



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](http://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 13<sup>th</sup> 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