

**DATE:** July 11, 2007

**TO:** Salt Lake City Planning Commission

**FROM:** Ray McCandless, Senior Planner at 535-7282 or ray.mccandless@slcgov.com

**RE:** Petition 400-07-02, a request by the Salt Lake City Transportation Division to close a portion of 700 South Street immediately west of 600 West Street.

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**PETITION NUMBER:** 400-07-02

**APPLICANT:** Salt Lake City Transportation Division

**STATUS OF APPLICANT:** Property owner representative

**PROJECT LOCATION:** A portion of 700 South Street at the Union Pacific Railroad tracks immediately west of 600 West Street.



**COUNCIL DISTRICT:** District 4, Councilmember Nancy Saxton

**REQUESTED ACTION:** The proposed street closure is being requested in order to increase the safety in the area by closing an unprotected railroad crossing and to create a Quiet Zone to allow trains to pass through the area without blowing their horns. Presently there are no flashing lights, gates, etc. at this mainline railroad crossing. Without a closure, this crossing would be required to be upgraded with gates and flashing lights. The City will retain ownership of the street.

**SURROUNDING ZONING DISTRICTS:**

<b>North -</b>	General Commercial CG
<b>South -</b>	General Commercial CG
<b>East -</b>	General Commercial CG
<b>West -</b>	General Commercial CG

**SURROUNDING LAND USES:**

<b>North -</b>	Commercial
<b>South -</b>	Commercial
<b>West -</b>	Commercial
<b>East -</b>	Commercial

**APPLICABLE LAND USE REGULATIONS:**

**Salt Lake City Code:**

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

**Utah Code:**

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

**MASTER PLAN SPECIFICATIONS:**

**Central Community Master Plan:** The proposed street closure is located in the Central City Community. The Master Plan recognizes that noise from train operations is an issue, particularly in the Gateway District and People's Freeway Areas. The proposed street closure will facilitate a "quiet zone" in this area to mitigate noise and safety impacts to other land uses in the area.

**Salt Lake City Transportation Master Plan:** The Transportation Master Plan's Major Street Plan identifies 700 South Street at this location as a local street.

**COMMENTS:**

The various City agencies listed below were contacted regarding the proposed street closure. The following is a summary of the comments/concerns received:

- A. Engineering:** No departmental comments have been received as of May 21, 2007.
- B. Fire:** (Kevin Nalder) The proposed easement road west of the railroad tracks should be maintained in order to provide emergency vehicle access.
- C. Police:** No comments have been received as of May 21, 2007.
- D. Property Management:** (John Spencer) The Property Management Division has no concerns with the proposed closure.
- E. Public Utilities:** (Peggy Garcia) The Salt Lake City Public Utilities Department indicates that there is a six-inch cast iron water main and a twenty-four inch sewer main in the proposed street closure. Because of this, an easement will be required allowing 24 hour accesses to these utilities.
- F. Transportation:** The Transportation Division is the applicant
- G. Economic Development:** (Alison McFarlane) The Economic Development division has no concerns with the proposed street closure.
- H. Building Services and Licensing:** The Building Services and Licensing Division has no concerns with the proposed request.
- I. Community Council:** The subject property is in the People's Freeway Community Council area but is also adjacent to the Poplar Grove Community. An Open House was held June 11, 2007 to receive public input regarding this petition request, however, no one from either the public or Community Council attended.

Staff received an e-mail from Qwest which has utility lines in or near the portion of the street to be closed. They have requested that they be allowed access to their utility lines on a 24 hour per day basis. Private utilities in the public way are covered under the City's Franchise Agreement with Qwest. Qwest's access issues are being addressed by the City's Engineering Division.

## **ANALYSIS AND FINDINGS:**

The Salt Lake City Transportation Division is requesting that the City close a portion of 700 South Street at approximately 600 West Street. The proposed closure will facilitate a quiet zone to allow trains to pass without blowing their horns. This is an unprotected mainline crossing without lights and gates. Without the closure, the crossing would be required to be upgraded with gates and flashing lights.

The street will be closed on both sides of the railroad tracks which will block traffic from crossing the tracks on 700 South Street. The proposed closure will create a “T” intersection at 700 South at approximately 600 West. The street will remain in Salt Lake City ownership.

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

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

**Discussion:** Although it is the policy of the City Council to sell the underlying property, the property will remain in City ownership as there is no need to relinquish it. Closing the subject street will not deny access to any adjacent property. A new easement will be provided from the north along the west side of the railroad tracks that will serve to access several properties west of the tracks. The properties east of the tracks will be served from the existing 700 South Street. Execution of the access easement should be a condition of approval.

**Finding:** The proposed street closure will not deny access to adjacent properties provided that an access easement be recorded to provide access to properties on the west side of the railroad tracks.

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

**Discussion:** The street will remain in public ownership.

**Finding:** This standard does not apply as the street will remain in public ownership.

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

**Discussion:** According to the applicant, the request is being made in order to increase the safety in the area by closing an unprotected railroad crossing.

Presently, there are no flashing lights, gates etc. at this mainline railroad crossing. Without the closure, this crossing would be required to be upgraded with gates and flashing lights in order to qualify for quiet zone status.

One of the goals of the Central Community Master Plan is to “Protect and improve the quality of life for everyone living in the community regardless of age or ability.” The street closure will facilitate the implementation of a railroad “quiet zone” eliminate the need for trains to blow their horn at this intersection. This request will help to protect and improve the quality of life for those living and working in the immediate vicinity of this site.

**Finding:** The proposed street closure will enable a railroad “quiet zone” to be implemented improving the quality of life of those working and living in the immediate vicinity of the property.

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

**Discussion:** As discussed above, there are several compelling reasons for closing the street. Creating a “Quiet Zone” will improve the quality of life for those living near the intersection as trains will not be required to blow their horns. Also, safety will be improved as an unprotected mainline crossing will be eliminated.

Given the quality of life and safety will be improved, the reasons supporting the closure of the street outweigh the reasons for keeping it open.

**Finding:** The policy reasons supporting the street closure outweigh the reasons for keeping the street open.

**Summary of Planning Staff Findings:**

- A. The street closure and the proposed development are consistent with the applicable City Master Plans.
- B. All owners of property that abut the proposed street closure have been notified about the street closure petition.
- C. The street closure will not have a negative effect on traffic circulation in the immediate area as proposed.
- D. As proposed, the street closure will not have a negative effect on the City’s ability to deliver emergency services.

**RECOMMENDATION:**

Based on the analysis and findings presented in this Report, Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to approve Petition 400-07-02 to close 700 South street at approximately 600 West as

requested by the Salt Lake City Transportation Division subject to the following conditions:

1. That all applicable City Codes and Salt Lake City departmental requirements be met including providing the necessary easements for any existing or future utility infrastructure.
2. An access easement on the west side of the railroad tracks be recorded prior to closing access to the street.

Attachments:

1. Application
2. Street Closure Drawings
3. Comments received from City Departments/Divisions

**ATTACHMENT 1  
APPLICATION**

**ATTACHMENT 2  
STREET CLOSURE DRAWINGS**



ATTACHMENT 4  
COMMENTS RECEIVED FROM CITY DEPARTMENTS/DIVISIONS