.

Thank you,
Bridget Hughes

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go Gas Station conditional use petition
Date: Thursday, February 10, 2022 9:24:45 PM

Hi Diana!

My name is Loren Hulse--I'm writing with a reaction to the petition filed to build a Kum & Go on the property at the corner of Sugarhouse Park.

I live on [REDACTED] and travel around the Park almost daily. I have significant concerns about even the current status of that intersection, and think that an added high-use business like Kum & Go would be a detriment to the neighborhood--if not an outright dangerous addition.

There are days when traffic begins to slow down as I approach Westminster traveling southbound. When returning, northbound traffic is often backed up from the corner where the Kum & Go would be sited to or past the light--often approaching the off-ramp from the 80. As that neighborhood has built up, the situation has already worsened significantly. I believe that adding a business like the Kum & Go would exacerbate the situation further.

I write to strongly discourage the Planning Division from granting this petition, and would encourage the City to seek options that would enhance Sugarhouse Park instead--working to not add additional pressure to an already very high-use intersection.

I would be happy to discuss this with you if it would assist--please let me know.

Thank you for all you do!

Best,
Loren

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) no gas station
Date: Wednesday, February 9, 2022 9:20:44 AM

Please do not put another gas station on the corner of Sugarhouse Park where a Sizzler is currently located! That will only increase traffic congestion and be another eyesore.

Jennifer Hulse

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sugar house gas station
Date: Friday, February 11, 2022 1:00:12 PM

Hi Diana!

Thank you for making this an open dialogue. I would request that absolutely we DO NOT approve a gas station on the previous sizzler site. I'm not going to lie, I can't even believe such a request has made it this far.

This site is a community space with a beautiful view to the park and mountains and you are thinking of putting a gas station there. Literally a gas station lol. How in the world.

Instead the site should either be at worst case additional surface parking for the park or best case a great modern restaurant or cafe venue that enhances the park. Anything but a gas station. That's laughable. Thank you!!

- JC Hamilton

October 23, 2022

Ms. Diana Martinez, Principal Planner

Salt Lake City Planning Division
451 South State St. Room 406
PO Box 145480
Salt Lake City, UT 84114-5480

Dear Ms. Martinez,

My wife and I have lived in our Sugar House home for over thirty years and our family has enjoyed spending time in the Sugar House community and Sugar House Park. During this time, we have observed two constants, 1) exponential growth of both new commercial properties and expensive high-rise housing, and, 2) increased utilization by Salt Lake City (SLC) residents of available open space and amenities Sugar House Park has to offer.

These comments are in regard to the Conditional Use Application for the Kum & Go gas station/convenience store located on the old Sizzler site. In my opinion, the request should not be approved by the Salt Lake City Planning Division (Division) as it is not in conformance with the Conditional Use Criteria (21A.54.080).

There are many specific conditional use criteria detrimental effects (Section B) that I believe can not be mitigated to achieve compliance with the Division applicable conditional use approval criteria. The specific detrimental effect issues (B 1-15) and concerns associated with the proposed project are summarized below:

Traffic Congestion Compliance (B.5, B.8)

The proposed two entrance and exit driveways are designed to be 30 feet wide with one off of 1300 East in the northbound right turn lane and the other on 2100 South, both limited to right turns and eastbound travel. It appears that the driveway design width, and exiting vehicles would hinder the ability of large semi and dual tanker fuel trucks delivering product. The result would be traffic backups into the intersection. (We have all seen the traffic backup on 2100 South trying to turn into Chick-fil-a prior to driveway modifications). The project sponsor and SLC traffic engineers need to evaluate traffic flow and feasibility of getting large trucks into and out of the site without impacting service levels on 1300 East and 2100 South.

With the increased number of new apartment residents in Sugar House, the intersection will have an increase in vehicle and pedestrian traffic impacting the ability for customers and trucks to enter and exit the property without congestion.

Safety Concerns (B6, B.7)

The current available design drawings show signage, building and landscape locations that could impede line of sight at the 1300 East and 2100 South intersection for vehicular as well

as non-motorized and pedestrian traffic. Sugar House Park is heavily utilized by pedestrians and bicycles now and demand will only increase. With limited visibility and mixed traffic, Kum & Go customers may not see the foot and bike traffic, resulting in adverse safety risks.

Utility Capacity and Environmental Damage (B.10, B.12)

SLC Public Service should analyze if existing utility infrastructure (power, gas, water, stormwater and sewer) can support the proposed project. Specific assessments should be conducted to determine impacts to surrounding waterways and drainages associated with excavation for fuel tanks. The project could also create negative environmental damage to Sugar House Park, Hidden Hollow and stormwater courses from fuel spills caused by customers and fuel delivery drivers overfilling tanks. Any garbage and trash not properly contained will blow off the site and into Sugar House Park and adjoining properties resulting in littering issues.

Proposed Project Compatibility with Adjacent Uses (B.3, B.13, B.14)

In my opinion it doesn't appear that the proposed gas and convenience store is compatible or suited due to the unmitigatable impacts to users of Sugar House Park and both vehicular and non-motorized traffic flow. Traffic, noise and light impacts from a 24/7 operation will impact adjacent park users and residents. As previously mentioned, the placement of signs, landscaping, lights and building, as designed, will limit line of sight for all traffic (pedestrian, non-motorized, delivery trucks and customers in cars) resulting in an increased safety risk.

I am requesting that the Division deny the conditional use permit request and consider discussions with Sugar House Community Council on other uses for the site. One idea I have discussed with neighbors is to get SLC to purchase the property and construct a community education building for classes and exhibits. The building should include space for a contract concessionaire serving coffee/soda, lite meals or snacks that is more compatible with adjacent park users' and residents' desires. The site then should be incorporated into Sugar House Park and managed with Parks, Trails and Open Space bond funding resources.

Thank you for the opportunity to provide these comments and recommendations. I hope you will seriously consider and recommend that the Kum and Go Conditional Use- Gas Station application be denied.

Sincerely,

Jim Burruss

Jim and Patti Burruss

A large black rectangular redaction box covering the signature area of the letter.

CC

Erin Mendenhall, SLC Mayor

Amy Fowler, SLC Council

Judi Short, Sugarhouse Community Council

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sugar House Park
Date: Friday, September 30, 2022 7:41:11 AM

Ms. Martinez,

I live near Sugar House Park and am strongly opposed to the plans for the convenience store, Kum and Go, to be located on the old Sizzler site. This area is already overloaded with traffic. Another gas station will only make things worse. Perhaps the city could buy the property and come up with ideas for a much more pleasant use of the property.

Respectfully,

James Astin

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum-and-Go
Date: Wednesday, October 26, 2022 7:37:28 PM

Hi Diana,

I am a mid-twenties, single woman living in the heart of Sugarhouse. I moved to Utah about 1.5 years ago, and I absolutely love that I can walk to bars/restaurants, the park, my pharmacy, grocery store, etc. from my apartment.

I fear the Kum-and-Go development will hurt the area and worsen the main downsides to living in Sugarhouse. I no longer feel safe using the tunnel by myself to walk to Sugarhouse Park because it's a popular hang out spot for the homeless population. It's not ideal to cross 2100, as it's a busy intersection, and I'm often waiting at the stoplights right next to homeless men.

In summary, am concerned the Kum-and-Go will further crowd the intersection and further attract the homeless population to the area. Is there any way we can petition the new gas station or prevent its development?

Sincerely,
Jenna Barone

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: FW: (EXTERNAL) Kum & Go?
Date: Wednesday, October 19, 2022 12:44:28 PM

NICK NORRIS

Director
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

TEL 801-535-6173
CELL 801-641-1728
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From: UtahJordan [REDACTED]
Sent: Tuesday, October 18, 2022 8:41 PM
To: Norris, Nick <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) Kum & Go?

Nick,

A Kum & Go in a beautiful location at sugar house park? C'mon man. You have an opportunity here to create something beautiful for the community. I understand that this takes more planning than the community really understands but I also understand that you've got a good opportunity here that's being squandered in a really dumb way.

Do something positive for the community and fix this! What a great location for a cafe or restaurant and bar! We believe in you.

Best,

--

B. Jordan Borrowman

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go
Date: Tuesday, December 27, 2022 4:37:34 PM

I live in the Yalecrest area and travel along 1300 East quite regularly. I love looking across Sugarhouse Park, and the prospect of that view being spoiled by a Kum and Go is disturbing.

Additionally, the traffic is not improving in Sugarhouse, as is well known. There were numerous complaints about the drive-in to Chik-Fil-A holding back traffic on 21st. The prospect of having a business, which is of necessity a place where cars will "Kum and Go" on that particular corner, right off the freeway ramp, does not sound like a good idea. It does sound like a potential safety hazard for the citizens and visitors in Salt Lake City.

Jan Ellen Burton

From: [REDACTED]
To: [Planning Public Comments](#)
Subject: (EXTERNAL) Proposed Gas Station at 1300 E and 21st South by Sugar House Park
Date: Wednesday, September 21, 2022 11:14:12 AM

Hi there,

I would like to put in a no vote on the proposed gas station by Sugar House Park. Please put something more beautiful there. Can we make it a gateway entrance to the park? How about a beautiful restaurant with an amazing deck overlooking the park. Anything but a condo or a gas station or fast food! Let's add value to our community.

This proposal would be awful for our community and provide no benefit.

Thank you for hearing my concerns,

Jennifer Holmberg
Sugar House Resident

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) 21st South 13th East
Date: Sunday, October 2, 2022 9:24:33 AM

Please no gas station. One is already on opposite corner. Two is ridiculous, especially with how tricky the traffic is there on that corner.
Please no gas station!!!!

Jennifer Hunter

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sizzler property
Date: Tuesday, October 4, 2022 8:39:28 PM

Diana, I know the planning commission will soon be considering the zoning on the parcel located on the southeast corner of 2100 South and 1300 east.

I am very concerned with a gas station being in such close proximity to park, open space and trails. It does not seem like a compatible use to people recreating and exercising. The increased in/out traffic of a C-store and gas station also seems like it would create further congestion to a very busy intersection.

It's heartbreaking to see such an enormous opportunity lost to this type of use for a key sugarhouse parcel.

Thanks, Jill

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go proposal
Date: Tuesday, October 4, 2022 8:19:24 AM

Please vote no.

Joyce Marder

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go
Date: Tuesday, November 1, 2022 7:26:02 AM

I have expressed my objections to yet another gas station/convenience store previously. Sugar House does not need more traffic or snack food access.

However, if this venue is exclusively an EV charging station, provides green space and picnic tables adjacent to the park, that could be useful.

Joyce

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sugar House Park/Kum N Go
Date: Thursday, September 29, 2022 5:19:46 PM

Hi Diana-

My name is Jerwin Monje. As a resident of sugar house, I have concern about the possibility of a Kum n Go being put on the empty lot in front of Sugar House Park.

As I understand, Kum N Go is an Idaho based company- so I am curious as to how a new location would benefit the Utah economy.

Another concern would be the increased traffic that this Kum N Go would add. There is already a Chevron across the street and the addition of this station would cause an influx of traffic that would make the area over saturated with unnecessary traffic.

Additionally, there are environmental factors that are of concern. With the Kum N Go placed on that lot, there is the possibility of gas leaking and polluting into the creek- which would be devastating to the natural ecosystem that is in place.

Thank you.

--

Jerwin Ronald G. Monje, MT-BC
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Gas station at 2100 S. 1300 E.
Date: Saturday, October 1, 2022 11:00:19 AM

Hi -

Please don't put a gas station there, right across the street from the Chevron. That corner is already congested with traffic, and it will lead to more frustration for those trying to turn right on 2100 S. from 1300 W., not to mention additional fender-benders. Also, with the surge in electrical vehicles, gas stations are going to become less and less profitable in the future, and hopefully, obsolete.

Please.

Janiece Pompa

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: Re: (EXTERNAL) KUM and GO Sugarhouse
Date: Monday, October 31, 2022 3:29:20 PM

Hi Diana,

Thank you very much for your response. I appreciate your email.

I do realize that this property is not part of the park. I mentioned the park to add context to the location that the gas station is planned for. The addition of another gas station across from an existing one, on that extremely busy corner does not add anything to that area which contributes to the needs of residents and visitors. In addition, the traffic issues which are already an issue will get even worse and cause even more congestion.

Thank you for adding my input in the staff report.

Best,

JENNY ROUSE

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

From: Martinez, Diana <Diana.Martinez@slcgov.com>
Sent: Monday, October 31, 2022 11:58 AM
To: [REDACTED]
Subject: RE: (EXTERNAL) KUM and GO Sugarhouse

The subject property is privately own, and this is a privately initiated proposal. It is NOT an extension of Sugar House Park.

Thank you for your comments about this proposal. Your input will be included in the staff report and passed along to the Planning Commission when these petitions are scheduled for a Public Hearing at a future date and time. The date of that meeting is not clear at this point.

Please let me know if you have additional questions or comments and again, we thank you for your input.

Regards,

Diana Martinez

Principal Planner
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

Desk phone number: 801-535-7215
Email diana.martinez@slcgov.com

WWW.SLC.GOV/PLANNING

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-----Original Message-----

From: [REDACTED]
Sent: Sunday, October 30, 2022 9:19 AM
To: Martinez, Diana <diana.martinez@slcgov.com>
Subject: (EXTERNAL) KUM and GO Sugarhouse

Hello

We strenuously object to the idea of any gas station located on the corner of 21st S and 13th E. There is a station directly across the street already. Sugarhouse is slowly losing its charm and neighborhood feel with new oversized construction projects. Please consider this area as an extension of the park and allow a project that contributes to the neighborhood, not detracts. And the name KUM and Go is insulting to the ear. Seriously.

Thank you

Jennifer Rouse
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#); [REDACTED]
Subject: (EXTERNAL) Proposed Kum & Go Gas Station at 2111 S. 1300 East
Date: Wednesday, February 9, 2022 3:23:30 PM

Ms. Martinez,

Please disapprove the Kum & Go Gas Station conditional use for gasoline sales and service at this prominent city location next to beautiful Sugarhouse Park and 1300 East.

The proposed use is inconsistent and **harmful** to the Sugarhouse Community Masterplan in every condition and will create additional public safety hazards for the pedestrians and cyclists in the area. It also goes against city transportation priorities and plans, air pollution reduction as well as the Parks and Recreation Reimagine Nature planning goals and objectives.

The Sugarhouse Master Plan states the following:

1. Policies to help protect the stable, well-kept residential neighborhoods of Sugar House;
2. Programs that support neighborhoods with infrastructure, parks, trails, convenient commercial services, and housing improvements to sustain the quality of life in the neighborhoods;
3. A reiteration of a direction for the Sugar House Business District that promotes a vibrant character compatible with the historical character of the area, and directs new development to create the synergy necessary to support a light rail station, encouraging “pedestrian-first” development;
4. A renewed commitment to a mixed land use strategy in the Business District through incentives for residential development;
5. Policies that support the maintenance and enhancement of recreational and natural resources such as parks, open space and trails;
6. An integrated program for mobility throughout the community with a commitment toward optimizing the pedestrian experience and alternatives to automobile travel, particularly in the Sugar House Business District, which is a necessary element of a viable commercial center;
7. Policies that support the preservation of neighborhood character as well as historic and natural resources; and
8. Implementation strategies for accomplishing the goals and policies of this master plan.

The Kum & Go Gas Station would violate the masterplan in the following ways:

1. Gas stations increase air pollution, oil run off, attract transient persons, tend to attract litter and waste and create light and noise pollution at an already busy corner
2. Gas stations would go against the millions of dollars invested in walkable and active transportation infrastructure, parks and trails in this immediate vicinity
3. The primary use of a gas station is to promote automobile usage - not encourage a pedestrian-first development and auto traffic will be harmful to pedestrian vibrancy
4. This is an ideal location for expanding open space for the park and city or be a residential use next to a beautiful park and gorgeous mountain views- not for a gas station
5. Vehicular traffic will not enhance Sugarhouse park but add air pollution to a major recreation area - and this is a key visibility corner to the park

6. This use supports and encourages additional vehicular traffic - not pedestrian traffic and will actually make it less safe for the many nearby residents to cross the street to go to Sugarhouse Park.
7. A gas station will have obnoxious lighting and signage that is neither historic nor will it enhance the natural park like environment next door
8. A gas station already exists across the street and an additional one is harmful to the goals and policies of the area

This proposed use flies in the face of years of efforts to improve the community character of Sugarhouse, beautify the park, improve active transportation as well as misses the opportunity to expand the park's open space footprint at this very prominent civic corner.

With concern,

Josh Stewart



From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) NW corner of Sugarhouse Park
Date: Wednesday, October 5, 2022 11:40:34 AM

Good morning Diana -

It has come to my attention that the building that used to be a Sizzler restaurant may turn into a gas station. This news is heartbreaking to me and in my opinion hurts the community feel of Sugarhouse.

Sugarhouse park is one of the most popular parks and should have places around it that not only work along with the beauty of the park but help build a community feel to the park that so many people use each day. Please consider keeping this something that will improve the community and add to the desire of the park and not hurt it. Give a local restaurant or cafe an opportunity to build something wonderful overlooking the park. Have an outdoor area that blends in with the park and would allow the community to enjoy the park from a table or patio. Perhaps include a walking path to the business and they provide a to-go window for drinks or picnic baskets that people could purchase to then go into the park and enjoy. This space needs to be part of the park and Sugarhouse community, not a large chain gas station that will add passing traffic, additional noise to the park and an unsightly gas station to the view from the park.

Please consider other options that would help our community. I have lived in SugarHouse for 12 years and it has been heartbreaking to see the community and neighborhood feel disappear over the years. Please keep the park area enjoyable for years to come.

Thank you for your time.

Jennifer Stout
SugarHouse resident

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Please - No Kum and Go
Date: Saturday, October 1, 2022 10:26:58 AM

The only way to exit the old Sizzler site at 1300E/2100S is by making a right turn onto 1300E heading south or 2100S heading east. People who want to go north or west will need to do a u-turn or drive thru neighborhoods to turn around. This was not a big issue for Sizzler because it did not have the traffic that a Kum and Go will likely have. Plus, with all the new construction in the area, traffic at that intersection is a mess. A Kum and Go will add way more congestion, making our neighborhoods more dangerous and putting our children at risk. Please don't let that happen!

Kind regards,
Jill A. Thomas

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go Petition Number: PLNPCM2022-00053
Date: Monday, March 21, 2022 4:55:08 PM

Dear Ms. Martinez,

We do not need any more gas stations, especially this close to the park ponds.

There is very little social benefit provided by adding such a structure at that parcel. Their buildings are garish with the bright red signage and horrible architecture. Very unappealing addition to the visual as you approach the park from the North or the West at 1300 East.

Fossil fuels contribute to our air and water pollution. We should not encourage more retail outlets for such polluters.

As a nearby resident, I oppose this application and encourage the Planning Division to reject their application.

Respectfully,
John

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go gas station
Date: Thursday, February 24, 2022 2:17:46 PM

I would like to add my voice to those who oppose a conditional use allowing the construction of a gas station on the old Sizzler property abutting Sugar House Park.

I suppose my objections could be classified as aesthetic, and therefore naive. But because the property is unique — not just near the park but running alongside it — I am hoping that the Planning Commission will take this uniqueness into account. I realize that it's all about money. But I am hoping (again perhaps naively) that the City will find a way to find a buyer who can actually contribute to the park rather than detract from it.

Elaine Jarvik

[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go gas station
Date: Thursday, February 24, 2022 2:17:46 PM

I would like to add my voice to those who oppose a conditional use allowing the construction of a gas station on the old Sizzler property abutting Sugar House Park.

I suppose my objections could be classified as aesthetic, and therefore naive. But because the property is unique — not just near the park but running alongside it — I am hoping that the Planning Commission will take this uniqueness into account. I realize that it's all about money. But I am hoping (again perhaps naively) that the City will find a way to find a buyer who can actually contribute to the park rather than detract from it.

Elaine Jarvik

[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Petition Number: PLNPCM2022-00053
Date: Monday, February 7, 2022 7:29:45 PM

You have to be kidding me, a gas station in such location, we do not need any more gas stations in Sugarhouse, this is a disgrace for the neighborhood that has already one across the street. The option for this parcel are clear: most preferred for the City to buy it and incorporate in the park, but you guys are cheap! The second option will be a nice restaurant/pub open to the park with great outdoor dining and bar seating with incredible views of Mt Olympus. Of course our good morons will argue against having drinks close to the park, but we need quality in Salt Lake City.

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Proposed Kum and Go next to sugarhouse park
Date: Thursday, March 3, 2022 11:52:04 AM

Hi Diana,

I'm writing to express strong opposition to the proposed gas station next to Sugarhouse park. I live in Sugarhouse and visit the park often. Any business in that location should serve visitors to the park, not be a rest stop off the highway. There's already a gas station at that intersection, and given our state's terrible air quality we should not be using our limited space to encourage more driving. Additionally, with the amount of new housing going up, putting a gas station there encourages more driving to an area with already increasingly bad traffic problems.

Thank you
-Ben Jones

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go Gas Station
Date: Tuesday, February 8, 2022 10:39:11 AM

Dear Diana,

I am a Sugarhouse resident and I would like to register my opposition to the use of the property at 2100 So and 1300 Ea on Sugarhouse Park grounds for a gas station.

- * There is a significant possibility that a fuel leak or an accidental spillage could contaminate the ground water and nearby stream endangering the well being of the birds and animals who reside in the park.
- * The property is directly connected to Sugarhouse Park and has the unique potential to be used for something that could complement the park such as a community or recreational center, for example.
- * There is already a gas station directly across the street which fulfills the need for fuel availability in the vicinity.
- * A gas station would detract from, not contribute to the beautiful landscape of Sugarhouse Park.
- * A gas station would cause a fuel odor and air pollution nuisance to the park.
- * A convenience store directly connected to the park would likely increase litter of food packaging, soda cans, drink cups, etc, in the park.

I believe that this property, which is unique due to the fact that it's literally part of the park grounds, should be treated with unique consideration as to how it's use will either contribute to or detract from the park itself. Either a developer should be selected who's intent is to use it in a way that enhances the park, or it should be purchased by the city and developed for the benefit of the community.

Thank you for your consideration.

Erik Jorgensen
[REDACTED]

From: [REDACTED]
To: [Norris, Nick](#)
Subject: (EXTERNAL) Kum & get this gas station out of our park
Date: Tuesday, October 11, 2022 2:01:54 PM

Please don't allow them to put a gas station in Sugar House park. It needs to be a place where the community can come together for a meal or a drink to soak in the beautiful park. Please save our park.

Best regards,

Kalen Harrell
[REDACTED]

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: FW: (EXTERNAL) Sugarhouse Park Kum and Go
Date: Thursday, October 13, 2022 10:34:07 AM

NICK NORRIS

Director
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

TEL 801-535-6173
CELL 801-641-1728
Email nick.norris@slcgov.com

WWW.SLC.GOV/PLANNING

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From: Katie Kinsey [REDACTED]
Sent: Thursday, October 13, 2022 10:30 AM
To: Norris, Nick <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) Sugarhouse Park Kum and Go

Hello,

I'd like to share my concerns with the old Sizzler next to Sugar House Park being turned into a gas station, specifically a Kum and Go. Respectfully, it's completely moronic to allow this to happen. There are so many other options for that property that are better for the environment and not a complete eye sore to the community. Sugar House Park is a beautiful place and I'm sure that you would agree that adding a gas station to it is an irony that none of us will want to participate in. If you are unable to do anything about this, please point me in the direction of the person or people who can.

Sincerely,
A Concerned SLC Resident

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: Fwd: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK
Date: Thursday, September 22, 2022 7:49:27 PM

Nick Norris
Planning Director
Salt Lake City
sent from my cell phone, please excuse typos

Begin forwarded message:

From: Kendall Rodriguez [REDACTED]
Date: September 22, 2022 at 7:48:19 PM MDT
To: "Norris, Nick" <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt Lake City..... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

Xoxo,
Gossip girl

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: FW: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK
Date: Wednesday, October 26, 2022 3:01:59 PM

NICK NORRIS
Director
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

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-----Original Message-----

From: Kaelun Schaerrer [REDACTED]
Sent: Thursday, October 20, 2022 12:24 AM
To: Norris, Nick <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

All in all a gas station would not be as fun as a bar and yet even a gas station is better than a smoke shop...maybe a library? Traffic would increase carbon impact around the park and this would not be ideal for the residents. Keep sugar house clean! This gas station is bad. Thank you!

Sent from my iPhone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) replacing Sizzler on 1300 east and 2100 South with a gas station
Date: Tuesday, February 8, 2022 7:52:15 PM

Dear Diana

I hope that you are the correct person to address this concern to. I live [REDACTED] just north of Highland High school. It has been hard to see how busy Sugarhouse has become over the past 10 years. Recently I heard that there is consideration of having a gas station built where the old Sizzler was on the corner of 1300 E and 2100 South. My family and I are very much opposed to this.

With the degree of development that has occurred in Sugarhouse, it becomes even more important that we have an easily walkable community. I work at the Sugarhouse clinic and walk to work. It is already a challenge to feel safe as a pedestrian in this area. I feel like putting a gas station on that corner will further contribute to the congestion and difficult traffic flow at that intersection.

Additionally, Sugarhouse Park is a delightful oasis in our community. Having the noise and congestion of a gas station there will cause a significant decline in the beauty of the park.

Please pass these concerns along to the appropriate persons as you can!

Thank you

Esther L. Kannapel

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sizzler Site - Sugarhouse
Date: Tuesday, February 8, 2022 10:23:33 AM

Diana,

As you review appropriate uses, or specific applications, for the current Sizzler site in Sugarhouse, I would urge you to consider the importance of the site 10, 20, or 30 years into the future. As you are well aware, Sugarhouse Park is arguably one of the most important and impressive public space areas along the Wasatch Front. The public space should be framed with developments that complement the investment that the public has already made and the benefits that are enjoyed by residents and visitors to the area.

An idea. There is a swath of the park located immediately to the east of the sizzler site that could be incorporated into a more thoughtful and impactful planning outcome for the site. If aggregated, the development option would make tremendous sense to the city from both an economic and social impact perspective. This would take political leadership and vision, which I believe the city is well-suited to lead. I'd be happy to talk through ideas if you'd be interested.

Regards,
Scott

Scott R. Kaufmann

[REDACTED]
[REDACTED]

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go Gas Station
Date: Tuesday, February 8, 2022 10:27:09 AM

Hello Ms. Martinez, I am a local [REDACTED] Sugar House Park. I use the park quite frequently and I wanted to reach out my opinion on the proposal of the gas station. I love the park. I walk around it often with my wife and daughter as a form of exercise and therapy. The fact that there is a park that is in the middle of a crowded area is wonderful for families and sporting events. I feel that adding a gas station to the corner of 13th and 21st would be ruining the beauty of the park. I wasn't a huge fan of the Sizzler, but that was put into place before I was born. When the area was cleared, I was hoping that the city would take back the corner and make it part of the park again.

Besides my own opinion of what should be done with the corner, I have concerns that I would like to have brought forth upon this decision.

1. Construction. This area of the city is already crowded. When the roads were shut down for the construction of 13th it displaced most people that needed to go along the roads everyday. With a project like this would add another issue when they are working on the freeway, bridges and apartments going up around the area.

2. Gas station on a fault line. I know that this may seem like something that the city feels they have under control. 13th east is a fault line and with placing a gas station right on the line, this would be a risk if the tanks were ruptured and gas and oil were to seep into the park grounds and cause the animal life danger.

3. Water. The city is already overwhelmed with water shortages and we as the public are being asked to cut back as much as we can. Some of us are living on brown, dry grass in an effort to help the state maintain water. Now, with the building of a new gas station more water would be used when we don't have any to spare. It doesn't seem fare to us that we are being asked to cut back when the city is continuing to build unnecessary buildings to an already crowded area.

4. Already gas stations. Right across the street there is a chevron gas station. 2 blocks north there is a sinclair gas station. Southwest of the park there is a Maverik gas station. Further along 13th, Highland Dr, and 21st south there are plenty of gas stations. The area is already saturated with gas stations and Salt Lake is already dealing with bad air. Continuing to add gas stations to the city when there is already so much is unnecessary.

I feel that we have an opportunity to make the park a little better and give families more room for outdoor activities. I'm all for businesses coming into salt lake, but why place something like that in an area that can easily expanded by the surrounding park.

Thank you for your time.

-Richard K.

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) proposed gas station at Sugarhouse Park
Date: Monday, February 14, 2022 1:04:52 PM

I have lived at [REDACTED] for over 32 years. This area of Sugarhouse is already undergoing a change in composition due to the large number of mutli-unit buildings under construction. The essential character of this area is steadily being eroded, but I understand the need for more housing. However, I see no need for another gas station, especially just above Sugarhouse Park. The city has made some effort to keep this area a restful and renewing place and a gas station at this site will intrude on this atmosphere. As there is already a station just across the street it would not be any increase in convenience for drivers and would add to the noise and odor that already is intrusive here. There would be cars and truck turning in and out of the driveways just where people need to walk to go to the park. The noise and air pollution in this area is often very detrimental to all the people who use the park for exercise and recreation. The increase in exhaust and gasoline fumes from a station would spread into just the areas where many joggers and walkers go. This would significantly affect their health, especially in the time of Covid when many people may have impaired breathing. The large pond in the summer is home to many water fowl that are sensitive to hydrocarbon pollution, which would inevitably migrate from the station as cars leak oil and gas. There must be some other business that could use such a popular site that would compliment rather than detract from the ambiance of Sugarhouse Park.

--

Bertram Kundert

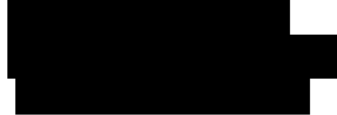
From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) gas station - sugarhouse
Date: Tuesday, December 6, 2022 5:40:23 PM

I cannot believe that the council would consider a gas station a necessary or fitting use of the lot on the corner of 21st South and 13th East. First, there is a gas station already on that corner and second, another gas station hardly compliments or serves our beautiful park. How about a nice deli/essential groceries, which would give families and all who use the park to find something good to eat or pick up something at the end of the day on their way home. I beg you to reconsider.



Liana

Liana B. Teteberg



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From: [REDACTED]
To: [Martinez, Diana](#)
Cc: [REDACTED]
Subject: (EXTERNAL) Sugar House Park: Gas Stations Contaminate Soil
Date: Sunday, October 2, 2022 1:49:34 AM

Hi Ms. Martinez and others,

This email is regarding the recent issue regarding the Sugar House Park estate's recent acquisition to build a Kum N Go on this lot. Not only will this gas station cause harm to the surrounding community but will also cause negative environmental impacts that can be more costly than this gas station's profits.

Gasoline in the soil can be dangerous, as it contains the toxic chemical benzene, which can leach into the water supply. In August 2012, soil near a former Exxon gas station in Wilmington, North Carolina, was found to be contaminated. Groundwater and soil contamination has been detected at an abandoned former gas station. (Smith, 2017) Being that Sugar House Park's newly available real estate owned by Romney Farr Properties should be protected by Salt Lake City and Salt Lake County who provide the essential funding for the park's maintenance; since 1990, should avoid soil pollution and potential water contamination caused by harmful gas station pollutants. This lot is so close to Sugar House Lake, so these potential pollutants are highly possible.

Allowing this area to become a gas station will not only cause harm to the environment it occupies but the neighborhood it inhabits. Not only are there existing gas stations near this area, but it is also a highly trafficked area that will be polluted with a new type of pollutant, excessive unnecessary traffic. This area has already been deemed an issue area regarding its accessibility as it is a constant overpopulated street with high complaints and accident rates.

Kum N Go may meet with you to apply for a conditional permit. I beg for you to consider what this gas station will do for the surrounding community and its environment. As you hear what these Kum N Go representatives pitch to you, keep in mind their intent is for their own greedy reasons to profit from the detrimental environmental impacts their gas station will cause. Gas station soil pollutants can take many years and a huge amount of money to clean up its soil or surrounding polluted sites or water. This recent decision can cause irreversible damage to this beautiful site.

Please think of the community, the environment, and this appealing site's potential. Please do what will better Utah as you have pledged to do.

Sincerely,
Landry Cazier

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Public Comments re: Kum & Go Gas Station
Date: Tuesday, October 4, 2022 11:54:45 AM

Hi Diana,

I'm writing in advance of the public hearing to express my concerns about the proposed Kum & Go gas station on the corner of 21st S and 13th E.

As someone who has lived in Salt Lake City for over 20 years, worked for several years at the RCC near this intersection, and has experienced the increasing congestion in Sugarhouse – particularly at the intersections of 21st S + 11th E, 21st S + 13th E, and everything in between (no thanks to chik-fil-a) a gas station on this corner would be a total cluster.

Last year, I had to quit going to the Orange Theory on Wilmington Ave. because the traffic between Highland High and Wilmington + 11th E. was so bad. As it is now, I have to wait for two green lights at the intersection of 21st S + 13 E to turn left onto 13th E. and then make the right onto Wilmington (with everyone in the right turn lane and then staying in the right lane because they're going to Target or West on I-80).

What is being proposed is ADDING cars to that existing traffic because the only way to reasonably exit a gas station at that location would be to turn right towards the park, make a U turn, and then get in that left lane to get back to I-80.

Right now, if you are turning right onto 21st S. (around the old Sizzler toward the park), it flows okay when the light is green. A gas station here would completely change that because now you'd have to yield to cars exiting the gas station. As I'm sure you know, when the light is red there – you have to yield to cars turning that way from the north or cars who have the green going east and it's a pretty steady flow at all hours. It would add more congestion and really diminish this area which has so much potential.

Drivers in need of gas have the option of exiting I-80 west at 13th E and simply crossing 13th E, driving down Stringham and going to the Speedway near the Patagonia Outlet. This gas station exists and it avoids adding MORE cars and traffic into the busiest Sugarhouse intersections.

PLEASE PLEASE PLEASE do not allow this gas station to replace the old Sizzler.

Kind Regards,
Laurel

--
Laurel Duncan, CRA

[REDACTED]

INSCC Bldg., Rm. 350
Salt Lake City, UT 84112-8906

laurel.duncan@osp.utah.edu

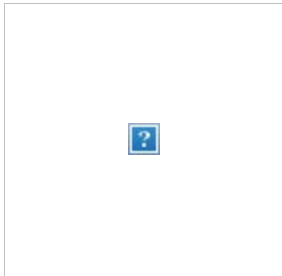
From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) KUM & GO GAS STATION
Date: Wednesday, September 28, 2022 10:12:29 PM

Hi Diana,

I don't think this gas station will be beneficial to Sugar House or the Sugar House park. I believe it will create more horrific traffic, be detrimental to the environment by any possible gas spillage that can pollute the Creek & area but most importantly, this Iowa based gas station does not benefit our Utah economy.

Thanks!
Makalita Lasukau, a born & raised citizen of Utah.

--



Best regards,

MAKALITA LASUKAU

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Fwd: Kum & NO! Gas station there
Date: Wednesday, September 28, 2022 2:48:50 PM

Hello,

I sent this email to Nick. It appears you are the one handling this permit request. I understand it is private property, but something must be done!! The environmental impacts could be irreversible.

Sent from my iPhone

Begin forwarded message:

From: lemon smith [REDACTED]
Date: September 26, 2022 at 1:13:03 AM MDT
To: nick.norris@slcgov.com
Subject: Kum & NO! Gas station there

Hello Nick,

I live near SugarHouse Park and I am very disturbed by this proposal to put the Kum & Go near the park. I live next door to Robin Davis who is a retired environmental engineer for Salt Lake. She handled gas stations and knows the underground spills and leakage that occur.

This could be irreversible to the ecosystem at the park and the natural green space beauty that we have in a city area! We need that green space, so we must protect it and not allow dollars to cloud our judgement.

Please do not let this Kum & Go be put near the park. Do not let this be the next 1100 East. Sugar House does not have the same feel now as years past - with those Giant high rise apartments practically touching the sidewalk. It was so charming and cute before!

Let's protect the park!! Do not jeopardize it with the potential traffic, the AWFUL name plastered on it, but most of all the negative environmental impacts it could have. Those could be irreversible. Do not allow the chance of the ground water or the pond to be contaminated! Don't make the mistake - protect Sugar House Park! Save the remaining charm of Sugar House, please.

Thank you,
Starr Smith

Sent from my iPhone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Corner lot at sugar house park
Date: Saturday, October 1, 2022 9:52:26 AM

Hello,

I understand you are the lead planner for the vacant lot on the corner of sugarhouse park. I also understand the plans are to build a cum and go gas station. As a homeowner in the area, I am wondering what we can do to get these plans for a gas station changed to something that will benefit the community vs something that will bring no benefit or better our community in any way.

Are there meeting planned? Does the community get any serious input? The location is dangerously traffic busy as is, there are a handful of gas stations within a one mile (if not less) radius and will only cause more eyesore for our beloved park. A gas station will also encourage more unwelcome activity in our park and will do nothing to bring value to the area, our homes, and the park.

I understand that by the time the public is made aware of plans, the plans are long ago cemented, but the tax payers of this area are pretty angry, outraged and feeling every discouraged that our pleas to enhance the area were seemingly ignored and dismissed.

Please let me know if there is anything we can do to prevent this very unwelcome plan from being implemented.

Thank you for your time and attention
Lisa Tower

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Comments: Land Use/Zoning Petition Number: PLNPCM2022-00053
Date: Thursday, March 24, 2022 1:11:21 PM

Ms. Diana Martinez
Principal Planner
Salt Lake Planning Commission
via email

Re: **Petition Number:** PLNPCM2022-00053

I live in the Bonneville Hills neighborhood of Salt Lake City, in District 6, about two miles from Sugar House Park, which our family frequents regularly. I have been selected to be a board member for the Sugar House Park Authority, effective in April 2022, although these comments are my own.

These comments concern the matter involving the proposed gas station-convenience store at 2111 1300 East, on a property zoned for Mixed Use Low Intensity in a Community Business Zoning District. Approval of this use is not "matter of right" but conditional, based on the consideration, review, hearings, and determinations by the Salt Lake City Planning Commission.

- 1. By definition a convenience store-gas station, even with only 6 pumps, is a higher intensity use, with 2,000 or more daily visits, especially in a location within one half mile of an Interstate Highway exit..**
- 2. The lot with the address 2111 1300 East is designated for Mixed Use - Low Intensity use (commercial) in the Sugar House Future Land Use Map in the Sugar House Master Plan.** According to the Sugar House Master Plan, the site of the former Sizzler Restaurant at 2111 1300 East, which the gasoline and convenience store chain Kum & Go wants to convert, is designated as a "low intensity use."
- 3. The lot with the address 2111 1300 East is an anomalous use in that it is a commercially zoned and privately owned lot on a block that is otherwise devoted to institutional uses,** the Sugar House Park (110.5 acres) and Highland High School of the Salt Lake City school district. Other regional parks elsewhere in the city, such as Liberty Park, do not have commercial zoned and active uses within the boundaries and perimeter of the park. The lot in question is less than 1 acre.
- 4. Land use context should be the defining factor in determining whether or not the proposed new use is appropriate. Land use context should be considered in terms of how Sugar House Park is the gateway to the neighborhoods north and east of the park, not compared to the high intensity use commercial district to the west of the park.** As well as to how the site in question is less than 1% of the total land on the block.

How the land use is separated between low density residential to the north and east and higher density commercial and medium density residential to the south and west of the Park is clearly defined on the Sugar House Future Land Use Map presented within the Sugar House Master Plan

The designation of "low intensity use" makes sense, because the rest of the "block," more than 99% of the land area, is devoted to two institutional uses, the Sugar House Park and Highland High School. With some exceptions most of the residential blocks north and east are 100% residential, with a mix of institutional (churches, schools) and occasional commercial uses for a 1-2 mile radius north and east from the park.

5. My understanding is that it is not unusual for the Planning Commission to approve higher intensity uses for sites zoned low intensity. However, it would be a mistake to rely on those precedents when considering the matter of the 2111 1300 East site.

I am not familiar with all of the sites where the SLCPC has ruled in favor of higher intensity uses for properties zoned low intensity, nor with the particular conditions and context for those sites.

I am familiar with the land use context concerning this particular petition, and I believe it would be a mistake to make such a determination for the 2111 1300 East site.

The key question comes down to land use context. While there is no question that the Sugar House Park abuts wide and traffic engorged roads and seemingly a gas station is congruent with the transportation context--I-80 on the South, the six lane 1300 East on the west and the six lane 2100 South on the north--the fact is that the site should be considered in terms of how 1300 East is the primary border and dividing line between the commercial and mixed use high intensity district of Sugarhouse, and the residential neighborhoods north and east, which are dominated by one and two story detached single family houses, dotted by the occasional duplex or small apartment building.

(The roads are designated freeway, arterial state route, and city arterial respectively in the Sugar House Master Plan.)

Except for the site in question, the face block of the east side of the 2100 block of 1300 East is not commercial at all, but institutional. It is the land on the west side of the 2100 block of 1300 East that is intensified, designated as Business District Mixed Use - Town Center Scale.

While there is a modicum of commercial uses on the east side of the 2000 block of 1300 East (designated Mixed Use - Low Intensity) and the north side of the 1300 and 1400 blocks and the northeast corner of the 1500 block of 2100 South (designated Neighborhood Business), these are low intensity uses, dental offices, a coffee shop, light commercial, restaurants, a clothing store, etc. This commercial use does not shape the land use context of the block containing Sugar House Park and Highland High School.

In the Sugar House planning district, it is clear that the highest intensity uses are located west of 1300 East. The Park in particular serves as the primary and premier gateway to the residential neighborhoods, with a decided step down in intensity and height through its provision of open space.

The 2111 1300 East site and its allowable uses should be considered in that context, not the high intensity use district that typifies Sugar House between 700 East and 1300 East on the west/east, and I-80 and 2100 South on the south/north..

Conclusion. Because a high intensity use of a gas station-convenience store is counter to the

Sugar House Master Plan as well as to the land use context of how Sugar House Park serves as a buffer and gateway to the residential neighborhoods north and east, I recommend that the conditional use petition for a change in intensity of use not be approved for the site at 2111 1300 East.

Thank you for your consideration.

Sincerely,

Richard Layman



From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Record PLNPCM2022-00053
Date: Friday, January 28, 2022 3:12:57 PM

Hi Diana -

I was hoping you might be able to tell me if you are assigned to the conditional use application for the property located on 2100 S 1300 E? This would be the old Sizzler on the southeast corner. Many of us in my neighborhood in Sugarhouse are pretty disappointed to hear that the application is for a Kum and Go gas station and would like to be able to voice input and concerns. I was also curious as to when this is going to be on the agenda for an up and coming meeting? I looked at the February agenda and I don't see it on there at this time. It may be that it is too soon in the process. I appreciate any information you can provide.

Best regards!
Tanya Liddle

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go on old Sizzler site
Date: Wednesday, February 9, 2022 3:47:58 PM

First let me object to the business name . As a retired teacher, it's disheartening to have children see that and get confused about spelling. It's very tacky and degrades our community.

Second, why not a beautiful restaurant with a gorgeous view of our magnificent Wasatch Front to be enjoyed by all with outdoor seating and a quality menu etc.

Or what a great place for a lovely, inviting Sugarhouse visitor center with photos and information about Sugarhouse Park and its state prison history, the tunnel under 13th East and hoodoo art, the artist hired and whole process and the history of Sugarhouse with explanations of why the name Sugarhouse and all the mayors etc. Plus some recognition to the grounds crew who do such a great job, and the new community garden etc. The park has such a rich history that it would draw many people to learn about it and as a teacher, I would want to schedule a field trip for my students....

Please consider that putting an ugly gas station will degrade the accessibility to the park to bike riders and pedestrians and be a missed opportunity to upgrade the area and take advantage of the beautiful view of the park and the Wasatch mountains!

And yes I live in the area and find great joy in using the park on a regular basis.

Sincerely,

Rhea Lisonbee
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) 2111 South 1300 East Conditional Use Comments
Date: Tuesday, February 8, 2022 8:17:54 PM

I'm writing to submit my comments on the gas station proposed at 2111 South 1300 East. I would be disappointed to see that use of the property. While I recognize that this corner is likely appealing to a gas station owner, I'm concerned that it is not the highest and best use of the property. Here are my primary concerns:

- There are numerous gas stations within a 1 mile radius of the proposed location
- The city has already done so much to improve the aesthetic of Sugarhouse park along 1300 east. I feel that a gas station takes away from the aesthetic
- A gas station does not promote walking and cycling in the area or at the Park. A cafe, restaurant, etc would promote this much more than a gas station would.
- I'm concerned about the safety of pedestrians and cyclists along 1300 east with the increase in cars that will be regularly coming and going from the gas station.

Thank-you for soliciting public opinion.

Jason Lobb, PT, OCS

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) PLNPCM2022-00053 Conditional Use -Gas Station
Date: Wednesday, February 9, 2022 6:09:39 PM
Attachments: [image.png](#)
[image.png](#)

Diana - hi

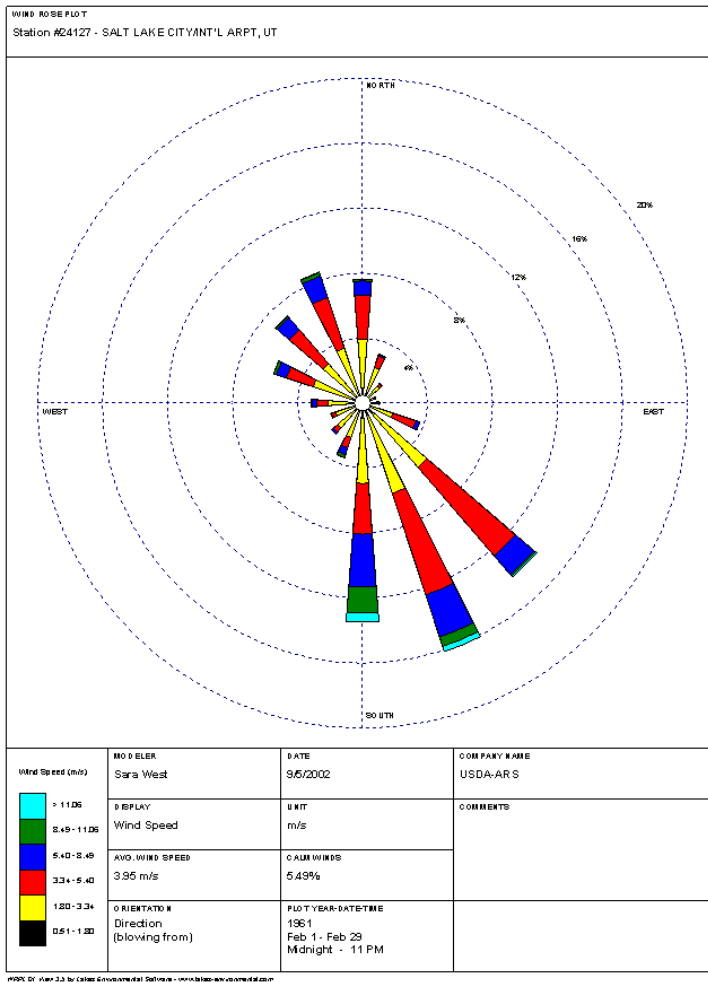
I live in Sugarhouse [REDACTED] and wanted to submit some comments for the above application. I hope you find these comments constructive.

My initial concern is that we already have a gas station on the opposite side of the road - the Chevron - with a convenience store attached. The Kum and Go seems unnecessary on the face of it.

My more practical comments:

Air pollution

The old Sizzler site sits right on the northwest corner of Sugarhouse park. Residents of the area all well know from years of living here that the prevailing wind from the northwest carries the smell of whatever is on that site directly into the park. It was not at all unusual to smell steak when walking around the southeast corner of the pond. It is safe therefore to say that the smell from that site carries somewhere around 1000ft on a normal day. Wind rose plots can show you the prevailing wind directions. Below is an example plot for Salt Lake City in February (source: https://www.wcc.nrcs.usda.gov/ftpref/downloads/climate/windrose/utah/salt_lake_city/)



You can see accumulated data from my own weather station here: <https://tempestwx.com/history/21392/day/2022/2/9> Click through to see data for any group of days, weeks, months or years.

While it's reasonable to argue that vapor recovery systems might be employed, and that oil and gas spills would be cleaned up in a timely manner, it's also safe to say that every gas station simply smells like a gas station. There's no getting away from that fact. The inevitable petrochemical smell will be blown into the park, down the hill across the pond. This is a beautiful area where people sit, bike, walk, run and do other outdoor activities (as you'd expect for a park), so on the air pollution basis alone I have to register an objection to the planned proposal.

Ground pollution

From a ground pollution point of view, LUST events (leaking underground storage tanks) are very common with gas stations. The Utah DEQ reports that they closed 104 sites in 2019 for LUST events (<https://deq.utah.gov/environmental-response-and-remediation/keeping-an-eye-on-underground-storage-tanks>).

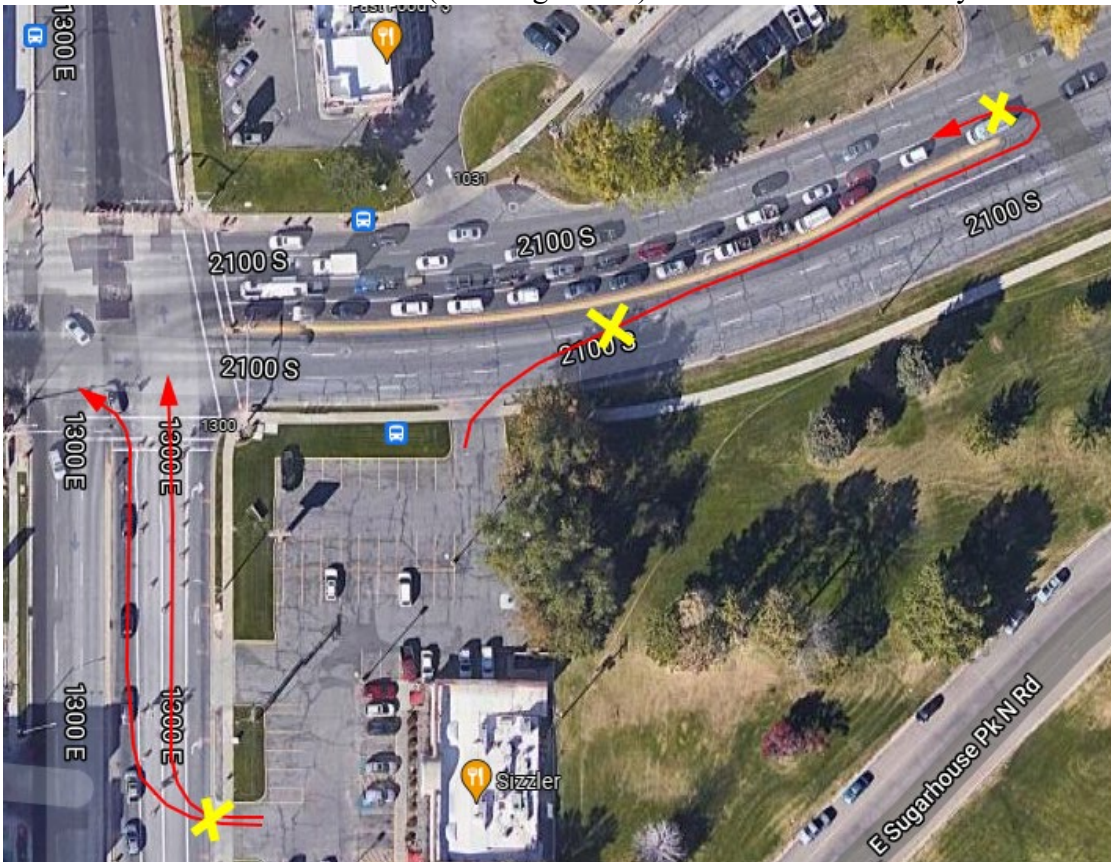
It's reasonably safe to assume, therefore, that the tanks for the proposed gas station will leak at some point, and will contaminate the groundwater in the area when doing so. Any leak in this location would likely also permeate the soil and be emitted around the footpath tunnel under

1300E which is below the grade of the proposed site. It's simply not safe to have underground petrochemical storage tanks that have a leak runoff capture area in a public park.

Access

Finally, from the point of view of access, the northbound traffic at the 1300E / 2100S intersection regularly backs up, blocking access to the location in this planning request. When the Sizzler was still there, the egress from the site back on to 1300E was a constant cause of issues with people trying to turn north into the already-congested junction, as the majority of vehicles were attempting to cut across two lanes of traffic to go straight ahead. This in turn blocked the right turn lane at the intersection, which the Salt Lake City transportation division has already noted as one of the busiest right-turn lanes in the city. Egress from the plot to the north directs traffic on to 2100 South heading east, and historically this caused a problem with that traffic cutting across the three lanes of the road in an attempt to U-turn back to the west at View Street.

The image below shows the most common egress routes when the site was a Sizzler (in red) and the common traffic conflicts (blocking access) and traffic accidents as yellow crosses:



Chris Longhurst.

From: [REDACTED]
To: [Planning Public Comments](#)
Subject: (EXTERNAL) No gas station at SH Sizzler site
Date: Thursday, September 22, 2022 6:24:23 PM

Hello,

I am a longtime Sugarhouse resident and I absolutely oppose the idea of putting a gas station on the Sizzler site. I have concerns about the creek and the (already terrible) traffic in the area.

Thank you,

Meghan Balough

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go gas station at 1300E/2100S
Date: Tuesday, November 29, 2022 12:07:04 PM

Dear Ms. Martinez,

I am writing as a Sugarhouse resident, and also as a chair of the SLC Bicycle Advisory Committee, though this opinion is my personal one.

While it would be preferential to have a better fitting establishment for the parcel, I understand that the City does not have much leverage and the gas station may go in. If that happens, I think it would be better if the convenience store building was abutting the Sugarhouse Park, rather than the street as it's designed now. The reasons for this are severalfold.

Firstly, it would make it more convenient for the park visitors to use the store - there's no retail in the park now so I imagine a lot of park visitors would use it. They could even make a patio facing the park. And trails/paths could connect to the park.

Secondly, having the building not abutting 1300 E would allow for the City to negotiate easement on a few feet of the property adjacent to the City owned park strip along 1300 E and allow a full width multi-use path along 1300 E all the way to the 2100 S intersection, naturally continuing the multi-use path that UDOT is putting on the new I-80 bridge.

I appreciate if the City could take this into consideration and make the best out of this questionable situation.

Sincerely,

Martin Cuma
[REDACTED]
[REDACTED]

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: Fwd: (EXTERNAL) Please no to Kum n go
Date: Friday, October 14, 2022 6:29:57 AM

Nick Norris
Planning Director
Salt Lake City
sent from my cell phone, please excuse typos

Begin forwarded message:

From: Morris Kunz [REDACTED]
Date: October 14, 2022 at 12:00:05 AM MDT
To: "Norris, Nick" <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) Please no to Kum n go

It would be so much better for that area to to not have another gas station and do something that benefits the community

Thanks

--

MORRIS KUNZ [REDACTED]
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](mailto:Diana.Martinez@slcgov.com)
Subject: Re: FW: (EXTERNAL) Please no to Kum n go
Date: Monday, October 17, 2022 1:21:46 PM

Thank you Diana

On Mon, Oct 17, 2022 at 8:50 AM Martinez, Diana <Diana.Martinez@slcgov.com> wrote:

This proposal is a privately initiated proposal.

Thank you for your comments about this proposal. Your input will be included in the staff report and passed along to the Planning Commission when these petitions are scheduled for a Public Hearing at a future date and time. The date of that meeting is not clear at this point.

Please let me know if you have additional questions or comments and again, we thank you for your input.

Regards,

Diana Martinez

Principal Planner

Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

SALT LAKE CITY CORPORATION

Desk phone number: 801-535-7215

Email diana.martinez@slcgov.com

WWW.SLC.GOV/PLANNING

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prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

From: Norris, Nick <Nick.Norris@slcgov.com>
Sent: Friday, October 14, 2022 6:30 AM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: Fwd: (EXTERNAL) Please no to Kum n go

Nick Norris

Planning Director

Salt Lake City

sent from my cell phone, please excuse typos

Begin forwarded message:

From: Morris Kunz [REDACTED]
Date: October 14, 2022 at 12:00:05 AM MDT
To: "Norris, Nick" <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) Please no to Kum n go

It would be so much better for that area to to not have another gas station and do something that benefits the community

Thanks

--

MORRIS KUNZ [REDACTED]
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#); [Fowler, Amy](#)
Subject: (EXTERNAL) PLNPCM2022-00053 Kim & Go Gas Station
Date: Wednesday, November 2, 2022 8:33:46 AM

Hi,

I am writing to ask Representative Fowler to vote no on the request to approve the petition PLNPCM2022-00053. To add what is requested would make the already dangerous corner, worse. The in and out would impact walkers, runners, bicyclists, and all manner of vehicles. It would not be providing anything substantial that isn't already provided, multiple times over, within a mile. Nothing worth the risk and added congestion.

We need a safer option.

Thank you,

Misty Morris

Address listed for resident verification only:

[REDACTED]

From: [Clark, Aubrey](#)
To: [Martinez, Diana](#)
Subject: FW: (EXTERNAL) Kum & Go in Sugar House
Date: Monday, September 26, 2022 8:06:21 AM

Aubrey Clark
Administrative Assistant
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

DIRECT (801) 535-7759
CELL (385) 499-3402
EMAIL aubrey.clark@slcgov.com

www.slc.gov/planning/

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From: Madeline Elise [REDACTED]
Sent: Friday, September 23, 2022 8:26 PM
To: Clark, Aubrey <Aubrey.Clark@slcgov.com>
Subject: (EXTERNAL) Kum & Go in Sugar House

Dear Salt Lake City Planning Commission,
As a resident of Salt Lake City and a frequent enjoyer of its beautiful parks and views, I would like to express my immense dissatisfaction with your decision to put a Kum & Go in a beautiful spot already next to another gas station. I'm sure this was a financial decision and that the land went to the highest bidder, but we need to look into the future of our great city.

We do not need another gas station. Electric cars are on the rise, there is more demand for public transport, and some towns are even [banning the construction of new ones](#). I hope you take this into consideration.

Best,
Madeline Smith

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Plans for old Sizzler location
Date: Sunday, February 27, 2022 9:07:34 AM

Hi Diana,

I live nearby and go thru that intersection several times per day. There is already significant traffic congestion from the nearby Highland High and Westminster College. And for the people who are walking or on a bike and trying to cross that intersection it's a disaster. Drivers get impatient and do not respect the pedestrians, even if they are in the crosswalk. The traffic backs up on 13th East for those who are attempting to travel southbound, much of which is caused by the Chevron traffic. For someone traveling westbound on 21st south and attempting to turn left to travel south, it's a nightmare doing that with vehicles in and out of the Chevron.

If another gas station was added at that intersection, I could see the northbound vehicles back up to the exit from I-80. And cars exiting the new gas station on 21st would cause havoc for the cars who went east from 13th.

Pls consider the additional congestion this added gas station would create for the area. It's a beautiful spot and a mini mart/gas station would not add anything good.

Thank you for your consideration.

Barbara Madsen

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go Mart
Date: Tuesday, March 8, 2022 8:16:04 AM

I think it is *tragic* that Salt Lake needs to approve another high-priced gas station/convenience store in order to have the former Sizzler's property redeveloped. The area is already overburdened with traffic and noise. We should do better.

Joyce Marder

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sugar house park
Date: Tuesday, February 15, 2022 11:02:35 PM

Hi there my name is Erin McCormick and a resident of Millcreek/lower Sugarhouse.

I have been informed that the idea of a gas station is being thought of to put where Sizzlers was. Please please please do not do this. Keep SH a place where people can go relax and enjoy the views, rather smell gas.

SH is meant to be a local, inviting, and classy area. Let's add a business that wants to thrive or a new restaurant (not a chain). SH has so much depth to it and gas station does not belong there.

Thank you for reading!
Erin McCormick

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Proposed Gas Station - Kum & Go
Date: Monday, February 14, 2022 6:59:40 PM

Hello Diana;

Regarding the proposal to build a gas station near Sugarhouse Park at the corner of 1300E and 2100S
You and I had the opportunity to talk today when I called your office
Thank you for taking the time to chat with me

My family and I have lived in SLC for almost 20 years, 10 years of which we have lived in or around Sugarhouse Park
Even when we did not live near Sugarhouse....we would travel to the Park to let our kids play and walk our dog

Later in life, we finally decided Sugarhouse area was where we wanted to live
When we lived at 15th and 15th, and we walked Sugarhouse Park almost daily (sometimes multiple times per day)

As you know, Sugarhouse Park is such great park, and very popular for its green space, parks, basketball parks
Its like our mini version of 'Central Park in New York'

In addition to all the green space that the Park provides, the most important aspect of Sugarhouse Park are the views of the Wastach Mountains
For some reason, our mountains look larger from the view at Sugarhouse Park

In conclusion, I really feel that the South East Corner of 1300E and 2100S was meant for restaurant (similar to the Dodo, or Park Cafe)
A restaurant where people can come with their families, have breakfast, lunch or dinner.
Enjoy the park, sit on a patio and stare at our Mountains
Perhaps one day the 4th of July Fireworks might start again.....

In my opinion, putting a gas station that is already surrounded by a Pharmacy, KFC, and another gas station would be a waste of a great section of land
The area around Sugarhouse has already become busy enough (with all the apartments, the University of Utah)
Lets have something that protects the park, and gives people another reason to use the park.....not a gas station

Thank you
Stephen McGowan

[REDACTED]

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: FW: (EXTERNAL) Kum & get this gas station out of our park
Date: Monday, November 28, 2022 8:34:43 AM

From: [REDACTED]
Sent: Saturday, November 26, 2022 3:53 PM
To: Norris, Nick <nick.norris@slcgov.com>
Subject: (EXTERNAL) Kum & get this gas station out of our park

Dude dont do this, we dont need that shit. Make it a bathroom at the least, just something the public can use and be able to look at the mountains!

Sincerely,
Concerned Citizen

From: [REDACTED]
To: [Brandon Hill](#)
Cc: [Norris, Nick](#); features@sltrib.com; letters@sltrib.com; [Public Lands](#); [Zoning](#); [Mayor](#); [Sugar House Community Council](#)
Subject: (EXTERNAL) Re: Sugarhouse Park Development
Date: Saturday, September 24, 2022 1:11:04 PM

If UDOT were still involved with 1300 East they would absolutely never allow a “right in right out” that close to the intersection of 1300 & 2100. I also highly doubt they would approve of an entrance/exit on 2100 South because of its proximity to the same intersection.

[Sent from the all new AOL app for iOS](#)

On Saturday, September 24, 2022, 12:40 PM, Brandon Hill [REDACTED] wrote:

Thanks for your comments, Mike! I think you share concerns that most of us in the community agree with. Hopefully, we can put a stop to this development!
Brandon

Co-Chair Sugar House Chamber
Sugar House Community Council Trustee

On Fri, Sep 23, 2022 at 12:59 PM [REDACTED] wrote:
Mr. Norris,

I was more than surprised that the city would be considering to permit a new Convenience Store on the corner of 1300 East and 2100 South in Sugarhouse. Sugarhouse and Sugarhouse Park is the envy of every other city along the Wasatch Front. Building a Kum & Go with fuel I think would be the last of a very long list of things to use the property. I watched the last Zoom call with the Sugarhouse Community Council. I found it ironic that the person on the agenda before Kum & Go was talking about the Brand of Sugarhouse. Things he thought they could possibly do to showcase the history and uniqueness of the area. Kum & Go then followed with their updated design. None of which comes close to fitting in with the Sugarhouse Brand. Kum & Go had stock answers to all the Council's questions with the exception of one, What are they bringing to the area that is either needed or currently missing. To that question they had no answer. There is a gas station directly across the street and another one on 1700 South (both locally owned) plus a new CVS across the corner. There is not a single thing they bring new to the area. The traffic issue alone should be enough to rethink the permit. In speaking with the Utah Petroleum Dealers Association the average store does 1,200 transactions per day with most of those sales occurring during the busiest traffic hours. Not to mention the daily delivery trucks of fuel, Groceries, Beer, Coke, Pepsi and all the other items needed. In watching the station across the street there is hardly a time when they don't have some kind of delivery truck there. They also mentioned on the Zoom call they are installing Diesel which then makes it even more of a problem as they become a mini Truck Stop. I ask the Chevron why they did not offer Diesel and their answer was most diesel vehicles are either pulling a trailer or are much larger in size and they can't handle the traffic even though that property is 4 times larger. This would become as bad if not worse than the Chick Fillet problem down the street as 1300 East has 2 to 3 times the traffic than 2100 South, plus Chick Fillet is not on an already busy intersection. In making a list of the pros and cons of a Kum & Go on that site I can't think of a single pro. There are much better fits for that area and ones that don't create the problems. Something like

a bank, an office building, a small strip mall with retail. The best use would be for the city to purchase it while it is available and add it to the park. I am sure the Park people could think of a hundred ways to use it to make the park better.. I think the neighbors and surrounding businesses could even help raise the money. There has not been a single person I have talked to about this site that think another gas station on that site is a good idea. I have had an office on 1300 East for over 20 years and love everything about Sugarhouse. The very last thing we need is a High Traffic business to add to our ever increasing traffic problems. I hope the city will help prevent Sugarhouse from becoming "gasoline alley" and losing the feel of the local Community it is.

Mike Peterson

From: Jim [REDACTED]
Date: January 20, 2022 at 2:41:55 PM MST
To: Planning Public Comments <planning.comments@slcgov.com>
Subject: (EXTERNAL) Sizzler/ gas station

As a home owner living 4/10 of a mile from the old sizzler site must express total disgust with the gas station proposal. Last thing we need especially on a site overlooking the park where a host of other uses could take proper use of the view. Their is something very wrong w/ zoning if this is allowed to happen. As we go towards all EV then seems no new gas stations should be allowed anywhere in city.

Save the new sugar house from this monstrosity!
Sent from my iPhone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Gas station
Date: Thursday, December 1, 2022 1:17:06 PM

Dear Ms. Martinez,

We are against the proposed gas station. However I understand nothing can be done about it.

Jeff Myers
Salt Lake City

Sent from my iPad

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) K&G Sugarhouse Park
Date: Friday, October 14, 2022 2:08:10 PM

Hi Diana,

My name is Nicole and I am a born and raised Salt Laker. I recently heard about the gas station that could possibly occupy the West side of Sugar House Park where the old Sizzler used to be.

This is extremely concerning. The traffic in that area is already extremely congested. Often the traffic from Chik-fil-a spills down the street. And I've noticed the intersection at 2100S and 1300E has become busier and more dangerous for cyclists and pedestrian traffic. We should aim to get more cars off the road in a neighborhood that is growing at such a rapid pace.

I'm also concerned about the oil spillage into Parleys Creek.

I understand the property will likely be sold to the highest bidder, but I also think the current plan to sell it to the gas station will be very detrimental in the long run.

Respectfully,

Nicole Gaddie
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sugarhouse park - Kum and go
Date: Wednesday, September 28, 2022 9:32:00 PM

Hi Diana,

Please don't put a Kum and Go right next to sugarhouse park. There's already so many gas stations in the area. Honestly the sizzlers wasn't much better but this is a prime chance to put a local business (preferably an eatery of some kind or even better some more high density housing since we definitely need it) next to one of our best local parks.

Thanks for taking the time to read this!

Respectfully slc resident,

Naoki Tominaga

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Thank You!
Date: Tuesday, February 15, 2022 3:10:30 PM

Hi Diana-

Hope you are doing well. I rarely have concerns in regard to the city, and think you and your colleagues are doing a wonderful job with the unprecedented growth. SLC is truly growing into a world-class city!

I'm writing to let you know that the vacant lot adjacent to Sugarhouse Park should not become a Kum & Go or gas station for that matter. It will distract from the calming nature of the park and will immediately become an eyesore. SLC can do better than placing a national chain in one of SLC's best city parks.

I hope you look into the beauty of that parcel and rethink its permitted conditional use.

Thank you again for your hard work and dedication to our city.

Sincerely,
Andrew Nadauld

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Old Sizzler Location
Date: Thursday, February 10, 2022 10:50:19 AM

Good morning!

My name is Travis Nelson and I live just [REDACTED] neighborhood. I live on [REDACTED] I just saw the recent proposal to put a Kum and Go gas station on the corner of 2100 S and 1300 E where the old Sizzler restaurant was located. I want to say that a gas station is a terrible use of this amazing space. You could not find a more scenic piece of land in the sugarhouse area. I frequently run the perimeter of the park and I am always surprised we don't have some sort of restaurant, bar, coffee shop, etc with a view of the park on this site. From the property line, you can see across the lush, green grass and beautiful pond with the picturesque mountain range behind it. There is no better place for a scenic restaurant, bar, coffee shop, etc. My wife and I have discussed how few "restaurants with a view" there are in this city which has huge potential for such a place. Salt Lake City provides an environment unlike anywhere else and it seems to me that we aren't making the most of it. This location is an opportunity to change that.

Regardless of the desire to have a scenic, sit down establishment, there are many negative connotations that come with a gas station. Sugarhouse park is a place that I and many of my friends like to go run and bike. An excessive amount of cars fueling or idling while waiting for a pump pollutes the air those in the park will breathe. There are many studies and websites that can verify this which I will add below. There is also a headache and environmental danger associated with installing and certifying underground tanks full of flammable liquid. In the era of a transition away from fossil fuels, the long term benefits of a gas station will slowly diminish as more and more cars bypass the pump for an electric car charger. I have purchased an EV and am already planning to get another one in a few years as the technology improves. I can say that many of my friends and family have the same sentiment. Gas stations will slowly become a thing of the past. To spend the resources necessary to put a gas station at this location is short sighted.

This Kum and Go is unnecessary. A quick google search for gas stations in the immediate vicinity proves this. There is currently a gas station across the street! There are also 2 more less than a mile away (0.7 mi to Speedway on Highland and 0.5 mi to the Smiths also on Highland).

Finally, a gas station will increase traffic in an area that is already congested and unsafe. Even more I80 through traffic would be funneled into a smaller residential oriented street (1300 E). U turns are difficult and with all the new growth in the area, traffic is just going to get worse and worse. I would be interested to see the data on how dangerous the intersection of 1300 E and 2100S is already. There are many other suitable spots for a gas station in the area. If we added a gas station on 700 E near the I80 freeway that would be a much more suitable, large road that could handle an increase in highway traffic looking for a spot to fill up. 1300 E, however, would not be able to handle further increases in traffic. A gas station on 700 E also wouldn't be taking up a picturesque location unlike anywhere else in our great city.

For additional reference, the city of Eagle Mountain pushed back against a gas station with a very well documented proposal that I will attach a link to. It has some great points and links

to articles as well.

To close, I think that a gas station is a poor decision for such a valuable piece of land because it makes an already congested area even more congested, it add pollution to a beautiful green space, it is short sighted as the Kum and Go will become less viable as time goes on, and most importantly, we should use this opportunity to create a business that can allow people to enjoy the beauty of sugarhouse park.

Thanks for your time on this important matter and don't hesitate to ask any questions.

Travis Nelson



Eagle Mountain Proposal:

<https://eaglemountaincity.com/wp-content/uploads/2020/07/Resident-Petition-Stop-Gas-Station-Construction-In-Our-Backyards.pdf>

Study regarding Gas Station emissions:

<https://www.sciencedaily.com/releases/2018/10/181004110021.htm>

Gas station pollution article:

<https://sciencing.com/pollution-gas-stations-18064.html>

From: Amanda Pryor O'Connor [REDACTED]
Sent: Monday, February 14, 2022 12:55 PM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: (EXTERNAL) PLNPCM2022-00053 - public comment on proposed use

I'm writing to provide comments on the proposal Kum and Go facility at the intersection of 1300E and 2100S in Sugarhouse. I believe the proposed use is incompatible with the adjacent land use, and is inconsistent with (1) the Sugar House Future Land Use Plan and the following Conditional Use Criteria. The City Council should defer their decision until additional studies can be completed, disclosed to the public, and considered by the Council in decision making.

Conditional Use Criteria B.6.2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps.

Comment 1 – The future land use map/Sugar House Future Land Use Plan identifies the proposed site as Low-Intensity Mixed Use. The proposed use is inconsistent with Low-Intensity Mixed Use development definition and objectives and the policies set forth in the Sugar House Future Land Use Plan.

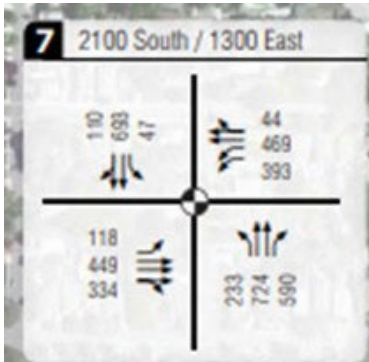
- a. As defined in the Sugar House Future Land Use Plan, proposed development and land uses within the Low-Intensity Mixed Use area must be “compatible with the land uses and architectural features surrounding each site.” The adjacent site is Sugar House Park, which is zoned as Parks & Open Space. The (1) intensity, (2) design, (3) traffic generation, and (4) access and circulation of the proposed use is incompatible with the adjacent “open space” that is land set aside for conservation and recreation purposes (as defined in Salt Lake City Code 21A.62.040).
- b. Further, as defined in the Sugar House Future Land Use Plan, the intent of the Low-Intensity Mixed Use area is to support “more walkable community development patterns located near transit lines and stops”. The increased traffic and congestion required by the required type and frequency of access to the proposed site is incompatible with a more walkable, pedestrian friendly community.
- c. The Sugar House Future Land Use Plan identifies maintain a street pattern that minimizes traffic congestion as a key Business District Issue and calls for the development of Small Area Plan for the Business District to address this issue, further stating the mobility pattern should be analyzed prior to any new development (p5). The policy includes the following measures, with which the proposed use is incompatible:

Enhance pedestrian crossings along with traffic calming measures, and provide access through the district that connects Sugar House Park, Hidden Hollow and Fairmont Park
Require new buildings to honor the historic character of the area

Conditional Use Criteria B. 6. 6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic.

Comment 2 – The City Council should defer the decision until current traffic conditions can be studied, disclosed to the public, and considered in the decision.

- a. The City Council should require an updated study on the Average Daily Traffic (ADT) on the adjacent roadways 1300E and 2100S. The most recent Circulation Plan for the Sugarhouse Business District was in 2013 (2012 data) indicated moderate congestion at the 2100 South/1300E intersection. This data is outdated and does not reflect multiple new housing developments with new residents and increased private businesses in the last 10-year period, including the CVS Pharmacy at the same intersection. A convenience/gas station will require a high frequency of access at least one access point each on 1300 E/2100 South, adding substantially to traffic congestion.



Conditional Use Criteria B. 6. 8. Access to the site does not reasonably impact the service level of any abutting or adjacent street.

Comment 3 – The proposed use and site will require access at least one access point each on 1300 E and 2100 South. Already a congested intersection (see above), access to the site will unreasonably decrease the service level of both 1300 E and 2100 South.

- a. The most recent (2013) Circulation Plan for the Sugarhouse Business District rated the Level of Service (LOS) (at the time of the study) as Grade F Forced, Unpredictable Flows / Excessive Delays >80 >50. See screenshot below. The LOS grade for the intersection as presumably worsened since 2013 with the level and rate of development at that time. A convenience/gas station will require lots of entry/exit from more than one access point on 1300 E/2100 South, decreasing the LOS.

reported based on the worst movement. The software package Synchro / SimTraffic was used for this study.

Table 2.3-2. Level of Service Descriptions

LOS	Description	Signalized Intersections (Avg Delay: sec/veh)	Unsignalized Intersections (Avg Delay: sec/veh)
A	Free Flow / Insignificant Delay	0 to 10	0 to 10
B	Stable Operations / Minimum Delays	>10 to 20	>10 to 15
C	Stable Operations / Acceptable Delays	>20 to 35	>15 to 25
D	Approaching Unstable Flows / Tolerable Delays	>35 to 55	>25 to 35
E	Unstable Operations / Significant Delays Can Occur	>55 to 80	>35 to 50
F	Forced, Unpredictable Flows / Excessive Delays	>80	>50

Source: Fehr & Peers Descriptions, based on Highway Capacity Manual 2000 Methodology (Transportation Research Board)

The existing PM peak hour LOS for the key intersections within the study area are shown in Table 2.3-3. As shown in Table 2.3-3, traffic conditions in the Sugar House CBD are generally stable with the exception of the intersection of 1300 East / 2100 South which experiences heavy delays during the peak hours of the day.

Table 2.3-3. Existing PM Peak Hour Level of Service

ID	Intersection	Control	Delay (sec/veh)	LOS
1	900 East / 2100 South	Signal	34.1	C
2	900 East / Sugarmont Dr	WB Stop	16.0	C
3	1100 East / 2100 South	Signal	32.1	C
4	Highland Dr / Wilmington Ave	Signal	10.1	B
5	Highland Dr / Sugarmont Dr	-	5.7 ¹	A
6	Highland Dr / Simpson Ave	Signal	10.0	B
7	1300 East / 2100 South	Signal	106.9	F
8	1300 East / Wilmington Ave	Signal	19.0	B

Notes:

¹Represents the worst movement (northbound left-turn)

Source: Fehr & Peers, July 2012

Conditional Use Criteria B. 6. 12. The use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke.

Comment 4 -The City Council should defer the decision until a detailed air quality study can conducted, disclosed to the public, and considered in the decision.

- a. The proposed use as a gasoline service provider and the required high frequency access by motorized vehicles will impact the surrounding air quality, and introduce a direct health hazard to recreational users at the adjacent open space (Sugar House Park). A detailed study of air quality emissions and modeling,

including the cumulative impact on local air quality and health hazard should be conducted, disclosed to the public, and considered in the decision.

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Old Sizzler property
Date: Wednesday, November 2, 2022 8:34:50 AM

Ms. Martinez,

You may have already had my comments and concerns sent to you regarding the Kum and Go gas station/ Convenience store proposal at the corner of 1300 East and 2100 South in Sugar House.

As I have asked a number of other residents and property owners in my neighborhood to email you or call concerning this proposed conditional use for this site, I feel it reasonable to make sure I do the same.

I do not bear any particular angst toward the company with the proposal. I'd feel the same regardless of what company put forth this type of proposal.

I have serious reservations as to the safety of pedestrians and vehicles because of the increased activity that this type of business on this location would create.

With the overbuild of residential and business uses in the Sugar House Business District the traffic has become a serious mess to navigate in the area.

I go out of my way to avoid the area, whether on foot, bicycle or in a vehicle.

I can just see this gas station creating the same kind of mess the Chik fil A has created with their drive through.

As a result, I spend my time and money elsewhere and avoid the SHBD if at all possible.

There are already a number of gas stations with convenience store applications within short distances from this location.

I seriously have questions about problems with environmental issues that could be created.

I believe that a business with shorter hours of use and less density of use would be more likely to sustain the quality of experience in Sugar House Park for those who frequent it and the quality of life in the surrounding residential neighborhoods, as well as for the small local businesses that are located close by.

Regards,

Sheila O'Driscoll

[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Re: Opposition to Kum & Go Gas Station 2111 S 1300 E
Date: Thursday, February 10, 2022 4:21:43 PM

Dear Ms. Martinez,

I was stunned when I saw site plans for the Kum and Go gas station near the 21st So/13th E. intersection by Sugar House Park. The gas tanks and fuel pumps are only yards away from one of the most important landscape art installations in the country! Patricia Johanson is internationally famous for her monumental art-as-infrastructure designs, and the Segó Lily Dam at the Draw at Sugar House has been featured in a multitude of art exhibits and prestigious publications from the Brazil to China. *

The idea that a visitor would come to Salt Lake to see the Draw at Sugar House and look up to see fuel pumps overlooking the Segó Lily petal is beyond belief. Moreover, the noise and odors of a gas station drifting down into the Segó Lily Plaza would ruin its unique ambiance as an outdoor performance space.

Please relay my disapproval to the Planning Commissioners. Such an egregious misuse of this special place would be a terrible mistake.

With respect,

Lynne Olson, [REDACTED]

- [https://en.wikipedia.org/wiki/Patricia_Johanson#The_Draw_at_Sugar_House,_Salt_Lake_City,_Utah_\(2003-2018\)](https://en.wikipedia.org/wiki/Patricia_Johanson#The_Draw_at_Sugar_House,_Salt_Lake_City,_Utah_(2003-2018))



Kum & Go Gas Station (Conditional Use)

A "gas station" use is a conditional use in the CB zone and therefore must be approved by the Planning Commission.

Petition Number: PLNPCM2022-00053

Zoning District: CB- Commercial Business Zoning District

Council District: District 7- Represented by Amy Fowler

Staff Planner: Diana Martinez

Email: diana.martinez@slcgov.com

Phone Number: 801-535-7215

End of the Public Comment Period: March 21, 2022

Join the Online Open House at: <http://bit.ly/slc-openhouse00053>

From: [Clark, Aubrey](#)
To: [Martinez, Diana](#)
Subject: FW: (EXTERNAL) Regarding the Kum & Go in Sugarhouse Park
Date: Monday, September 26, 2022 8:04:00 AM

Aubrey Clark
Administrative Assistant
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

DIRECT (801) 535-7759
CELL (385) 499-3402
EMAIL aubrey.clark@slcgov.com

www.slc.gov/planning/

Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

From: Paige Patno [REDACTED]
Sent: Friday, September 23, 2022 12:17 PM
To: Clark, Aubrey <Aubrey.Clark@slcgov.com>
Subject: (EXTERNAL) Regarding the Kum & Go in Sugarhouse Park

Good afternoon Aubrey,

I am reaching out to you today because I see that you are the primary contact for the Salt Lake City Planning Commission. I understand that soon the planning commission will make a final decision on whether to move forward with the building of a Kum & Go gas station on the corner of 1300 E and 2100 S at the corner of Sugarhouse Park.

I am reaching out to encourage the planning committee to decide not to move forward with the gas station. Here are the reasons I think such a decision will be detrimental to the area:

1. The traffic in Sugarhouse has grown exponentially from 2017-present. Adding an additional gas station on that corner will worsen the traffic that is already difficult to navigate because of the recent growth, which will cause several issues including delays and accidents.
2. There is already a gas station across the street (Chevron) that is incredibly accessible. There is also

another gas station down the street (Sinclair). There is no need for an additional gas station in the area.

3. This space is wasted on a gas station when it could easily be a business that adds to the character of Sugarhouse Park- such as a restaurant, boutique, bookshop, or cafe- especially when the lot is on a corner of the park with such fantastic views.

I attended Highland High School from 2013-2017 and often took advantage of everything the Sugarhouse area had to offer, including the park. Naturally, because of this I have many fond memories of the park.

I consider Sugarhouse to be my home and a pivotal part of growing up. I have three siblings who presently attend Highland who I have always hoped would be able to use the Sugarhouse area as a place to help with their own growth as it did mine. Sugarhouse is a place of individuality and inclusion and a gas station will damage the integrity of the area and the park.

I am sure that other community members share my concern and would like to maintain the integrity of the park, which can be done by adding a different type of business on that corner.

Thank you so much for your time.

Best,
Paige Patno

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go Gas Station (Conditional Use) - Comment - Please No
Date: Thursday, March 3, 2022 12:02:58 PM

Hello Diana,

Permitting a gas station on the corner of Sugar House Park do great harm to the neighborhood, the park, and the local ecosystem. I fear that a gas station leaks could negatively impact the local watershed, pollute the landscape, and induce additional car traffic through an already busy intersection.

This property is a great opportunity to further beautify such a lovely space with one of the best views in the city. I would love to see building on that property that respects and incorporates proximity to Sugar House park into its design such as a cafe + city park office + viewing area.

Thank you for your time,
-Alex

--

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Comment for Sugar House Park development
Date: Tuesday, February 8, 2022 4:22:41 AM

As a nearby resident, I oppose the building of the Kum-N-Go gas station on the corner of 1300 E and 2100 S. It goes against the character of the neighborhood and can pose a hazard to pedestrians and cyclists that frequent the area.

Sugar House park is a treasured recreational area for the city that promotes health and well being for Salt Lake City residents. A gas station and the vehicles it serves contribute to polluting the area's water and air quality with vehicle combustion and spilled oil and gas. Kum-N-Go's lack of healthy food options and plethora of junk food further exacerbate the problem.

The gas station also poses dangerous and potentially life-threatening situations for pedestrians and cyclists that frequent the park. Several studies speak to an increase in travel accidents with pedestrians and cyclists near convenience stores, gas stations and fast food restaurants, because of the frequency of vehicle visits to those businesses. With the park being a major hub for pedestrians and cyclists using that intersection as an entrance to the park, their safety should be of utmost importance in determining the future tenant.

Thanks for your work in representing our community views to determine the future of this property.

Brandon Patterson
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Public comment
Date: Tuesday, February 22, 2022 10:02:13 PM

I'm writing to request that the Planning Division deny the Kum & Go request at Sugarhouse Park. It's the worst possible business to go on such a scenic spot. It would forever change the views of the park and would display the priority for automobiles, fast food and convenience over outdoor spaces, beauty and walkable neighborhoods. The Sugarhouse business district has been growing rapidly and what is now so unique is the density of housing, restaurants and retail mixed with trails and the park. There are better options to continue with the smart growth that has been happening in Sugarhouse to promote culture and distinct place making. A gas station does not do that and should not be an option.

Thank you.

--
KEVIN PERRY

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Old Sizzler Parcel
Date: Wednesday, February 16, 2022 1:53:05 PM

Diana,

My name is Karissa Peterson and I own the Chevron across the street from the old Sizzler/new Kum and Go parcel. I wanted to reach out and introduce myself for a couple reasons. One is very obvious...a gas station across the street from mine is bad for business, but i know I didn't need to tell you that. I was born in Utah, received my Accounting degree from the University of Utah and have lived in Salt Lake City for over 20 years (just last year moved to Park City). I own three gas stations, the one in Sugarhouse, one in Draper, and one in Park City. This store has been in my family for 19 years, we bought it directly from Chevron Corporate. It and the Sugarhouse area has always been what I considered home. My main office is inside that store and I have spent more hours behind that register than any other place. What I am saying is that whatever is built across the street is more than just a competitor...the energy, history, and culture of Sugarhouse is so incredible. I don't think a large chain gas station, that is owned by a corporation from out of state is anything remotely close to preserving Sugarhouses unique personality. I am aware that it is zoned for a gas station and that just because people don't want it there means that they cannot build. I am happy to help in anyway and would also love to be added to any group that has organized themselves in fighting the building.

I have attended the Sugarhouse Chamber meetings and have gotten to know Landon. He has been very helpful. Please let me know if there is anything specific I can do to learn more about the project and the people for and against it.

Thanks!

Karissa Peterson
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Petition PLNPCM2022-00053 - Conditional Use for Kum & Go Gas Station
Date: Monday, March 7, 2022 2:00:53 PM

Ms. Martinez,

As a resident of Sugarhouse I am very much opposed to the petition request to build a Kum & Go Gas Station at the northwest corner of Sugarhouse Park. This project does not have a community need with a gas station right across the street. It caters to a car-centric community, which is also less desirable. It is the type of business that will bring excessive nighttime lighting, fumes, fire risk, and the potential for groundwater pollution from a tank leak or gas spill into the creek that travels through the park and under 1300 East. It is also a huge loss of opportunity to utilize the CB zoned property for something that would actually enhance the community.

I live on [REDACTED] Sugarhouse Park is such a great city amenity already, but the efforts to increase the biking and walkability of the area with the Parley's Trail that passes under 1300 East makes my neighborhood even more special. My husband and I have spoken wistfully many times about how cool it would be to have that Sizzler become a great local restaurant that built vertically enough to really take advantage of the views in the park and of Mount Olympus. It could really be an amazing destination. Or even a hybrid dining place that was a full restaurant upstairs and coffee/ice cream in the corner to get while you're in the park. Sure, the Kum & Go may offer coffee and ice cream, but it will definitely not enhance the view or become a special community destination.

Wishes aside, since I know as a Planner you are only part of the approval on actual requests, I just want to throw in my own comments as a citizen that it is my wish that PLNPCM2022-00053 be turned down due to its environmental risks, for not being a community need, and for deteriorating the quality of the community with its emphasis on cars and a visual distraction from our lovely city park. Thank you for recording my comments with the Online Open House.

Sincerely,

Lori Powell
[REDACTED]

From: [REDACTED]
To: diana.martinez@slcgov.com
Subject: (EXTERNAL) Kum & Go - Sugarhouse
Date: Monday, November 28, 2022 4:41:26 PM

Dear Ms. Martinez,

I am writing to request that my comments be added to the zoning request below. Sugarhouse has grown to become such a vital and vibrant part of our community. This corner represents the visual and geographic gateway to Sugarhouse and Salt Lake City in a very real sense. This corner has been a landmark for the residents and visitors for many years. I would truly appreciate that this corner be used as zoned and a conditional use zone for Kum & Go Gas Station/Convenience Store be denied. Adding another gas station/convenience store is simply adding more traffic and more potential traffic and pedestrian accidents in an area where a gas station already exists and traffic is often grid locked for many hours during the day. It also adds visual pollution to a truly beautiful corner of the city.

In addition, the name of the business is objectionable and does not represent well.

Is there a way to help a local business develop here that can service the needs for refreshments in Sugarhouse Park and generate income to care for the park instead of pollute it?

As a long time resident of Sugarhouse, I thank you for your consideration on this matter and appreciate your adding my objection to the file.

Kum & Go Gas Station (Conditional Use) - Nathan Abbott, representing Galloway US, is requesting conditional use approval for a gas station that will be located at 2111 South 1300 East. The proposed project will consist of a 4,745 square foot convenience store located in the northwest corner of the property and three (two-sided) gas pumps located in the south area of the property. The subject property is approximately 0.83 acres combined (36,155 square feet) in size and is in the CB- Community Business Zoning District.

A "gas station" use is a conditional use in the CB zone and therefore must be approved by the Planning Commission. All additional code requirements can be reviewed in Section 21A.40.200 of the Zoning Ordinance.

Petition Number PLNPCM2022-00053
Council District District 7- Represented by Amy Fowler
Staff Planner Diana Martinez
Email diana.martinez@slcgov.com
Phone Number 801.535.7215



Maura Powers



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From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) "Kum N Go" Public Comment
Date: Monday, February 14, 2022 8:48:17 AM

Hi Diana,

I hope you're the correct person to leave public comment with about the proposed Kum N Go gas station at the corner of 1300 East and 2100 South. This would be on the parcel currently occupied by the vacant Sizzler.

My comment is simply -- no. It's an inappropriate location for (another) gas station, would add in-and-out driveways and traffic to an already busy intersection, and...this is a marquee location. It would be an amazing site for a restaurant or cafe with outdoor seating facing the park, or a boutique hotel, or (it's Sugar House, so another) residential tower. With a site like this, putting a gas station on it is almost offensive. This is a once in a generation opportunity for Sugar House Park, let's make the most of it.

Thank you for your time.

(btw, actually excited for Kum N Go to come to Utah, this is just the wrong location for it)

Quinn Rollins
[REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: (EXTERNAL) Sizzler Site
Date: Wednesday, September 21, 2022 8:56:05 PM

Good evening,

I am Opposed to putting a gas station at the Sizzler site in Sugar House, due to the potential environmental impacts this could have. This should be a community market or local restaurant or brewery, but not a gas station next to the park. Or even be part of the park.

Thank you Rana Alexander
Sugarhouse resident.

Sent from my iPhone

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: FW: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK
Date: Tuesday, November 22, 2022 11:54:21 AM

-----Original Message-----

From: [REDACTED]
Sent: Friday, November 11, 2022 1:43 PM
To: Norris, Nick <nick.norris@slcgov.com>
Subject: (EXTERNAL) KUM & GET THIS GAS STATION OUT OF OUR PARK

Respectfully, as a resident of Sugarhouse and Salt Lake City..... I will not stand to let another money grab further pollute our air and ruin one of the greatest public parks in the state.

From: [REDACTED]
To: [Martinez, Diana](mailto:Diana.Martinez@slcgov.com)
Subject: Re: (EXTERNAL) Kum & Go Public Commet
Date: Monday, November 21, 2022 5:53:41 PM

Hi Mrs. Martinez,

Thank you for asking for clarification. I do not have authority to speak for the board, please consider my email/letter coming from me personally as a Salt Lake City / Sugarhouse area resident.

Thank you,

Sent from my iPhone

On Nov 21, 2022, at 3:02 PM, Martinez, Diana <Diana.Martinez@slcgov.com> wrote:

Ms. Christensen-
Are you submitting this email/letter on behalf of the SHP Authority?

Diana

Diana Martinez

Principal Planner
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

Desk phone number: 801-535-7215
Email diana.martinez@slcgov.com

WWW.SLC.GOV/PLANNING

Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

From: [REDACTED]
Sent: Tuesday, November 15, 2022 9:12 PM
To: Martinez, Diana <diana.martinez@slcgov.com>
Subject: (EXTERNAL) Kum & Go Public Commet

Hi Diana,

I want to thank you for the work you are doing as the PM of this Kum & Go project. It

has caught a lot of attention which comes with more workload and stress for you.
Thank you for your time.

I was born and raised in Utah and am a homeowner in Sugarhouse ([REDACTED])
[REDACTED] for 6 years.

Please consider this email for your public comments opposing the Kum & Go station. I hope the City Planners will listen to the community and use the research on the negative impacts of gas/convenience stores to decline the conditional use of Kum & Go.

I have done some research and have provided reasons with reference links that demonstrate valid reasons to be against the Kum & Go. There are 3 main topics against this project type— neighborhood, students, environment,

Neighborhood

1. **Loss of Local Revenue** - Why have another national chain occupy this space?
A number of studies have shown that local economies are better off with locally-owned businesses compared to those which are part of a national chain. These studies show that on average 48% of each purchase at a locally-owned business circulates through the local economy compared to less than 14% of purchases from national chain stores.
2. **Existing Decline in need for Gas Stations**
The number of gas stations in the U.S. has been declining. In 1994, there were 202,800 gas stations across the nation, but by 2012 the number was down to 156,065. The decline can be attributed to cars getting more miles per gallon, thus needing less gas, as well as new stations adding many more pumps.
3. **The future is Electric** - Electric cars are rising and gasoline needs will continue to decrease.
What happens to the site when the gas station closes? Abandoned gas station sites are difficult to convert to other uses. In the meantime, they deteriorate, causing the area to appear rundown, and lowering property value. Why aren't we approving more charging stations for hybrid and electric cars. (see graph attached)
4. **Require Market Analysis** - there are several gas stations in proximity. Do we really need another one?
Only so many convenience stores or gas stations can exist within a given area. Require a market analysis to demonstrate that this area can accommodate another store
5. **Robberies and Employee Health** - Convenient stores do not promote safety and are a common spot for panhandling. *Convenience store hold-ups account for about 6% of all robberies in the nation.* One study noted that: "Convenience store employees suffer from high rates of workplace homicide, second only to taxicab drivers."
6. **Stage II Vapor Recovery and Onboard Refueling Vapor Recovery (ORVR) are**

NOT effective. A study published in February 2020, examined the effectiveness of Onboard Refueling Vapor Recovery systems. The researchers found that 88% of vehicles monitored released vapors during refueling despite the presence of Onboard Refueling Vapor Recovery systems.

7. **The real concern is cumulative benzene from storage tanks**

The cumulative effect of benzene released during fueling and from underground storage tank vents remains a cause for concern for those living, working or learning nearby.

8. **Chemicals and Toxicity**

During the operation of a gas station, unburned fuel is released from multiple sources, including spills, leaky pipes, leaky dispenser hoses, leaks in underground storage tanks, and underground storage tank venting [3–6]. All of these sources of exposure can contribute to negative health effects due to the toxicity of chemicals in unburned fuel. We cannot rely upon controls required for new gas stations to resolve the health and safety threat to those who live or play in the vicinity of a proposed gas station.

2. <https://slate.com/business/2016/06/why-americas-gas-stations-are-running-out-of-time.html>

3. https://neiwpc.org/wp-content/uploads/2021/08/LUSTLine-89_FINAL_v2.pdf

4. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8172828/>

6. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7020915/>

Students

1. **Another Alcohol Outlet on the Route for High School Students to Highland High**

“Children with an alcohol outlet on the route to school were more likely to be offered alcohol, tobacco, and other drugs as well as be exposed to drug selling and seeing people using drugs.” Children with an alcohol outlet on the route to school were more likely to be offered ATOD as well as be exposed to drug selling and seeing people using drugs.

2. **Increased Obesity for Teenagers**

A higher rate of obesity was associated with the presence of convenience stores within a 10-minute walk of a school.

3. **No Safe Level of Benzene** - why are we adding more benzene emissions in a neighborhood/park atmosphere?

Benzene is the **gasoline constituent most harmful to human health**. Adverse health effects of benzene include nausea, cancer, anemia, increased susceptibility to infections, and low birth weight. According to the World Health Organization Guidelines for Indoor Air Quality, there is no safe level for benzene. Inhalation accounts for more than 95–99% of the benzene exposure of the general population.

1. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3778110/>

2. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3041661/pdf/1471-2458-11-68.pdf>
3. <https://www.ncbi.nlm.nih.gov/books/NBK138708/>

Environment

1. **Idling Contributing to Utah's Unhealthy Air**

Idling engines, particularly those in large diesel trucks, emit a large quantity of particulates into the local atmosphere. These particulates can pose a significant health risk for those living near convenience store/truck stops.

2. **Aquatic Impact** - Sugar house park has a pond and river system. What impacts will the runoff have on this necessary park?

Contaminant levels in convenience store-gas station runoff were **5- to 30-times higher when compared to residential runoff.**

3. **Johns Hopkins University researchers found that an average of 40 gallons of gasoline is spilled at a typical gas station per year at the pumps.**

Fuel storage tanks and pipelines pose another source of contamination, though the design of both has improved dramatically over the past couple of decades. Spillage at the pump is a more likely source of fuel release into nearby waterways. The JHU researchers also found that a significant portion of the spilled gasoline can migrate through the concrete pads at many fueling stations. A new study suggests that drops of fuel spilled at gas stations -- which occur frequently with fill-ups -- could cumulatively be causing long-term **environmental damage to soil and groundwater.**

2. http://owl.cwp.org/mdocs-posts/elc_pwp2/

3. <https://www.sciencedaily.com/releases/2014/10/141007103102.htm>

I hope the above research helps the planning commission in denying a conditional use for the Kum & Go.

Thank you for reading,

Roxy Christensen

Member, Sugar House Park Board Authority



From: [REDACTED]
To: [Martinez, Diana](#)
Subject: Fwd: (EXTERNAL) NO KUM AND GO
Date: Thursday, October 27, 2022 10:27:07 PM

Nick Norris
Planning Director
Salt Lake City
sent from my cell phone, please excuse typos

Begin forwarded message:

From: Ryann Denison [REDACTED]
Date: October 20, 2022 at 6:39:48 PM MDT
To: "Norris, Nick" <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) NO KUM AND GO

the kum and go gas station is awful City planning. Not a good use of land, street, or your resources. Be creative. Try harder.

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Against Kum and Go
Date: Friday, September 23, 2022 12:57:09 PM

Dear Ms. Martinez,

I want to voice my opposition against the proposed Kum and Go in Sugarhouse. It seems to be an unnecessary eye sore with possible devastating environmental impacts. I urge you to decline this conditional use request.

Thank you,
Rachel Forrest
District 5 resident

From: Richard Layman [REDACTED]
Sent: Thursday, March 24, 2022 1:11 PM
To: Martinez, Diana <Diana.Martinez@slcgov.com>
Subject: (EXTERNAL) Comments: Land Use/Zoning Petition Number: PLNPCM2022-00053

Ms. Diana Martinez

Principal Planner

Salt Lake Planning Commission

via email

Re: **Petition Number:** PLNPCM2022-00053

I live in the Bonneville Hills neighborhood of Salt Lake City, in District 6, about two miles from Sugar House Park, which our family frequents regularly. I have been selected to be a board member for the Sugar House Park Authority, effective in April 2022, although these comments are my own.

These comments concern the matter involving the proposed gas station-convenience store at 2111 1300 East, on a property zoned for Mixed Use Low Intensity in a Community Business Zoning District. Approval of this use is not "matter of right" but conditional, based on the consideration, review, hearings, and determinations by the Salt Lake City Planning Commission.

1. By definition a convenience store-gas station, even with only 6 pumps, is a higher intensity use, with 2,000 or more daily visits, especially in a location within one half mile of an Interstate Highway exit..

2. The lot with the address 2111 1300 East is designated for Mixed Use - Low Intensity use (commercial) in the Sugar House Future Land Use Map in the Sugar House Master Plan. According to the Sugar House Master Plan, the site of the former Sizzler Restaurant at 2111 1300 East, which the gasoline and convenience store chain Kum & Go wants to convert, is designated as a "low intensity use."

3. The lot with the address 2111 1300 East is an anomalous use in that it is a commercially zoned and privately owned lot on a block that is otherwise devoted to institutional uses, the Sugar House Park (110.5 acres) and Highland High School of the Salt Lake City school district. Other regional parks elsewhere in the city, such as Liberty Park, do not have commercial zoned and active uses within the boundaries and perimeter of the park. The lot in question is less than 1 acre.

4. Land use context should be the defining factor in determining whether or not the proposed new use is appropriate. Land use context should be considered in terms of how Sugar House Park is the gateway to the neighborhoods north and east of the park, not compared to the high intensity use commercial district to the west of the park. As well as to how the site in question is less than 1% of the total land on the block.

How the land use is separated between low density residential to the north and east and higher density commercial and medium density residential to the south and west of the Park is clearly defined on the Sugar House Future Land Use Map presented within the Sugar House Master Plan

The designation of "low intensity use" makes sense, because the rest of the "block," more than 99% of the land area, is devoted to two institutional uses, the Sugar House Park and Highland High School. With some exceptions most of the residential blocks north and east are 100% residential, with a mix of institutional (churches, schools) and occasional commercial uses for a 1-2 mile radius north and east from the park.

5. My understanding is that it is not unusual for the Planning Commission to approve higher intensity uses for sites zoned low intensity. However, it would be a mistake to rely on those precedents when considering the matter of the 2111 1300 East site.

I am not familiar with all of the sites where the SLPC has ruled in favor of higher intensity uses for properties zoned low intensity, nor with the particular conditions and context for those sites.

I am familiar with the land use context concerning this particular petition, and I believe it would be a mistake to make such a determination for the 2111 1300 East site.

The key question comes down to land use context. While there is no question that the Sugar House Park abuts wide and traffic engorged roads and seemingly a gas station is congruent with the transportation context--I-80 on the South, the six lane 1300 East on the west and the six lane 2100 South on the north--the fact is that the site should be considered in terms of how 1300 East is the primary border and dividing line between the commercial and mixed use high intensity district of Sugarhouse, and the residential neighborhoods north and east, which are dominated by one and two story detached single family houses, dotted by the occasional duplex or small apartment building.

(The roads are designated freeway, arterial state route, and city arterial respectively in the Sugar House Master Plan.)

Except for the site in question, the face block of the east side of the 2100 block of 1300 East is not commercial at all, but institutional. It is the land on the west side of the 2100 block of 1300 East that is intensified, designated as Business District Mixed Use - Town Center Scale.

While there is a modicum of commercial uses on the east side of the 2000 block of 1300 East (designated Mixed Use - Low Intensity) and the north side of the 1300 and 1400 blocks and the northeast corner of the 1500 block of 2100 South (designated Neighborhood Business), these are low intensity uses, dental offices, a coffee shop, light commercial, restaurants, a clothing store, etc. This commercial use does not shape the land use context of the block containing Sugar House Park and Highland High School.

In the Sugar House planning district, it is clear that the highest intensity uses are located west of 1300 East. The Park in particular serves as the primary and premier gateway to the residential neighborhoods, with a decided step down in intensity and height through its provision of open space.

The 2111 1300 East site and its allowable uses should be considered in that context, not the high intensity use district that typifies Sugar House between 700 East and 1300 East on the west/east, and I-80 and 2100 South on the south/north..

Conclusion. Because a high intensity use of a gas station-convenience store is counter to the Sugar House Master Plan as well as to the land use context of how Sugar House Park serves as a buffer and gateway to the residential neighborhoods north and east, I recommend that the conditional use petition for a change in intensity of use not be approved for the site at 2111 1300 East.

Thank you for your consideration.

Sincerely,

Richard Layman

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) sugarhouse Kum & Go
Date: Thursday, November 17, 2022 7:40:47 AM

Dear Ms. Diana Martinez,

As a lifelong resident of the sugarhouse neighborhood, I humbly request that the Conditional Use permit **be denied** to Gallway Us. for the proposed Kum & Go at 2111 South 1300 East. Here are the reasons:

- Zoning laws are put in place to restrict development for good reasons, and should be honored at the public's request
- The convenience store will increase traffic at an already dangerously congested intersection
- Offensive to community values, a poorly named convenience store within the perceived boundaries of one of the most beloved city parks
- Do not grant preferential treatment to an out of state business over community values
- There is already a convenience store at the intersection of 2100 South 1300 East that provides services in the area.

Sincerely,
Robert W. Volker

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go Gas Station (Conditional Use) - Deny
Date: Tuesday, February 15, 2022 3:16:52 PM

Good Afternoon Diana Martinez,

I just wanted to express very directly that a Kum and Go on one of the best parcels in the Salt Lake Valley would be a grave mistake. The potential environmental risks to the neighboring park could be great and there is no way this is the best use for this site. Sugarhouse would mourn the day it allowed this site to be approved for a gas station.

Thank you for your service and we hope you decide to decline this conditional use permit.

Best,

Matthew Ratelle
(Salt Lake Resident and Employed in Sugarhouse)

From: [REDACTED]
To: [Martinez, Diana](#)
Cc: [REDACTED]
Subject: (EXTERNAL) Sizzler property | Big NO to Kum & Go gas station or any gas station for that matter
Date: Wednesday, February 9, 2022 10:10:50 AM
Importance: High

Dear Diana,

I am emailing to put my opinion on the record during the 45- day comment window as a “**big NO**” to the Sizzler property lease/sale to the Kum & Go gas station chain, which will ultimately ruin the corner with a less than aesthetically appealing gas station and so many other negative impacts. I am familiar with the Kum & Go stations as I have been to CO and MT, and they are not in line with Sugarhouse landscape design in any way, shape or form.

However, more importantly as the planner on this project, approving the ability for the owner to lease or sell this property at undisclosed crazy, high price to Kum & Go, which would sit directly across from an established Chevron, seems shortsighted, redundant and will inevitably increase traffic, which is already over congested in Sugarhouse due to the popularity of the area and new condo/apt. buildings. A good example is the Chick-fil-A on 2100 South, which has become a driving nightmare and hazard – people stack up in the right lane heading East and in the turning lane, which has caused accidents going in and out of that restaurant due to a poorly planned drive-thru. We don’t need more traffic congestion in this area and specifically on southeast corner of 1300 East and 2100 South especially given how many children and families (and their pets) use the park for recreation near that corner.

Gas station quick marts like Kum & Go also attract transients, and this has been the case in Sugarhouse and near the Draw (the underpass into the park near that same corner). The homeless population has increased exponentially in Sugarhouse Park, and has been increasing for the past several years due to public official policy changes. Crime in our neighborhood (I am a District 7 resident and have been for 30 years) has also shot up – people are posting every day to nextdoor.com in my area about porch pirates, car breaks and home break ins, assaults, etc. Another gas station store would absolutely add to increased crime rate and be an overall detriment to everyone living near and around the park.

In addition, you add a gas station, you increase emissions and noise near the park where people are trying to exercise, walk their dogs, sled in winter time, picnic, among so many other outdoor uses. It will ultimately detract from the other more appropriate businesses near and around the park like The Do Do Restaurant and others.

End of day, what that Sugarhouse Park corner could use is a nice eating establishment / coffee shop or another profitable local venue that brings together the community. Or, maybe SL county or city purchases or leases the land and turns it into an extension of the park in perpetuity much like the SL County is doing with the SL County Equestrian Center and USU.

Diana, this is a highly visual corner with beautiful mountain views. We don’t need a large gas station chain on that corner. What we do need are city / park planners who have the Sugarhouse

community's best interest in mind.

Thank you,

Lee Rech



From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) re: 2111 South 1300 East
Date: Tuesday, February 8, 2022 3:37:55 PM

Dear Diana Martinez:

I am opposed strongly to a gas station being put in where Sizzler was located at 2111 South 1300 East. Traffic is already congested at that corner. A gas station will add an unprecedented amount of cars to an already jumbled intersection. After all, everyone drives to a gas station. As for aesthetics, which should matter strongly in any neighborhood, could anything be tackier than a "Kum and Go" gas station? Sugar House Park is beautiful. Surely, the land could be used for something more inspiring. Why not a museum, a library, a coffee house, or a food co-op? Perhaps people could get an incentive to walk or bike to the place. Sugar House gets plenty of foot and bike traffic. Maybe it would be possible to make it a car-free enterprise except for employees.

Thank you for your time,

KATE REDDY

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) SE Corner 1300 E & 2100S
Date: Thursday, April 14, 2022 4:17:00 PM

Hi Diana:

I understand you are the best contact for comments on the 1300 E 2100 S SE corner development. I live in Sugar House, and work [REDACTED]. The lot is one of the best lots in Salt Lake City. It has the most amazing views of the park and the Wasatch range.

The addition of a gas station, particularly as we move toward electric vehicles, is an enormous waste of fantastic property.

I grew up in Australia and there is a restaurant in Melbourne called the Stokehouse - it is an icon. It sits right on the beach and is renowned for its location and offerings. The ground level offers casual dining opening to the beach. The upstairs is fine dining with amazing views of the water. This is the type of business that should be located on this lot. A business that opens to the park with outdoor dining on the park side, casual food, coffee, icecream, duck food - examples such as Publik Coffee, Sweetaly, Caputos, East Liberty Tap House, Oasis. The upstairs should be fine dining with views of the park and mountains to the east, with examples such as Pago, Stanza, Copper Onion. I have dreamt of this location becoming the icon it should be for the 20 years I have lived in Sugar House.

This would be the best destination in Salt Lake City - an icon. It would reflect for decades to come that it was saved to be a restaurant for the people of Salt Lake, and not turned into a gas station, particularly when there is one across the street. We are so lucky that in the 50's the County built Sugar House park. These spaces are so important to the quality of life of all of us who surround it, as well as those who come to visit. I want to maintain this wonderful space with another area that embraces the amazing view and improves the experience in the park for now and well into the future.

<https://stokehouse.com.au/melbourne/>

Thanks, Helen

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Cc: [REDACTED]
Subject: (EXTERNAL) Sizzler Site bordering Sugarhouse Park
Date: Wednesday, February 9, 2022 4:43:34 PM

Hi, Diana. I am a long-time neighborhood resident residing about one-half block south of Sugarhouse Park at [REDACTED]. I have a number of concerns about the proposed Kum and Go gas station proposal at the old Sizzler site. First, there is already a gas station/convenience store directly across the intersection from the proposed site. A second one doesn't really add anything to the neighborhood. Second, the site borders Parley's Creek which runs through the park. Mixing gas tanks and drinking water seems to be a risky proposal as well. Finally, there have been so many high-rises built between 2100 South and Stratford Avenue and Highland Drive and 1300 East that it is practically impossible to exit the neighborhood streets onto 1300 East during most of the daytime hours. I have seen neighborhood cars lined up for more than two blocks trying to access 1300 East near the I-80 intersections. Please don't add more traffic to that overtrafficed area.

I would prefer something which would enhance the Park experience - a coffee shop, food truck pad, restaurant, etc. Sugarhouse has touted itself as a walkable community. Make it so.

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) "Kum N Go" Public Comment
Date: Monday, February 14, 2022 8:48:17 AM

Hi Diana,

I hope you're the correct person to leave public comment with about the proposed Kum N Go gas station at the corner of 1300 East and 2100 South. This would be on the parcel currently occupied by the vacant Sizzler.

My comment is simply -- no. It's an inappropriate location for (another) gas station, would add in-and-out driveways and traffic to an already busy intersection, and...this is a marquee location. It would be an amazing site for a restaurant or cafe with outdoor seating facing the park, or a boutique hotel, or (it's Sugar House, so another) residential tower. With a site like this, putting a gas station on it is almost offensive. This is a once in a generation opportunity for Sugar House Park, let's make the most of it.

Thank you for your time.

(btw, actually excited for Kum N Go to come to Utah, this is just the wrong location for it)

Quinn Rollins
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL)
Date: Thursday, September 29, 2022 6:32:41 PM

Kun n go doesn't go with the sugarhouse community. It will add more bottle neck to an already busy intersection. It will also add more emissions to our air. More and more people are changing to electric cars. I've have been watching traffic in our area and more people are using their bikes. E-bikes are big presents also.

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Opposed to Kum & Go gas station @ Old Sizzler site
Date: Saturday, October 1, 2022 8:25:36 PM

Hello Diana,

I am writing this email to you to express my strong disapproval for the proposed Kum & Go gas station @ old Sizzler site in Sugarhouse. As a resident of Sugarhouse for over 30 years, I don't see how another gas station in this area will be a benefit to Sugarhouse & Salt Lake City residents. First, there are already 6 gas stations within a 1 mile radius of this area - do we really need another gas station? This is such a busy intersection, I see a high potential for auto/ped/bicycle accidents if a gas station is placed @ this location, with cars coming in & out at all times - no matter how it is configured. What is the likelihood this business will be around in 10 years? Are they a local Utah business - NO! We want a business that will thrive in this unique neighborhood location, & bring synergy to the Sugarhouse park area + our community. Lastly, our air in Utah has significant issues, having a gas station in this area will inevitably contribute to our already polluted atmosphere.

Please reconsider the decision to put a Kum & Go gas station at the old Sizzler site for the above reasons. Give the community a chance to decide what they would like to see in this area - perhaps a more neighborhood-friendly business or gathering.

Thank you for your consideration,

Shirley Belleville
[REDACTED]

Sent from my iPad

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Oppose SH park proposed Kum & go
Date: Tuesday, October 4, 2022 9:14:38 AM

Hello Ms. Martinez,

My name is Sarah Diener, I am a SLC resident and would like to officially express my opposition to the proposed Kum & Go gas station at the corner of 21st S and 13th E, adjacent to SH Park.

There are many reasons for my opposition:

- 1) Environmental concerns of storing gasoline in a hill next to a public park with a lake, as well as the environmental impact on the air quality from increased traffic and idling vehicles at the proposed site.
- 2) Traffic and safety: this is already a busy intersection, an increase of vehicles “kuming and going” is dangerous to the pedestrians, bikers, joggers and children who use the park. Citizens want walkable communities, having to drive to the park for safety instead of walk/bike will only increase the traffic and air pollution.
- 3) Impact on community feel. Sugar House residents want to support small local businesses, I imagine a restaurant or small food truck park would be quite successful in this location.
- 4) The name of this gasoline franchise includes a spelling error and a sexual innuendo that is not appropriate for the community.

Thanks for reading , please share my views with any players in this decision.

Best,
Sarah

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go Fuel Station at 1300 E & 2100 S
Date: Monday, October 3, 2022 4:11:06 PM

Please include the following in the record for decision making regarding the proposed Kum & Go fuel station.

With both 1300 E and 2100 S divided highways with substantial traffic, the appropriate location for fuel stations serving the primary road – 1300 E – are the NE and SW corners. These locations permit continued progress in the north or south directions with minimal traffic disruption after use of the stations. The other corners require diverting onto cross streets with eventual U-turns or attempting to cross right-turn lanes to get back into the flow of traffic. It's not the right site for the intended car-based use. They should swap with Kentucky Fried Chicken if they want to build a fueling station, otherwise the site should be used for a destination (restaurant) type use. An even better use would be expansion of Sugarhouse Park.

Sincerely,

Steve Graham

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sugar House Park and gas station
Date: Saturday, October 1, 2022 8:12:41 AM

Hi Diana,

I am emailing you about the proposed gas station that Kum&go is proposing to build on sugar house park. I want to give you a list of reasons NOT to go forward with this:

- 1) Kum&go will contribute to the pollution that is already so hard to clean up in that area. We want to keep the park clean and not make the problem worse.
- 2) The implement of this Kum&go will contribute to traffic that already fills the area leading to more car accidents and deaths.
- 3) Kum&go is based in Iowa and would not support Salt Lake City's mission to support small and local businesses.

We should be supporting Salt Lake City's mission to further the development of our economy by supporting small businesses. Kum&go Is not apart of that mission.

Thank you for reading my message,

Shade

From: [Norris, Nick](#)
To: [Martinez, Diana](#)
Subject: Fwd: (EXTERNAL) Formerly Sizzler location
Date: Friday, October 14, 2022 12:23:10 PM

Nick Norris
Planning Director
Salt Lake City
sent from my cell phone, please excuse typos

Begin forwarded message:

From: Stephanie Quick [REDACTED]
Date: October 14, 2022 at 12:17:39 PM MDT
To: "Norris, Nick" <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) Formerly Sizzler location

Please please please do not let one of the best views in SLC to go to waste by putting another gas station on an already overcrowded corner. SLC has some absolutely fantastic restaurateurs who could make much better use of that space.

Sincerely,
A resident of Sugarhouse

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) kum and go restaurant
Date: Thursday, October 20, 2022 5:50:50 PM

To Whom it May Concern:

My name is Sheri Sohm. For years, I worked in the ELP program teaching problem solving to students at Hawthorne Elementary School. In 1990, my students discovered Hidden Hollow and it was preserved as an example of how natural urban environments can be sustained and enjoyed within the city.

My students were instrumental in the campaign to create a tunnel under the road between Hidden Hollow and Sugar House Park. One of the outstanding features there is the amazing sculptural land art created by the environmental artist, Patricia Johanson.

I, and other educators use the “The Draw at Sugar House” to teach Utah’s Pioneer History to both adults and children. We discuss the settlers' experience; moving through red-rock country, as pioneers did on their journey toward the valley. We teach the unique symbols of the state infused in the artwork making local history come alive.

Today, the usefulness of the site as an outdoor classroom and art installation is being threatened. The Kum & Go is only feet away from the art installation. The traffic, noise, and trash inherent in a fast-food gas station, interferes with the peaceful ambiance of the site. It detracts from the “one of a kind” historic field trip experience. Please deny this proposal and protect this unique site where art and history meet in the center of our great city.

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go in Sugarhouse Park Inquiry
Date: Thursday, September 29, 2022 7:41:04 PM

Hi Diana,

I hope this email finds you well. Just wanted to let you know I've seen the city's plans to possibly let a "Kum & Go" into Sugarhouse's beautiful park. This is a bit concerning for me & many other residents, as I see a potential for electric cars in the future especially with the climate & energy package approved by congress in August. With this, consumer trends will favor towards E-cars, thus the placement of this Iowa based company would not benefit the residents if Utah. We are so lucky with such a beautiful landscape, we are already heavily gentrified since the pandemic with our booming economy. This is an opportunity to preserve this land and not let franchises especially controversial ones of the fossil fuel industry inhabit this land.

Thank you in advance for considering these topics when this possible purchase is considered by the committee.

Best,
Sara Truett
[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum and Go Gas Station?
Date: Thursday, February 16, 2023 12:06:19 PM

As the public comment period is open regarding the above....please at least delay the construction of the above until something better might be proposed! Another gas station on that corner is really unnecessary and frankly, blights Sugarhouse Park directly to the east. Why the City didn't buy the Sizzler the minute it came on the market years ago to effectively integrate this land into the public space inventory is completely beyond me. It's been vacant for years and I prefer a dilapidated Sizzler to another gas station to be frank. If the city wanted real property tax revenue, it'd be better to put 3-4 story condos there with awesome views of the park and balconies facing the east. Imagine 10-12 units...each valued at 7 figures plus the land value. Surely, this is a better deal for the city from a tax revenue perspective and it is an idea that could incorporate green space unlike a silly gas station/convenience store!

Best,

John

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Comments on gas station in sugarhouse
Date: Friday, March 25, 2022 9:11:47 AM

Hello,

I am a Sugarhouse resident, and 25 year Salt Lake City resident. I have witnessed the growth of our city, and the intense spike of growth in the last 10 years. I understand the growth because SLC is such a beautiful, well planned city. The placement of green spaces, thoughtful public transit planning, and commitment to pedestrian access had made this city a desirable place to live. With that said, I plead with the City Council to not allow a gas station on the corner of Sugarhouse Park. The park is an incredible asset, where your constituents have a beautiful green space with views of the Wasatch Mountains. A gas station with convenience store will add trash, noxious smells, more auto traffic, blighted views, and nothing positive I can think of.

Please think of the future and help guide this space to be a positive part of the park, not a commercial, smelly, eye sore.

Thank you for your consideration.

Sugarhouse resident-
Sabrina sanders

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) The old Sizzler
Date: Tuesday, February 8, 2022 1:05:15 PM

Dear Diana Martinez,

I was told that you are taking comments about a proposed gas station on the corner of Sugarhouse park where the old Sizzler used to be.

I use this park quite often and feel that a gas station on that corner would create more congestion, noise and litter in the park. I strongly prefer it not be turned into a gas station.

Thank you for your time,

Sincerely,

Lori Shields

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Petition Number: PLNPCM2022-00053 - Kum and Go near Sugar House Park
Date: Tuesday, February 8, 2022 1:04:16 PM

Greetings Mrs. Martinez and to whom it may concern,

I wanted to express my extreme concern regarding a petition, Petition Number: PLNPCM2022-00053, currently under consideration to allow the building of a "Kum and Go" gas station near Sugar House Park. I think that approving this petition would be an inappropriate decision and would ultimately negatively impact my local community, the park's visitors, and the park itself. I frequently walk to this park from my home to enjoy it and ultimately this request is for a business which is unnecessary and intrusive. I encourage those with the power to prevent this project from moving forward and to not approve the construction of a gas station at this location.

My concerns are many and are as follows:

1.

Traffic hazards and congestion - A similar business already exists at/near this traffic congested location and it will be a nuisance: there is currently already a gas station across the street from the one being requested. This intersection is one I use frequently and is already at limits for traffic and congestion. We do not need to draw additional vehicles/business to this location across the street when gas service is already available nearby. This would exacerbate the given traffic congestion causing hazards at an intersection which does not have the infrastructure to support it currently, and will be even more of a nuisance to nearby neighborhoods should it be allowed.

2.

Health and safety hazards and added pollution risks in air, land, and soil: Both air pollution and soil pollution are associated with gas filling stations. Numerous studies have shown there exist dangers of having a gas station in such close proximity to homes/communities. As a resident in Salt lake City you are likely familiar with the struggles we already face with numerous types of pollution. The addition of a gas station would further create pollution in the city, and more specifically add additional air pollution which is unacceptable. The idling of cars at gas stations, as well as venting of toxic fumes associated with gas stations are of particular concern for a business with such proximity to a nearby park where people frequent to "get some fresh air" and enjoy the outdoors. You simply cannot allow nearby residents and park-goers to be subjected to even more pollution.

3.

Aesthetics and utility of the nearby public park - This location is near roads, making this area likely to become trapped with gas station litter. This would detract from the beauty of the park and require additional resources for waste management which are not currently funded or planned for. The residents of Salt Lake City deserve

clean public spaces that are also visually appealing. A gas station, in this otherwise beautiful retreat from city and urban architecture, would disrupt the appeal and aesthetics of the park.

For these reasons, I urge you to deny the construction of the "Kum and Go" gas station at the proposed location of 2111 South 1300 East. Surely there is another type of business which can accommodate the park that compliments this area rather than detracts from it.

Thanks for your time, should you have any questions I can be reached at [REDACTED]

Sincerely,
Ammara

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum& Go
Date: Wednesday, October 19, 2022 10:00:23 PM

This is just a sick perversion of a name for a gas station. They will just destroy the character of our beloved sizzler corner of the park and sell crack out of the store. Please dont let this be true!

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Opposition to the 2111 S 1300 E gas station
Date: Sunday, February 13, 2022 10:08:32 AM

I am writing to oppose the proposal to allow building of a gas station on the corner of 2111 S 1300 E. I live close to this intersection, drive through it on a regular basis, and often enjoy spending time in Sugar House Park. Please consider point #3 under Detrimental Effects Determination: I do not see building a gas station well suited to the character of the site. Sugar House Park is one of the most scenic parks in the Salt Lake Valley. The property in question is nearly within the park boundaries. Another dirty gas station pumping fossil fuel and junk food does not belong in such a park environment.

I also worry that adding another high traffic flow business to this intersection will exacerbate traffic congestion. There is often traffic back up at this intersection during rush hour times. Adding another facility with higher volume of traffic trying to enter or exit the various lanes in the intersection will likely lead to more congestion and accidents. There is also high pedestrian use of this intersection, and I fear further complicating the traffic pattern with a gas station will be a negative safety factor for walkers, runners, and bikers.

The Sugar House neighborhood is historically known for a more unique character relative to many other Utah suburbs. The appeal lies in its unique architecture, locally owned businesses, restaurants, and shops. It is a much more walkable community. Many of the changes over the past few decades have been slowly eroding this character. Every effort to preserve what remains of the different cultural feel of Sugar House should be made. Adding a gas station will scar a beautiful park, exacerbate traffic problems, and decrease walkability of the neighborhood. Allowing this construction to proceed will further condemn Sugar House to becoming a cultural void, full of chain restaurants/businesses that we see in areas like Lehi, Herriman, American Fork, etc.

Sincerely,
Paul Steinman

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Cc: [REDACTED]
Subject: (EXTERNAL) Kim and Go corner of 1300 E and 2100 S
Date: Tuesday, December 27, 2022 2:27:34 PM

Today I received

SLC Planning Division: Online Open House Active Projects (Updated December 27, 2022)

I looked at the proposal at

<https://bit.ly/slc-openhouse-00053>

For a mere mortal the plans do not provide any information. Very poor elevation and pages of plans which total 16pp.

Where is landscaping? What is the traffic circulation in and out of the station on a very busy corner where people are turning. How do you get back into the right lane as you come out onto 1300 East which is full of cars backed up and turning right. Must they turn right when the customer leaving wants to go straight north on 1300 East? Pedestrian safety as people whip in and out? Are we creating another Chick Fila? How do these issues get discussed if not shown on plans? **There has to be a letter or comment from city Transportation on the Safety and circulation proposal for the intersection with so many people dashing in and out for a drink or gas.**

How can people comment given such detailed and confusing and unexplained plans? **This intersection is part of the long range planning for 2100 South and really needs to be coordinated with City Transportation.**

Suzanne S. Stensaas

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Planning Public Comments](#)
Subject: (EXTERNAL) Sizzler Parcel
Date: Wednesday, January 26, 2022 3:27:56 PM

Hi,

I would like to voice that I would not like to see a gas station at this location. Prefer a restaurant w a view of the Park!

Thank you,
Glenn Strong

Sent from my iPhone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) KUM - MUST GO
Date: Sunday, February 13, 2022 2:14:27 PM

We do not need another gas station at 2111 South 1300 East.

Sugar House Park, is considered a "crown jewel" among regional parks in the Salt Lake Valley, comprises 110.5 acres of lush, rolling green space in the Sugar House neighborhood of Salt Lake City, Utah. Currently, the park is an island from commercial development, free from the broad and detrimental issues associated with a gas station; increased noise, increased traffic negatively impacting the flow of both pedestrian and mobile traffic, increased trash and vagrancy that is associated with the proposed development.

The addition of a " KUM -and Must Go " station on the Southeast corner of the park does not add to the parks beauty, longevity, or contribute to the long term growth, and value to our community.

As defined per the conditional use criteria the proposed development of the KUM-MUST GO development does not meet criteria.

Detrimental Effects Determination:

3. The use is well suited to the character of the site, and adjacent uses as shown by an analysis of

the intensity, size, and scale of the use compared to existing uses in the surrounding area; **The site is not well suited to the character of the site and adjacent uses. Is a gas station/ convenience store in keeping with the surrounding park, does it add to the longevity and prervation of our green space and serve the community interest, NO**

4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered; **Is the scale, design, style and architectural detailing in keeping with the surrounding area or structures. NO . The park is a green space**

5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows; **No access point and driveways will contribute negatively to an already busy and overburdened access and egress to the main vehicular arteries serving the Sugarhouse area which has and will continue to see an increase of traffic with the addition of approximately 1000 new residential units in the immediate vicinity of Sugarhouse park.**

6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic; **No the internal circulation system will not mitigate adverse impacte on adjacent property and will contribute negatively to an already busy and overburdened access**

and egress to the main vehicular arteries serving the Sugarhouse area.

7. The site is designed to enable access and circulation for pedestrian and bicycles; **No the site as designed will not enable access and circulation of pedestrian and bicycles . More vehicle entering an exiting the corner of 2111 South and 1300 East will create an added danger, congestion and will contribute negatively to an already busy and overburdened access and egress to the main vehicular arteries serving the Sugarhouse area.**

8. Access to the site does not unreasonably impact the service level of any abutting or adjacent

street; **No the site as designed will unreasonably deter and negatively impact the service level of the intersection of 2111 South and 1300 East. More vehicle entering an exiting the corner of 2111 South and 1300 East will create an added danger, congestion and will contribute negatively to an already busy and overburdened access and egress to the main vehicular arteries serving the Sugarhouse area.**

11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to

mitigate potential use conflicts; **The site as proposed is not screened in keeping with the land use, landscaping and overall design of the park. The addition will add significant light, sound and general pollution that is not definitively dissimilar.**

12. The use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke; **Sustainable development is the practice of maintaining productivity by replacing used resources with resources of equal or greater value without degrading or endangering natural biotic systems.^[2] Sustainable development binds together concern for the [carrying capacity](#) of [natural systems](#) with the social, political and economic challenges faced by humanity. Does this gas station truly meet sustainability plans as defined above or by the Sugarhouse Board? NO**

13. The hours of operation and delivery of the use are compatible with surrounding uses;

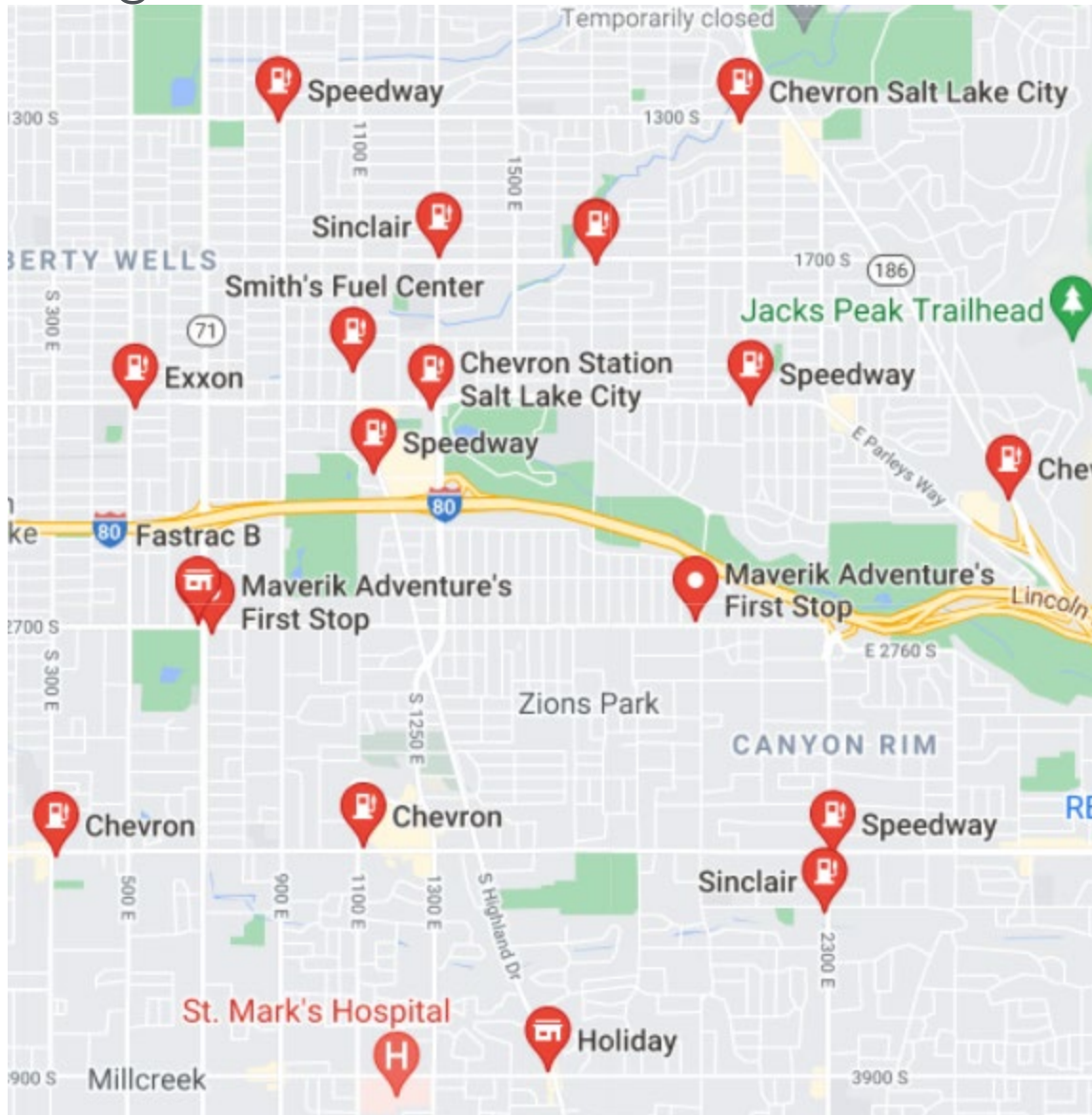
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses; **Clearly, a 24 hour a day facility with glaring lights neon signs are not really compatible with our Sugarhouse Park which has currently has no commercial development at any location around the park.**

15. The proposed use does not undermine preservation of historic resources and structures. **NO the proposed use does undermine the park, this historic resources that our for fathers had the wisdom to develop and protect when the prison was moved.**

Our green space, our clean air, and our recreational space is disappearing as development is ongoing.

Please think to the future, to your children and there's.

HOW MANY GAS STATIONS DO WE NEED? THERE ARE @19 GAS STATIONS WITHIN @MILES OF THE PARK.



From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Sugarhouse park corner
Date: Saturday, October 1, 2022 9:04:12 AM

Hello Diana-

I am sure you have received many emails and calls regarding the possibility of a gas station being placed on the corner of 1300 e and 2100 s. This has been brought up in many conversations within my neighborhood and everyone agrees that this does not fit in with what we want in our area. There is no need for another gas station and it would not be beneficial to the area. In the coming years, a gas station will likely be obsolete and we would benefit more from a nice cafe or restaurant. One neighbor even mentioned it would be fun to have a food truck park there. Anything but a gas station. I imagine the neighbors will be boycotting it if it does go in. We have already suffered through all the random chain restaurants and apartments that don't belong in our delightful area. Please express our opinions. No one wants the gas station there. Thank you for your time. -Tiffany Scoville. [REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) KUM - MUST GO
Date: Sunday, February 13, 2022 2:14:27 PM

We do not need another gas station at 2111 South 1300 East.

Sugar House Park, is considered a "crown jewel" among regional parks in the Salt Lake Valley, comprises 110.5 acres of lush, rolling green space in the Sugar House neighborhood of Salt Lake City, Utah. Currently, the park is an island from commercial development, free from the broad and detrimental issues associated with a gas station; increased noise, increased traffic negatively impacting the flow of both pedestrian and mobile traffic, increased trash and vagrancy that is associated with the proposed development.

The addition of a " KUM -and Must Go " station on the Southeast corner of the park does not add to the parks beauty, longevity, or contribute to the long term growth, and value to our community.

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Detrimental Effects Determination:

3. The use is well suited to the character of the site, and adjacent uses as shown by an analysis of

the intensity, size, and scale of the use compared to existing uses in the surrounding area; **The site is not well suited to the character of the site and adjacent uses. Is a gas station/ convenience store in keeping with the surrounding park, does it add to the longevity and prervation of our green space and serve the community interest, NO**

4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered; **Is the scale, design, style and architectural detailing in keeping with the surrounding area or structures. NO . The park is a green space**

5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows; **No access point and driveways will contribute negatively to an already busy and overburdened access and egress to the main vehicular arteries serving the Sugarhouse area which has and will continue to see an increase of traffic with the addition of approximately 1000 new residential units in the immediate vicinity of Sugarhouse park.**

6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic; **No the internal circulation system will not mitigate adverse impacte on adjacent property and will contribute negatively to an already busy and overburdened access**

and egress to the main vehicular arteries serving the Sugarhouse area.

7. The site is designed to enable access and circulation for pedestrian and bicycles; **No the site as designed will not enable access and circulation of pedestrian and bicycles . More vehicle entering an exiting the corner of 2111 South and 1300 East will create an added danger, congestion and will contribute negatively to an already busy and overburdened access and egress to the main vehicular arteries serving the Sugarhouse area.**

8. Access to the site does not unreasonably impact the service level of any abutting or adjacent

street; **No the site as designed will unreasonably deter and negatively impact the service level of the intersection of 2111 South and 1300 East. More vehicle entering an exiting the corner of 2111 South and 1300 East will create an added danger, congestion and will contribute negatively to an already busy and overburdened access and egress to the main vehicular arteries serving the Sugarhouse area.**

11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to

mitigate potential use conflicts; **The site as proposed is not screened in keeping with the land use, landscaping and overall design of the park. The addition will add significant light, sound and general pollution that is not definitively dissimilar.**

12. The use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke; **Sustainable development is the practice of maintaining productivity by replacing used resources with resources of equal or greater value without degrading or endangering natural biotic systems.^[2] Sustainable development binds together concern for the [carrying capacity](#) of [natural systems](#) with the social, political and economic challenges faced by humanity. Does this gas station truly meet sustainability plans as defined above or by the Sugarhouse Board? NO**

13. The hours of operation and delivery of the use are compatible with surrounding uses;

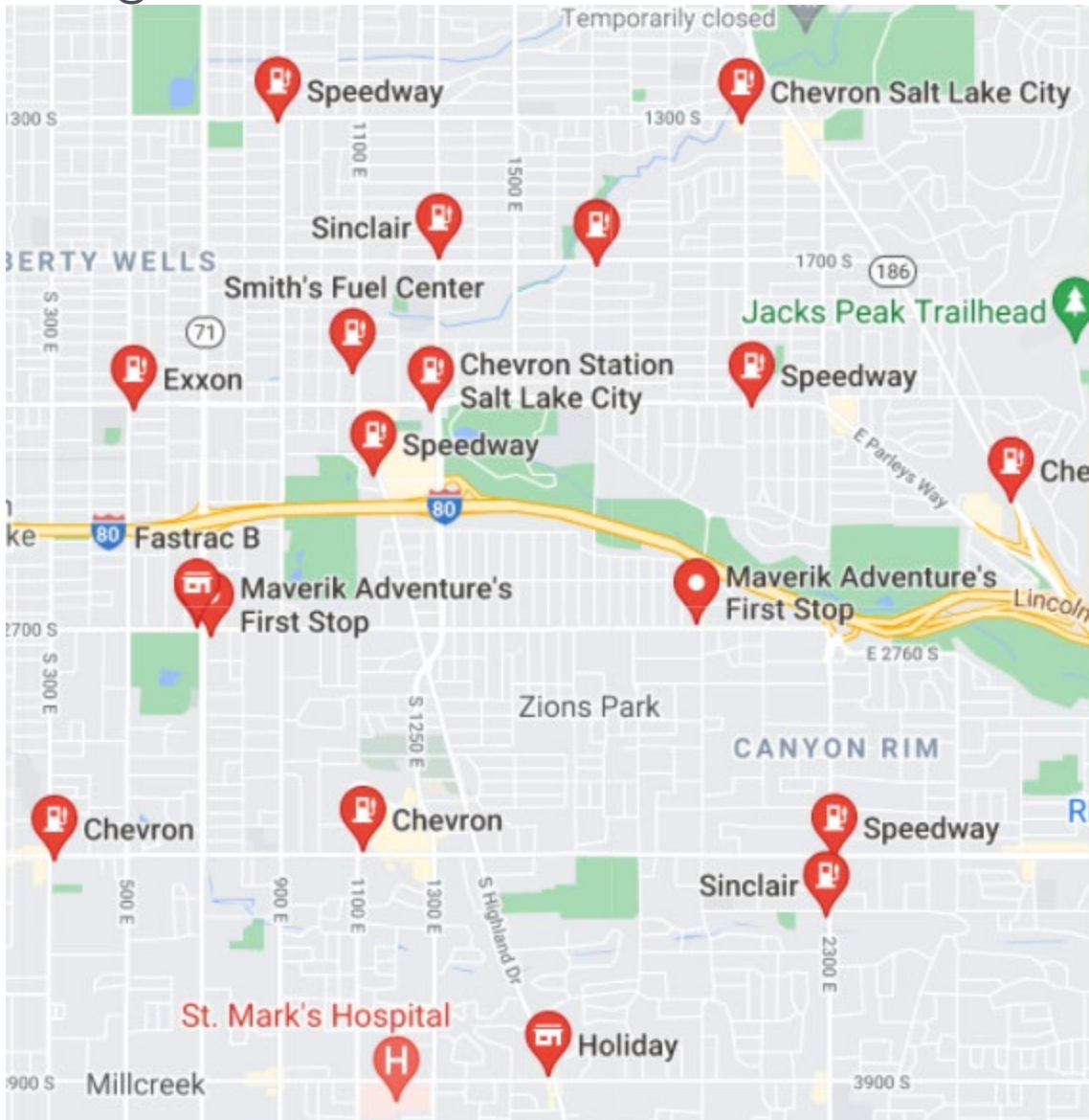
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses; **Clearly, a 24 hour a day facility with glaring lights neon signs are not really compatible with our Sugarhouse Park which has currently has no commercial development at any location around the park.**

15. The proposed use does not undermine preservation of historic resources and structures. **NO the proposed use does undermine the park, this historic resources that our for fathers had the wisdom to develop and protect when the prison was moved.**

Our green space, our clean air, and our recreational space is disappearing as development is ongoing.

Please think to the future, to your children and there's.

HOW MANY GAS STATIONS DO WE NEED? THERE ARE @19 GAS STATIONS WITHIN @MILES OF THE PARK.



From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Parks Project
Date: Thursday, October 20, 2022 4:35:54 PM

Hello,

I am writing to raise my concern about the proposed gas station project at Sugarhouse Park. I live within walking distance of this park and love the atmosphere, neighborhood, and ambiance of the area as it currently stands. I would be sad to see another gas station added near here, especially since the traffic in that area can get pretty bad as it is.

Sincerely,
A concerned citizen, Tabitha Kirk

From: [REDACTED]
To: [Martinez, Diana](#); [Fowler, Amy](#)
Subject: (EXTERNAL) Proposed gas station at Sugarhouse Sizzler west of park
Date: Wednesday, February 9, 2022 2:13:00 PM

Hello,

I am a concerned, long-time resident of Sugarhouse (20 years) and I've cringed at the historic "ma and pa" restaurants and small businesses being torn down in favor of large corporate developments and it makes me sad. The thought of a "Kum & Go" being in such a visible location next to our beautiful park honestly makes me sick.

When I moved to Sugarhouse it was a thriving artistic community, with walkable areas and spaces where the small businesses thrived in an engaged and safe community. It is no longer. Please stop destroying what Sugarhosue has always been. Please build something where the Sizzler was that the community can be proud of: an art space, cafe (we miss Blue Plate), bookstore, skate park, something that this growing community can be proud of. We do not need another gas station and certainly not one with that name. This is why I (and so many of us) who once called Sugarhouse home are looking elsewhere to live.

Thank you for considering a decent option for our neighborhood. I would love to stay updated about this decision.

Sincerely,
Hilary Thompson

[REDACTED]

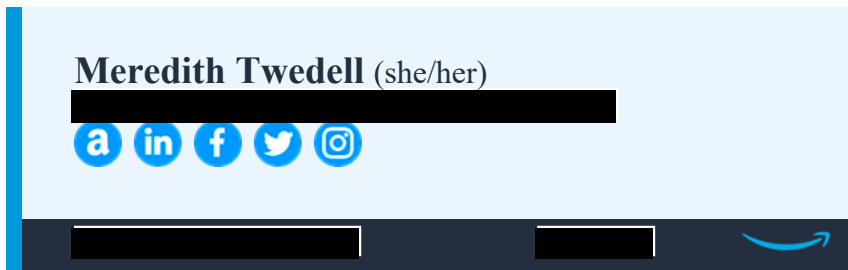
From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) District 7 Kum & Go Petition
Date: Monday, March 14, 2022 9:22:58 PM
Attachments: [image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.png](#)
[image018.png](#)

Hey Diana-

Sending an email on the negative impact a gas station located at 2111 South 1300 East would have on the community.

1. There is already a gas station across the street. The gas station attracts homeless people and increases traffic. With this proposed gas station connecting to sugar house park it will further impact the safety and community of the park.
2. The park is made to be a place for good air quality and calmness. A gas station will take away the health and safety of the park.

My partner and I live within district 7 [REDACTED] and strongly disagree with the implementation of the gas station. Please let me know if there is anything additional we or our community can do to provide our support in not letting this move forward.



From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) The sizzler property
Date: Saturday, October 1, 2022 11:42:34 AM

Diane,

I am writing to let you know of my and many other people in the neighborhoods' opposition to the possibility of a gas station on this site. Of all the things that could go there a gas's station is probably the worst. Not only is it unnecessary I also worry about the environmental effects of a big underground tank of gasoline leaking into the ground water or the pond at Sugarhouse park. Please do not succumb to the pressures of big corporations and filthy, greedy oil companies.

Thanks for your time.

Vicki Pugmire

Sugarhouse resident

Sent from my iPad

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) NW corner of Sugarhouse Park
Date: Tuesday, October 4, 2022 9:43:58 PM

To have another gas station on this lot is only as ing for further congestion in Sugarhouse, not to mention a total disservice to the community. In 10 years it will become another eye sore as people turn to electric cars. Sugarhouse is slowly becoming an eye sore and the last thing we need is something that doesn't need in with our community.

Thank you

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go Petition Number: PLNPCM2022-00053
Date: Monday, March 21, 2022 4:55:08 PM

Dear Ms. Martinez,

We do not need any more gas stations, especially this close to the park ponds.

There is very little social benefit provided by adding such a structure at that parcel. Their buildings are garish with the bright red signage and horrible architecture. Very unappealing addition to the visual as you approach the park from the North or the West at 1300 East.

Fossil fuels contribute to our air and water pollution. We should not encourage more retail outlets for such polluters.

As a nearby resident, I oppose this application and encourage the Planning Division to reject their application.

Respectfully,
John

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Opposition
Date: Tuesday, February 8, 2022 5:01:36 PM

Hi Diana- as a very close resident to the proposed location of new The Kum and Go Gas Station in Sugarhouse. My vote is NO! We already have terrible traffic, especially at that intersection, and we need to keep our kids, friends, family pets as safe as possible!
Thank you! Jen Westwood

Sent from my iPhone

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Old Sizzler Location
Date: Tuesday, February 8, 2022 5:10:53 PM

I live in South Sugarhouse and in District 7. I see there's a push for a gas station on this property. How does this improve or enhance the adjacent Sugarhouse Park? It doesn't, it increases engine idle time in the area and makes the area water and ground subject to more pollution.

My idea would be a business that would enhance the park facilities. An all night coffee shop with soup and sandwiches. This could easily be used to deliver food and drinks to all the high density housing in the area. It could also include a meeting room for community groups, have local music talent, poetry slams, study area, sun decks and tables adjacent to the park to enjoy the views of the park and the mountains while relaxing with a cup of coffee. There could even be bikes and scooter rentals or stations placed there.

I even have a name for this place as an honoring of a former Sugarhouse coffeeshop and owner;

Java Jive Too!

I have floated this idea on the neighborhood groups and never a negative response, all positive, vs, another gas station, is mostly negative. You will find the community more agreeable to something that will, enhance the park area and not cause more detriment to community.

Please take this under serious consideration,

Richard T. Whitney

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go Gas station
Date: Friday, March 18, 2022 8:44:20 PM

Hi Diana,

Thanks for taking my comment.

As a person who lived in this area for 12+ years I have serious concerns with the disruption to traffic a gas station on this corner would cause. This is already a high traffic area with people zooming off the freeway and then cutting over to make a turn up 2100 south, there isn't a safe way in and out of the parking lot. If they route so that someone must exit onto 2100 south that just dumps more traffic right below a school zone.

Additionally, I have to wonder what environmental impact a service station would have next to the park. Because even though better than in the past, all tanks that go in the ground must eventually come out of the ground. I'm not sure if they are hoping to sell alcohol & tobacco but it's worth mentioning the proximity to Highland High. And last but not least, the name is beyond gross.

Thanks very much.
Alisia Wixom

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Public Comment - 2111 South 1300 East
Date: Monday, March 21, 2022 11:13:37 AM

Hello,

My name is Jacob Wood and I am a homeowner at [REDACTED]

I am writing to register my objection to the approval of the conditional use for the Kum and Go gas station at 2111 South 1300 E. This is a valuable corner for the community as well as a key connection to the best park in the city. If this goes forward, we will never have the opportunity to reclaim that site. It's an aesthetic and environmental mistake to approve this project.

From: [REDACTED]
To: [Martinez, Diana](#)
Cc: [Fowler, Amy](#)
Subject: (EXTERNAL) Sugarhouse Park Gas Station
Date: Wednesday, February 9, 2022 1:39:32 PM

Hello,

I am a resident of the south Sugarhouse and am extremely saddened to hear of the planned "Kum and Go" gas station being considered for the northwest side of Sugarhouse Park.

As our neighborhood undergoes a massive transformation, we must prioritize keeping a "neighborhood" feel and develop in such a way that makes residents feel a sense of pride. When the city planners asked for input a few years ago, there was an overwhelming response in support of green space and public art. I have seen very little of either incorporated into the construction plans, which suggests the call for input is either a PR stunt or ignored by those making decisions. Please use this opportunity to prove otherwise.

As a resident, I would love to see that location used as a cafe, more parkland, or a public art space.

Thank you,
Rachel Wright

[REDACTED]

From: [REDACTED]
To: [REDACTED]
Cc: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum & Go Feedback
Date: Wednesday, November 2, 2022 2:39:42 PM

Dear Planning Commission members and Diana Martinez:

As part of researching to write this email, I did find several fuel spills at Kum & Go stations in several states and have linked them below, one wasn't a Kum & Go but something similar could happen here. I remember their representatives saying that they have state of the art monitoring equipment and alarms, but it seems they didn't always work. This shows how a gas station could be detrimental next to Sugar House Park given what has happened in the past.

Although they can say it won't happen here, we all know that it's entirely possible and the aftermath could be disastrous. Some of these were caused by faulty monitoring devices or accidents involving mostly semi trucks, not just spills but fires as well. We also have had issues with contamination with the Red Butte Creek / Chevron spill just a few years back, the costs and damage done by that though the waterways of the city, the loss of wildlife, and potential long term health risk to those closest to the spill to look at the potential issues of having another point of failure seems to outweigh the needs of having another gas station in the area, especially on that corner.

I figured there will be 44,000 gallons of fuel stored on the site based on the plans, they will be right up against the park on the east side of the lot. So a "small" spill could still be thousands of gallons. I think that its fair to assume that while they are filling those tanks and while people are putting gas in their cars that fumes will be present and the people at the park that are biking, running, and walking, etc will be breathing in those fumes (gasoline fumes are heavier than air and will drift and sink towards the park and the pond). The noise from the gas station and the tanker trucks to the park and the surrounding neighborhoods, especially during off hours when we would expect to have quiet to sleep. I just can't see this being anything but detrimental to our area, we are not lacking in gas stations in the area and our goal as a City and a community is to reduce the use of automobiles anyway - as evident by the recent, new, parking requirements pass by the City Council.

May 18, 2019 Craig, CO. Est. 100 gals. - Semi truck leaks fuel when it punctured a gas tank, 2 separate incidents.

<https://www.craigdailypress.com/news/semi-truck-involved-in-multiple-diesel-fuel-leaks-at-east-kum-go-in-craig/>

June 5, 2020 Adair, IA. - Semi truck hits gas pump causing fuel spill and fire at 2:45 am

<https://www.kcci.com/article/fire-erupts-when-semi-truck-strikes-gas-pump-in-adair/32779847#>

Nov. 16, 2011 Waterloo, IA - Gas leak cleanup. Fuel into grand and nearby creek. This one has a pay wall so I can't find the details.

Kum & Go is cleaning up a fuel spill that spread into soil and a creek around the company's station on San Marnan Drive.

https://wfcourier.com/news/local/kum-go-gas-leak-cleanup-under-way/article_14768c05-ad09-5137-96dc-c6803b858f57.html

Nov 9, 2017 Perry, IA - Faulty gas pump spills twice, second incident pump didn't automatically turn off, possible that it wasn't repaired correctly after first spill

<https://theperrynews.com/faulty-gas-pump-nozzle-leads-to-fuel-spill-thursday/>

April 25 Springfield, Mo - Est. 100 gals. - Inattentive tanker driver didn't realize the tank was full, monitoring equipment failed. Fuel flown down a nearby hill.

<https://theperrynews.com/faulty-gas-pump-nozzle-leads-to-fuel-spill-thursday/>

April 25, 2017 Springfield, MO - Est. 200 gals - Tanker driver didn't realize the tank was full and the monitoring equipment failed. Fuel drained into storm drain and down a nearby hill. Couldn't find any information on how the spill was mitigated.

<https://www.ky3.com/content/news/Crews-cleanup-gas-spill-at-south-Springfield-convenience-store-420372063.html>

July 29, 2019 Alexander, IA - Est 30 gals - Tanker driver overfilled tanks while in store getting drinks (why didn't the monitoring equipment work?), 18" of soil was removed, fuel didn't spill into the storm water or the retention pond.

https://deq.nd.gov/FOIA/Spills/Summary_Reports/EIR9175_Summary_Report.pdf

June 11, 2021 Phil., PA - Not a Kum & Go but an example of a fuel spill that could have similar consequences here - Est. 4000 gals. Stream contaminated - fox, turtles & frogs died due to contamination. More than 100 large trucks of contaminated soil was removed. Will be an issue for YEARS, website shows map of area where spill occurred.

<https://www.audacy.com/kywnewsradio/news/local/fuel-delivery-driver-charged-in-intentional-delco-spill>

I hope the obvious detriment to our neighborhood, the Park, the risk of losing the wildlife and the natural space that we hold dear, is enough to prevent this use for this property from becoming a reality. The comment made by the Chamber of Commerce at the SHCC meeting of "failing to see the value this will add to the neighborhood" and the response being that it's "basically a concession stand for the park" doesn't come even close to outweighing the negative effects and risk of any gas station on that corner.

Thank you for your time

Yvonne

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Kum n Go project comments/feedback
Date: Monday, March 21, 2022 4:32:32 PM

I am concerned about having a gas station so close to Sugar House Park. The adverse effects of additional pollution from the cars, the possibility of a spill into the groundwater, the fuel that will be spilled on the surface and the additional traffic in the area are reason enough to stop this from happening.

When Kum n Go presented at the SHCC meeting they commented about the need for additional gas stations, however we already have 5 in the immediate area. They also mentioned I-80 traffic having a gas station to refuel, but there is no way to easily get back to the freeway - except maybe speeding through the neighborhood to the north - View Street for example.

View Street already has to deal with The Dodo Restaurant and traffic trying to get around traffic on 13th East, as well as 21st South. These “short-cutters” also speed down 14th East through the same neighborhood. I live there and see this every day, multiple times a day.

The design they presented doesn't add any value to the walk on the sidewalks or make it interesting at all. They are putting glass as required - but it's just a vestibule and you can't see into the store or access the store from the sidewalk.

They will be no EV charging stations, just gas pumps. This is the wrong choice given the air quality issues we experience year round and the increasing number of people moving into the huge multi-family developments popping up and the others that are planned in the area. I hope many of these people will be walking or if driving they will be using more and more electric vehicles. In fact, SLC.gov has this on their web site addressing the issue: <https://www.slc.gov/sustainability/ev/>

There are no good reasons to put a gas station on that corner, nothing about a gas station will improve any aspect of the surrounding area. I think the only winner, if the gas station is allowed, is Kum n Go and their \$2b “family business”- it only adds to their bottom line.

This project has very, very few supporters in our neighborhood and I hope that will stop this project and prevent any gas stations on that corner.

Thank you for the opportunity to submit my comments on this project.

Yvonne Martinez

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Gas station at sugarhouse park
Date: Thursday, February 17, 2022 8:24:54 PM

The restaurant was bad enough (traffic, horrid smells at times), but it didn't come close to the eyesore of a gas station. Bright lights 24/7, constant traffic, trash... the park is far too valuable to allow such shortsighted thinking. I can get high-profit land use aesthetics nearly anywhere else in the city. We do not need it here. Obviously, I disapprove of this idea.

Thank you very much

David B. Young

[REDACTED]

From: [REDACTED]
To: [Martinez, Diana](#)
Subject: (EXTERNAL) Do Not Put a Kum & Go in Sugarhouse Park
Date: Thursday, September 29, 2022 9:47:47 AM

Hi Diana,

I am a resident of the Wasatch Hollow community and I am writing to you because I am extremely disappointed and shocked that there are plans to put a “Kum & Go” gas station in Sugarhouse Park.

There are a myriad of reasons why this gas station is a horrible idea and would be detrimental to the community (besides the blatant, disgusting innuendo of “Kum and Go”).

-Environmental: this one is pretty obvious. According to the Scientific American, gas stations can be incredibly dangerous near parks and homes. Could there be a spill in the creek? Please see the excerpt from the Scientific American below.

“Despite all the modern health and safety guidelines they must follow, gas stations can still pose significant hazards to neighbors, especially children. Some of the perils include ground-level ozone caused in part by gasoline fumes, groundwater hazards from petroleum products leaking into the ground, and exposure hazards from other chemicals that might be used at the station if it’s also a repair shop.”

-Economic: how does this benefit Utah’s local economy? This gas station is based in Iowa. There could be a popular restaurant, cafe, or dessert shop that uses the space. Giving the property to the highest bidder is detrimental to the local Utah economy. Not to mention, there is a gas station right across the street.

-Social impact: the gas station would make the park unsafe with the many groups of people going in and out of the gas station. Gas stations are known to be unsafe especially for women. Salt Lake City is becoming increasingly dangerous (there was a 26% increase in violent crimes over the past year according to Fox 13 SLC). Adding a gas station to a park where women frequent may increase violence against women in the park.

I hope that your committee will do the right thing and realize how much this gas station will negatively impact our community.

Thank you,
Zoe Hirshorn

ATTACHMENT J:



March 1, 2023

TO: Salt Lake City Planning Commission

FROM: Judi Short, First Vice Chair and Land Use Chair
Sugar House Community Council, and
Lynne Olsen, Member, Parley's Rails Trails and Tunnels Coalition

RE: PLNPCM2022-00053 Conditional Use- Gas Station

Galloway, US is requesting conditional use approval for a gas station that will be located at 2111 South 1300 East. The Sugar House Community Council has been studying this for over a year.

In response to the SHCC's request for comments on the Kum & Go proposal, hundreds of people took the time to reply. 98% of them were opposed to the development, listing traffic and congestion; danger to motorists, pedestrians, and bicyclists; health and personal safety; crime; damage to historical resources and structures; potential damage to the flood control earthen dam that is part of the Segó Lily Plaza; air, soil and water pollution and exposure to other environmental disasters due to seismic activity; access to the park, loss of community connections, and most often, disruption to the peace and tranquility of Sugar House Park.

The site in question is part of our beautiful regional park, where a monumental public artwork was installed as an underpass through way for hikers, joggers, cyclists. Sugar House Park is a central community space for people to gather and adding a business that is meant to drive people through and away as fast as possible is in direct opposition to that idea.

By far, the greatest concern was expressed over the adverse impacts to the beauty and serenity of Sugar House Park, with sorrow for the loss of mountain views and degradation of the green space. The proposed plan calls for a "concrete curb" to serve as the screen and/or buffer between the parking lot and the joining park. A curb is not near enough buffer to separate store and gas station uses from the appropriate uses of the park. The Park's rules prohibit the consumption of alcohol and smoking, and the park closes at 10 pm. No one can believe that customers won't buy beer and tobacco at the store, and step over the curb into park, at any hour of the night.

Of the hundreds of comments received by the Community Council regarding the Kum & Go proposal, fewer than ten were in favor of another gas station at the 21st S/13th E intersection. The reasons given ranged from "Kum & Go would help people coming from the south to get gas because if you're coming from that direction you can't get to Chevron," to "I like convenience stores that are located just off of the freeway, especially when on a long road trip." To which another resident replied that whatever goes in there should be for the community, not for commuters using the freeway.

Several people expressed concern over the large standing pond that drains into one of the few freshwater streams in this valley. The pond has become an important refuge for birds and people, but Parley's Creek also plays an enormous role in the bio-habitat of the desert valley. Notwithstanding large gas spills that are sure to happen, even small drips and spills from regular use can have a profound impact on the surrounding water quality. The toxic chemicals that accompany a gas station, in particular antifreeze, will affect animals in the area. Even small amounts of these chemicals in puddles of rainwater or the soil can be lethal.

A large contaminant plume already exists under this park and although it is not related to petroleum contamination, any placement of petroleum storage tanks comes with risk of contamination and impact to soils, groundwater, surface water., and air quality (petroleum vapors released above and below ground.) The potential of yet another plume further contaminating this area is not acceptable.

Neither is the likelihood of cleaning up this site someday. The gas station could become obsolete in a few years since we are trending towards electric vehicles. (See attached article "Gas Station Fight For Survival").It is short-sighted of Salt Lake City to be building new gas stations, when national efforts are moving towards electric powered vehicles. And if Kum & Go fails, then there will be the need to remove the buried gas tanks.

Vast amounts of time and energy went into funding and installing the beautiful Segó Lily Plaza and the Draw connecting the park to the community to the west. Environmental artist Patricia Johanson's uniquely-engineered installations have earned her an Letter to PC from SHCC Kum and Go www.sugarhousecouncil.org

international reputation. It is hard to imagine the City of Dallas permitting a gas station in the middle of Johanson's beautiful Fair Park Lagoon, or a convenience store being built in the water recycling facility of California's Petaluma Wetlands Park.

The proposed use undermines the preservation of these significant pieces of public art that have a very important utilitarian function of also being a dam. Having a gas station abutting them would greatly detract from the structures, diminish the area around it where people can enjoy it, and could possibly physically damage the structures either during construction or with some sort of gasoline or vehicle accident.

It is certain that Patricia Johanson was not envisioning a gas station built right there. Sugar House Park and the Draw are used by professional artists and educators. A local photographer wrote that she uses the Draw as a backdrop for high school seniors, families and other photography sessions. Having a gas station right above the Se-go Lily, right next to the Draw, the **sights, smells and sounds** will make it unappealing to use due to gas fumes, garbage spilling over the Lily's edge from wind or careless people, exhaust fumes and engine noises.

A local teacher uses the sculptural land art of the "The Draw at Sugar House" to teach Utah's Pioneer History to both adults and children. She wrote that the usefulness of the site as an outdoor classroom and art installation is being threatened by traffic, noise, and trash inherent in a fast-food/ truck stop, which will interfere with the peaceful ambiance of the site, and detract from the "one of a kind" historic field trip experience.

Our city is working hard to preserve the integrity of local communities. Community access to our local facilities and resources is a critical factor in accomplishing that goal, as proven by Salt Lake City's and the Sugar House Master Plan's stated objectives of encouraging pedestrian friendly development. To have this corner given over to a gas station and convenience store would be a tragedy, especially given all the recent efforts to promote safer, complete streets and support local businesses. We are all stakeholders in the success of this place.

In addition, we are extremely worried about the **environmental impacts** of this proposal. Right underneath the parcel, and out into 13th East, is an underground earthen dam. In the event of a 100-year flood, this would collect water from Parley's Creek and divert it so downtown Sugar House is not flooded. We worry that the construction of the gas station could damage the dam. We also worry that if there is a gasoline leak, and there is always a gasoline leak when a gas station is nearby, that could seep into the dam and damage the pristine conditions that exist. This was paid for by the Federal government, and built under the direction of the Utah State Dam Engineer. The Draw at Sugar House is a public work focused on redirecting water from an overflowing detention pond, to an incised creek in order to avoid property-damaging and life-threatening floods Johanson's unique talent in combining engineering with land art continues to

attract visitors from all over the world, as demonstrated in a recent public exhibition at McMaster University in Canada, honoring Patricia Johanson and her work. Currently in progress, Johanson's 45-acre project in Ontario will be simultaneously a work of Land Art, a wetland habitat restoration, and a living laboratory for students and researchers.

The fumes from the gasoline will permeate the air, and drift over the draw and Sugar House Park, where hundreds of people recreate on an average day. We are not convinced that there is any need for an additional gas station in this area, as the developer believes. There are between 8 and 10 gas stations between this freeway exit and the University of Utah. Nor is there any demand for another convenience store, the products sold can be found in many locations in the Sugar House Business District and nearby neighborhoods.

I urge you to read the attached letter from Mike Petersen concerning the Traffic Impact Study prepared by Galloway & Company for Kum and Go dated January 12, 2022 (contained in the PC staff report). Comparing the future traffic to the zero use parcel now makes no sense. We hope that our Salt Lake City Transportation Division has prepared a current, more believable report concerning the traffic impact to this location.

The Sugar House Master Plan calls for creating a more pedestrian oriented environment in the Business District. This is across the street, but so many people walk to the park from the business district every day. The CB zone calls for retail that is pedestrian in its orientation and scale, while acknowledging the importance of transit to the site. A gas station with a convenience store is not pedestrian in orientation (people walk from their car to the store) and is by definition a destination for automobiles, not people. Please read the attached letter from Scott Kisling for more details.

You will find a number of comments attached that indicate they feel the gas station with its extra cars and large trucks makes this intersection less safe to travel to the park with their children.

There is nothing about this proposal that furthers our Sugar House Master Plan. We have no idea why this parcel was not rolled into the park at the time the prison was demolished and the park was formed. Other businesses along 1300 East we incorporated into the park. Salt Lake City has tried to reach the owner of the parcel, to discuss purchase of the property, but no phone calls were ever returned. **This project is the wrong thing for this corner**, and it is a shame that people seem to be developing their land with no thought to the greater good of their community, but rather are just out to make money.

There is nothing about this proposal that furthers our Sugar House Master Plan. Intense uses belong in the SHBD, not outside of it. We have no idea why this parcel was not rolled into the park at the time the prison was demolished and the park was formed. Other businesses along 1300 East were incorporated into the park. Salt Lake City has tried to reach the owner of the parcel, to discuss purchase of the property, but no phone calls were ever returned. This project is the wrong thing for this corner and it is a shame that people seem to be developing their land with no thought to the greater good of their community, but rather are just out to make money.

We request that you deny this conditional use, for all the reasons stated above, and reiterate our concern that the environmental obstacles are the most compelling. This does not help create a walkable community, rather it makes people want to go to another area of the city that is quieter and doesn't have the smell of gasoline and fumes permeating the air. **Just say no.**

Attachments

- Other letters
- SHPA Letter Opposing Kum and Go
- PRATT Letter Opposing Kum and Go
- Gas Station Fight for Survival

ATTACHMENT K:



Sugar House Park Authority

6332 S Airport Road, West Jordan, UT 84084

Ph: 385-468-7275 Fax: 385-468-1855

www.sugarhousepark.org

April 7, 2022

Diana Martinez, Principal Planner
Salt Lake City
diana.martinez@slcgov.com

**RE: Kum & Go Gas Station
2111 South 1300 East, Salt Lake City / Conditional Use Application**

Dear Diana,

This letter relates to the request by the Kum & Go Gas Station (represented by Nathan Abbot who is representing Galloway US) (the "Gas Station") for a conditional use permit to construct and operate a six-pump gas station at 2111 South 1300 East, Salt Lake City, Utah (the "Property"). This letter is written on behalf of the Sugar House Park Authority ("Authority") which operates Sugar House Park ("Park") pursuant to an agreement between Salt Lake City and Salt Lake County entered into in 1957.

As you are aware, the Park occupies approximately 110 acres between 1300 East and 1700 East (side-to-side) and I-80 and 2100 South (top-to-bottom). The only sections of that large area not occupied by the Park are (i) Highland High School in the northeast corner and (ii) the Property in the northwest corner. The Park is the only immediate neighbor to the Property and, thus, has a special interest in how that parcel is used.

Legal Framework

Under the applicable ordinances, the Gas Stations should not be granted a conditional use unless all four of the following requirements are met:

1. The use complies with applicable provisions of [the title of the Salt Lake City Code related to zoning];
2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses;
3. The use is consistent with applicable adopted city planning policies, documents, and master plans; and
4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions.

Salt Lake City Ord. 21A.54.080.A. In analyzing the potential detrimental effects under subsection A.4, the planning commission should consider whether:

1. This title specifically authorizes the use where it is located;
2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps;



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3. The use is well suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area;
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered;
5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;
7. The site is designed to enable access and circulation for pedestrian and bicycles;
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;
9. The location and design of off street parking complies with applicable standards of this code;
10. Utility capacity is sufficient to support the use at normal service levels;
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;
12. The use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke;
13. The hours of operation and delivery of the use are compatible with surrounding uses;
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses; and
15. The proposed use does not undermine preservation of historic resources and structures.

Salt Lake City Ord. 21A.54.080.B. After considering the above, the planning commission may deny a conditional use permit if “[t]he reasonably anticipated detrimental effects . . . cannot be substantially mitigated . . . to achieve compliance with applicable standards set forth in this section.” Salt Lake City Ord. 21A.54.080.D.2. The planning commission may also approve the conditional use subject to “any conditions necessary to address the foregoing factors,” such as:

1. Conditions on the scope of the use; its character, location, hours and methods of operation, architecture, signage, construction, landscaping, access, loading and parking, sanitation, drainage and utilities, fencing and screening, and setbacks; and
2. Conditions needed to mitigate any natural hazards; assure public safety; address environmental impacts; and mitigate dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, and radiation.

21A.54.080.C.



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Detrimental Effects

For the reasons stated below, the planning commission should deny the Gas Station's request for a conditional use or, at a minimum, impose strict conditions to ensure that the construction and operation of a gas station at the corner of the Park does not violate the factors identified by city ordinance.

1. Homeless Population / After-Hours Use

("The hours of operation and delivery of the use are compatible with surrounding uses")

Operation Rio Grande led to an increased homeless population in the Park. The Authority received numerous complaints from Park visitors about shopping carts, people in sleeping bags, and so on. Eventually, the Park was faced with a fire being lit inside one of the Park's (new) bathrooms vandalization of the Park's greenhouse. The Park had to take affirmative measures to protect Park visitors and Park property (the Park is not owned by either the City or the County, so it must protect itself like a private company). The Park now contracts with off-duty police officers to patrol the Park in an effort to reduce after-hours use. The police officers provide reports to the Authority of incidents during each patrol. These patrols have greatly reduced the homeless population in the Park by enforcing the Park's curfew to people across the board—including people on an evening jog.

If the Gas Station is allowed to occupy the Property, the Authority requests that a condition be imposed that requires any convenience store associated with the Gas Station to abide by the Park's curfew by closing at 10:00 pm in the summer and 9:00 pm in the winter. If the Gas Station convenience store were open after Park curfew, it would inevitably lead to more people violating Park hours given that the Gas Station would provide a convenient place to buy a snack or a drink, and the Park would provide a convenient place to consume it. The evening closing time is especially important to prevent the Park from again becoming an attractive place for overnight visitors.

2. A High Intensity Use

("The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps")

The Property sits on the corner of 2100 South and 1300 East, but is recognized as unique from the other three corners of that intersection. So, while there may be an operating gas station across the street, a Gas Station located on this Property would still be inconsistent with city plans as shown in the Sugar House Master Plan below:



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See <https://www.sugarhousecouncil.org/sugar-house-master-plan/>. Long before the Gas Station made its application, Sugar House decided that the corner across the street from the Property (where the Chevron gas station sits) would be used for “Business District Mixed Use – Town Center Scale,” while the Property (on the same side of the street as the Park) would be used only for “Mixed Use – Low Intensity.” The sit-down restaurant that previously existed on the Property represented a good “low intensity” land use. Farther north on 1300 East, parcels with the same land use designation are occupied by a dentist, an orthodontist, and so on, which are “low intensity.” However, a Gas Station with six pumps and the associated rapid turnover of patrons is not “low intensity” and violates the Sugar House Master Plan.

3. The “Character of the Site, and Adjacent Uses”

(“The use is well suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area”)

(“The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts”)

(“Signs and lighting are compatible with, and do not negatively impact surrounding uses”)

The planning commission is, no doubt, receiving many public comments from people saying that they do not want a gas station on the Property. And the Gas Station is almost certainly downplaying these comments as “public clamor.” But the comments cannot be dismissed so easily.

The planning commission is required to determine whether the proposed used (a six-pump gas station) is consistent with the “character of the site,” consistent with “adjacent uses,” can be “appropriately screened,” and has “signs and lighting [that] do not negatively impact surrounding uses.” The Gas Station’s proposed use cannot meet those requirements. There is an undeniable



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inconsistency between a six-pump gas station nestled into a 110 acre park that prides itself on having little more than open fields and a pond. No amount of screening can make a six-pump gas station consistent with the newly built functional sculpture in the form of a sego lily marking the entrance to Hidden Hollow. There is no way to “screen” the inevitable smell of gasoline that would settle around the pond where people gather to watch the ducks.¹ And there is no way to prevent the type of lighting required for a six-pump gas station from “negatively impact[ing]” Sugar House residents’ ability to enjoy the cultivated natural setting of the Park. Even the Gas Stations’ narrative acknowledges that it will cause “headlight spill,” but (shockingly) the Gas Station is focused only on reducing headlight spill into the roadway—it says nothing about protecting the Park. See Kum & Go Ltr. (01/14/22).

In terms of the governing ordinance, “[t]he reasonably anticipated detrimental effects” from building a six-pump gas station on the corner of a 110 acre park “cannot be substantially mitigated.” Even if the general public might not know the magic words needed to legally object to the Gas Station simply being the wrong “fit” for this location, their objections are well-within the scope of the ordinance. Just like the planning commission would not approve a dance club adjacent to a cemetery, it should not approve a gas station in a notch of a regional park.

4. Groundwater / Surface Water

The location of the Property poses unique concerns with regard to the Gas Station’s adverse impacts on groundwater and surface water. This is especially problematic given that the Gas Station proposals shows the tanks and the pumps facing the Park, with the convenience store pushed against the street.

First, the Property lies within the Source Water Protection Zone for the Wimmer Systems artesian well (18085WS001). See <https://enviro.deq.utah.gov/>. While these wells are not currently active,² the long term effects of the Gas Station with the associated underground storage tanks (USTs) cannot be ignored. Indeed, the Park has already suffered from leaking USTs that were previously installed in the southwest corner of the Park. See Brown Memo. at 3. And there is even a risk that the USTs from a prior gas station on the Property were not properly excavated. *Id.* at 4. The planning commission cannot reverse the effects of these prior installations but, with a modern understanding of the harms from petroleum contamination, it can prevent additional harms by not allowing new USTs in this location.

Second, the Property lies immediately next to three springs as identified by a Department of the Interior United States Geological Survey prepared in coordination with the Utah Department of Natural Resources Division of Water Rights. See <https://pubs.usgs.gov/imap/0766i/plate-1.pdf>.

Third, the Property is directly uphill from the Sugar House pond. Indeed, the entire depression of Sugar House Park functions as a detention basin for Parleys Creek as it flows toward the Jordan River.³ Any surface spills at the Gas Station would flow toward the pond and, therefore, into Parley’s Creek. Even if the contaminants did not make it immediately to the pond, they eventually would be

¹ “Gasoline vapors are heavier than air and may collect in low-lying areas.”

<https://www.atsdr.cdc.gov/MHMI/mmg72.pdf>.

² See Brown, Rebecca, *Technical Memorandum* (Apr. 6, 2022) (“Brown Memo.”) at 5, attached as **Exhibit A**.

³ See, e.g., https://slco.org/globalassets/1-site-files/watershed/resources/streamcareguide_2015.pdf (showing Parleys Creek streambed elevation profile) at 35.



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washed into Parley's Creek the next time there was a large rainstorm or spring runoff that caused the pond to overflow. This concern was highlighted as one reason to deny the Gas Station's application, or at least require reconfigured grading plan with a retaining wall to prevent Gas Station run-off from being directed toward the pond. See Brown Memo. at 6. As with the Sugar House Mater Plan, there is a meaningful difference between what uses are appropriate on the Property (which abuts Sugar House Park) and the other three corners of that intersection.

Fourth, As noted on the *Notification of a Project in Your Neighborhood* (02/07/22), the Property lies within a "Groundwater Source Protection Overlay District." The limitations associated with this designation are "intended to prevent contamination of the public drinking water supply as a result of toxic substances entering the groundwater." Salt Lake City Ord. 21A.34.060.A.2. The ordinance is specifically focused on "regulating the storage, handling, use or production of . . . petroleum product." Salt Lake City Ord. 21A.34.060.B. And, even if the Gas Station claims to be in compliance with the minimum requirements of the ordinance, that does not "relieve the [Gas Station] of the obligation to comply with any other applicable federal, state, regional or local regulations, rule, ordinance or requirement"—*e.g.*, conditions that the planning commission may impose. *Id.* (emphasis added).

The groundwater ordinance also gives the governing body more discretion than the conditional use ordinance. While the code says that the commission "shall" approve a conditional use if all detrimental impacts can be adequately addressed, the groundwater ordinance says that the "Salt Lake City division of building services and licensing . . . may" approve a permit if all "adverse impacts" are addressed. Salt Lake City Ord. 21A.34.060.F.2 (emphasis added). When operating under a "may" standard, the governing body is not obligated to approve an application even if all conditions are met. *Baker v. Park City*, 2017 UT App 190, ¶ 21 n.7.

Fifth, the Property lies within a "groundwater recharge zone" as stated by Nick Norris, Salt Lake City Planning Director. See <https://www.sugarhousecouncil.org/shcc-february-2022-meeting-minutes/>.

While society certainly needs gas stations, it does not need petroleum undergrounds storage tanks immediately uphill from a duck pond and in a water recharge zone.

Given the unavoidable "adverse impacts" of placing a six-pump gas station (i) in the corner of a heavily-used regional park, (ii) uphill from a pond that is constantly inhabited by wildlife, and (iii) on the rim of a detention basin for Parley's Creek, the Gas Station's application should be denied. Or, at a minimum, the Gas Station should be required to comply with the following conditions:

- a. *A Bond* – All the regulations in the world will not help repair any damage caused by the Gas Station if there is no money to pay for them. Therefore, if the Gas Station is allowed to operate on the Property, it should be required to post a \$2 million bond that would be available in the event that water cleanup, soil removal, or other remediation is required;
- b. *Pre-construction Testing* – The Gas Station should be required to complete soil and water testing in the area within and around the Property (the Park will authorize testing on its property within 200 feet of the Property) to establish a baseline level of contamination to be compared against subsequent monitoring;
- c. *Continued Testing* – The Gas Station should be required to coordinate and pay for quarterly testing of soils and ground water surrounding the Property to ensure that there have not been any leaks or other incidents that would negatively affect the Park, the surface water, or the groundwater. The testing should be completed by a neutral third party that publishes the reports directly to the City without any input from the Gas Station. The Gas Station would be



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able to respond to the reports if it desires, but it would not be in a position to influence any reporting before the City learned of the results; and

- d. *Engineering Study* – The Gas Station should be required to provide an environmental engineering study regarding the potential flow of contaminants from the Property to the pond or the groundwater, both over the surface and through the ground. This report should be reviewed by the planning commission before any application is ruled on so the commission has the information it needs to fulfill its duties; and

This stage of the permitting process represents the planning commission's best chance to protect the future of the community it serves.

5. Air Quality

In addition to the Property being in a sensitive area with regard to groundwater and surface water, it is also in a unique location with regard to concerns over air quality. The Property rests uphill from the basin of the Park, which contains a single looping road. During the Spring and Summer, the Park road hosts 5K races, half-marathons, marathons, cycling races, and organized walks for hundreds of people—usually two of which occur on each Saturday. A significant portion of these organized events represent a gathering of medically sensitive people. For example, the Park regularly hosts events for people with lung cancer, breast cancer, pancreatic cancer, Crohn's disease, colitis, organ donations (or donors), epilepsy, liver disease, heart disease, kidney disease, ALS, Huntington's disease, neurofibromatosis (NF), and spinal muscular atrophy (SMA).

In addition to medically sensitive groups, many of these races represent a time of extreme exertion for athletes. The Park hosts state-wide cross-country meets for highschoolers, the Salt Lake City marathon, the Sugar House crit series (cyclists), and a few half-marathons.

Finally, the Park is constantly used during all daylight hours by hundreds of local residents who prefer to exercise in the natural setting of the Park instead of exercising near tailpipes along the road. Indeed, on a recent weekday afternoon (Wednesday at 1:00pm) at the end of February, 200 exercisers were counted passing a single point in the Park during a two minute period. The person making this observation counted only people that were "huffing and puffing," meaning (i) the actual number of people passing was greater and (ii) the people being counted were taking the deep breaths that make them especially vulnerable to air pollution.

With the use of the Park in mind, the problem with locating the Gas Station uphill from the road becomes especially obvious. Petroleum fumes are denser than air and "are well known to travel in a fluid-like manner along the ground to low-lying areas where it accumulates and presents health hazards." See Brown Memo. at 5. If such vapors settled on the road, near the pond, or in the Segó Lily "Draw" between the Park and Hidden Hollow, they would "irritate the nose, throat, and lungs of installation visitors, and potentially escalate to headaches and nausea." *Id.* at 6.

While the Chevron station currently exists across the street from the Property, it does not justify allowing a Gas Station being built on the Property. The "fluid-like" movement of petroleum vapors, alone, is enough to differentiate the risk of fumes from the Property as opposed to fumes that may emanate from the Chevron station across the road and detached from the Park basin. And,



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obviously, two vapor-emitting uses near each other pose a greater threat for cancer than one.⁴ The planning commission is also working with improved knowledge now as compared to the knowledge of whatever governing agency approved the Chevron station over forty years ago. See Brown Memo. at 4. For example, based on improved knowledge many communities have recently “begun to establish setback distance regulations that determine how close schools, playgrounds, and parks can be to gas dispensing facilities.” See Brown Memo. at 5. The Environmental Protection Agency has even released standards to keep gas stations away from schools.⁵ While Salt Lake City has not yet enacted such restrictions, this improved knowledge should help the planning commission to protect the Park and its users.

While Park users are certain to be exposed to air pollution in other aspects of their lives, the unique location of the Property uphill from the Park requires a unique assessment. The proposed use simply does not satisfy the requirements for a conditional use permit.

Please contact me at sugarhouseparkauthority@gmail.com or 847-207-2194 if you would like to discuss any of the issues raised in this letter. Members from the Authority will also be in attendance at the public hearings related to the Gas Station to make sure the Park’s interests are represented.

Thank you for your time in addressing this serious and long-lasting decision.

Sincerely,

Taylor Weavil
Sugar House Park Authority, Board President

⁴ Hsieh, Shearston, and Hilpert, *Benzene emissions from gas station clusters: a new framework for estimating lifetime cancer risk* (June 2021) (<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8172828/>).

⁵ United States Environmental Protection Agency, *School Siting Guidelines* (Oct. 2011) at 59 (https://www.epa.gov/sites/default/files/2015-06/documents/school_siting_guidelines-2.pdf).

ATTACHMENT K:

TECHNICAL MEMORANDUM

TO: Taylor Weavil
Board President
Sugar House Park Authority
6332 S Airport Road
West Jordan, UT 84084

FROM: Rebecca Brown, PG, Senior Hydrogeologist

DATE: 6 April 2022

SUBJECT: Review of Environmental Concerns
Proposed Kum & Go Gas Station
2111 South 1300 East
Salt Lake City, Utah

1. Introduction

This Technical Memorandum has been prepared at the request of the Sugar House Park Authority Board (the “Board”) to review the Galloway US proposal for a Kum & Go Gas Station (the “Gas Station”) to be located on the northwest corner of the Sugar House Park block, 2111 South 1300 East in Salt Lake City, Utah (the “Property”) (Figure 1). The Board is seeking an opinion as to the potential for environmental impacts to human health or the environment at the Sugar House Park property (“Park”) from the proposed Gas Station development.

This assessment has included a review of the following publicly available documents:

- Historic topographic maps, aerial photographs, Sanborn Fire Insurance Maps, and historical information from the Sugar House Park Authority were reviewed to gain insight into the current and historical uses of the Park and the northwest corner Property.
 - Environmental records from the Utah Department of Environmental Quality (UDEQ) Division of Environmental Response and Remediation (DERR) pertaining to current and historical releases of contaminants into the environment from facilities on, or in the immediate vicinity of the Park and the northwest corner Property.
-

- Hydrogeological information available from the UDEQ Division of Water Quality (DWQ), the Utah Department of Natural Resources (DNR) Division of Water Rights (DWR) and Division of Drinking Water (DDW), the US Geological Survey (USGS), and the Utah Geological Survey (UGS) to gain insight into the hydrogeological conditions which govern the fate and transport of potential contaminant releases from the proposed Gas Station.
- Environmental regulations governing the installation, operation, and monitoring of underground storage tanks (USTs) associated with gas station operations (DERR)
- Environmental regulations governing gasoline vapor emissions during transfer and storage operations per the UDEQ Division of Air Quality (DAQ).

2. Historical Use of Properties

A brief review of historical uses of the Sugar House Park property and the northwest corner Property was done to assess the potential for existing impacts to soil or groundwater from historical activities on these properties, and to gain an understanding of the fate and transport of contaminant releases from nearby facilities.

2.1. Historical Maps and Aerials Review

Historically, from 1854 through 1951, the Park property was used to house a penal institution. The location of the prison and supporting structures are depicted on the 1911 Sanborn Fire Insurance Map and the 1950 Sanborn Map, included as Figures 2 and 6 to this memo, respectively.

It appears that the northwest corner Property has been used for residential and commercial purposes not associated with the prison facility since at least 1911. Three residences are depicted on a 1911 Sanborn Map for this Property (Figure 3). An aerial photograph from 1938 (Figure 4) shows that those residences were replaced by one larger building, which is identified as a restaurant on a 1943 Sanborn Map (Figure 5). A small residence and several out-buildings also occupy the southern third of the Property in 1943, as well as a gas station on the far northwest corner of the Property. A 1950 Sanborn Map (Figure 7) depicts a new building, identified as a store, occupying the Property, in addition to the restaurant, residence, and gas station identified in 1943. These structures are also identified in an aerial photograph from 1962 (Figure 8).

Upon review of aerial photographs from 1973 (Figure 9), 1979 (Figure 10), and 1985 (Figure 11), the gas station appears to have been in operation on the northwest corner Property until sometime between 1979 and 1985. The restaurant and residence identified in 1943 had

been removed from the Property by 1962, and the store identified in 1950 had been replaced by a new building in 1973. This building is consistent with the former Sizzler restaurant that occupies the Property today.

2.2. Environmental Database Records

A search for current and historical environmental records for the Park property, the northwest corner Property, and properties in the immediate vicinity was conducted using the Utah Environmental Interactive Map (<https://enviro.deq.utah.gov/>).

2.2.1. Sugar House Park Property

Review of publicly available documents from UDEQ indicate that two USTs were formerly in use at the maintenance facility in the southwest corner of the Park. One 2,000-gallon gasoline UST and one 500-gallon diesel UST were reportedly installed around 1970. Both USTs were removed in January 1998. Upon removal it was discovered that the diesel UST and underground piping had failed, releasing diesel fuel into the subsurface soils, which were excavated down to 10 feet below ground surface when the tanks were removed. Low levels of diesel products remained in soil below 10 feet, but at concentrations that DERR determined did not pose a risk to human health or the environment, given the land use of the property. The groundwater table was estimated to be greater than 12 feet below ground surface, and no impacts to groundwater were identified at the time of the release. This site received regulatory closure in 1999.

A groundwater tetrachloroethene (PCE) groundwater plume has been detected in the deep drinking water aquifer beneath Sugar House Park. Contaminated groundwater has been detected in the Sugar House Park Municipal well, located in the southern portion of the park, since the late 1980s. Concentrations of PCE as high as 25 parts per billion (ppb) have been detected, which exceeds the drinking water Maximum Contaminant Level (MCL) of 5 ppb. The Sugar House Municipal well was shut down shortly after discovering the PCE in 1988. Elevated PCE concentrations were also found in soil and soil gas samples from locations upgradient of the Sugar House Park plume and in sediment samples collected from Parley's Creek downstream from the plume site. Despite numerous investigations into various nearby and upgradient dry cleaner locations, LUST sites, and other EPA sites, the source of this contamination has not been identified, but is not thought to have originated on the Sugar House Park property. The presence of plume beneath Sugar House Park does not present a risk to human health or the environment for users of the park property, and water collected in the Sugar House Pond is not impacted.

2.2.2. Northwest Corner Property

Based on our review of historical maps and aerial photographs, a gas station likely operated on this property from approximately 1943 through 1979. No records of this gas station were found in the publicly available documents from UDEQ, likely because the US EPA did not begin regulation of USTs until 1988. There is a good chance that the USTs associated with this gas station are still in place on the Property, and that impacts to soil, and possibly even groundwater, will be found if excavation were to take place on the northwest corner of the Property.

2.2.3. Nearby Properties

The Chevron gas station located to the west Sugar House Park, across 1300 East, has operated at least since the late 1980s, when new USTs were installed. Review of public records from UDEQ DERR indicates that the facility has maintained its Certificate of Compliance (see Section 4.1) and has had no significant releases of petroleum products to the environment. One minor leak was discovered around a dispenser in 2005 when dispenser lines were being repaired, but the impacted soil was removed, and the facility received No Further Action status from DERR. Groundwater was not impacted by this release.

There have been several other releases from historical gas stations in the Sugar House neighborhood. A review of DERR records indicates that a majority of these releases have been remediated, and that these releases were limited to surface and subsurface soils, and groundwater was not impacted.

3. Hydrogeology

The Park property and northwest corner Property are located on the east bench of Salt Lake City on the southeast corner of 1300 East and 2100 South. Parley's Creek flows westward through the Park and empties into Sugar House Pond on the western side of the Park. The pond serves as a flood detention structure for Parley's Creek, controlled by a flood control spillway and hydraulically operated headgate at 1300 East. The detention basin can store up to 80 acre-feet of stormwater and is often the first line of defense for the City to control and manage flood flows through the City's drainage system. Parley's Creek then flows beneath 1300 East, surfacing briefly in Hidden Hollow Park, and eventually discharges 3.5 miles downstream into the Jordan River.

Shallow groundwater in the vicinity of the Park is located between 15 and 20 feet below ground surface, or more, and flows in a southwesterly direction. Surface water that collects in Sugar House Pond is not hydraulically connected to groundwater in the vicinity of the Park.

3.1. Groundwater Recharge Zones

The primary recharge areas for the principal drinking water aquifer for Salt Lake City are along the mountain fronts on the eastern and, to a lesser degree, western sides of the Salt Lake Valley, as depicted on Figure 12. In these areas, the principal aquifer is unconfined and generally few fine-grained deposits are present to impede the downward movement of water from the land surface to the principal aquifer. Contaminants in these areas generally could move directly, and locally rapidly, to the aquifer. In secondary recharge areas, downgradient from the primary areas, confining beds are present, but the hydraulic gradient is downward from the shallow unconfined aquifer to the principal aquifer. In these areas, contaminants could move from the land surface to the principal aquifer, but movement would be impeded by the confining beds.

The Park and northwest corner Property are located within the secondary recharge zone for the Salt Lake Valley. There are several springs and artesian wells downgradient, to the west, of the Park, in the Salt Lake Valley discharge zone, but according to DWR records, these wells are not currently being used as public or private drinking water sources.

4. Air Quality Issues at Gas Stations

Despite vapor control system requirements for fuel transfer activities, gasoline vapor emissions are still prevalent at gas stations. A recent 2018 study by the Columbia Mailman School of Public Health estimated that 1.4 to 1.7 pounds of liquid gasoline were lost through evaporation for every 1,000 gallons of gasoline dispensed (*Vent Pipe Emissions from Storage Tanks at Gas Stations: Implications for Setback Distances*, Science of the Total Environment 650 (2019) 2239-2250). Many communities around the world have begun to establish setback distance regulations that determine how close schools, playgrounds, and parks can be to gas dispensing facilities. Although Salt Lake City currently has no setback distance requirements for gas stations, there is a unique situation that should be considered with respect to the proposed Kum & Go Gas Station.

Gasoline vapors are three to four times denser than air, meaning that gasoline vapors emitted from any fuel dispensing operations will tend to sink and collect on the ground, and are well known to travel in a fluid-like manner along the ground to low-lying areas where it accumulates and presents health hazards and, potentially, fire hazards. For example, gasoline vapors that leak out of underground structures typically will migrate away from facilities along underground utility trenches.

The tendency for gasoline vapors to accumulate in low-lying areas could present a very real threat to human health in the Segó Lily installation at the western edge of Sugar House Park that serves as a flood control structure and also as an entrance to the underground tunnel that connects the Park with Hidden Hollow across 1300 East. This installation is located less than 100 feet south of the southern property boundary of the proposed Kum & Go gas station, at an elevation approximately 20 to 30 feet lower than the gas station property. During the right wind conditions, petroleum vapors are likely to be blown southward, and settle into the Segó Lily installation and the tunnel.

5. Conclusions and Recommendations

We have identified two potential environmental impacts to the Park should the proposed Gas Station be developed on the property on the northwest corner of Sugar House Park. Both potential impacts involve the unique location of the Sugar House Park Segó Lily installation with respect to the proposed Gas Station. The Segó Lily installation is located less than 100 feet south of the proposed Gas Station southern property line and approximately 20 to 30 feet lower than the Gas Station property.

1. During periods of significant precipitation, stormwater runoff from the gas station, which undoubtedly would be laden with gasoline from frequent vehicle fueling spills and other common petroleum product discharges from vehicles (i.e., oil leaks), is very likely to migrate southward and down into the Segó Lily installation. The proposed grading plan is not adequate to control stormwater drainage from the site and should be reworked to direct drainage onto the street westward and northward. In addition, a retaining wall would need to be constructed to ensure that fuel spills and petroleum product-laden stormwater drainage does not flow southward, especially during rare rainfall events (100-year floods).
2. The unique location of the Segó Lily installation also presents, in our opinion, a very real concern to human health due to the likelihood that petroleum product vapors would settle into the installation and the tunnel entrance, as discussed in Section 4. At the very least, collection of these vapors would irritate the nose, throat, and lungs of installation visitors, and potentially escalate to headaches and nausea, which would significantly degrade the experience that was so thoughtfully crafted for this site, in both form and function.

Figures



Figure 1: Site Map

Kum & Go Gas Station
2111 South 1300 East
Salt Lake City, Utah



3489 West 2100 South, Suite 150
Salt Lake City, Utah 84119
(801) 908-5447

Project No. 2203

Boundaries are approximate. Not to scale.

See Figure 3
NW Corner
Sugarhouse
Park Block

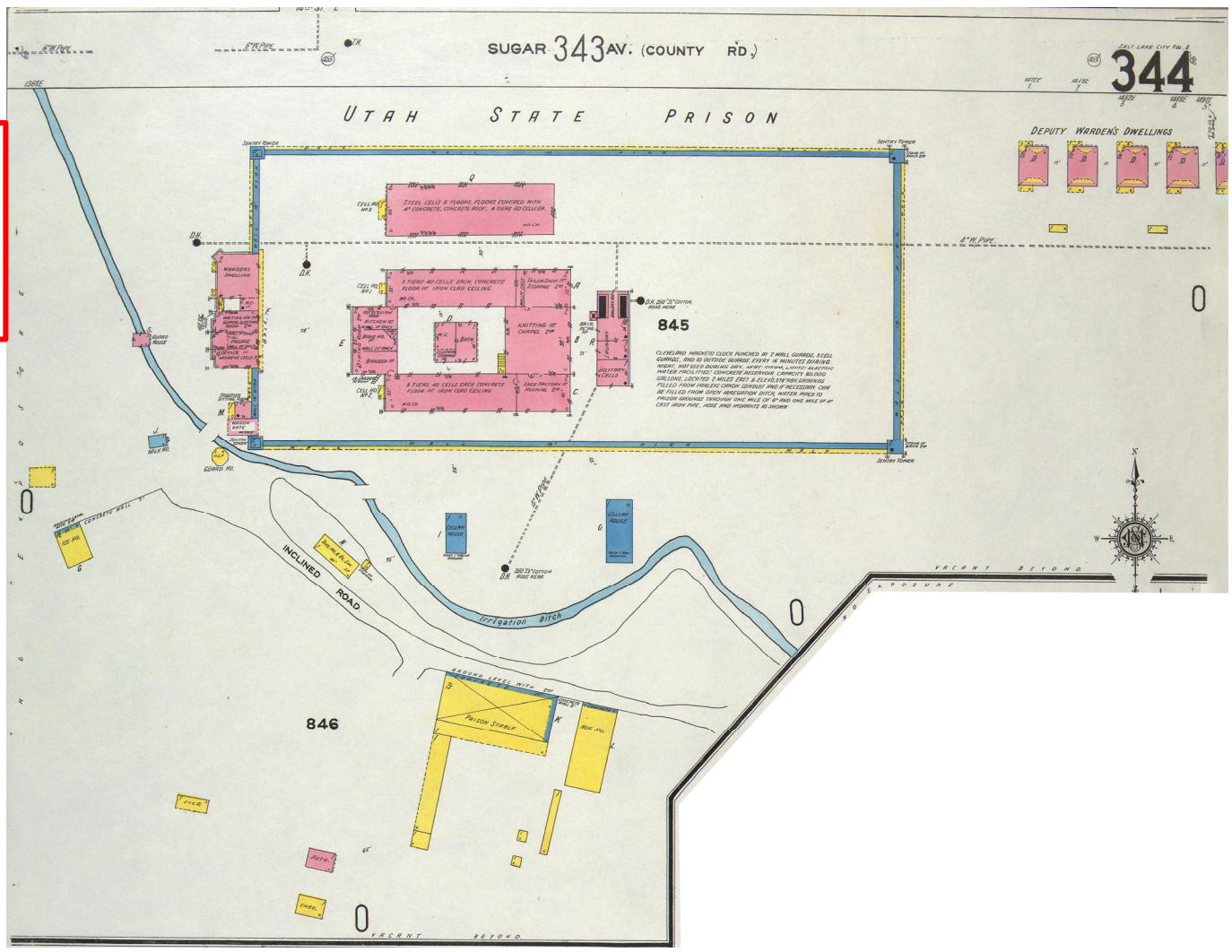


Figure 2: 1911 Sanborn Map of Utah State Prison Site

Kum & Go Gas Station
2111 South 1300 East
Salt Lake City, Utah



3489 West 2100 South, Suite 150
Salt Lake City, Utah 84119
(801) 908-5447

Project No. 2203

Boundaries are approximate. Not to scale.

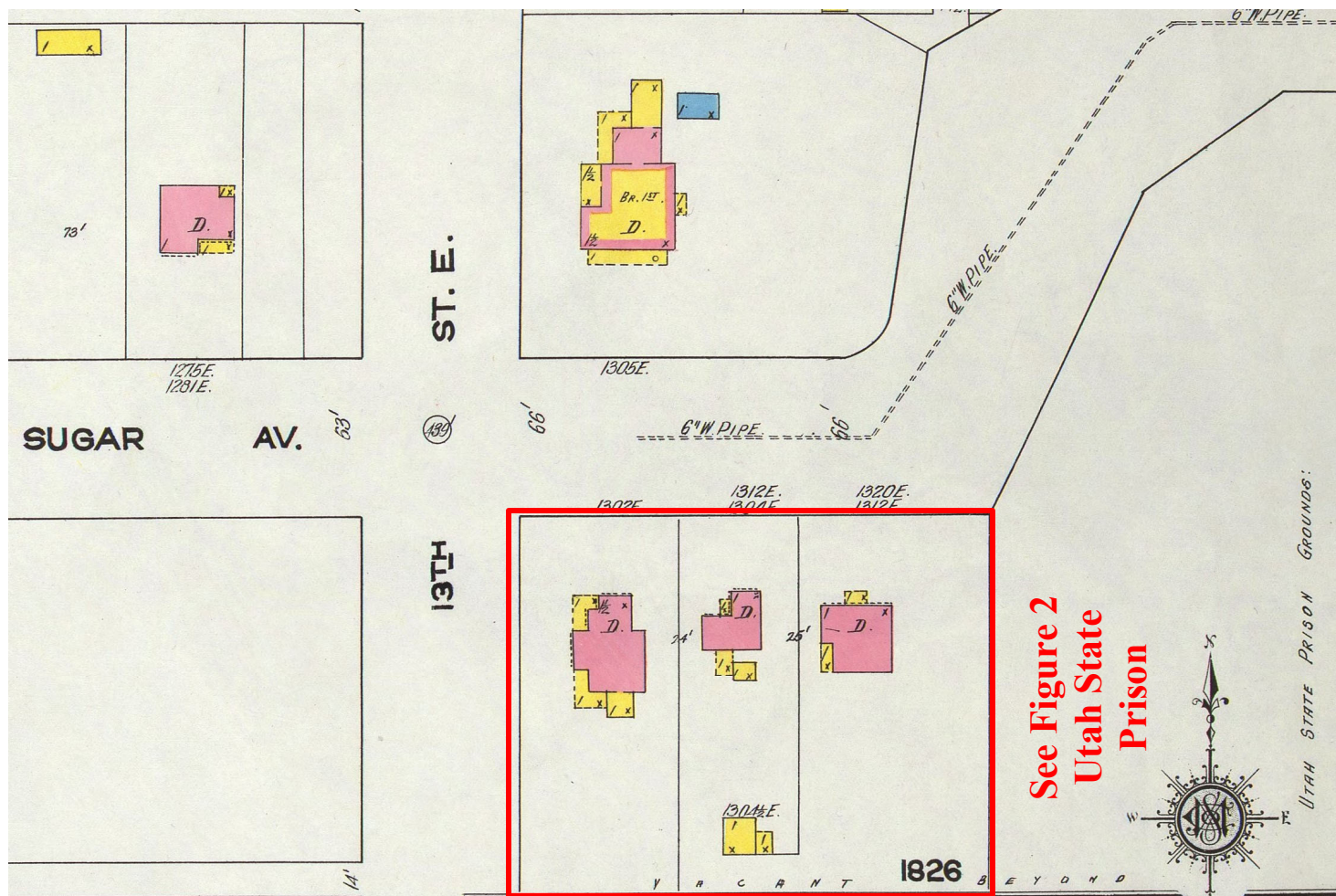


Figure 3: 1911 Sanborn Map of NW Corner Sugarhouse Park Block

Kum & Go Gas Station
 2111 South 1300 East
 Salt Lake City, Utah



3489 West 2100 South, Suite 150
 Salt Lake City, Utah 84119
 (801) 908-5447

Project No. 2203

Boundaries are approximate. Not to scale.

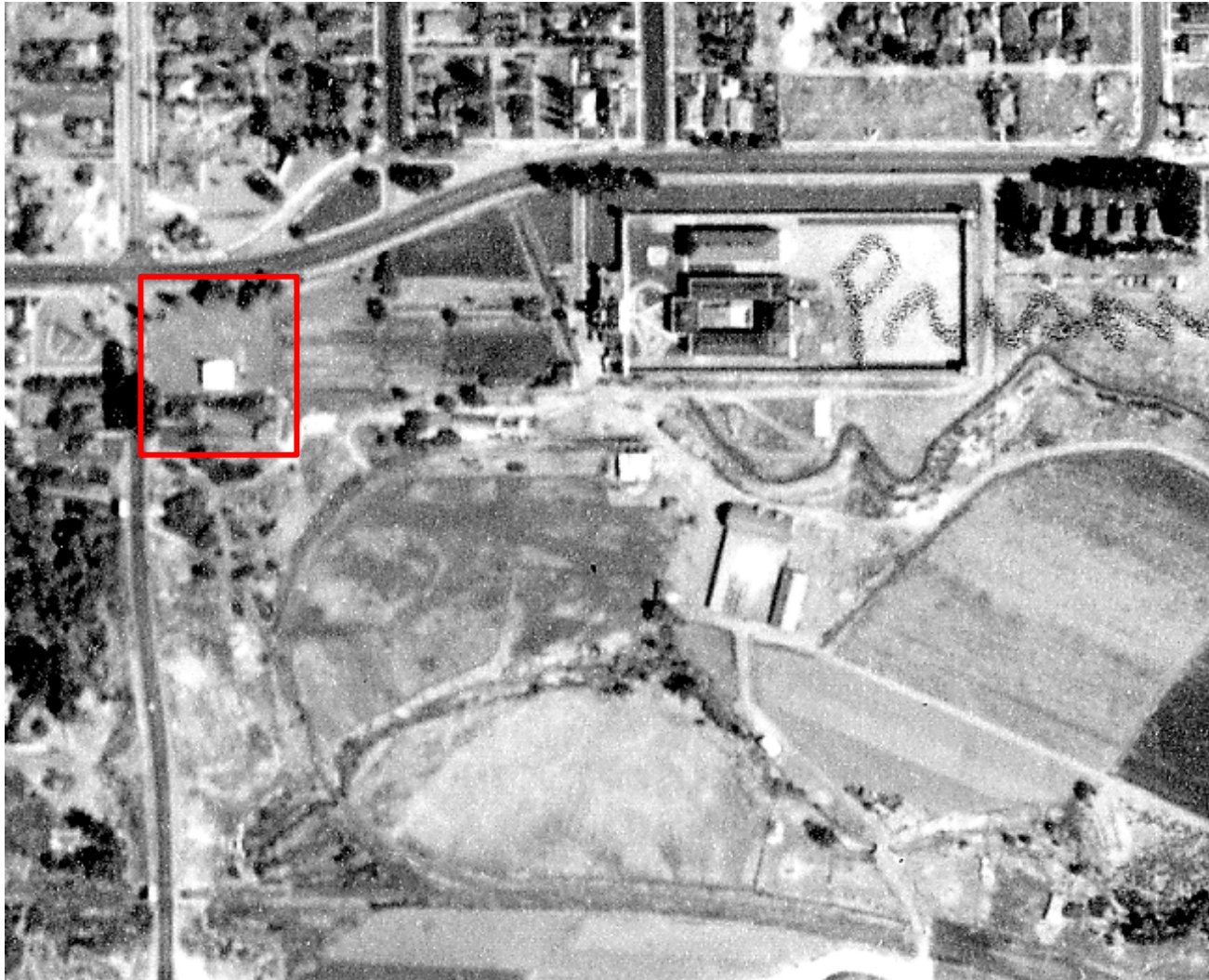


Figure 4: 1938 Aerial Photograph

Kum & Go Gas Station
2111 South 1300 East
Salt Lake City, Utah



3489 West 2100 South, Suite 150
Salt Lake City, Utah 84119
(801) 908-5447

Project No. 2203

Boundaries are approximate. Not to scale.

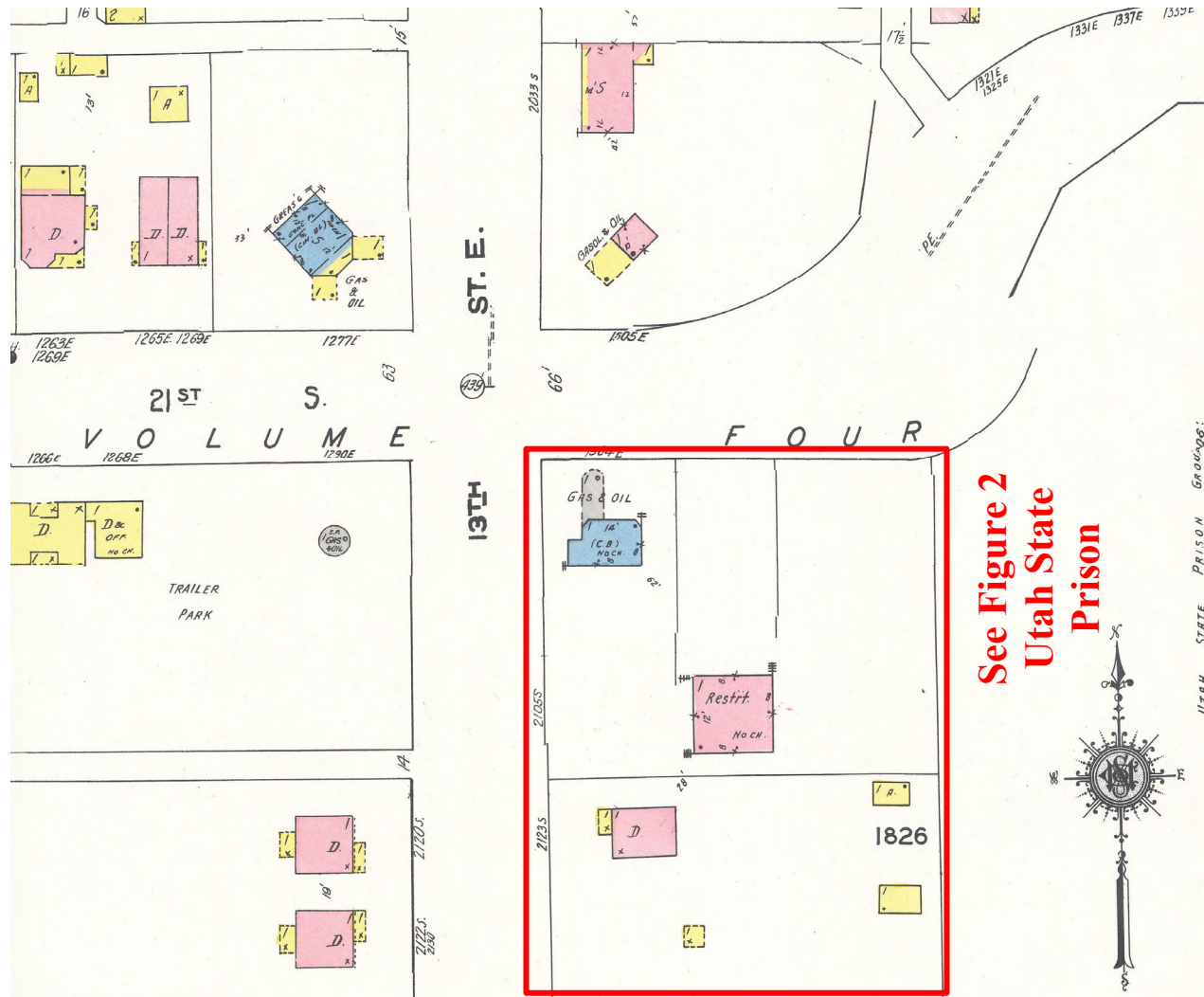


Figure 5: 1943 Sanborn Map of NW Corner Sugarhouse Park Block

Kum & Go Gas Station
 2111 South 1300 East
 Salt Lake City, Utah



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 Salt Lake City, Utah 84119
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Project No. 2203

Boundaries are approximate. Not to scale.

See Figure 7
 NW Corner
 Sugarhouse
 Park Block

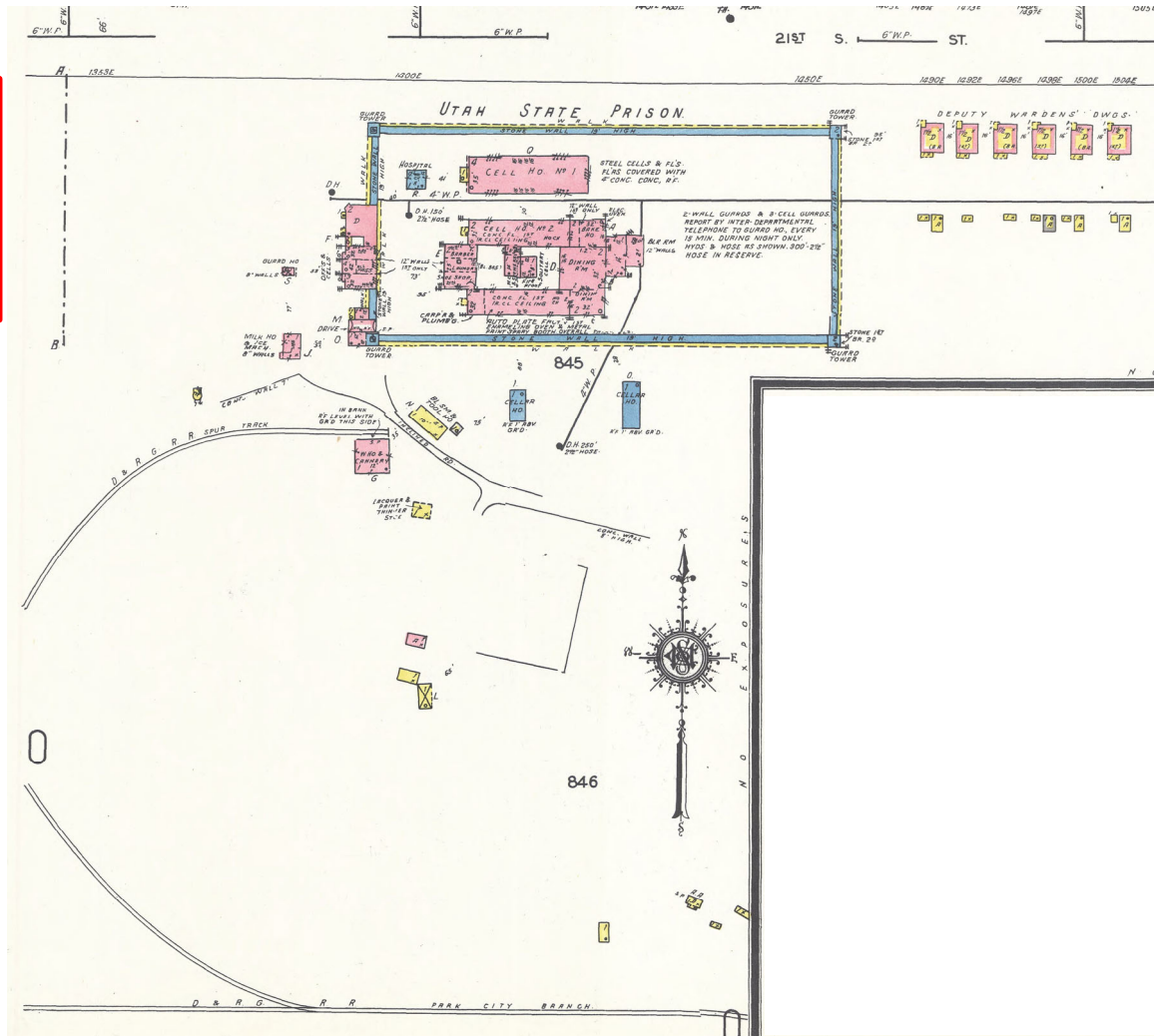


Figure 6: 1950 Sanborn Map of Utah State Prison Site

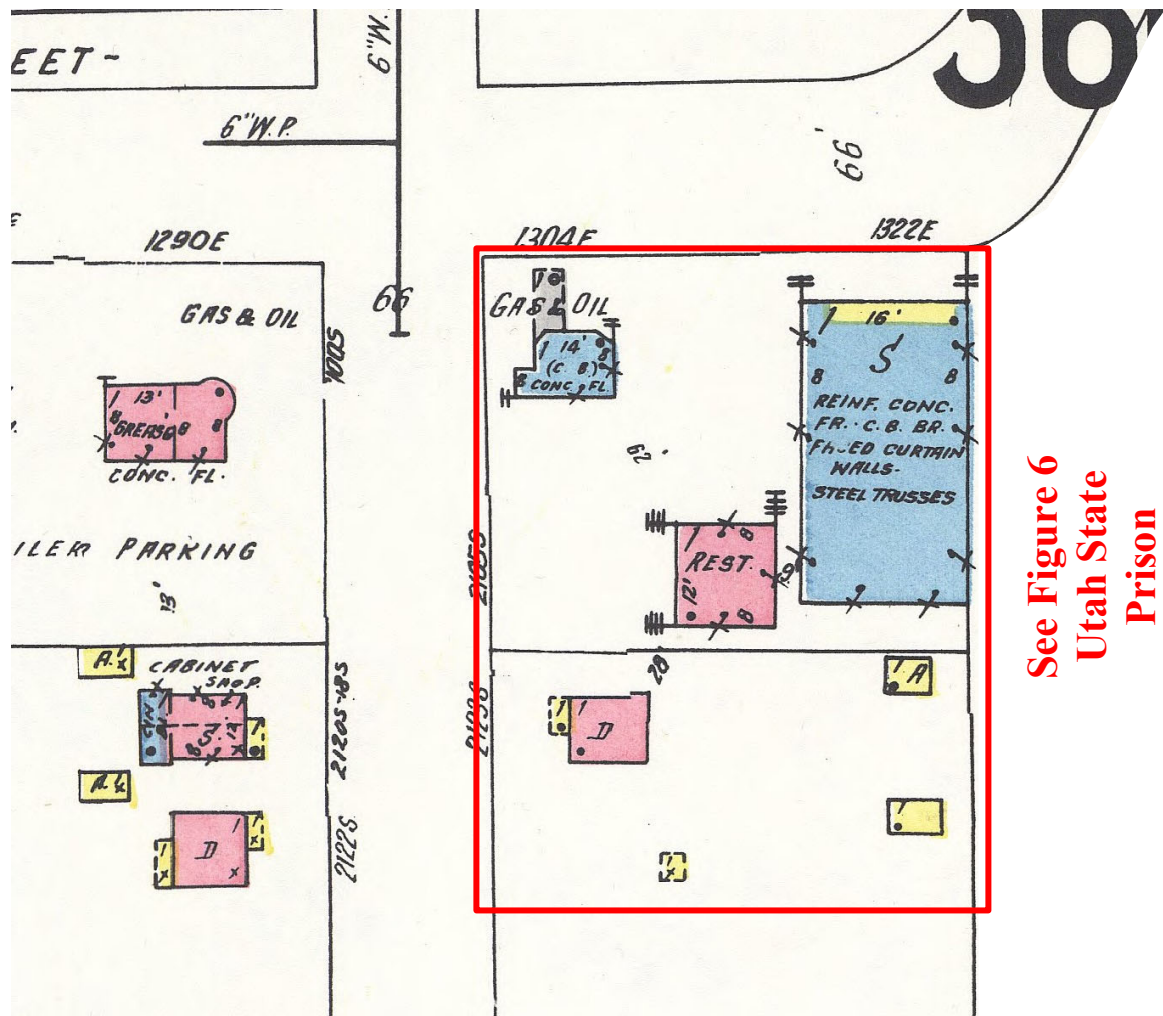
Kum & Go Gas Station
 2111 South 1300 East
 Salt Lake City, Utah



3489 West 2100 South, Suite 150
 Salt Lake City, Utah 84119
 (801) 908-5447

Project No. 2203

Boundaries are approximate. Not to scale.



See Figure 6
Utah State
Prison

Figure 7: 1950 Sanborn Map of NW Corner Sugarhouse Park Block

Kum & Go Gas Station
2111 South 1300 East
Salt Lake City, Utah



3489 West 2100 South, Suite 150
Salt Lake City, Utah 84119
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Project No. 2203

Boundaries are approximate. Not to scale.



Figure 8: 1962 Aerial Photograph

Kum & Go Gas Station
2111 South 1300 East
Salt Lake City, Utah



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Project No. 2203

Boundaries are approximate. Not to scale.



Figure 9: 1973 Aerial Photograph

Kum & Go Gas Station
2111 South 1300 East
Salt Lake City, Utah



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Salt Lake City, Utah 84119
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Boundaries are approximate. Not to scale.



Figure 10: 1979 Aerial Photograph

Kum & Go Gas Station
2111 South 1300 East
Salt Lake City, Utah



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Salt Lake City, Utah 84119
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Project No. 2203

Boundaries are approximate. Not to scale.



Figure 11: 1985 Aerial Photograph

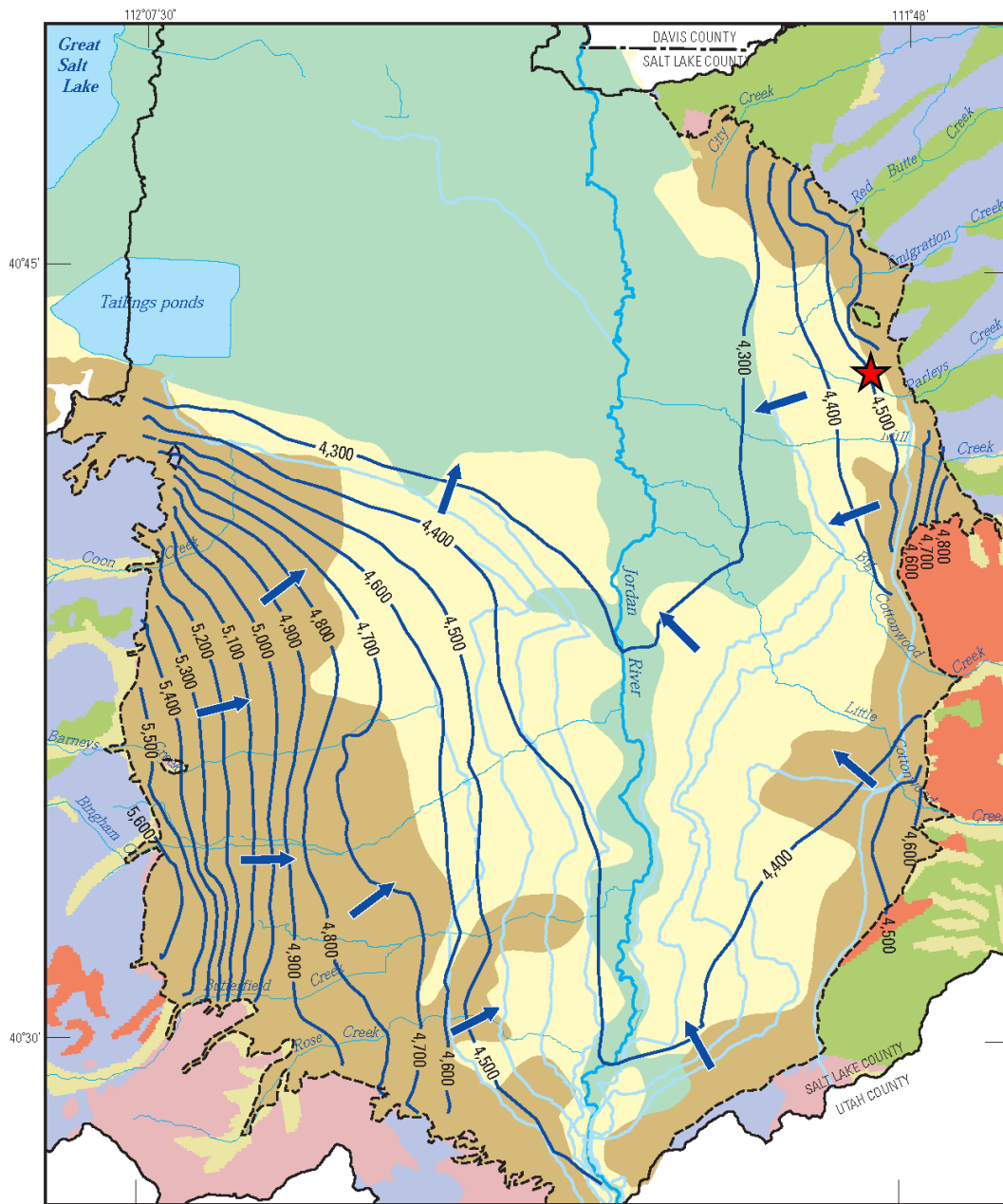
Kum & Go Gas Station
2111 South 1300 East
Salt Lake City, Utah



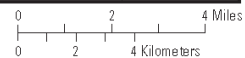
3489 West 2100 South, Suite 150
Salt Lake City, Utah 84119
(801) 908-5447

Project No. 2203

Boundaries are approximate. Not to scale.



Base from U.S. Geological Survey digital line graph data, 1979, 1980, Universal Transverse Mercator projection, Zone 12



- | | | | |
|--|--|---|-------------------------|
| Geology | | EXPLANATION | |
| Carbonate rocks | Discharge area | Primary recharge area | Secondary recharge area |
| Metamorphic or intrusive igneous rocks | Approximate boundary of basin-fill sediments | Approximate direction of lateral groundwater movement | |
| Sedimentary-dominated rocks | Potentiometric contour—Shows altitude of model-computed potentiometric surface for the principal aquifer in 1991 (from Lambert, 1995). Contour interval is 100 feet. Datum is the National Geodetic Vertical Datum of 1929 | Study area boundary | |
| Volcanic rocks | Canal | | |
| Basin-fill sediments | | | |
| Sugarhouse Park | | | |

**Figure 12: Groundwater Recharge and Discharge Zones
Salt Lake Valley, Utah**

Kum & Go Gas Station
2111 South 1300 East
Salt Lake City, Utah



3489 West 2100 South, Suite 150
Salt Lake City, Utah 84119
(801) 908-5447

Project No. 2203

Boundaries are approximate.
Not to scale.



★ Sugarhouse Park

Figure 13: Salt Lake Valley Groundwater Protection Zones

Kum & Go Gas Station
 2111 South 1300 East
 Salt Lake City, Utah



3489 West 2100 South, Suite 150
 Salt Lake City, Utah 84119
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Project No. 2203

Boundaries are approximate. Not to scale.

ATTACHMENT L:

SALT LAKE CITY ORDINANCE
No. 95 of 1998
(Relating to groundwater source protection)

AN ORDINANCE REPEALING IN ITS ENTIRETY SECTION 21A.34.060 OF THE SALT LAKE CITY CODE, DEALING GENERALLY WITH AQUIFER RECHARGE PROTECTION, AND ENACTING A NEW SECTION 21A.34.060 IMPLEMENTING AND RELATING TO A NEW LAND USE REGULATORY SYSTEM FOR THE PROTECTION OF GROUNDWATER DRINKING SOURCES FROM CONTAMINATION; ESTABLISHING ENFORCEMENT PROCEDURES; AND RELATED MATTERS.

BE IT ORDAINED by the City Council of Salt Lake City, Utah as follows:

SECTION 1. Section 21A.34.060 of the Salt Lake City Code is hereby repealed.

SECTION 2. A new Section 21A.34.060 of the Salt Lake City Code is hereby enacted,

to read as follows:

21A.34.060 Groundwater Source Protection

A. Title, Applicability And Authority.

1. **Title.** This Ordinance shall be known as the “Groundwater Source Protection Ordinance.”
2. **Applicability.** The provisions of this Ordinance shall be effective within the corporate boundaries of the City with respect to both City-owned and non-City-owned groundwater sources, and, to the fullest extent permitted by law, outside the corporate boundaries of the City with respect to City-owned groundwater sources. This Ordinance establishes certain standards and restrictions intended to prevent contamination of the public drinking water supply as a result of toxic substances entering the groundwater. It shall be the responsibility of any person owning real property and/or owning or operating a business within the protective zones or recharge areas established pursuant to this Ordinance to conform and comply with the applicable provisions contained in this Ordinance. Ignorance of this Ordinance shall not excuse any violations of the provisions hereof.
3. **Authority.** This Ordinance is adopted pursuant to authority provided in the Utah Municipal Land Use and Development Act (10-9-102 Utah Code Ann.), Section 10-8-15,

Utah Code Ann., the Utah Administrative Code, R309-113, and other applicable statutory and common law of the State of Utah.

B. Purpose And Intent.

The purpose of this Ordinance is to protect, preserve, and maintain existing and potential public drinking groundwater sources in order to safeguard the public health, safety and welfare of customers and other users of the City's public drinking water supply, distribution and delivery system. The intent of this Ordinance is to establish and designate drinking water source protection zones and groundwater recharge areas for all underground sources of public drinking water which enter the City's culinary drinking water supply, distribution and delivery system, whether such sources are located within, or outside of, the City's corporate boundaries. This Ordinance establishes criteria for regulating the storage, handling, use or production of hazardous waste, petroleum product and regulated substances within identified areas where groundwater is, or could be affected by the potential contaminant source. This shall be accomplished by the designation and regulation of property uses and conditions that may be maintained within such zones or areas. Unless otherwise specified, the provisions of this Ordinance apply to new development, changes or expansion of use, and/or handling, movement, and storage of hazardous waste, petroleum products and regulated substances.

The degree of protection afforded by this Ordinance is considered adequate at the present time to address the perceived actual and potential threat to underground drinking water sources. This Ordinance does not ensure that public drinking water sources will not be subject to accidental or intentional contamination, nor does it create liability on the part of the City, or an officer or employee thereof, for any damages to the public water supplies from reliance on this Ordinance or any administrative order lawfully made hereunder.

Compliance with the terms of this Ordinance shall not relieve the person subject to the terms hereof of the obligation to comply with any other applicable federal, state, regional or local regulations, rule, ordinance or requirement .

C. Definitions.

Unless the context specifically indicates otherwise, the following terms used in this Ordinance shall have the following meanings:

Best Management Practices (BMPs) means a practice or combination of practices determined to be the most effective practicable (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution to a level compatible with water, soil, and air quality goals.

City shall Salt Lake City Corporation.

Closure means the cessation of operation of a facility, or any portion thereof, and the act of securing such facility or portion thereof to ensure protection of groundwater in accordance

with the appropriate state, federal, regional and local regulations applicable to the specific facility and with the provisions of this Ordinance.

Collection Area means the area surrounding a groundwater source which is underlain by collection pipes, tile, tunnels, infiltration boxes, or other groundwater collection devices.

Continuous Transit means the nonstop movement of a mobile vehicle except for stops required by traffic laws.

Council means the Salt Lake City Council.

Director means the Director of the Public Utilities Department.

Discharge means and includes, but not be limited to, spilling, leaking, seeping, pouring, injecting, emitting, emptying, disposing, releasing, or dumping regulated substances, hazardous waste or petroleum products to the soils, air, groundwater, or surface waters of the City. Discharge does not include the use of a regulated substance in accordance with the appropriate use intended or specified by the manufacturer of the substances, provided that such use is not prohibited by federal, state, regional or local regulations. Discharge shall not include discharges specifically authorized by federal or state permits.

Drinking Water Source means a drinking water spring or well supplying water which has been permitted or intended for consumptive use.

Drinking Water Source Protection Zone (DWSP), or Protection Zone, means an area within which best management practices are mandated for restricted uses, or certain uses are prohibited, in order to protect groundwater flowing to public drinking water sources, and designated as a Protection Zone, level 1, 2, 3 or 4, pursuant to subsection D.2 hereof.

Groundwater means any water which may be drawn from the ground.

Groundwater Divide means a line on a water table on each side of which the water table slopes downward in a direction away from the line.

Groundwater TOT means time of travel for groundwater to a drinking water source.

Handle means to use, generate, process, produce, package, treat, store, or transport a regulated substance, hazardous waste or petroleum product in any fashion.

Hazardous Waste means all waste regulated under the following federal acts: the Reserve Conservation and Recovery Act, the Toxic Substance Control Act, the Clean Water Act, the Clean Air Act, the Solid Waste Disposal Act and the Atomic Energy Act of 1954.

Health Department means the Salt Lake City/County Health Department.

Operating Permit means a permit to operate a facility handling regulated substances , hazardous waste or petroleum products under this Ordinance. The permit will be issued by the Salt Lake City Division of Building Services and Licensing.

PCS means potential contaminant source.

Petroleum Product means fuels (gasoline, diesel fuel, kerosene, and mixtures of these products), lubricating oils, motor oils (new and used), hydraulic fluids, and other similar petroleum-based products.

Primary Recharge Area means each area by that name designated pursuant to subsection D.2 hereof.

Public Utilities Department means the Salt Lake City Department of Public Utilities.

PWS means Public Water System.

Regulated Person means each person, corporation, partnership, association or other legal entity subject to the provisions of this Ordinance.

Regulated Substances means substances (including degradation and interaction products) which, because of quantity, concentration, physical, chemical (including ignitability, corrosivity, reactivity and toxicity), infectious characteristics, radiomutagenicity, carcinogenicity, teratogenicity, bioaccumulative effect, persistence (non-degradability) in nature, or any other characteristics relevant to a particular material, may cause significant harm to human health and/or the environment (including surface and groundwater, plants, and animals), including without limitation those substances set forth in the Generic Regulated Substances List which is included in this Ordinance as Appendix "A". Regulated substances shall include those set forth in the following lists, as the same may be amended from time to time: *Identification and Listing of Hazardous Materials* (40 CFR Part 261, Subpart D) and *List of Extremely Hazardous Substances* (40 CFR Part 355, Appendix A and B) and which are in a form capable of entering the groundwater .

Recharge Area means either a primary recharge area or a secondary recharge area.

Recharge Area and Protection Zone Map means the map by that name designated in subsection D.1 hereof.

Residential Use means any building or structure or portion thereof that is designed for or used for residential purposes and any activity involving the use or occupancy of a lot for residential purposes. Residential use shall include those customary and accessory residential activities associated with the principal permitted use of a lot for residential purposes as set out in the Zoning Ordinance of the City.

Secondary Containment means any system that is used to provide release detection and release prevention, such as trays under containers, floor curbing or other systems designed to

hold materials or liquids that may discharge from containers holding regulated substances, petroleum products or hazardous waste. Examples include a double-walled tank, a double-walled integral piping system, or a single-walled tank or integral piping system that is protected by an enclosed concrete vault, liner, or an impervious containment area.

Secondary as such Recharge Area means the areas depicted on Appendix “C” of this Ordinance.

Septic Holding Tank means a water-tight receptacle, used to contain septic waste, the contents of which are removed and disposed of at a waste disposal facility.

Septic Tank System means a generally water-tight receptacle connected to a drain field that allows liquid from the tank to enter the soil. The system is constructed to promote separation of solid and liquid components of domestic wastewater, to provide decomposition of organic matter, to store solids, and to allow clarified liquid to discharge for further treatment and disposal in a soil absorption system.

Sludge, or Biosolids, means the solids separated from wastewater during the wastewater treatment process.

Travel Time Contour means the locus of points that form a line of any configuration in space from which groundwater particles on that line theoretically take an equal amount of time to reach a given destination, such as a well or a wellfield, as predicted by the Refined Salt Lake Valley MODFLOW/MODPATH model.

USGS means the United States Geological Survey.

Well means any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed for which the intended use of such excavation is the location, acquisition, development, or artificial recharge of groundwater.

Wellfield means an area of land which contains one or more drinking water supply wells.

D. Extent And Designation Of Recharge Areas And Protection Zones.

- 1. Recharge Area and Protection Zone Map.** The extent of the recharge areas and the protection zones may be seen on the Recharge Area and Protection Zone Map, Appendix “C”. The Recharge Area and Protection Zone Map is incorporated and made a part of this Ordinance. The recharge area boundary lines have been located along streets and or section lines for convenience of assessing which prohibition and restrictions apply to a specific property. Amendments, additions, or deletions to this map may be made by the City Council following public notice and after approval by the Public Utilities Department. This notice shall be published at least 30days prior to consideration by the Public Utilities Department.

2. Designation of Recharge Areas and Protection Zones. The following recharge areas and protection zones are hereby designated within the City:

- a. Primary Recharge Area, as determined by the USGS (see Appendix “C”).
- b. Secondary Recharge Area, as determined by the USGS (see Appendix “C”).
- c. Protection Zone 1 shall be the area within a 100-foot radius from the margin of the collection area.
- d. Protection Zone 2 shall be area within a 250-day groundwater TOT to the margin of the collection area, the boundary of the aquifer(s) which supplies water to the groundwater source, or the groundwater divide, whichever is closer.
- e. Protection Zone 3 shall be the area within a 3-year TOT to the margin of the collection area, the boundary of the aquifer(s) which supplies water to the groundwater source, or the groundwater divide, whichever is closer.
- f. Protection Zone 4 shall be the area within a 15-year TOT to the margin of the collection area, the boundary of the aquifer(s) which supplies water to the groundwater source, or the groundwater divide, whichever is closer.

3. Determination of Applicable Standards. In determining the location of properties and facilities within the recharge areas and protection zones depicted on the Recharge Area and Protection Zone Map, the following rules shall apply.

- a. Property located wholly or partially within a single recharge area or a protection zone on the overlay map shall be governed by the restrictions applicable to that recharge area or protection zone.
- b. Properties located within more than one recharge area or protection zone as shown on the overlay map shall be governed by the restrictions applicable to the most restrictive protection zone.

4. Review of Recharge Area and Protection Zone Map. The Public Utilities Department shall review the Recharge Area and Protection Zone Map at least once every five years, or more frequently as determined appropriate by the Public Utilities Department, and may recommend changes as deemed appropriate. Failure to conduct this review shall not affect the validity of the existing approved map. The basis for updating the map may include, but is not limited to, the following:

- a. Changes in technical or scientific knowledge in the areas of geohydrology, hydraulics, and geology;
- b. Changes in wellfield configuration;

- c. Changes in pumping rates for the wellfield;
- d. Development of new wells, wellfields, and/or springs; or
- e. Changes in water quality.

E. Uses and Restrictions Within Recharge Areas and Protection Zones.

- 1. Prohibitions and Restrictions.** A list of uses which may constitute potential contamination sources is attached hereto as Appendix “B”. The list categorizes each use as either “restricted” or “prohibited” within the protection zones referenced in Section D.2 of this Ordinance, and includes BMPs, if available, for each use. Permit requests for restricted uses shall be processed as outlined in subsection F below. The Public Utilities Department shall update and/or revise Appendix “B” from time to time as uses, technology, and BMPs evolve over time.
- 2. Discharges.** No person shall discharge, or permit the discharge of any regulated substance, hazardous waste or petroleum product, whether treated or untreated, to soils, air, groundwater, or surface water in any recharge area or protection zone, that may have a deleterious effect upon the groundwater in the City, unless the discharge is in compliance with federal, state, and local regulations.

F. Review of Development Plans; Permits.

- 1. Application.** Permit applications for all new restricted uses, or expansion of an existing restricted use, shall be submitted to the Salt Lake City Division of Building Services and Licensing for review, issuance of building permits (if applicable), and issuance of an operating permit. The review process shall include referral of proposed plans and specifications to the Public Utilities Department for review.
- 2. Approval of Permit.** If the Public Utilities Department finds that the proposed use will not have an adverse impact on groundwater quality, or that the potential adverse impacts can be mitigated by implementing Best Management Practices or other strategies, the permit may be approved. If approved, all recommendations of the Public Utilities Department shall be attached to the permit as conditions of approval.
- 3. Denial of Permit.** If the Public Utilities Department determines that the proposed use may have an adverse effect upon groundwater quality, and that the adverse effect cannot be adequately mitigated through use of BMPs or other methods, the permit shall be denied.

G. Management Strategies; Best Management Practices.

- 1. Toxic, Hazardous, and Other Materials Handling Regulations.**

- a. Storage Containers. All regulated substances, hazardous waste and petroleum products shall be stored in suitable containers to reduce the chance for such substances to be accidentally introduced into the environment. These storage containers shall be product-tight and, except where provided elsewhere in this Ordinance, shall be provided with a means to control spillage and to contain or drain off spillage and fire-protection water discharged in the storage area. Storage containers and secondary containment areas must be covered and/or elevated to prevent the accumulation of rain or other water. Defective storage containers shall be removed from service for repair or disposal in accordance with local, state, and federal standards.
- b. Secondary Containment. Secondary containment shall be constructed of a material of sufficient structural integrity and composition to contain the required capacity of liquids and not be structurally weakened as a result of contact with the discharge of the regulated substance, hazardous waste or petroleum product to be contained. The material shall be free of cracks, joints, gaps, or other imperfections which would allow leakage through the containment material.

The secondary containment system shall have sufficient capacity to contain (a) 10percent of the volume of all containers and 100percent of the volume of the largest single container, whichever is greater, plus (b)the design flow rate of the automatic fire extinguishing system (for 20minutes) for the area or room in which the storage is located. If the storage area and/or containment area are open to rainfall, the secondary containment system must also accommodate the volume of a 24-hour rainfall as determined by a 25-year storm frequency. Liquid that accumulates in the secondary containment system shall be removed in as timely a manner as necessary to prevent overflow of the system. Non-hazardous liquids may be drained in accordance with applicable local regulations. If the collected material is a hazardous waste under Title40 Part261 of the Code of Federal Regulations, it must be managed as a hazardous waste in accordance with all applicable requirements of Parts262 through 266 of that regulation.

Vacuum suction devices, absorbent scavenger materials or other devices approved by the Public Utilities Department, shall be present on-site or available to facilitate the removal or further containment of spilled regulated substances. Devices or materials shall be available in sufficient magnitude so as to at least control and collect the total quantity of regulated substances, hazardous waste or petroleum product that the containment system is designed to contain. Emergency containers shall be present and of such capacity as to hold the total quantity of regulated substances, hazardous waste or petroleum product plus absorbent material.

- c. Regulated Substances Emergency Management Plan. An emergency plan shall be prepared and filed with the Health Department, the City's Fire Department, the City's Police Department, and the Public Utilities Department indicating the procedures that will be followed in the event of the release of a regulated substance, hazardous waste or petroleum product so as to control and collect all such spilled

material in such a manner as to prevent it from discharging into any storm or sanitary drains or the ground. Facilities which have had, or appear to have had, unauthorized discharges to soil or groundwater shall be required by the Public Utilities Department to submit a Regulated Substances Management Plan for the facility. The written Plan will be used to demonstrate to the Public Utilities Department that the facility owner or operator understands the procedures and has the proper equipment to handle regulated substances, hazardous waste or petroleum product within the guidelines of this Ordinance. The Plan should not be implemented without the approval of the Public Utilities Department.

- d. Reporting of Spills. Any spill of a regulated substance, hazardous waste or petroleum product in excess of the nonaggregate quantity thresholds established by the List of Hazardous Waste (40CFR Part 261), Subpart D), 40CFR Appendix VIII—Hazardous Constituents and EPA Designation Reportable Quantities and Notification Requirements for Hazardous Substances under CERCLA (40CFR 302, effective July 3, 1986), shall be reported by telephone to the Public Utilities Department, the Health Department and the local water utility within 1 hour of discovery of the spill. Cleanup shall commence immediately upon discovery of the spill. A full written report shall be submitted to the Public Utilities Department, the Health Department and the local water utility within 15 days of discovery of the spill.

2. **Best Management Practices.** Under the provisions of this Ordinance, all potential contamination sources shall incorporate and utilize Best Management Practices in their operations. BMPs that reduce the potential for spills and leaks at a site to occur and enter groundwater shall be construed within the context of this Ordinance to include, but not be limited to, structural and nonstructural practices, conservation practices, and operation and maintenance procedures as specified by the Utah Department of Environmental Quality and the U.S. Environmental Protection Agency. BMPs outlined in Appendix “B” supplement those outlined below. It is the responsibility of the applicant to comply with the most recent, updated version of BMP provisions.

- a. Underground Storage Tanks. Installation of any new underground storage tanks (“USTs”) used to store regulated substances, hazardous waste or petroleum products for either residential or nonresidential activities in recharge areas and protection zones designated under subsection D.2 of this Ordinance, shall require a secondary containment system for the tank and associated underground piping, and an automatic leak detection system. A permit from Utah State Division of Environmental Remediation and Response shall be required for the removal or closure of USTs. The permit shall require that leaking tanks be pumped dry and removed from the ground by a state-licensed company. If removal of the UST(s) is not feasible, the lines shall be disconnected and capped and the tank shall be filled with an inert substance such as washed sand. Best management practices implementation is required for all USTs.
- b. Septic Tank Systems. No person shall place, maintain, or operate on-site sewage disposal from a septic tank within the primary recharge area, Protection Zones 1 and 2, or within 300 feet of any public street in which a public sewer is laid. Septic

systems in Zones 3 and 4 shall comply with the Utah State Department of Health "Care of Waste Disposal Regulations", Parts IV and V. Non residential activities which have septic tank systems shall have installed a 4-inch diameter vertical pipe with a locked cap or locked top in the top of the septic tank. This monitoring pipe shall be located in a manner which will permit ready access by Public Utilities Department personnel to extract representative samples to check for improper/unauthorized disposal of regulated substances. A septic holding tank that does not discharge into the soil would be preferred. The contents of a septic holding tank shall be removed, as necessary, and treated or disposed of at an approved facility.

- c. Sewage Collection, Transmission and Disposal. No person shall discharge treated or untreated sewage in any area not specifically designated for that purpose by the City. The owner or operators of any waste water treatment plant, sanitary sewer, force main, gravity sewer, or lateral shall notify the Public Utilities Department within one hour of discovering a break that may or does result in the leakage of sewage. Emergency telephone numbers will be prominently displayed on all sewage lift stations within zones 1, 2, 3, and 4, and the primary recharge area. All leaking sewage collection and transmission pipes shall be repaired or replaced. New sewage collection and transmission pipes shall be installed according to acceptable construction standards, as determined by the Utah Department of Environmental Quality and the City, and shall have routine inspections during and after construction. No wastewater treatment plants shall be placed, maintained, or operated within protection zones 1 or 2.
- d. General Stormwater Management. All future stormwater management systems to be constructed and implemented for restricted uses within the protection zones and recharge areas shall obtain permits in accordance with applicable local, state, and federal laws and regulations.
- e. Deicing Salt Storage and Application. Deicing salt shall be stored on an impermeable pad and shall be covered. Deicing salt application shall use Best Management Practices and shall evaluate substitute products and technologies.
- f. Landfills. Expansion or creation of new landfills is prohibited in the primary recharge area and zones 1 and 2. Existing landfills in the primary recharge area or in protection zone 1 shall be required to comply with the provisions of Utah Administration Code R315-301-1 through 301-5. Landfills shall develop and implement a landfill monitoring program. The monitoring shall include the vadose zone and groundwater. If the monitoring detects contamination, the following corrective measures may be required:
 - i. Cover the landfill with suitable low-permeability materials and minimize the application of supplemental water to reduce infiltration of moisture.

- ii. Install groundwater containment and treatment actions, additional monitoring, and erosion controls as required.

3. Environmental Quality Monitoring. Facilities which have had, or appear to have had, unauthorized releases to soil or groundwater shall be required by the Public Utilities Department to monitor soil and groundwater in and adjacent to the facility. At the request of the Public Utilities Department, the facility will submit a monitoring plan for Public Utilities Department review. The plan shall be implemented with the approval of the Public Utilities Department. Facilities that undergo closure may be required to monitor soil and groundwater in and adjacent to the facility subject to closure. All costs associated with the closing and monitoring of the site will be paid for by the operator of the facility.

H. Exclusions And Exemptions

- 1. Qualifying Statement.** The exclusions and exemptions contained in this subsection H shall not apply to protection zone 1: i.e. sites within a 100-foot radius from a well.
- 2. Exclusions.** The following substances are not subject to the provisions of this Ordinance provided that these substances are handled, stored, and disposed of in a manner that does not result in an unauthorized release or cause contamination of the groundwater.
 - a. Regulated substances stored at residences that do not exceed 10 pounds (dry) or 5 gallons (liquid) (except as allowed in H.2.d below) and are used for personal, family, or household purposes.
 - b. Fertilizers, treated seed (except as noted in this Ordinance), pesticides, herbicides, erosion control products, and soil amendment, in quantities normally available at retail outlets, when stored, handled and applied in accordance with the manufacturer's instructions, label directions, and nationally recognized standards.
 - c. Commercial products limited to use at a commercial or industrial site solely for office or janitorial purposes when stored in total quantities of less than 50 pounds for dry products, or 55 gallons for liquids.
 - d. Prepackaged consumer products available through retail sale to individuals for personal, family, or household use, that are properly stored.
 - e. Water-based latex paint, or oil based finishes, in quantities normally available at retail outlets, when stored, handled and applied in accordance with the manufacturer's instructions, label directions, and nationally recognized standards.
 - f. Compressed gases.
 - g. Substances or mixtures which may pose a hazard but are labeled pursuant to the Federal Food, Drug, and Cosmetic Act.

- h. Substances which, in the judgment of the Director, pose no hazard to groundwater.
- 3. **Continuous Transit.** The transportation of any regulated substance(s), hazardous waste or petroleum products through any protection zone or recharge area shall be allowed provided that the transporting vehicle is in continuous transit.
- 4. **Vehicular and Yard Maintenance Fuel and Lubricant Use.** The use of any petroleum product solely as an operational fuel in the vehicle or yard maintenance fuel tank or as a lubricant in such a vehicle shall be exempt from the provisions of this Ordinance. These spent products shall be properly disposed of in compliance with applicable federal, state, and local regulations.

I. Enforcement, Violation And Penalties

- 1. **Notification of violation.** Whenever the Director finds that any regulated person has violated or is violating any provision of this Ordinance, or any order, rule or regulation issued or promulgated hereunder, the Director may serve upon said regulated person a written Notice of Violation. Such written notice shall be served in person or by certified mail, return receipt requested. Within five (5) days after the receipt of such notice, an explanation for the violation and a plan for the satisfactory correction and prevention thereof, which shall include specific required actions, shall be submitted by the regulated person to the Director. Submission of this plan in no way relieves the regulated person of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the City to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.
- 2. **Consent orders.** The Director is hereby empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any regulated person responsible for noncompliance. Such orders will include specific action to be taken by the regulated person. Consent orders shall have the same force and effect as administrative orders issued pursuant to subsections 4 and 5 below, and shall be judicially enforceable.
- 3. **Order to Show Cause Hearing.** The Director may order any regulated person which causes or contributes to violation(s) of any provisions of this Ordinance, or any order, rule or regulation issued or promulgated hereunder, to appear before the Director and show cause why a proposed enforcement action should not be taken. Notice shall be served on the regulated person, which notice shall specify the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the regulated person show cause why this proposed enforcement action should not be taken. Such written notice shall be served in person on any authorized representative of the regulated person, or by certified mail, return receipt requested, at least seven (7) days prior to the hearing. Whether or not the regulated person appears as ordered, immediate

enforcement action may be pursued following the hearing date. A show cause hearing shall not be a prerequisite for taking any other actions against the regulated person.

4. **Compliance orders.** When the Director finds that a regulated person has violated or continues to violate any provision of this Ordinance, or any rule or regulation issued or promulgated hereunder, he may issue an order to the regulated person responsible for the violation directing that the regulated person come into compliance within thirty (30) days. If the regulated person does not come into compliance within thirty (30) days, any and all available remedies may be pursued and service may be discontinued. Compliance orders may also contain other requirements to address noncompliance, including additional self-monitoring, and management practices designed to minimize the amount of pollutants released. A compliance order may not extend the deadline for compliance established for a federal standard or requirement, nor does a compliance order release the regulated person of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a prerequisite to taking any other action against the regulated person.

5. **Cease and desist orders.** When the Director finds that a regulated person is violating any provision of this Ordinance, any rule or regulation issued or promulgated hereunder, or that the regulated person's past violations are likely to recur, the Director may issue an order to the regulated person directing it to cease and desist all such violations and directing the regulated person to:
 - a. Immediately comply with all requirements; and
 - b. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation. Issuance of a cease and desist order shall not be a prerequisite to taking any other action against the regulated person.

6. **Administrative fines.**
 - a. Notwithstanding any other section of this Ordinance, any regulated person found to have violated any provision of this ordinance, or any order, rule or regulation issued or promulgated hereunder, may be fined in an amount not greater than \$10,000 per day, as determined by the Director in his reasonable discretion. Such fines shall be assessed on a per day, per violation basis. The City may also assess penalties as outlined in Section 21A.20.040 and 21A.20.050 of the Salt Lake City Code.
 - b. The City may charge a regulated person for the costs of preparing administrative enforcement actions, such as notices and orders, which charge may be assessed whether or not a fine under subsection (a) is also imposed.
 - c. Assessments for fines and/or administrative costs may be added to the regulated person's next scheduled water service charge, and the Director shall have such other collection remedies as may be available for other service charges and fees.

- d. Unpaid charges, fines, assessments and penalties shall, after sixty (60) calendar days, be assessed an additional penalty of ten (10) percent of the unpaid balance. Thereafter, interest on any unpaid balances, including penalties, shall accrue at a rate of 1% per month. A lien against the individual regulated person's property will be sought for unpaid charges, fines, and penalties.
 - e. Regulated persons desiring to dispute such fines or assessments must file a written request for the Director to reconsider the fine or assessment, along with full payment thereof within thirty (30) days of being notified of the fine or assessment. The Director shall convene a hearing on the matter within fourteen (14) days of receiving the request from the regulated person. In the event the regulated person's appeal is successful, any amounts paid by the regulated person to the City shall be returned to the regulated person, without interest.
 - f. The imposition of an administrative fine, assessment or other charge shall not be a prerequisite for taking any other action against the regulated person.
7. **Emergency suspensions.** The Director may order the immediate suspension of a regulated person's actions (after informal notice to the regulated person), whenever such suspension or shut-off is necessary in order to stop an actual or threatened discharge which reasonably appears to present or cause a risk of an imminent or substantial endangerment to the health or welfare of the City's culinary water customers. Any regulated person notified of a suspension of its activities shall immediately stop conducting such activities. In the event of a regulated person's failure to immediately comply voluntarily with the suspension order, the Director shall take such steps as deemed necessary to enforce such order. The Director shall allow the regulated person to recommence operations when the regulated person has demonstrated to the satisfaction of the Director that the period of endangerment has passed. A regulated person that is responsible, in whole or in part, for any discharge presenting imminent endangerment, shall submit to the Director a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, prior to the date of any show cause hearing under Sections I.3. Nothing in this Section shall be interpreted as requiring a hearing prior to any emergency suspension under this Section.
8. **Injunctive relief.** Whenever a regulated person has violated or continues to violate a provision of the Ordinance, or continues to violate any order, rule or regulation issued or promulgated hereunder, the City may petition any court of competent jurisdiction for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the Ordinance provision, order, rule, regulation or other requirement. In addition, the City may recover reasonable attorney's fees, court costs, and other expenses of litigation by appropriate legal action against the regulated person found to have violated any provision hereof, or of any order, or any other rule or regulation issued or promulgated hereunder. Such other action as appropriate for legal and/or equitable relief may also be sought by the City. A petition for injunctive relief need not be filed as a prerequisite to taking any other action against a regulated person.

9. Civil fine pass through recovery. In the event that a regulated person releases such pollutants which cause the City to violate any conditions of any applicable laws, rules or ordinances to which the City is subject, and the City is fined or held liable regarding such violations, then such regulated person shall be fully liable for the total amount of the fines and civil penalties assessed against the City, and any administrative costs incurred.

10. Public nuisances. Any violation of the provisions of this Ordinance, or of any order, rule or regulation issued or promulgated hereunder, is hereby declared a public nuisance and shall be corrected or abated as directed by the Director. Any person(s) creating a public nuisance shall be subject to the provisions of the Salt Lake City Code governing nuisances, including reimbursing the City for any costs incurred in removing, abating or remedying said nuisance.

11. Enforcement by Other Agencies. The City may request the Health Department, and the Health Department is hereby granted the authority upon such request, to enforce or administer any and all provisions of this Ordinance and prosecute any violations thereof. To the extent of any such request, references in this Ordinance to the Public Utilities Department and the City shall be deemed to mean the Health Department, and references in this Ordinance to the Director shall be deemed to mean the Director of the Health Department. In addition, the City may refer to the State of Utah or the United States Government, for civil or criminal prosecution, any violations of this Ordinance which also violate applicable provisions of state or federal law, orders, administrative rules or permits. It is the intent of the City that this Ordinance shall be construed to the greatest extent possible to be consistent with the provisions of applicable county, state and/or federal laws, ordinances, rules, regulations or permits. In the event of any conflict, the more restrictive provisions shall apply.

12. Nonexclusive Remedies. The provisions of subsections I.1 through 11 are not exclusive remedies. The City reserves the right to take any, all, or any combination of these actions against a noncompliant regulated person. However, the City reserves the right to take other action against any regulated person when the circumstances warrant. Further, the City is empowered to take more than one enforcement action against any noncompliant regulated person. These actions may be taken concurrently.

13. Disputes; Appeals

a. Persons objecting to the configuration of the Recharge Area and Protection Zone Map, or the inclusion of specific property within any recharge areas or protection zones, or to the denial of a permit or the conditions attached hereto, or any rulings of the Public Utilities Department under this subsection I, may make appeal to the Land Use Appeals Board by filing a written notice of appeal with such Board not later than thirty (30) days following the action appealed from.

b. The written appeal shall contain:

i. Documentation of compliance, or

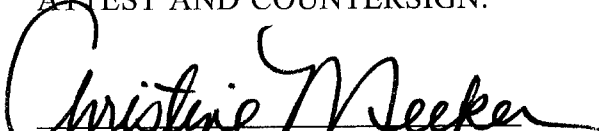
- ii.
 - A. Response to specific violations cited in the cease and desist order and the remedial actions planned in order to bring the facility into compliance; and
 - B. A schedule for compliance.
- c. Upon receipt of the written appeal, the Land Use Appeals Board shall review the appeal within 10 days of its receipt and respond to the appellant. If the Land Use Appeals Board determines that the written response from the appellant is adequate and noncompliance issues are addressed, the appellant will be notified by mail and no further action is required. If the Land Use Appeals Board determines that the appeals response is inadequate, the appellant may request a hearing before the Land Use Appeals Board. This hearing shall be held within 30 days of receiving the cease and desist order. The cease and desist order shall remain in effect until the hearing is conducted.

SECTION 3. Effective Date. This ordinance shall take effect on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this 1st day of December, 1998.


CHAIRPERSON

ATTEST AND COUNTERSIGN:


CHIEF DEPUTY CITY RECORDER

Transmitted to the Mayor on December 1, 1998.

Mayor's Action: xx Approved Vetoed


MAYOR

ATTEST AND COUNTERSIGN:

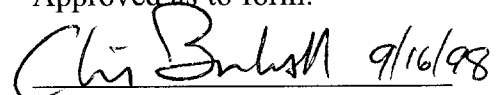

CHIEF DEPUTY CITY RECORDER

(SEAL)



Bill No. 95 of 1998.
Published: December 11, 1998.

Approved as to form:

 9/16/98
Assistant City Attorney

APPENDIX "A" - Generic Regulated Substance List

Acid and basic cleaning solutions	Laboratory chemicals
Antifreeze and coolants	Liquid storage batteries Medical, pharmaceutical, dental, veterinary, and hospital solutions
Animal dips	Mercury and mercury compounds
Arsenic and arsenic compounds	Metal finishing solutions
Battery acids	Oils
Bleaches and peroxide	Paints, primers, thinners, dyes, stains, wood preservatives, varnishing and cleaning compounds
Brake and transmission fluid	Painting solvents
Brine solution	Pesticides and herbicides
Casting and foundry chemicals	Photo development chemicals
Caulking agents and sealants	Plastic resins, plasticizers and catalysts
Cleaning solvents	Poisons
Corrosion and rust preventatives	Polishes
Cutting fluids	Polychlorinated biphenyls (PCBs)
Degreasing solvents	Pool chemicals
Disinfectants	Processed dust and particulates
Dyes	Radioactive sources
Electroplating solutions	Reagents and standards
Engraving and etching solutions	Refrigerants
Explosives	Roofing chemicals and sealers
Fertilizers	Sanitizers, disinfectants, bactericides, and algacides
Fire extinguishing chemicals	Soaps, detergents and surfactants
Food processing wasters	Solders and fluxes
Formaldehyde	Stripping compounds
Fuels and additives	Tanning industry chemicals
Glues, adhesives and resins	Transformer and capacitor oils and fluids
Greases	Wastewater
Hydraulic fluid	Water and wastewater treatment chemicals
Indicators	
Industrial and commercial janitorial supplies	
Industrial sludges and stillbottoms	
Inks, printing, and photocopying chemicals	

APPENDIX "B"

Use Matrix For Potential Contamination Sources

The following table identifies uses which have varying potentials to contaminate groundwater sources. These uses have been classified according to the risk of contamination in each protection as follows:

Restricted Uses (R) - The nature of the use, or some element of the use, represents a "Potential Contamination Source". The use may be permitted only after review and approval by the Division of Building Services and Licensing after having received comments and recommendations from the Public Utilities Department and the Salt Lake City/County Health Department. Approval is subject to implementation of Best Management Practices and compliance with other reasonable conditions as may be established by these agencies.

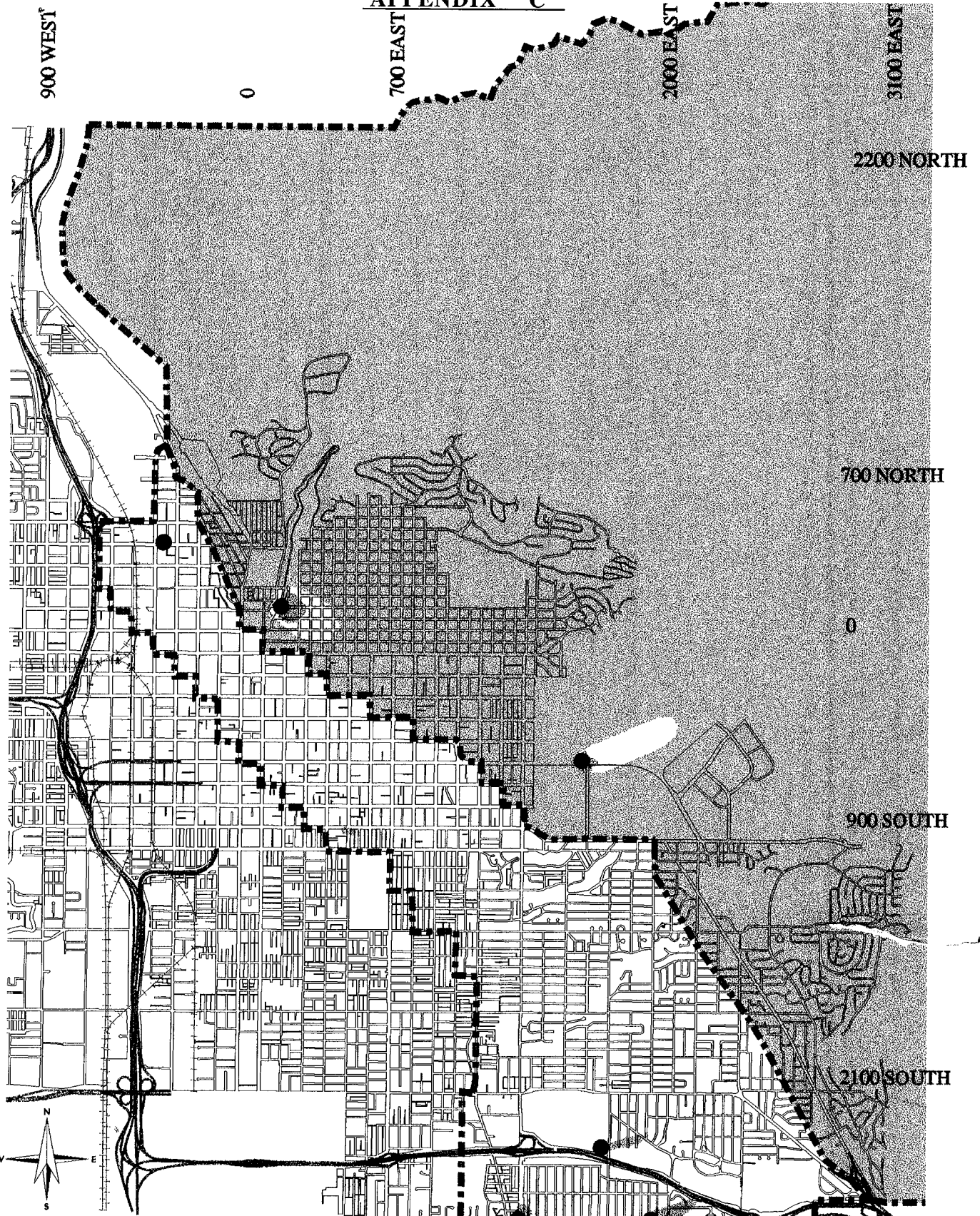
Prohibited Uses (X) - The risk of contamination is very high in the specified zone. The use is not permitted.

Potential Contamination Source	Protection Zone				Related Regulations	Best Management Practice(s)
	Primary Recharge	Secondary Recharge	Zone 1	Zone 2 & Zone 3 & 4		
Abandoned wells	X	X	X	X	UAC R655-4, 12.1 to 1.2 - Requirements for Abandoned Wells	Shall be sealed.
Agricultural pesticide, herbicide, and fertilizer storage, use, filling, and mixing areas	R	R	X	R	FIFRA - 40 CFR 152-157, RCRA Subtitled C, Utah Pesticide Control Act	BMP - Department of Agriculture
Appliance repair	R	R	X	R	RCRA Subtitled C	
Automobile operations: - Fleet vehicle maintenance facilities - Dealership maintenance departments - Tire shops - Auto body shops - Engine repair - Rust-proofing facilities - Oil & lube shops - Vehicle rental w/ maintenance - Service stations w/ underground storage tanks	R	R	X	R	RCRA Subtitled C, UST Guidelines, Pretreatment, UAC R315-5 (Used Oil)	BMP - Salt Lake City/County Health Department

Potential Contamination Source	Protection Zone					Related Regulations	Best Management Practice(s)
	Primary Recharge	Secondary Recharge	Zone 1	Zone 2	Zone 3 & 4		
Beauty salons	R	R	X	R	R		
Car washes	R	R	X	R	R	Pretreatment	
Cemeteries, golf courses, parks, and plant nurseries	R	R	X	R	R	FIFRA	
Chemigation wells	R	R	X	X	R	UIC	
Concrete, asphalt, tar, and coal companies	R	R	X	R	R		
Dry cleaners (with on-site chemicals)	R	R	X	X	R	RCRA Subtitled C, Pretreatment, BMP - Salt Lake City/County Health Department	
Dry cleaners (without on-site chemicals)	R	R	X	R	R		
Farm operations: - Dairy farms - Animal feed lots - Farm dump sites - Farm machinery maintenance garages - Manure piles	R R X R R	R R R R R	X X X X X	X X R R X	R R R R R	UPDES - R317-8, UAC R315-5 (Used Oil), Solid & Hazardous Waste, RCRA Subtitled C	
Food processing, meat packing, and slaughter houses	R	R	X	X	R	UPDES - R317-8, Pretreatment	
Fuel, oil, and heating oil distribution and storage facilities	X	R	X	R	R		
Furniture stripping, painting, and finishing	R	R	X	R	R	RCRA Subtitled C	
Hospitals, medical offices, and dental offices	R	R	X	R	R	Solid & Hazardous Waste	
Industrial manufacturers of: chemicals, pesticides, herbicides, paper products, leather products, textiles, rubber, plastics, fiberglass, silicone, glass, pharmaceuticals, and electrical equipment	X	R	X	R	R	FIFRA, RCRA Subtitled C	

Potential Contamination Source	Protection Zone				Related Regulations	Best Management Practice(s)
	Primary Recharge	Secondary Recharge	Zone 1	Zone 2		
Junk and salvage yards						BMP - Salt Lake City/County Health Department
Laundromats	R	R	X	R	Pretreatment	
Machine shops, metal plating, heat treating, smelting, annealing, and descaling facilities	X	R	X	R	Pretreatment, RCRA Subtitled C	
Mortuaries	R	R	X	R	Pretreatment	
Photo processing & print shops	R	R	X	R	Pretreatment	
Residential pesticide, herbicide, and fertilizer storage, use, filling, and mixing areas (except as excluded under Section 8.2)	R	R	X	R		Follow manufacturer's directions for use and storage.
RV waste disposal stations	R	R	X	X	UAC R392	
Salt and salt/sand piles	R	R	X	R		DEQ / UDOT BMP
Sand & gravel excavation and processing	R	R	X	R	UAC GW R317-6, UAC R313-25	
Septic tank drain fields systems	X	R	X	X	UDWQ, Individual Wastewater Disposal Systems, UAC R317-501 through R317-513, State Department of Health Code of Waste Disposal Regulations - Parts IV and V	
Stormwater impoundment and snow storage sites	R	R	X	R	UPDES	
Toxic chemical and oil pipelines	X	X	X	X		
Underground storage tanks	X	R	X	R	UAC R311-203, 205, 206	
Veterinary clinics	R	R	X	R	Solid & Hazardous Waste	
CFR			UDSW	Utah Division of Solid Waste		
DEQ			UDWQ	Utah Division of Water Quality		
FIFRA			UIC			
GWR			UPDES	Utah Pollution Discharge Elimination System		
RCRA			UST	Underground Storage Tanks		
UAC						

APPENDIX "C"



- WELLS
- 15 YEAR TIME-OF-TRAVEL
- 3 YEAR TIME-OF-TRAVEL
- PRIMARY RECHARGE AREA
- SECONDARY RECHARGE AREA
- DISCHARGE AREA

0' 5,000' 10,000'



Salt Lake City
Department of Public Utilities
GIS Section

By Nick Kruger 8-29-08
 FILE:PU/GIS/WATER_WELLS/WELLS/LORANCE/WB/RECHARGE_S.M

ATTACHMENT N:

April 11, 2023

Via email: Diana.Martinez@slcgov.com

Salt Lake City Planning Commission
City of Salt Lake
451 S. State Street
Salt Lake City, UT 84111

Re: Response to Planning Division Department of Community and Neighborhoods Staff Report for PLNPCM2022-00053 - Conditional Use Application (“Conditional Use Permit”)

Dear Commissioners:

This firm represents the applicant Kum & Go (“Applicant”) as it seeks conditional use approval for a gas station (the “Use”) that will be located at 2111 South 1300 East (the “Property”) in the above-referenced Conditional Use Application with Salt Lake City (the “City”). We are in receipt of the Staff Report, dated April 12, 2023 (the “Staff Report”), wherein the Salt Lake City planning staff recommended a denial of the Conditional Use Permit with respect to the application.

The Applicant had its Presubmittal Meeting with the City on July 29, 2021 with Daniel Echeverria, Senior Planner, and Anna Anglin, Principal Planner, and has engaged with the City most recently on November 1, 2022, when the final Conditional Use Permit was submitted, in addition to follow-up emails regarding the Conditional Use Permit.

The Applicant did not have adequate time for review, analysis, and preparation of a response to all the points in the Staff Report and attachments due to the complexity and breadth of the documents provided, and thus reserves the right to supplement this response. The Applicant did not receive the full Staff Report and other pertinent documents until Monday, March 27, 2023, at 4:14 p.m.¹ The Staff Report and other pertinent documents include the following:

- Staff Report (78 pages)
- Public Comments (553 pages)
- Letter from Sugar House Community Council dated March 1, 2023 (3 pages)
- Letter from the Sugar House Park Authority dated April 7, 2022 (8 pages)
- Exhibit A from the Sugar House Park Authority – AEEC Technical Memorandum dated April 6, 2022 (20 pages)

¹ E-mail from Diana Martinez to Nate Abbot (Monday, March 27, 2023, 4:14 PM).

Since delivery of that Staff Report, the Applicant has prepared a response to assist you in your consideration of the Conditional Use Permit at your April 12, 2023 meeting. Because the Staff Report erroneously advises a denial of the Conditional Use Permit, we feel compelled to offer this letter as a response to the Staff Report.

Additionally, Applicant has provided the following Exhibits to support this response:

- Exhibit A - Seneca Companies Environmental Response dated April 11, 2023
- Exhibit B - Corrected Site Location: Groundwater Recharge and Discharge Zones Salt Lake Valley, Utah
- Exhibit C - Utah DEQ Interactive Map – Estimated Secondary Recharge Zone
- Exhibit D - Franklin Fueling Systems Diagram
- Exhibit E - Stormwater Quality Treatment Train

In the interest of brevity, our response is presented in a “point-counterpoint” format. We request that this letter be made a part of the permanent record for all proceedings relating to the Conditional Use Permit, and hope that you find it useful in your deliberations on the Conditional Use Permit.

Executive Summary

The Applicant has successfully owned and operated fuel stations since 1959. Currently, there are approximately 400 fuel stations nationwide. Applicant is excited to partner with Salt Lake City and desires to continue to develop its presence in the greater community. The Conditional Use Permit for a fuel station is part of this desired growth and investment in the community.

Pursuant to Utah Code Ann. § 10-9a-507(2)(a)(i), an application for a conditional use permit can only be denied if the reasonably anticipated detrimental effects of a proposed conditional use cannot be mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.² A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate reasonably anticipated detrimental effects of the proposed use, in accordance with applicable standards.³ To be clear, there is no legal requirement to eliminate the detrimental effects.”⁴ Further, Salt Lake City Code states that conditional uses are allowed unless appropriate conditions cannot be applied which, in the judgment of the planning commission, would mitigate adverse impacts that may arise by introducing a conditional use on the particular site.⁵ Therefore, the Staff Report incorrectly recommended a denial of the Conditional Use Permit as Applicant can clearly demonstrate that reasonably anticipated detrimental effects can be mitigated.

Salt Lake City Code requires that a conditional use is approved if the following standards are met: (i) the use complies with applicable provisions of this title; (ii) the use is compatible, or

² UTAH CODE ANN. § 10-9a-507(2)(c).

³ UTAH CODE ANN. § 10-9a-507(2)(a)(i).

⁴ UTAH CODE ANN. § 10-9a-507(2)(a)(ii).

⁵ SALT LAKE CITY CODE § 21A.54.010 (A).

with conditions of approval can be made compatible, with surrounding uses; (iii) the use is consistent with applicable adopted city planning policies, documents, and master plans; and, (iv) the anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions.⁶

The Planning Commission has the authority to review (i) what potentially detrimental impacts of the proposed use are addressed by the standards found in Salt Lake City Code §21A.54.080(B)(1-15), and (ii) in applying those standards from the ordinance, decide what reasonable conditions should be imposed to accomplish the substantial mitigation of those detrimental impacts of the use.⁷

When a use is allowed in a zone as a conditional use, the community must assume that its legislative representatives found such use to be appropriate and beneficial within the specific zoning district and thus allowed the use even in light of potential detrimental impacts.⁸ Such discretion beyond that is outside of the scope of the authority of the Planning Commission; and the dangerous precedent it would set, should not be accepted by the City, and should not be relied upon to deny Applicant the necessary conditional use permit.

The City has failed to introduce substantial evidence stating anticipated detrimental impacts that cannot be mitigated. Utah law defines substantial evidence as evidence which is beyond a scintilla and a reasonable mind would accept as adequate to support a conclusion.⁹ Further, a land use decision shall be considered arbitrary and capricious unless it is supported by substantial evidence.¹⁰ The Applicant has shown, and will show, that any anticipated detrimental impacts can, in fact, be mitigated and that due to the lack of substantial evidence, denial of the Conditional Use Application will be considered arbitrary and capricious.

In conclusion, a prohibited use would not qualify for a conditional use permit. Pursuant to Utah Code Ann. § 10-9a-507(2)(a)(i), an application for a conditional use permit can only be denied if the reasonably anticipated detrimental effects of a proposed conditional use cannot be mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.¹¹ Applicant has demonstrated that the reasonably anticipated detrimental effects can be mitigated by the imposition of reasonable conditions. Therefore, the Conditional Use Permit should not be denied.

Staff Report Consideration No. 1: Conditional Use Purpose Statement Ordinance 21A.54.010 (“CUP Ordinance”).

Consideration No. 1 Response: The Staff Report concludes that the Use is not appropriate and should not be allowed in this location because potential adverse impacts exist that cannot be mitigated. The chief flaw with this argument is that it ignores the fact that through its adopted land use plan and as described in the City Code of Salt Lake City, Utah (“Salt Lake City Code”), the Use is allowed as a Conditional Use where the Property is located.

⁶ SALT LAKE CITY CODE § 21A.54.080(A)(1-4).

⁷ Craig M Call, J.D., *The Law and Practice of Conditional Uses*, The Utah Land Use Institute, 2022, <https://utahlanduse.org/wp-content/uploads/2022/06/Conditional-Uses-2022.2.pdf>

⁸ *Id.*

⁹ UTAH CODE ANN. § 10-9a-103(67).

¹⁰ *Bradley v. Payson City Corp.*, 70 P.3d 47, 52 (Utah 2003)

¹¹ UTAH CODE ANN. § 10-9a-507(2)(c).

The City Code provides that a “[g]as station” at the Property’s location is conditionally allowed. Salt Lake City Code § 21A.33.030 (“Gas station”). The Code defines “gas station” as “[a] principal building site and structures *for the sale and dispensing of motor fuels or other petroleum products and the sale of convenience retail.*” (Emphasis added.) In conditionally allowing a “[g]as station” at the precise location of the Property, the City already determined that any detrimental impacts associated with “the sale and dispensing of motor fuels or other petroleum products” at the location of the Property could be mitigated. If it hadn’t, the City would have *prohibited* a gas station at the Property’s location.

The Staff Report urges the Planning Commission to do just that: prohibit a gas station at the Property, in defiance of Salt Lake City Code § 21A.33.030. According to the Staff Report, no gas station should *ever* be allowed at the Property’s location. The Staff Report purports to use general considerations outlined in Salt Lake City Code § 21A.54.010 to nullify the determination made in § 21A.33.030, that a “[g]as station” at the Property is a use that can be made compatible with neighboring uses. The Staff Report therefore defies Salt Lake City Code.

Moreover, this reasoning is contrary to Utah law. Utah law imposes a strong presumption that a conditional use application will be granted. “If a land use regulation does not plainly restrict a land use application, the land use authority shall interpret and apply the land use regulation to favor the land use application.”¹² A land use authority shall approve a conditional use if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.¹³

Salt Lake City Code states that the listing of a conditional use does not constitute an assurance or presumption that such conditional use will be approved and that each proposed conditional use shall be evaluated on an individual basis.¹⁴ However, Salt Lake City Code also imposes the following standards for Conditional Uses:

A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards set forth in this section. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use shall be denied.¹⁵

Approval Standards – Salt Lake City Code §21A.54.080(A)(1-4).

Salt Lake City code requires that a conditional use must be approved if the following standards are met: (i) the use complies with applicable provisions of this title; (ii) the use is compatible, or with conditions of approval can be made compatible, with surrounding uses; (iii) the use is consistent with applicable adopted city planning policies, documents, and master plans; and, (iv) the anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions.¹⁶

¹² UTAH CODE ANN. § 10-9a-306(2).

¹³ UTAH CODE ANN. § 10-9a-507(2)(a)(i); *Krejci v. Saratoga Springs*, 322 P.3d 662 (Utah 2013).

¹⁴ SALT LAKE CITY CODE § 21A.54.100

¹⁵ SALT LAKE CITY CODE § 21A.54.080.

¹⁶ SALT LAKE CITY CODE § 21A.54.080(A)(1-4).

Standard 1. The use complies with applicable provisions of the Salt Lake City Code §21A.54.080(A).

The Staff Report confirmed that Applicant has demonstrated that the Use complies with the applicable provisions of the Salt Lake City Code. A Gas Station is a Conditional Use category in the CB Zone District and is permitted with Planning Commission approval.

Standard 2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses.

The Staff Report found that the Application does not comply for environmental reasons. The Applicant rejects this conclusion.

The Applicant has demonstrated that the Use is compatible with surrounding uses. The Property is located at the southeast corner of 2100 South and 1300 East. All four corners of this intersection have auto-centric, commercial uses. There is a fast-food drive-thru restaurant on the northeast corner, zoned CB. A CVS Pharmacy occupies the northwest corner and is zoned Sugar House Business District 2 (CSHBD2). Directly adjacent to the west, across 1300 East, is an Extra Mart convenience store with 16 fueling stations and is zoned Sugar House Business District 1 (CSHBD1). The rear and side yards to the east and south are park land and zoned Open Space (OS). Landscape buffering and screening are provided along the east and south property edges in order to soften the transition to the park and provide screening between the park and the proposed development.

Standard 3. The use is consistent with applicable adopted city planning policies, documents, and master plans.

The Staff Report finds that the Application does not comply because gas station use is high intensity and staff does not believe this meets the intent of the Sugar House Master Plan.

The Use is consistent with applicable adopted city planning policies, documents, and master plans. The subject property is zoned Community Business (CB) in the City Code of Salt Lake City, UT. Retail Goods and Service Establishments (Convenience Store) are permitted uses in the CB Zone District. A Gas Station is a Conditional Use category in the CB Zone District. The Guiding Principle for Growth in Plan Salt Lake is “(g)rowing responsibly, while providing people with choices about where they live, how they live, and how they get around.” The proposed development provides a choice related to how people get around and the method of transportation they choose to do so. Initiatives for Growth within Plan Salt Lake include locating new development in areas with existing infrastructure and amenities, such as transit and transportation corridors and promoting infill and redevelopment of underutilized land. The subject property is currently a vacant restaurant with existing infrastructure and amenities at the intersection of transit and transportation corridors.

The Sugar House Community Master Plan designates Future Land Use for the subject site as Mixed Use – Low Intensity. Low-Intensity Mixed Use allows an integration of residential with small business uses, typically at ground floor levels. Height limits generally include one-and two-story structures. The intent is to support more walkable community development patterns located near transit lines and stops. Proposed development and land uses within the Low-Intensity Mixed Use area must be compatible with the land uses and architectural features surrounding each site. The proposed convenience store and fuel station is limited to one-story structures. Additionally,

the building is pulled up to the street edges in order to create a more inviting and pedestrian-friendly access into the building and is reflective of a pedestrian-oriented development pattern. The Use is compatible with the surrounding land uses, with architectural design standards that meet or exceed the Commercial Design Standards (§ 21A.37) and the CB Zoning Standards (§ 21A.26.030).

Standard 4. The anticipated detrimental effects of the proposed Use can be mitigated by the imposition of reasonable conditions.

The Staff seems to believe that by simply raising a litany of horrors and worst-case scenario issues, this would somehow translate into establishing adverse impacts that cannot be mitigated. Nothing is further from the truth. The City has failed to introduce substantial evidence stating anticipated detrimental impacts that cannot be mitigated. Again, Utah law defines substantial evidence as evidence which is beyond a scintilla and a reasonable mind would accept as adequate to support a conclusion.¹⁷ The Applicant has shown, and will show, that any anticipated detrimental impacts can, in fact, be mitigated and that due to the lack of substantial evidence, denial of the Conditional Use Application will be considered arbitrary and capricious.¹⁸

Traffic. A Traffic Impact Study (“TIS”) was prepared and submitted as part of the review process that included an analysis of existing and future intersections that would be affected by the proposed development. The Application proposes to consolidate the two existing access points along 1300 East to a single right-in/right-out. Additionally, the site will continue to access via 2100 South at the existing right-in/right-out. These two access points will facilitate access and circulation throughout the site. The consolidation of the two existing access points along 1300 East to a single right-in/right-out access point will reduce the points of potential conflict along 1300 East.

In addition to the safety improvements provided by consolidating the existing entrances, the Use may provide additional safety and operational benefits to the network. It has been noted that a number of vehicles will make a northbound U-turn to access the existing Chevron gas station. Users would have the opportunity to utilize the proposed Use and not have to make potentially unsafe U-turn movements.

The proposed Use would attract most of its traffic from existing users of the network. These are referred to as pass-by trips. As an example, getting gas on the way home from work results in the majority of traffic already being on the network and creating minimal new traffic. In comparison, the current restaurant use, where the majority of trips would not already be on the network, and are considered primary trips. A gas station use draws from traffic already existing and would be a less impactful use than many others.

The TIS was conducted adhering to current best practices of study. It concludes that the proposed use would have little impact on the existing signal and due to the use may even improve operations of the existing signal. No queueing, safety or operational concerns were identified and a reduction of access points over the existing conditions would improve safety and circulation for the site and immediate traffic network. Therefore, what can be concluded from the TIS is that, from a traffic perspective, the use can be fully accommodated by the existing network and proposed site design.

¹⁷ Utah Code Ann. § 10-9a-103(67).

¹⁸ *Bradley v. Payson City Corp.*, 70 P.3d 47, 52 (Utah 2003).

Lighting. Based on community feedback, the lighting levels under the fueling canopy have been reduced from 23,000 lumens to 13,000 lumens in order to reduce the average footcandles from 55 FC to 34 FC. Additionally, Applicant also added a 6” rear shield to all the parking lot fixtures that already have the internal sharp cut-off louvers in order to reduce off-site light spill.

Drainage. Currently, all stormwater on site is being released undetained and untreated. Applicant will attenuate flows to reduce downstream impacts and improve water quality for downstream receiving waters. Applicant is installing a system containing storage, treatment, and metered release of storm water. This sequestration system allows storm runoff to be filtered prior to release. *See* [Exhibit E].

Environmental. Especially here, the Staff Report defies the evidence. It succumbs to the hasty generalization fallacy. According to the Staff Report, some (24%) of underground storage tanks were not in compliance, therefore, the Use’s underground storage tanks will fall out of compliance. There are several problems with the Staff Report’s reasoning.

First, the possibility of underground storage tank noncompliance was known when the City adopted § 21A.33.030 and placed the Property within the CB Zone. In doing so, the City must have determined that such possibility should not altogether prohibit a “[g]as station” at the Property.

Second, the Staff Report glosses over the fact that most underground storage tanks (76% according to the Staff’s analysis) have no compliance issues. Thus, even under the Staff’s reasoning, it is far more likely that the Use’s underground storage tanks will comply with UST standards.

Third, the Staff Report conflates noncompliance with unmitigable impacts. None of the supposed impacts listed in the Staff Report are unmitigable. Apparently, most underground storage tanks (76% according to the Staff Report) are well-equipped to prevent leaks, and so will the Use’s, as discussed below.

Detrimental Impacts

The Planning Commission has the authority to review (i) what potentially detrimental impacts of the proposed use are addressed by the standards found in Salt Lake City Code §21A.54.080(B)(1-15) and (ii) and in applying those standards from the ordinance, decide what reasonable conditions should be imposed to accomplish the substantial mitigation of those detrimental impacts of the use.¹⁹

There is no requirement to eliminate detrimental impacts. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards²⁰; absolute elimination of the detrimental effects is not necessary to demonstrate the reasonable mitigation of a detrimental effect.²¹

¹⁹ Craig M Call, J.D., *The Law and Practice of Conditional Uses*, The Utah Land Use Institute, 2022, <https://utahlanduse.org/wp-content/uploads/2022/06/Conditional-Uses-2022.2.pdf>

²⁰ UTAH CODE ANN. § 10-9a-507.

²¹ UTAH CODE ANN. §§ 10-9a-507(2)(a)(ii).

The standards to mitigate the detrimental impacts must be found in the ordinances and not conceived after a conditional use permit application has been received.²² Importantly, the detrimental impact must be proven by substantial evidence in the record.²³ Thus, Utah law demands that a Planning Commission interprets is tasked with considering a proposed conditional use and imposing conditions includes an appropriate interpretation of the relevant law and substantial evidence in the record.²⁴

Salt Lake City Code §21A.54.080(B)(1-15) demands the anticipated detrimental effects of a proposed use must be analyzed under the following:

1. **Salt Lake City Code §21A.54.080(B)(1)** requires that the proposed use is specifically authorized where it is located. Retail Goods and Service Establishments (Convenience Store) are permitted uses in the CB Zone District. A Gas Station is a Conditional Use in the CB Zone District (21A.33.030). Thus, the title specifically authorizes this use, as a conditional use where it is located.

While the City argues that environmental impacts to the park “could potentially be caused by the proposed gas station” and that said impacts could not be mitigated, the evidence shows exactly the opposite – that environmental impacts can in fact be mitigated.

2. **Salt Lake City Code §21A.54.080(B)(2)** requires that the proposed use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps. The Staff Report argues that the Sugar House Master Plan calls for the subject property to be a low intensity use and pedestrian orients, and that the Use is such that the detrimental impact cannot be mitigated.

The Staff Report is incorrect. The proposed project conforms to the requirements of applicable land use regulations. Further, it provides a mix of uses that will serve as an amenity to the surrounding neighborhoods. The 3,957± square foot convenience store will incorporate Applicant’s newest store concept with a high-quality product offerings and fresh food choices such as made-to-order pizzas, sandwiches, wraps, and bakery items cooked on-site. This “bistro” concept will have indoor seating for twelve (12), to include ADA seating. Five (5) employees are expected to work on-site during the highest shift. In addition to clean and convenient fueling offerings, there will also be various seasonal outdoor sales items and a propane tank exchange along the front facade of the building.

3. **Salt Lake City Code §21A.54.080(B)(3)** requires that the use is well suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area. The

²² Craig M Call, J.D., *The Law and Practice of Conditional Uses*, The Utah Land Use Institute, 2022, <https://utahlanduse.org/wp-content/uploads/2022/06/Conditional-Uses-2022.2.pdf>; OFFICE OF THE PROPERTY RIGHTS OMBUDSMAN, Advisory Op. 25, *Stapel and Cottonwood Heights City* (2007).

²³ *Ralph L. Wadsworth Constr. V. West Jordan City*, 999 P.2d 1240 (Utah Ct. App. 2000).

²⁴ Craig M Call, J.D., *The Law and Practice of Conditional Uses*, The Utah Land Use Institute, 2022, <https://utahlanduse.org/wp-content/uploads/2022/06/Conditional-Uses-2022.2.pdf>; *J.P. Furlong Co. v. Bd. of Oil, Gas & Mining*, 424 P.3d 858, 862 (Utah 2018).

Staff Report states that the size and scale of the proposal is compatible with the existing uses in the area.

The Staff Report found no detrimental impact.

4. **Salt Lake City Code §21A.54.080(B)(4)** requires that the mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed Use have been considered. The Staff Report found that like the current proposal, the surrounding structures in the surrounding area, were required to comply with zoning setbacks and design standards.

The Staff Report found no detrimental impact.

5. **Salt Lake City Code §21A.54.080(B)(5)** requires that access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows. After review of the Traffic Impact Study, the Staff Report determined that there is a detrimental impact that can be mitigated with conditions, including access points are right in/right out for both and textured pedestrian crosswalks for both entrances of subject property. The Applicant is complying and has also proposed to remove the northern most entrance along 1300 East.

The Staff Report found a detrimental impact that can be mitigated with conditions. Applicant has agreed to these conditions.

6. **Salt Lake City Code §21A.54.080(B)(6)** requires that the internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic.

The Staff Report found a detrimental impact that can be mitigated with conditions. Applicant has agreed to these conditions.

7. **Salt Lake City Code §21A.54.080(B)(7)** requires the site is designed to enable access and circulation for pedestrian and bicycles. There are concerns from the City regarding safety. By creating a safer connection location to the park from the gas station in the northeast area of the subject property and having a textured/cobbling sidewalk across the ingresses/egresses, such safety concerns can be mitigated.

The Staff Report found a detrimental impact that can be mitigated with conditions. Applicant has agreed to these conditions.

8. **Salt Lake City Code §21A.54.080(B)(8)** requires that access to the site does not unreasonably impact the service level of any abutting or adjacent street. The City misconstrued Applicant's Traffic Impact Study and argues that the proposal would add a significant increase in the number of daily trips creating a detrimental impact that cannot be mitigated.

Applicant has shown that the Project would not unreasonably impact the level of service of the existing street network due to the nature of the redevelopment. The existing use is a primary trip or destination for traffic. The proposed Use, by contrast, draws the majority of its trips as pass-by trips, or said differently, trips that

are already present on the network that stop at the proposed use on the way to their primary destination. Fuel uses are “pass-by trips” in traffic engineering. The proposed change in use would not create a substantial difference in levels of service to the surrounding network. Additionally, the project proposes a consolidation of access points that will improve safety for the existing network.

Further, the proposed use potentially would improve safety and operations of the northbound left movement at the signal.

9. **Salt Lake City Code §21A.54.080(B)(9)** requires that the location and design of off-street parking complies with applicable standards of this Code.

The Staff Report found that there is no detrimental impact.

10. **Salt Lake City Code §21A.54.080(B)(10)** requires that utility capacity is sufficient to support the use at normal service levels. The Staff Report stated that Public Utilities has reviewed this proposal and has given requirements for meeting the normal service levels at this location. Applicant showed that the site is within a developed area with all utility infrastructure in place and the site currently has both water and sewer service. The Public Utilities Department has given a list of requirements that the Applicant must meet in order to mitigate any possible contamination to the Park, through surface run-off or underground gas tank leaks. The Public Utilities Department is also requiring that the Applicant add a second natural filtration system in the form of a landscaped retention basin at the south end of the subject property.

The Staff Report finding is that there is a detrimental impact that can be mitigated with conditions. Applicant has agreed to the conditions.

11. **Salt Lake City Code §21A.54.080(B)(11)** requires that the use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts. The Staff Report finding is that there is a detrimental impact that can be mitigated with conditions. The Applicant stated in its Application that the project will abide by the required buffers and setbacks. The Applicant has agreed to work with the Transportation Engineer to establish a safe and natural connection to the Park.

12. **Salt Lake City Code §21A.54.080(B)(12)** requires that the use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke.

The Staff Report found that the Use has a high potential for significantly impacting the quality of the air, soil and water of Sugar House Park; but there is no evidence supporting this. The Staff Report further argued that this impact cannot be totally mitigated to prevent fuel leaks—which seeks to hold the Applicant to a standard rejected in MLUDMA.

Speaking to sustainability, Applicant provides alternative fuel options at many of their sites in the form of electric charging stations. As part of this commitment to

consumer choices, Applicant is proposing two (2) “EV-ready” parking spaces, or 20% of the proposed 10 on-site parking stalls. The proposed EV-ready parking spaces shall have electrical conduit and sufficient electrical capacity for the future use of a minimum 200-volt electric vehicle charging station. This proposal is in line with the City’s EV Readiness Policy as part of the City’s Sustainability program. Applicant takes pride in their development and operations of their facilities.

As to mitigation, MLUDMA provides that an Applicant cannot be required to “eliminat[e] . . . detrimental effects” to secure conditional use approval.²⁵ If “reasonable conditions are proposed, or can be imposed, to mitigate,” i.e., to make less harsh or severe,²⁶ “the reasonably anticipated detrimental effects of a proposed use,” the use must be approved.²⁷ Here, the record shows that the risks the Staff Report identifies to fuel leaks and vapors can be made less harsh or severe with conditions the Applicant proposes.

Tanks, Piping, and Dispensing Equipment

As shown in the Applicant’s Narrative and Site Development Drawings, and as further depicted in Exhibit E, the safeguards used as a standard of practice for Applicant include tanks, piping and associated dispensing equipment, all manufactured and installed according to UL and industry standards as listed in PEI RP100. Delivery spill protection is accomplished with double wall spill containment at each fill connection and testable overfill prevention valves set at 95% of the tank capacity. Fuel dispensers are UL labeled and are mechanically anchored to the surrounding concrete drive. Each dispenser is protected by a minimum of four 4-foot steel pipe bollards. Emergency fire/shear valves (Franklin Fueling) are located on the product lines at each dispenser connection and have both a shear section and fusible link to provide vehicle impact and fire protection. If the valve is sheared off, the poppet of the valve closes and stops the flow of fuel. If the fusible link is melted, the poppet of the valve closes and stops the flow of fuel. Dispensing hoses are protected with break-away valves to provide protection against drive-offs (nozzle/hose left in tank after fueling) and dispensing nozzles are automatic shut-off, pressure sensitive and are only activated when the dispenser has been authorized and pumping system energized. Leak detection and regulatory compliance are provided by an automatic tank gauge system (ATG). Functions/components are as follows:

- In-tank leak detection and water detection – capable of continuous statistical leak detection and .1 gph precision leak testing
- Continuous electronic pressure leak detection on product lines – positive shut down if leak condition is detected
- Continuous electronic monitoring of piping containments (liquid sensors in each containment)

²⁵ UTAH CODE ANN. § 10-9a-507(2)(a)(ii).

²⁶ Mitigate Definition & Meaning – Merriam-Webster.

²⁷ UTAH CODE ANN. § 10-9a-507(2)(a)(i).

- Continuous electronic monitoring of tank interstitial space (liquid sensors)
- Inventory level monitoring of tanks

Regulatory monitoring and reporting is done by Seneca Environmental Services (SES) on behalf of the Applicant. All Applicant sites are remotely accessed and monitored daily. Any alarm conditions are identified and repairs and/or emergency response is coordinated with Applicant's Facilities group and service provider. Emergency shut-off switches (Estop) are located at a minimum of three (3) locations at each site, one (1) inside at the sales counter (accessible to store employees) and two (2) on the outside of the building on either side of the front door.

Vapor Control

As shown in Exhibit A, all UST vents have Defender Series® Pressure/Vacuum (P/V) vents regulate the pressure at which vapor is allowed to escape from the underground storage tank and the vacuum at which outside air is allowed to enter the tank. The P/V vent's internal rolling diaphragm delivers consistent and controlled cracking for both *low leak and high-pressure conditions*. *Stage I Vapor recovery* is a control strategy to capture gasoline vapors that are released when gasoline is delivered to a storage tank. *The vapors are returned to the tank truck as the storage tank is being filled with fuel, rather than released to the ambient air*. Salt Lake City has a semi-arid climate (semi-desert) with an average wind speed of nearly 20 MPH, and Utah is the second driest state in the country behind Nevada (Google). The less humidity, the more the evaporation rate of gasoline exceeds the condensation rate. The stronger the wind, the more gasoline molecules disperse and evaporate more quickly. Therefore, the risk of gasoline vapors getting past the vapor controls and accumulating enough at ground level to flow as a condensed mass into a tunnel 200 feet away or even on site enough to make people feel sick is incredibly low to impossible.

Onsite Storage Treatment Train

The primary purpose of the onsite Stormwater Quality Treatment Train is to capture rainwater falling on site, treat the water to remove pollutants and sediment and release that water to the storm drain system owned and maintained by Salt Lake City.

Water is collected by a series of catch basins and conveyed through pipes to an underground storage unit where sediment is removed and water is stored prior to release. Water is treated at various points in the treatment train to remove pollutants as shown in the Stormwater Quality Treatment Train diagram (see Exhibit E). This provides robust treatment that allows us to meet or exceed the storm water quality requirements and provide increased water quality in the stormwater leaving the site

The Staff Report erroneously held that the Use has a high potential for impacting the quality of air, soil, and water of Sugar House Park. Applicant has demonstrated that the detrimental impact can be mitigated.

13. **Salt Lake City Code §21A.54.080(B)(13)** requires that the hours of operation and delivery of the use are compatible with surrounding uses. The Staff Report finding is that there is a detrimental impact that can be mitigated with conditions. Applicant agrees to restrict delivery times to early morning or early evening hours.
14. **Salt Lake City Code §21A.54.080(B)(14)** requires that signs and lighting are compatible with, and do not negatively impact, surrounding uses. The Staff Report found no detrimental impact.
15. **Salt Lake City Code §21A.54.080(B)(15)** requires that the proposed use does not undermine preservation of historic resources and structures. The Staff Report found no detrimental impact.

Staff Report Consideration No. 2: Sugar House Park: Environmental Amenities. The Property is located in a Secondary Recharge Area protected by the Groundwater Source Protection Overlay District.

Consideration No. 2 Response: The Staff Report suggests that surface run-off from the Property that is not filtered properly will run into the storm drain and eventually end up in Parley’s Creek downstream through Hidden Hollow, creating a clear negative impact that cannot be mitigated. However, this is true of all surface run-off in the surrounding area, not just for the Use. Applicant has a robust groundwater protection plan to mitigate impacts from surface run-off.

Additionally, UDEQ Interactive map, attached as Exhibit C, shows UST sites within the secondary recharge zone. It should be noted the site is closer west to the discharge zone on the east side of the Jordan River than the AEEC map depicts.

See additional information regarding the robust groundwater protection plan to mitigate impacts from surface run-off in Consideration No. 4 Response below.

Staff Report Consideration No. 3: Environmental Concerns: Underground Storage Tanks (“USTs”). The main environmental concern is soil, water and air contamination caused by a release of petroleum from the USTs.

Consideration No. 3 Response: This third point in the Staff Report seems to be offered in support of the notion that the USTs will be non-compliant. Applicant uses top of the line Fiberglass Petroleum Tanks for USTs and are in compliance with all state requirements.

The Applicant’s UST System have been designed with the state-of-the-art protections. First of all, UST dispensing, containment, monitoring and spill prevention technology has come a long way since the 1998 ordinance provided in the Staff Report was adopted. Every component of the fuel system is secondarily contained with sensors to let the operator know of any concerns. Additional components include:

- **Overfill Protection Valve** – set to close at 95% tank capacity. Flapper valve shuts forcing the backpressure to stop fueling.
- **Double Wall Fiberglass USTs** – Secondary Containment (see tank diagram) with interstitial sensors. Tanks are pressure or vacuum tested and inspected by DEQ prior to being installed.

- **ATG** – Automatic Tank Gauge systems monitors 24/7, if the Electronic Line Leak Detectors detect a leak, the system shuts down. All leak detectors and monitoring equipment is inspected and tested according to UDEQ Regulations.
- **Secondary Containments** – 5-gallon spill buckets to prevent spillage from fueling, under dispenser containments (UDC) designed to contain any leaks from the dispenser, and STP’s sealed to the tank top meant to contain any leakage from the fuel pump.
- **Piping** – continuous double wall flex with all connection fittings located inside a secondary containment. Virtually no way for fuel to leak out of the pipe.
- **Discriminating Sensors** – any fluid including water within secondary containments (STP and UDC), the shuts system down.
- **“Sniffer” wells** – Applicant’s fuel system installation SOP includes the placement of 4” monitoring wells at two corners within the excavation during backfill. These wells can be inspected to detect the presence of petroleum vapors or free product.

All monitoring sensors will be inspected by Salt Lake Fire Department to confirm that all sensors are in place prior to the fuel system being put into operation.

Additionally, the “Summary Information for Release Sources and Causes” chart provided in the Staff Report is misleading. Most—29 of the 54 confirmed releases (53%)—are “unknown”, plus another 7 arose from corrosion. Dismissing the “unknown” events and knowing the proposed fuel system has all fiberglass components that cannot corrode, eliminates 36 of 54 release causes.

Of the remaining 18 sites, 2 are “other” via “other” or delivery problem, and 2 were due to damage of subgrade tank or piping, while all other 16 are surface spills as a result of dispenser or delivery scenarios which would be addressed by the 5 levels of Storm Runoff Mitigation defenses discussed earlier.

None of releases are due to spill or overflow of tank and/or piping. So according to this data, contrary to the staff report, it is very rare for a fiberglass tank to have a release.

Even if one denies the reality of the analysis of the Summary Information For Release Sources and Causes, this does not demand a denial of the Conditional Use Permit. A conditional use needs to “mitigate” the detrimental impacts, not eliminate each foreseeable detrimental impact. Here, the Staff is holding the Applicant to an incorrect standard, and the Applicant has demonstrated that through the type of USTs used and the protections in place, the detrimental impacts have been substantially mitigated.

Staff Report Consideration No. 4: Environmental Concerns. A Second Environmental Concern for having a gas station next to Sugar House Park is the possibility of surface water runoff from the gas station, contaminating the soils and water sources of the park.

Consideration No. 4 Response: The Applicant has multiple lines of defense in place to prevent contamination of the soils and water sources of the park. According to the Geotech Report dated January 17, 2022 by GSH Geotechnical, Inc., soil lithology in borings B-1 and B-6 consist

of silty clay to 7-8' below ground surface. This is favorable to prevent a potential surface release from leaching vertically if exposed surface soil is impacted, which is highly unlikely at the proposed location. Sands and gravels dominate to 41' in boring location B-1 north of the proposed USTs, however location B-6 located just east of the UST basin contains a 3.5' layer of silty clay from 23-26.5' below ground surface, which would assist in some level of confinement. The deepest soil boring was drilled to 41' below grade and groundwater was not encountered in any of the 11 locations. Groundwater is presumed to flow in a southwesterly direction.

Applicant also has significant Storm Water Runoff Mitigation in place. As shown in Exhibit A, the first line of defense includes a 65-gallon spill kit containing oil absorbing booms, pads, granular absorbent, gloves and an overpack drum will be readily available for Applicant's staff to quickly respond to surface spills. Per standard operating procedure, the Fire Department and Seneca Compliance will be called to activate Applicant's Emergency Response contractor, which is located only 13 minutes away from the property.

The second line of defense includes storm water inlet filters, FlexStorm Pure™ that remove 99% TSS and 97% Total Petroleum Hydrocarbons. Additionally, the third line of defense includes a 24" Manway Bottom Sump. This will contain liquids in place until they can be removed. The fourth line of defense includes a line stormwater filtering system that filters out sediment and can prevent contaminants from leaching into the ground.

The fifth line of defense includes a 1,250-gallon oil water separator. Coalescing plate oil-water separators (CPS) utilize enhanced coalescing and gravitational separation to greatly improve oil-water separation in storm water runoff. In doing so, these specialized concrete vaults separate and intercept free oils and greases from storm water runoff before they reach local water or sewer systems. CPS units are intended for use on sites that have strict effluent criteria and repeatable, verifiable performance is required.

Exhibit A further shows that Dispensing Equipment Protection includes the following:

- Concrete filled steel bollards around pumps, shear or breakaway valves automatically stop the flow of fuel to the dispenser if one is hit.
- Break Away Valves are designed for fuel hoses to fracture when a specific amount of lateral stress is applied. This means that should a vehicle drive-away during refueling, the valve assembly will separate into two Dry Break components. This minimizes spills, avoids fires, and stops expensive refueling and fuel management hardware being dragged off and destroyed should a drive-away occur.
- Shear Valves are installed on fuel-supply lines beneath dispensers at grade level to minimize hazards associated with collision or fire at the dispenser. If the dispenser is pulled over or dislodged by collision, the top of the valve breaks free at the integral shear groove, activating poppets that shut off the flow of fuel.

Lastly, Seneca Compliance Manager includes remote monitoring from Des Moines, IA to pull data and maintain compliance for all Applicant stores throughout the US. This gives Applicant the capability to conveniently provide annual reports of inspections from UDEQ and/or reports regarding any leaks from the UST system or spills on site. In accordance with all applicable regulations, any potential leak or spill within reportable limits would be reported to UDEQ.

By providing this information, we re-emphasize that the Applicant is committed to preventing contamination of the soils and water sources of the park and has a multi-level plan in place to mitigate any detrimental impacts.

Staff Report Consideration No. 5: Traffic Concerns: Vehicular increase to the 2100 South/1300 East Intersection

Consideration No. 5 Response: The Staff Report argues that the Use is too vehicular intense for the Property. Applicant disagrees.

The first point noted in the Staff Report in this Consideration is the following: *“The study was conducted last year when the Sizzler was inoperable and there were no counts taken from the subject property because there were no cars entering or exiting the property. The traffic impact study cannot be reasonably relied upon to provide meaningful understanding of the potential impacts.”* This statement is inaccurate and does not represent best practice in traffic engineering. The purpose of the TIS is to understand the total impacts of the proposed use. While providing a comparison to any existing use on site is helpful, ultimately the analysis is conducted as if any proposed development was new to the site. In practice, if the Sizzler was operational, when counts were taken, the trips would have been removed from the site entrances and the surrounding network in the analysis so that the full impacts of the proposed Use could be understood. The Sizzler being vacant provides the best opportunity to fully understand potential impacts of the proposed land use.

The Staff Report goes on to describe that LOS “E” is an unacceptable level of service for the network. It should be noted that the TIS specifically identifies the LOS “E” is due to background growth added to the network. Adding background growth helps capture any future developments or regional increases in traffic, which is best practice. The LOS “E” analyzed is not due to any site development. Said differently, if the site is never redeveloped or occupied again, and traffic continues to increase, the signal will degrade to LOS “E.” A review of background (without site) 2023 conditions versus total future (with site) 2023 shows no degradation of the signal. The TIS shows that the proposed development has only minor impacts to the existing signal.

Additionally, although not modeled, a fuel use at this location would decrease the number of northbound left U-turns that were observed at the signal accessing the fuel station to the west. The proposed Use potentially would improve safety and operations of the northbound left movement at the signal.

Fuel uses are not destination spots. This is ultimately a benefit to the traffic network. These are typically described as “pass-by trips” in traffic engineering. Vehicles that are already on the network that stop on their way to their primary destination. These are ultimately less impactful uses as they do not add new trips to the network. Destination uses, such as restaurants, create mostly new trips to the network which increase traffic throughout the network streets.

The design of the site accommodates the proposed trips as well as reduces the number of curb cuts (access points) than the existing use. Fewer curb cuts helps to provide for better pedestrian and bike experience as there are fewer conflict points that non-auto users have to be aware of. Fewer access locations and limited movements are high priorities when adhering to access management principles. The site design improves access management over the existing conditions.

The TIS was conducted adhering to current best practices of study. It concludes that the proposed Use would have little impact on the existing signal and due to the proposed Use may even improve operations of the existing signal. No queuing, safety or operational concerns were identified and a reduction of access points over the existing conditions would improve safety and circulation for the site and immediate traffic network. Therefore, what can be concluded from the TIS is that, from a traffic perspective, the proposed Use can be fully accommodated by the existing network and proposed site design.

Staff Report Consideration No. 6: Traffic Concerns: Fuel Truck Route After Leaving Subject Property

Consideration No. 6 Response: The Planning Staff has concerns about the route that the fuel trucks will take after they leave the subject property.

This consideration discusses the proposed fuel truck routes to get back to the highway. These trucks will need to take 2100 S to the east as discussed. The roadway is designated as a collector and two to three travel lanes in either direction depending on the segment. Collectors connect local roads to arterials and must balance access with mobility. This road serves as a primary east-west connection to get users to/from I-80, I-15, commercial areas, and residential areas along its length. The roadway is designed to carry a mix of traffic to support multiple types of users including heavy vehicles such as the UTA 21 Bus Line. A review of publicly available data from the Wasatch Front Regional Council (WFRC) shows 5% combined unit and 11% single unit trucks along the length of 2100 S. This would suggest that heavy vehicles are present on the roadway either as through trips as 2100 S is an east-west route for the region and also serving the commercial uses along this corridor.

The Operator has the ability to regulate when fuel deliveries are made. If a condition of approval was to limit the times, it would be recommended to limit them to off-peak hours.

Generally, this route includes collector road. Collector roads are intended for truck traffic and higher volume passenger vehicle traffic. If residents live on or near a collector road, such residents know that when purchasing their homes. Collector roads are not residential roads for a reason.

Lastly, if a reasonably anticipated detrimental effect is having large trucks on 2100 South and the impact on the safety of pedestrians, then Applicant can mitigate this concern by restricting large trucks to off peak hours. This is a reasonable mitigation of such a detrimental impact.

Staff Report Consideration No. 7: City Plan Policies. The Master Plan labels this subject Property as Low Intensity Mixed Use.

Consideration No. 7 Response: The Staff Report states that the subject proposal is a vehicular focused development that would generate more traffic than a high-volume sit-down restaurant and is not consistent with the policies of the Sugar House Master Plan.

The Use includes ground floor level retail that supports a more walkable community. The compatibility of the Use is demonstrated as the Use includes indoor and outdoor seating for pedestrians and bicyclists. The Use is consistent with applicable adopted city planning policies, documents, and master plans.

Additionally, the Use is created to support more walkable community development patterns located near transit lines and stops. The proposed convenience store and fuel station is limited to one-story structures and is designed to create an inviting and pedestrian-friendly access into the building and is reflective of a pedestrian-oriented development pattern. The Use is compatible with the surrounding land uses, with architectural design standards that meet or exceed the Commercial Design Standards (§ 21A.37) and the CB Zoning Standards (§ 21A.26.030).

Staff Report Consideration No. 8: Landscaping Buffer – for separation and storm drain filtration system.

Consideration No. 8 Response: The Staff Report states that because of the incompatibility of the gas station proposal use and the Sugar House Park, having a significantly upgraded landscaping buffer between the Use and the Sugar House Park is advisable.

Applicant is amenable to an upgraded landscaping buffer and will coordinate with the City to remedy this concern.

Decision

The Planning Staff recommended the denial of the Application to the Planning Commission. However, Utah law demands that a conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards.²⁸ Here, the reasonably anticipated detrimental effects of the Use can be mitigated with reasonable conditions as this response has demonstrated.

However, should the Planning Commission decide to approve this Application, the Planning Staff recommended adding the following list of conditions. This further support's Applicant's position that the detrimental impacts can be adequately mitigated; if not, the Planning Staff would not have recommended the following:

1. Monitoring sensors to be placed with the petroleum tanks for detecting a release of any level. This should be inspected by the Salt Lake City Fire Department to confirm that the sensors are in place.

Applicant utilizes a state of the art fueling system that is compliant with all local and State requirements, and detects releases in accordance with best practices as described in this response.

2. The landscaping along the east and south property lines should be upgraded to give an appropriate buffer between the gas station and the Park.

Applicant agrees to comply with this condition; provided, however, landscaping requirements shall be reasonable.

3. USTs should have over-fill prevention valves to protect, prevent and detect, any overfilling of fuels to the USTs.

Applicant agrees to this condition and has described the system in place in this response.

²⁸ UTAH CODE ANN. §10-9a-507.

4. Fiberglass tanks should be used for the underground storage fuel tanks, to ensure a greater durability and lifespan for the site.

Applicant agrees to this condition, as this is industry standard and best practice.

5. Building entrances facing 2100 South and 1300 East must remain open 100% of the time during business hours for customer access, since they are the main entrances for the building.

Applicant would agree to keep both entrances open during normal business hours, but there is no City requirement to have both open at all times. During late or early hours or when Applicant has minimal employee coverage, it may need to lock one of the entrances for safety reasons.

6. No fencing shall be permitted along the east or south property lines, which would create a delineated separation between the subject property and Sugar House Park.

Applicant agrees to this condition.

7. Work with the planning staff to create a safer park connection from the subject property for pedestrian traffic in the northeast area of the subject property, rather than the southeast corner connection near the gas pumps and more vehicular traffic.

Applicant has already agreed to collaborate with City.

8. Work with the transportation engineers on a trail connection to Sugar House Park.

Applicant has already agreed to collaborate with City.

9. Work with the transportation engineers on a bike connection along the frontage sidewalk along 1300 East.

Applicant has already agreed to collaborate with City.

10. For stormwater quality – because of the proximity to Parley’s Creek and the Sugar House Park Detention Pond, supplemental stormwater quality treatment is required on-site. The treatment must include both mechanical best management practices and green infrastructure (landscaping) as a secondary treatment and containment (detention basin) on-site prior to leaving the subject property and must be approved by the Public Utilities Department.

Applicant has already agreed to collaborate with City.

11. Applicant must provide annual reports of inspections from the DEQ (Department of Environmental Quality) and/or reports regarding any leaks from their USTs or spills on-site.

Applicant agrees to comply with all local and state law regarding leaks and has a robust system in place to monitor and address leaks.

12. The Salt Lake City Planning Division is to be notified within 24 hours of any leaks or spills that have occurred on the subject property, in addition to those agencies noted in Ordinance 21A.34.060.G.1.d. (21A.34.060).

To restate the notation above, Applicant agrees to comply with all local and state law regarding leaks and has a robust system in place to monitor and address leaks.

13. Deliveries to the subject property for goods and fuel are to be limited to the hours of 07:00 am-10:00 am and 06:00 pm-10:00 pm.

Applicant would agree to accept deliveries between 7:00 a.m. and 10:00 p.m., and it will collaborate with the City to determine ideal time outside of peak hours and agrees to plan deliveries during mutually agreeable hours. Deliveries between 10:00 a.m. and 6:00 p.m. would have no, or only a de minimus, impact on traffic.

14. The Applicant should be accountable for any cleanup and remediation of the subject property, Sugar House Park property, and any City property downstream of the site, should a leak or surface-runoff contamination occur.

Existing law already makes owners and operators accountable for releases of hazardous substances.

15. Proposed stamped internal-colored concrete shown across the ingress/egress points along 1300 East and 2100 South.

Applicant agrees to this condition.

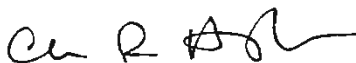
Summary

Lastly, Applicant would like to address the public commentary surround this Application. Utah law unambiguously states that that public clamor alone is not sufficient to deny a conditional use permit.²⁹

We thank you again for your review and careful consideration of the issues involved in this important matter. If you have any comments or questions, or would like to discuss further any of these items, please contact us.

Respectfully,

Holland & Hart LLP



Christopher R. Hogle
Partner

²⁹ *Davis City. v. Clearfield*, 756 P.2d 704, 712 (Utah Ct. App. 1988).



cc: Ryan Halder (w/encls.) (via email)
Christian Michaelson (w/encls.) (via email)
Nate Abbott (w/encls.) (via email)
Michael C. Dimino (w/encls.) (via email)
Brian Horan (w/encls.) (via email)
Matt Wirthlin (w/encls.) (via email)
Havilah Coady (w/encls.) (via email)

21227554_v6

EXHIBIT “A”



DENVER BRANCH

200 S. RARITAN STREET WWW.SENECACO.COM
DENVER, CO 80223 STORE.SENECACO.COM
PHONE: 303-744-2125

The Complete Solution
April 10, 2023

Mr. Ryan Halder
Kum & Go L.C.
1459 Grand Ave.
Des Moines, IA 50309

submitted via email to Ryan Halder > ryan.halder@kumandgo.com

**RE: CITY STAFF REPORT ENVIRONMENTAL RESPONSES FOR THE PROPOSED KUM & GO
#2506 LOCATED AT 2111 SOUTH 1300 EAST, SALT LAKE CITY, UTAH**

STORM RUNOFF MITIGATION

➤ LINE OF DEFENSE #1 – SPILL KIT

A 65-gallon spill kit containing oil absorbing booms, pads, granular absorbant, gloves and an overpack drum will be readily available for Kum & Go staff to quickly respond to surface spills. Per SOP the Fire Department and Seneca Compliance will be called to activate Kum & Go's Emergency Response contractor, who is located only 13 minutes away from the property.



The Complete Solution

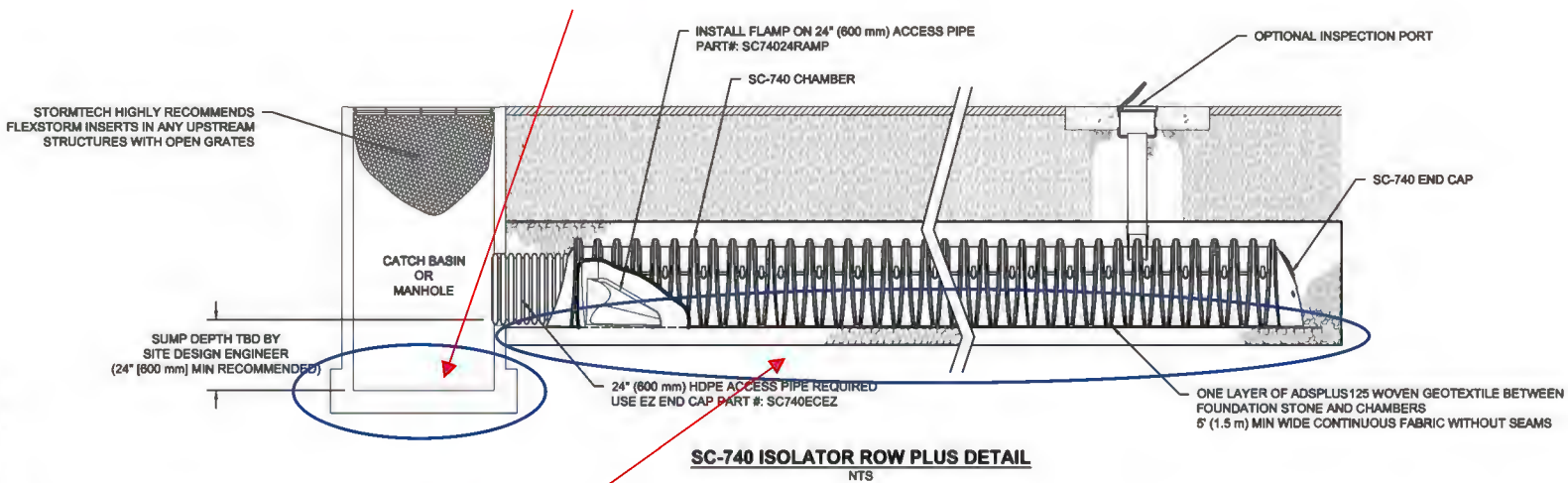
➤ **LINE OF DEFENSE #2 – STORM WATER INLET FILTERS**

FlexStorm Pure™ removes **99% TSS and 97% Total Petroleum Hydrocarbons**.



➤ **LINE OF DEFENSE #3 - 24" Manway Bottom Sump**

Will contain liquids in place until they can be removed.

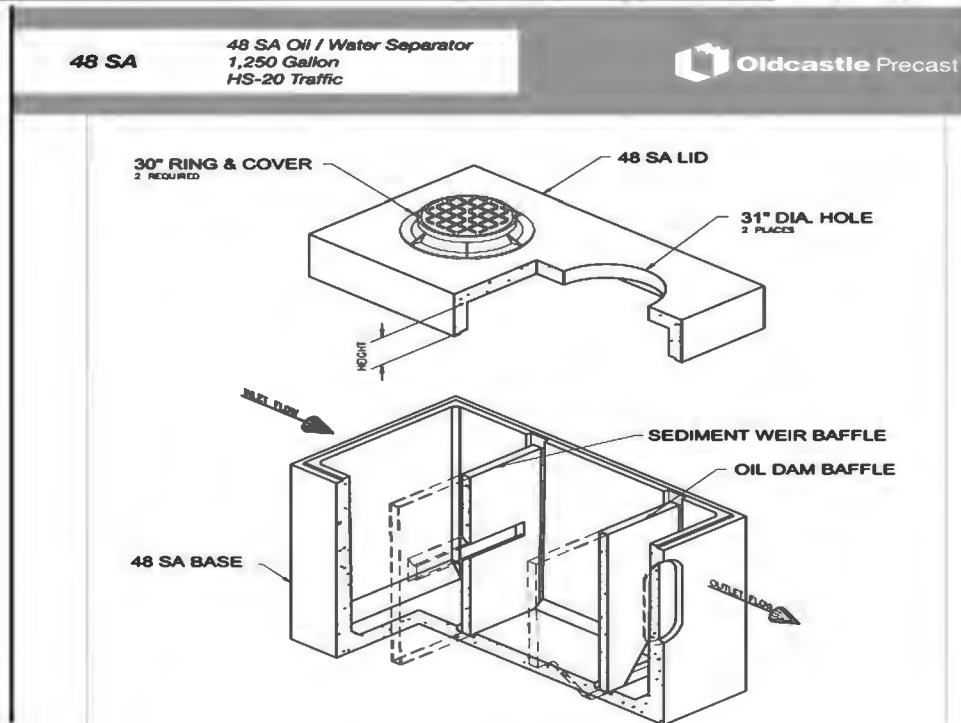


➤ **LINE OF DEFENSE #4 – LINE STORMWATER FILTERING SYSTEM**

Filters out sediment and can prevents contaminants from leaching into the ground

The Complete Solution

➤ **LINE OF DEFENSE #5 – 1,250-GALLON OIL WATER SEPARATOR**



Coalescing plate oil-water separators (CPS) utilize enhanced coalescing and gravitational separation to greatly improve oil-water separation in storm water runoff. In doing so, these specialized concrete vaults separate and intercept free oils and greases from storm water runoff before they reach local water or sewer systems. CPS units are intended for use on sites that have strict effluent criteria and repeatable, verifiable performance is required.



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DENVER, CO 80223 STORE.SENECACO.COM
PHONE: 303-744-2125

DISPENSING EQUIPMENT PROTECTION

- Concrete filled steel bollards around pumps, shear or breakaway valves automatically stop the flow of fuel to the dispenser if a one is hit.
- Break Away Valves are designed for fuel hoses to fracture when a specific amount of lateral stress is applied. This means that should a vehicle drive-away during refueling, the valve assembly will separate into two Dry Break components. This minimizes spills, avoids fires, and stops expensive refueling and fuel management hardware being dragged off and destroyed should a drive-away occur.
- Shear Valves are installed on fuel-supply lines beneath dispensers at grade level to minimize hazards associated with collision or fire at the dispenser. If the dispenser is pulled over or dislodged by collision, the top of the valve breaks free at the integral shear groove, activating poppets that shut off the flow of fuel.

GROUNDWATER PROTECTION

UDEQ Interactive map shows UST sites located within the secondary recharge zone. There are many other UST sites located within the Secondary Recharge Zone. It should be noted the site is closer west to the discharge zone on the east side of the Jordan River than the AEEC map depicts. There are no restrictions for the discharge zones, hence why there are many more UST sites in the discharge zone than the secondary recharge zone.

Site Geology - According to the Geotech Report dated January 17, 2022 by GSH Geotechnical, Inc., soil lithology in borings B-1 and B-6 consist of silty clay to 7-8' below ground surface. This is favorable to prevent a potential surface release from leaching vertically if exposed surface soil is impacted which is highly unlikely at the proposed location. Sands and gravels dominate to 41' in boring location B-1 north of the proposed USTs, however location B-6 located just east of the UST basin contains a 3.5' layer of silty clay from 23-26.5' bgs which would assist in some level of confinement. The deepest soil boring was drilled to 41' below grade and groundwater was not encountered in any of the 11 locations. Groundwater is presumed to flow in a southwesterly direction.

UST System Bells and Whistles – UST dispensing, containment, monitoring and spill prevention technology has come a long way since the 1998 ordinance was adopted. Every component of the fuel system is secondarily contained with sensors to let the operator know.

- **Overfill Protection Valve** – set to close at 95% tank capacity. Flapper valve shuts forcing the backpressure to stop fueling.
- **Double Wall Fiberglass USTs** > Secondary Containment (see tank diagram) with interstitial sensors. Tanks are pressure or vacuum tested and inspected by DEQ prior to being installed.
- **ATG** – Automatic Tank Gauge systems monitors 24/7, if the Electronic Line Leak Detectors detect a leak, the system shuts down. All leak detectors and monitoring equipment is inspected and tested according to UDEQ Regulations.
- **Secondary Containments** – 5-gallon spill buckets to prevent spillage from fueling, under dispenser containments (UDC) designed to contain any leaks from the dispenser, and STP's sealed to the tank top meant to contain any leakage from the fuel pump.

The Complete Solution

- **Piping** – continuous double wall flex with all connection fittings located inside a secondary containment. Virtually no way for fuel to leak out of the pipe.



- **Discriminating Sensors** - any fluid including water within secondary containments (STP and UDC), the shuts system down.
- **“Sniffer” wells** – Kum & Go fuel system installation SOP includes the placement of 4” monitoring wells at two corners within the excavation during backfill. These wells can be inspected to detect the presence of petroleum vapors or free product.

All monitoring sensors will be inspected by Salt Lake Fire Department to confirm that all sensors are in place prior to the fuel system being put into operation.

Other Worthy Mentions

- Seneca Compliance Manager – remote monitoring from Des Moines, IA to pull data and maintain compliance for all Kum & Go stores throughout the US. This gives Kum & Go the capability to conveniently provide annual reports of inspections from UDEQ and/or reports regarding any leaks from the UST system or spills on site. Within 24 hours, any potential leak or spill within reportable limits would be reported to UDEQ.

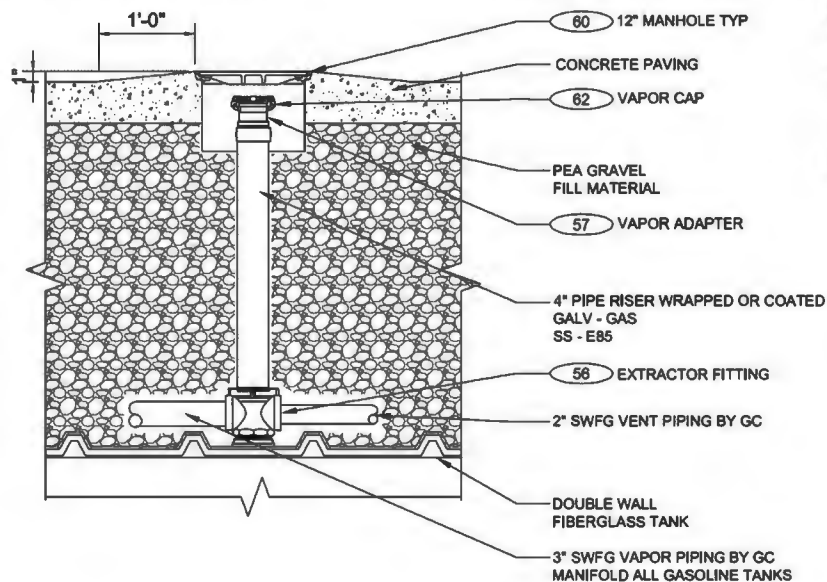
VAPOR CONTROL

- All UST vents have Defender Series® Pressure/Vacuum (P/V) vents regulate the pressure at which vapor is allowed to escape from the underground storage tank and the vacuum at which outside air is allowed to enter the tank. The P/V vent's internal rolling diaphragm delivers consistent and controlled cracking for both ***low leak and high-pressure conditions.***



- ***Stage I Vapor recovery*** is a control strategy to capture gasoline vapors that are released when gasoline is delivered to a storage tank. ***The vapors are returned to the tank truck as the storage tank is being filled with fuel, rather than released to the ambient air.***

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- Salt Lake City has a semi-arid climate (semi-desert) with an average wind speed of nearly 20 MPH, and UT is the second driest state in the country behind Nevada (Google). The less humidity, the more the evaporation rate of gasoline exceeds the condensation rate. The stronger the wind, the more gasoline molecules disperse and evaporate more quickly. Therefore, the risk of gasoline vapors getting past the vapor controls and accumulating enough at ground level to flow as a condensed mass into a tunnel 200 feet away or even on site enough to make people feel sick is incredibly low to impossible.

STATS

- 29 of the 54 confirmed releases (53%) are “unknown”, plus another 7 due to corrosion. Dismissing the “unknown” events and knowing the proposed fuel system has all fiberglass components that cannot corrode, eliminates 36 of 54 release causes.
- Of the remaining 18 sites, 2 are “other” via “other” or delivery problem, and 2 were due to damage of subgrade tank or piping, while all other 16 are surface spills as a result of dispenser or delivery scenarios which would be addressed by the 5 levels of Storm Runoff Mitigation defenses discussed earlier.
- 0% of releases are due to spill or overfill of tank and/or piping. So according to this data, contrary to the staff report, it is very rare for a fiberglass tank to have a release.

Number Of Confirmed UST Releases:

54

Release Reporting Period Dates:

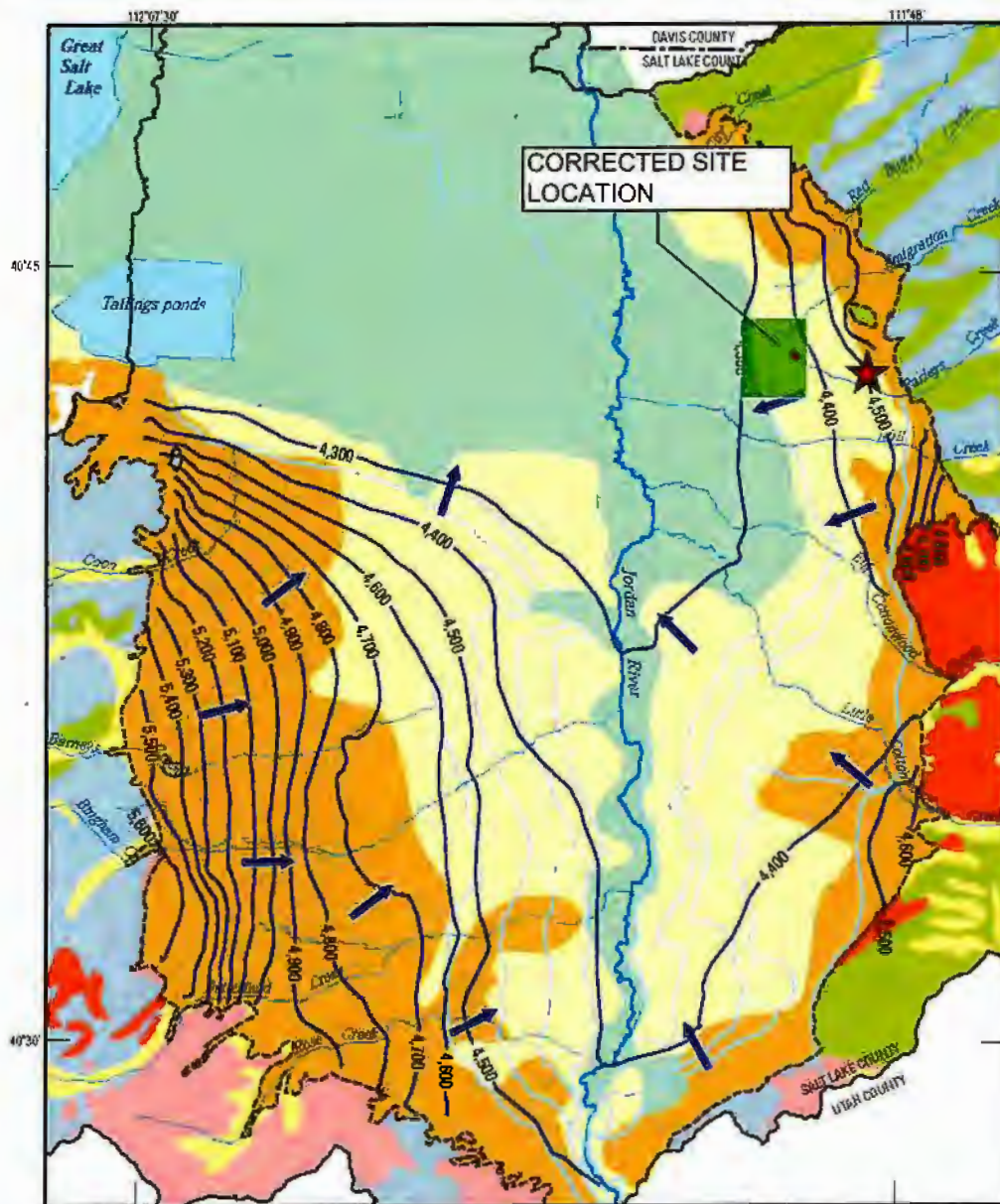
October 1, 2021 To September 30, 2022

Summary Information For Release Sources And Causes

Source			Cause													
			Spill		Overfill		Damage		Corrosion		Install		Other		Unknown	
#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
Tank	12	22 %	0	0 %	0	0 %	1	33 %	3	43 %	0	0 %	0	0 %	8	28 %
Piping	8	15 %	0	0 %	0	0 %	1	33 %	3	43 %	0	0 %	0	0 %	4	14 %
Dispenser	11	20 %	5	63 %	3	60 %	1	33 %	0	0 %	0	0 %	0	0 %	2	7 %
STP	2	4 %	0	0 %	0	0 %	0	0 %	1	14 %	0	0 %	0	0 %	1	3 %
Delivery Problem	5	9 %	2	25 %	2	40 %	0	0 %	0	0 %	0	0 %	1	50 %	0	0 %
Other	4	7 %	1	13 %	0	0 %	0	0 %	0	0 %	0	0 %	1	50 %	2	7 %
Unknown	12	22 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	12	41 %
Totals	54		8		5		3		7		0		2			

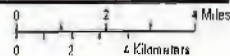
= number, % = percent of total number

EXHIBIT “B”



Base from U.S. Geological Survey digital line graph data, 1979, 1986, Universal Transverse Mercator projection, Zone 12

- | | |
|---|--|
| <p>Geology</p> <ul style="list-style-type: none"> Carbonate rocks Metamorphic or intrusive igneous rocks Sedimentary-dominated rocks Volcanic rocks Basin-fill sediments Sugarhouse Park | <p>EXPLANATION</p> <ul style="list-style-type: none"> Discharge area Primary recharge area Secondary recharge area Approximate boundary of basin-fill sediments Approximate direction of lateral groundwater movement -4,500- Potentiometric contour—Shows altitude of model-computed potentiometric surface for the principal aquifer in 1991 (from Lambert, 1996). Contour interval is 100 feet. Datum is the National Geodetic Vertical Datum of 1929 Study area boundary Canal |
|---|--|



**Figure 12: Groundwater Recharge and Discharge Zones
Salt Lake Valley, Utah**

Kum & Go Gas Station
2111 South 1300 East
Salt Lake City, Utah



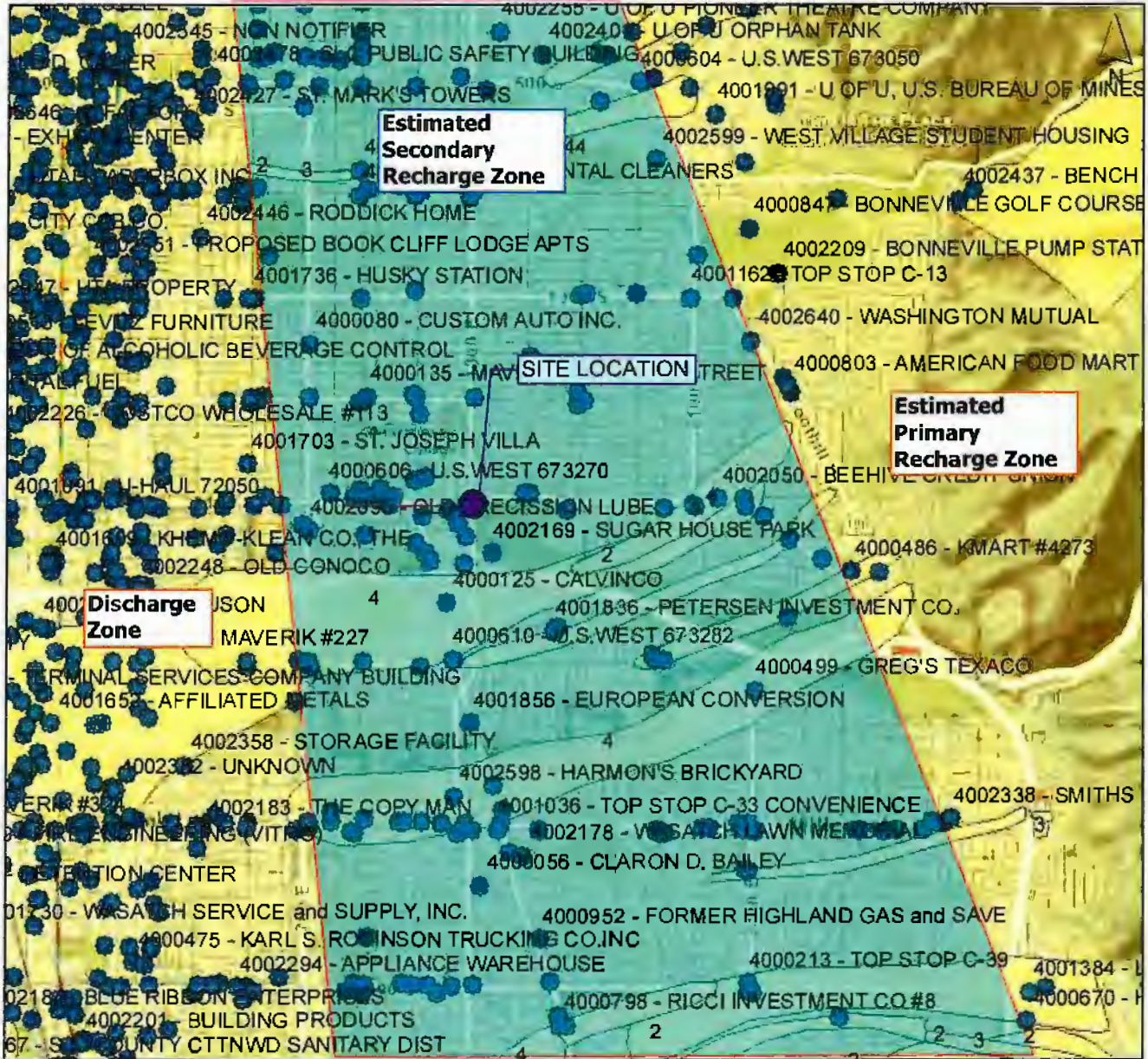
3489 West 2100 South, Suite 150
Salt Lake City, Utah 84119
(801) 908-5447

Project No. 2203

Boundaries are approximate.
Not to scale.

EXHIBIT “C”

Printed from the Utah DEQ Interactive Map



4/10/2023

1:72,224

Petroleum Storage Tanks

Ground Water Protection Zones

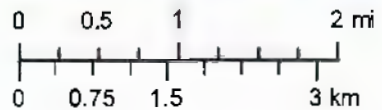


EXHIBIT ‘D’



SERVICE STATION HARDWARE

- Product and Vapor Recovery Spill Containers
- Product and Vapor Recovery Caps and Adapters
- Defender Series Overfill Prevention Valves
- Extractor/Vents
- Defender Series® FVV Vents (a) with In-Line Vaults (b)
- Drop Tubes
- Tank Bottom Protectors
- Manways
- Multipoint Manways
- Multipoint Tank Sumps
- Probe Access Manholes
- FLEX-ING® Flexible Connectors
- Product and Vapor Recovery Shear Valves

PIPING & CONTAINMENT SYSTEMS

- Polyethylene or Fiberglass Tank Sumps (fiberglass shown)
- APT® Flexible Pipe
- LIPP® Semi-Rigid Pipe
- Pipe Fittings, Test Boots, and Entry Boots
- Polyethylene or Fiberglass Dispenser Sumps (fiberglass shown)

SUBMERSIBLE PUMPING SYSTEMS

- FE PETRO® Submersible Turbine Pumps (STP)
 - Advanced Protectors
 - Variable and Fixed Speed
 - High Capacity STPs and Controllers
- Corrosion Control™ Systems
 - Diaphragm Pack
 - Corrosion Detection Sensor
 - Water Separator
- Mechanical Leak Detectors
- Dispenser Hook Isolation Controllers
- Control Boxes
- Guardian Series™ Smart Controllers
- Variable Frequency Controllers

DISPENSING SYSTEMS

- Sewel and In-Line Breakways
- Product Hoses
- Vapor Recovery and Enhanced Conventional Nozzles
- Dispenser-Mounted Vacuum Pumps

FUEL MANAGEMENT SYSTEMS

- EVO® Series Automatic Tank Gauges
- Probe and Float Kits
 - Inventory Control
 - Phase Separation
 - Density Measurement
- Electronic Line-Leak Detection
- Discriminating Sensors
- Non-Discriminating Sensors
- FFS PRO® Connect

WIRE MANAGEMENT SYSTEMS

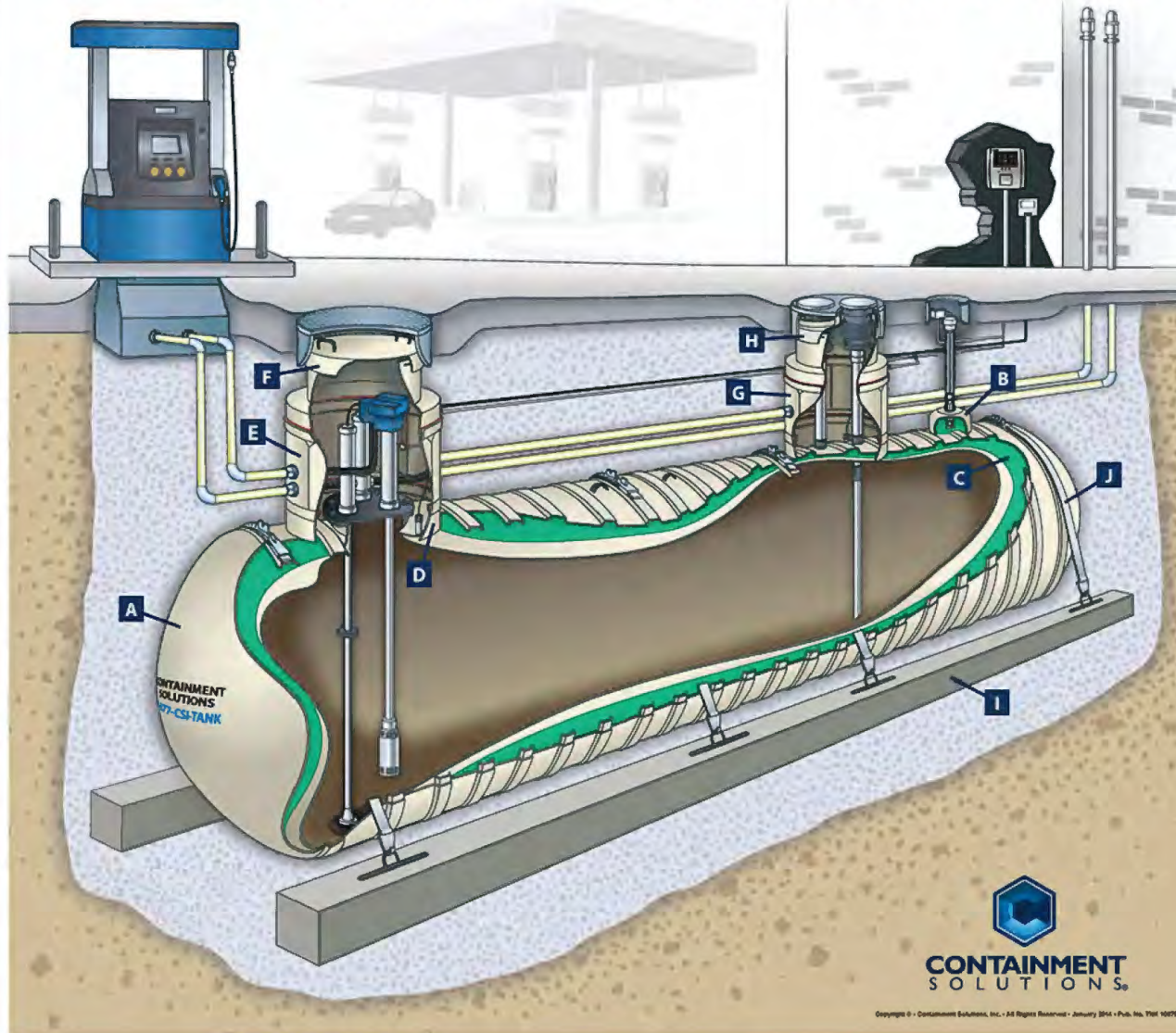
- Cable Tight™ Flexible Conduit
- Cable Tight™ Rigid Conduit
- Entry Seals
- Couplers

see CSI Diagram

FIBERGLASS PETROLEUM TANKS

STANDARD FEATURES

- A. Double-Wall Tank
- B. Hydrostatic Reservoir
- C. Monitoring Fluid
- D. Containment Collar
- E. Turbine Tank Sump
- F. Turbine Sump Lid
- G. Fill / Vapor Tank Sump
- H. Fill / Vapor Sump Lid
- I. Deadman Anchors
- J. Split-Strap System



1-877-CSI-TANK
www.containmentsolutions.com

Innovative Manufacturing Process

Using an automated process, our tank laminate is consistent in thickness and composition. The initial material forming against the steel mold produces an incredibly smooth finish, free of surface variations. The inside surface in our process is not exposed to air as it cures thus eliminating air inhibited cure issues. The result is a well cured, high gloss inner surface without the need for additional interior liners. Other manufacturing methods rely on inferior hand sprayed wax coatings to combat surface cure problems.

Our proven performance and quality products have led the industry for over 45 years.



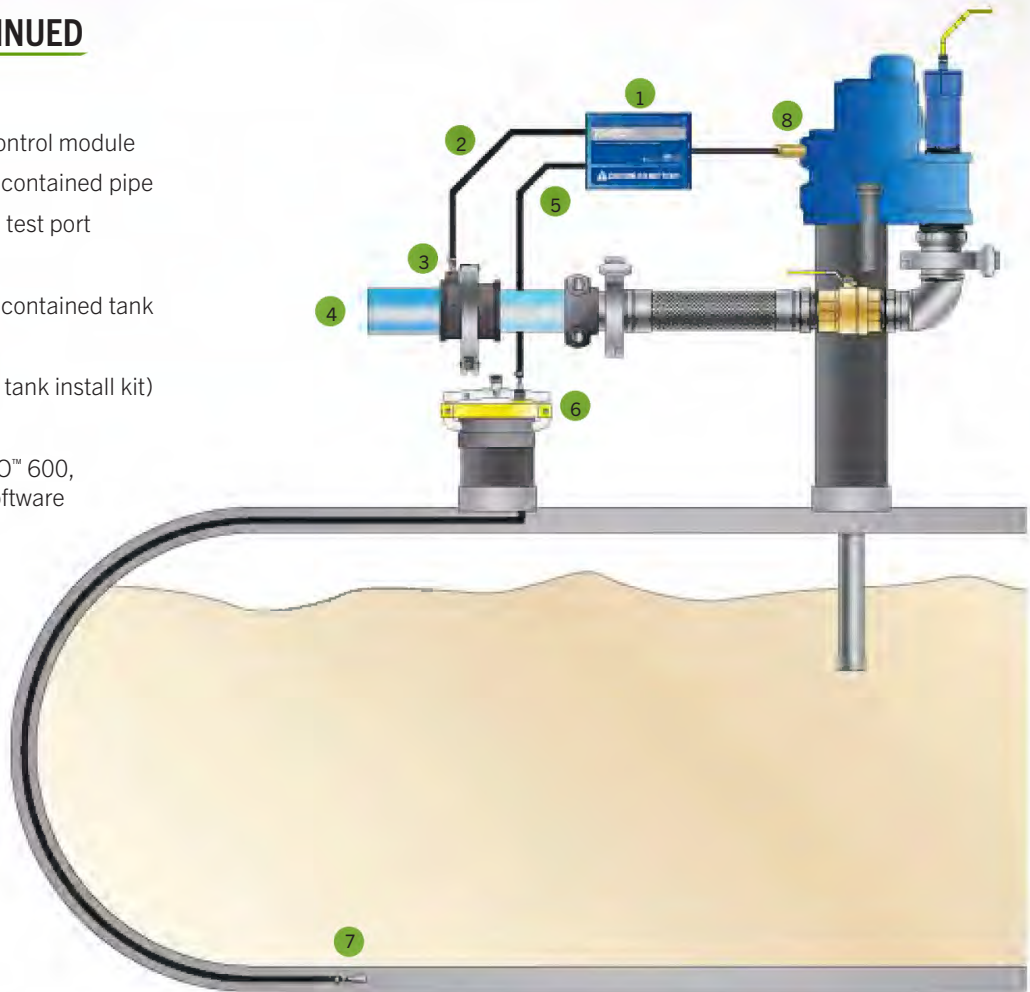
**CONTAINMENT
SOLUTIONS**

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SPECIFICATIONS CONTINUED

Components

- 1 Secondary containment control module
- 2 Vacuum line to secondary contained pipe
- 3 Pipe fitting with integrated test port
- 4 Secondary contained pipe
- 5 Vacuum line to secondary contained tank
- 6 Tank installation kit
- 7 Line weight (included with tank install kit)
- 8 Syphon check valve
- 9 EVO™ 550, EVO™ 5000, EVO™ 600, or EVO™ 6000 with SCM software



ORDERING INFORMATION

Secondary Containment Control Modules

TS-SCCM/1	Single channel secondary containment control module
TS-SCCM/2	Dual channel secondary containment control module
TS-SCMCL	Leak generator kit, one per station
VS-SCCM/1	220 VAC single channel secondary containment control module
VS-SCCM/2	220 VAC dual channel secondary containment control module

Accessories

TSP-SCBRB	¼" NPT barbed fittings (Qty 5)
TSP-SCBRBT	¼" NPT barbed T-fitting
TSP-SCCLP	Hose clamps (Qty 5)
TSP-SCTB25	25' vacuum hose
TSP-SCTB50	50' vacuum hose
TSP-SCTB100	100' vacuum hose
TSP-SCVLV	Schreader valves (Qty 5)
400137937	Syphon check valve
TSP-SCVLV-PF	Push-Fit stem to Barb fitting (Qty 5)

Installation Kits

TSP-SCLSI	Product, vapor line and sump containment install kit
TSP-SCTK2	Tank containment install kit for 2" NPT risers, in-tank hose sold separately
TSP-SCTK2B	Tank containment install kit for 2" BSP risers, in-tank hose sold separately
TSP-SCTK4	Tank containment install kit for 4" NPT risers, in-tank hose sold separately
TSP-SCTK4B	Tank containment install kit for 4" BSP risers, in-tank hose sold separately

EXHIBIT ‘E’



Kum & Go - Sugarhouse - Stormwater Quality Treatment Train

