

PLANNING COMMISSION STAFF REPORT

Poplar Grove Park Sub. & Surplus Property Subdivision Approval PLNSUB2009-00305 1189 West 700 South May 13, 2009



Planning and Zoning Division
Department of Community and
Economic Development

Applicant:

Salt Lake City Property
Management Division

Staff:

Bill Peperone (801) 535-7214
bill.peperone@slcgov.com

Tax ID:

15-11-110-009, 15-11-110-002 &
15-11-110-010

Current Zone:

R-1/5.000 (Single-Family
Residential District) and Open
Space

Master Plan Designation:

West Salt Lake Community Master
Plan – Open Space

Council District:

District 2 – Van Turner

Lot sizes:

Lot 1 – 5,000 sf
Lot 2 – 8,664 sf
Lot 3 – 5.54 acres

Current Use:

Low density residential & park

Notification

Mailed: April 28, 2009
Sign posted: May 1, 2009 Agenda
posted on the Planning Division and
Utah Public Meeting Notice
websites April 28, 2009

Applicable Land Use**Regulations:**

- Title 20.20.20 – Minor
Subdivisions
- Chapter 18.28 – Site Development
Ordinance
- 21A.24.070 – R-1/5000 Zoning

Attachments:

A. Proposed Plat
B. Letter from Linda Cordova,
Property Manager
C. Department Memos

REQUEST

The Property Management Division requests the following actions from the Planning Commission:

1. Minor subdivision approval for a three-lot subdivision,
2. Approval of Lot 2 as being in excess of the maximum size permitted in the zone, and
3. Declaration of Surplus City-Owned Property.

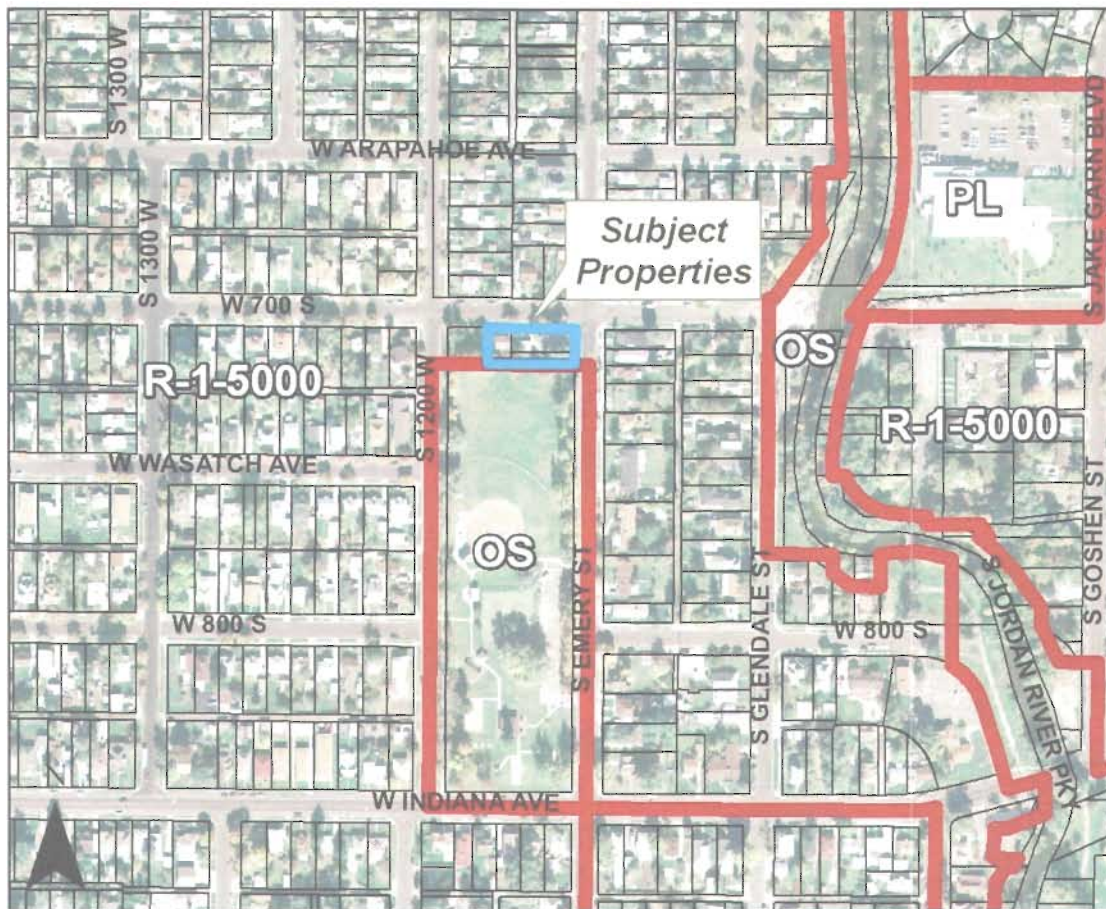
STAFF RECOMMENDATION

Based on the information and findings contained in this staff report, staff recommends that the Planning Commission declare 7,397 sq ft of city property, contained in two parcels, as surplus. Furthermore, staff recommends that the Planning Commission approve application PLNSUB2009-00305 for the Popular Grove Park Minor Subdivision including one lot that is in excess of the maximum permitted lot size and Declaration of Surplus City Owned Property, subject to the following conditions of approval:

Conditions of Approval

1. That along 700 South, the 13 trip hazards on the sidewalk joints must be removed;
2. That two panels of sidewalk with excess cracking, which meet the criteria of APWA 291 for replacement, be replaced as per APWA 231;
3. That work shall be performed by a licensed, bonded and insured contractor who shall obtain a Public Way Permit from the Engineering Department, unless the City decides to have City crews complete these improvements;
4. That the final plat should include three lots with Lot 3 consisting of the balance of the Poplar Grove Park parcel; and
5. That the final plat include a ten-foot utility easement along the west lot line of Lot 1, along the rear lot line of Lots 1 and 2 and along the east lot line of Lot 2.

Vicinity Map



BACKGROUND

This minor subdivision process was initiated in 2001 when the City no longer had need for a caretaker residence for the Poplar Grove Park. The caretaker residence is on Lot 1. The purpose of this minor subdivision is to create a legally conveyable lot so that the caretaker dwelling can be sold. This application also includes a request for the Planning Commission to declare 7,397 sq ft, which are contained in two parcels, as surplus property.

Lot 2 is owned by a private individual and the Lot 2 parcel reflects fence lines that have been in place for many years. Normally, this application would have been processed at an Administrative Hearing, but because the approval of this subdivision will facilitate the disposition of city property, this application has been sent to the Planning Commission. Section 2.58.040 of the City Code requires disposition of a significant city property to have a public hearing before the Planning Commission. Planning Commission action is also necessary because Lot 2 is larger than the maximum lot size permitted in the R-1/5,000 Zone.

The caretaker property is located at 1189 West 700 South. The frontage of 700 South, that includes two existing single-family homes, is zoned R-1/5,000. These homes make up Lots 1 and 2 of the minor subdivision. Lot 3, which is the balance of the Poplar Grove Park, is zoned Open Space.

This subdivision will add 2,397 sq ft of city park property to Lot 2. There are two parallel chain-link fences that run east-west along Lot 2's south property line. These two fences are approximately 22' apart. This 22' strip is in the ownership of Salt Lake City, but because the fences have been in place for many years and because the

city has never maintained this 22' strip between the fences, this area is being deeded to the owner of Lot 2 as part of this subdivision and Declaration of Surplus Property request. In exchange, the property line between Lots 1 and 2 has been slightly shifted so that Lot 1 can include the minimum 5,000 sq ft that the zone requires. The owner of Lot 2 will deed to the City, approximately 700 sq ft so that Lot 1 can meet the minimum area requirements of the R1/5,000 Zone.

The home on Lot 1 is currently non-conforming as to lot size and the home is located closer to the east-side property line than is permitted in the R-1/5,000 Zone. By adding 700 sq ft from Lot 2 to Lot 1, the home on Lot 1 will be brought into compliance with the R-1/5,000 zoning regulations for area and for side-yard setback for the new east-side property line.

The surrounding property is zoned R-1/5,000 and includes low-density, residential housing.

Comments

Public Comments

No written or verbal comments were received from the public.

Community Council Comments

Notice of minor subdivisions is not required to be presented to the Community Councils.

City Department Comments:

Notice of the application was routed to each affected City departments on April 6, 2009, requesting comments and input. Conditions of approval were raised by the Engineering Department, as noted below.

Engineering Department

1. Along 700 South, there are 13 trip hazards on the sidewalk joints that must be removed.
2. Two panels of sidewalk with excess cracking meet the criteria of APWA 291 for replacement. These panels must be replaced as per APWA 231.
3. Work shall be performed by a licensed, bonded and insured contractor who shall obtain a Public Way Permit from the Engineering Department, unless the City decides to have City crews complete these improvements.

Planning Division

1. The final plat should include three lots with Lot 3 consisting of the balance of the Poplar Grove Park parcel.
2. A ten-foot utility easement should be illustrated on the final plat that extends along the west property line of Lot 1, along the rear property line of Lots 1 and 2, and along the east property line of Lot 2.

Staff Analysis

West Salt Lake Community Master Plan

Because the City no longer has need of the caretaker home located on Lot 1, declaring this property as surplus will allow the home to be turned over to the Housing Division. The Housing Division will sell the home to a first-time homebuyer who qualifies under the applicable regulations.

A stated goal within the West Salt Lake Community Master Plan reads:

Maintain the existing housing stock by reducing deterioration through programs aimed at preservation and rehabilitation.¹

The City has kept the caretaker home in good repair and condition. By selling the home to a properly qualified individual or family, the City will facilitate the fulfillment of this goal with the intention that pride of ownership will encourage continued property maintenance.

Another stated goal within the West Salt Lake Community Master Plan reads:

Re-establish and stabilize middle-income neighborhoods with new housing while encouraging reinvestment in the existing housing stock.

Selling the caretaker home to a private party as an owner-occupied dwelling unit will cause reinvestment in the existing housing stock. Therefore, the sale of this surplus property will facilitate the housing goals within the West Salt Lake Community Master Plan.

Minor Subdivisions - Required Conditions and Improvements (20.20.20(A-E))

A minor subdivision shall conform to the standards specified in section 20.28.010, or its successor, of this title, and shall also meet the following standards:

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

Analysis: The Poplar Grove Park and the homes on Lots 1 and 2 have been in place for many years. They have helped to define the character of the neighborhood. The parcel lines for Lots 1 and 2 reflect existing fences that have been in place for many years, although in the case of Lot 2, the south-most fence is on city property.

Finding: That the character of the surrounding area is well defined and the Poplar Grove park and the homes on Lots 1 and 2 help to create this general character.

B. Lots created shall conform to the applicable requirements of the zoning ordinance of the city;

Analysis: Lot 1 conforms to the applicable requirements of the zoning ordinance. Lot 2 needs approval from the Planning Commission as an oversized lot, the criteria for which are discussed below.

Finding: That the lots within the Poplar Grove Park Subdivision conform to the applicable requirements of the zoning ordinance of the City and, where applicable, meet the City requirements for oversized residential lots.

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

Analysis: A condition of approval for this subdivision is that a ten-foot utility easement should be illustrated on the final plat that runs along the west lot line of Lot 1, along the rear lot line of Lots 1 and 2, and along the east lot line of Lot 2.

Finding: That the final plat will include perimeter utility easements.

¹ West Salt Lake Community Master Plan, page 6.

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

Analysis: Water and sewer disposal are in place and have been for many years. This minor subdivision will not increase demand for water or sewer services.

Finding: Water supply and sewage disposal are satisfactory to the city engineer.

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

Analysis: The public improvements are in place, and have been for many years. The city engineer has required some maintenance to infrastructure, which has been included in the conditions of approval for this minor subdivision.

Finding: The public improvements are satisfactory to the planning director and will be satisfactory to the city engineer, subject to the conditions of approval.

Standards for Approving Lots in Excess of the Maximum Permitted (21A.24.080(G)(1-3))

Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with the other lots on the same block face;

Analysis: There are only two lots within this block; the two residential lots within this minor subdivision. Lot 1 is 5,000.49 sq ft and Lot 2 is 8,664.50 sq ft. There are three lots across 700 South. Two of those lots are 7,405.2 sq ft and one lot is 6,098.4 sq ft.

Finding: The size of the new lot is compatible with other lots on the same block face.

2. The configuration of the lot is compatible with other lots on the same block face; and

Analysis: The two residential lots within this minor subdivision define the lot configuration on this block face. The homes and the lots have been in place for many years. Lot 2 will gain some square footage as a result of this minor subdivision but the increased square footage will only reflect land that is within fences that have been in place for many years. This minor subdivision will not cause any change to the neighborhood.

Finding: Lots 1 and 2 of the Poplar Park Minor Subdivision define the lot configuration on this block face. There are no "other lots" on this block face.

3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

Analysis: The two residential lots within this minor subdivision define the lot configuration on this block face. The homes and the lots have been in place for many years. Lot 2 will gain some square footage as a result of this minor subdivision but the increased square footage will only reflect land that is within fences that have been in place for many years. This minor subdivision will not cause any change to the neighborhood.

Finding: The relationship of lot width to lot depth is compatible with other lots on the same block face.

Summary of Findings

1. That the Poplar Park Subdivision meets the requirements of Section 20.20.20 of the Subdivision Ordinance for Minor Subdivision approval;
2. That the Poplar Park Subdivision meets the requirements of Section 21A.24.080 of the Zoning Ordinance for approval of an oversized lot in the R-1/5,000 Zone;
3. That 5,000.49 sq ft of property (Lot 1) is being declared as surplus property by the Planning Commission;
4. That approximately 2,397 sq ft of City property that is included in Lot 2 is being declared as surplus property by the Planning Commission;
5. That the Public Services Department has identified the property as surplus for the needs of the Poplar Grove Park and recommends disposing of it;
6. That the declaration of the property as surplus will allow for the sale of a city-owned house to be added to the housing stock of the Poplar Grove neighborhood; and
7. That the sale of the home on Lot 1 to a private individual or family for owner-occupancy will facilitate the housing goals for the West Salt Lake Community Master Plan.

LOCATED IN THE NORTHWEST $\frac{1}{4}$ OF
SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST,
SALT LAKE BASE & MERIDIAN



FOUND MONUMENT
AS SHOWN DOWN
8" IN HAND HOLE
HOLE
F.B. 0222-89

INDIANA AVENUE (850 SOUTH)

FOUND MONUMENT
DOMED BRASS CA
DOWN 6" IN HAND
HOLE.
F.B. 0238-99

tion

LOT 2



TWO PERSONS ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF SALT LAKE) ss

ON THE _____ DAY OF _____, 20____, PERSONALLY
APPEARED BEFORE ME _____ AND _____
THE SIGNED OF THE FOREGOING INSTRUMENT, WHO JULY ACKNOWLEDGED
TO ME THAT THEY EXECUTED THE SAME.

MY CREDIT CARD EXPIRES:

NOTARY PUBLIC, RESIDING IN
SALT LAKE COUNTY, UTAH

SALT LAKE CITY CORPORATION
PUBLIC SERVICES
ENGINEERING DIVISION
340 SOUTH, 200 EAST, S.L.C., UT. 84111

349 SOUTH, 200 EAST, S.L.C., UT. 84111

349 SOUTH, 200 EAST, S.L.C., UT. 84111

SURVEYORS' CERTIFICATE

CITY PLANNING DIRECTOR

CITY ENGINEERING DIVISION

CITY PUBLIC UTILITIES DEPT.

CITY ATTORNEY

CITY APPROVAL:

SALT LAKE COUNTY RECORDER

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SURVIVED BY THE SALT LAKE CITY
SURVIVORS USING THE INSTRUCTIONS OF
LYNN A. CURT WHERE DEFEAT.
TITLE IS SALT LAKE CITY SURVIVOR

APPROVED THIS DAY OF
20 BY THE CITY
LIVE CITY PLANNING COMMISSION

EVERY BODY THAT I HAVE HAD THIS FILE IN MY OFFICE AND IT IS CORRECT IN ACCORDANCE WITH THE INFORMATION ON FILE AND IS HEREBY APPROVED.

APPROVED AS TO SUNDRY SEWER
AND WATER UTILITY DETAILS THIS
DAY OF _____ 20__

_____ AD.

SENT TO SALT LAKE.
DAY OF
AND IS HEREBY AD-

STATE OF UTAH, COUNTY OF SALT LAKE, BECOMES
FILED AT THE REQUEST OF _____

Account	Debit	Credit
Accounts Receivable		
Accounts Payable		
Assets		
Liabilities		
Equity		
Income		
Expenses		
Other		

DATE _____

SALT LAKE CITY
PLANNING DIRECTOR

THE

SALT LAKE CITY
PUBLIC UTILITIES DIRECTOR

DO NOT USE ANY ATTORNEY

SUB LINE CITY MEDICAL

NAME _____ DOB _____
 PEB _____

BUY LINE COUNTRY MEMBER

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Attachment B: Letter from Property Manager

2 May 2001

MAY - 3

Mr. Stephen Goldsmith
Planning Director
451 South State Street, Rm 406
Salt Lake City, UT 84111

Dear Steve,

Public Services have determined that a house located within the Poplar Grove Park property and which address is 1187 West 700 South is no longer needed for City purposes. The house was previously used as a residence for park caretakers but is no longer economically feasible to continue serving this purpose; nor is it feasible to demolish all the improvements.

The City's Housing & Neighborhood Development will purchase the property and use grant monies to refurbish the house for its first time homebuyers' program. I am currently working with the City's Survey staff to obtain legal descriptions identifying the lot size for the residence and the balance of the Park property to create one sidwell number, both of which should be completed within the next few days. Judd Parr will coordinate the process to create the lot amendment through Planning.

Please assign this request to a Planner to start the review process for **declaration of surplus property**. Thank you for your assistance in this matter.

Sincerely,



Linda Cordova
Property Manager

Encl::

cc: Rick Graham
Lynn Curt

Vai Pope
Judd Parr

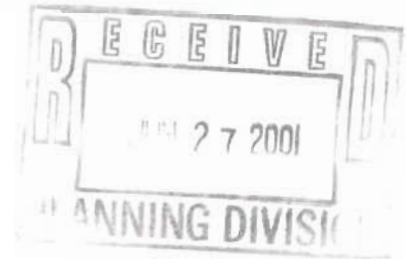
ALISON GREGERSEN WEYHER
DIRECTOR

SALT LAKE CITY CORPORATION
COMMUNITY AND ECONOMIC DEVELOPMENT

ROSS C. "ROCKY" ANDERSON
MAYOR

June 26, 2001

Wayne Mills
Planning Division
451 South State St, Room 406
Salt Lake City, Utah 84111



Re: Declaration of Surplus Property at 1187 West 700 South, Petition #400-01-33.

Dear Wayne:

The Division of Transportation review comments and recommendation are as follows:

The property is a Single Family residential lot with public way improvements of curb & gutter, sidewalk, street lighting, and roadway pavement. No additional easement is required and no impact to the existing 700 South transportation corridor is expected as a result of this development. Therefore, we recommend approval of the declaration of surplus property at 1187 West 700 South.

Please feel free to call me at 535-6630 if you have any questions about these comments.

Sincerely,

Barry D. Walsh
Transportation Engineer Assoc.

cc: Kevin J. Young, P.E.
Scott Weiler, P.E.
file

TO: BILL PEPERONE, PLANNING DIVISION

FROM: RANDY DRUMMOND, P.E., ENGINEERING

DATE: MAR. 26, 2009

SUBJECT: **1189 West 700 South Minor Subdivision**
1189 W 700 S

Engineering review comments are as follows:

1. This is a plat to split one lot into two residential lots. The frontages are dedicated, and fully improved. On 700 South, there are 13 trip hazards on the sidewalk joints that must be removed, and two panels of sidewalk with excess cracking that meet the criteria of APWA 291 for replacement. The sidewalk shall be replaced as per APWA 231. All of this work shall be completed by a licensed, bonded and insured contractor who shall obtain a Public Way Permit from our office, unless the City decides to have City crews complete these improvements.
2. The plat was prepared by the City Surveyor and needs no further review.

cc: Scott Weiler
Barry Walsh
Brad Stewart
Craig Smith
George Ott
Vault

RICHARD GRAHAM
PUBLIC SERVICES DIRECTOR

SALT LAKE CITY CORPORATION
DEPARTMENT OF PUBLIC SERVICES

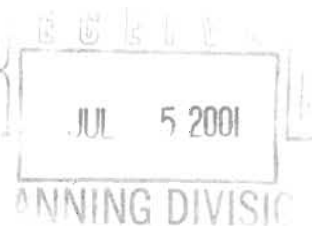
ROSS C. "ROCKY" ANDERSON
MAYOR

TO: WAYNE MILLS, PLANNING

FROM: SCOTT WEILER, P.E., ENGINEERING *SW*

DATE: JULY 3, 2001

SUBJECT: **Declaration of Surplus Property Request**
1189 W. 700 South Street
Petition 400-01-33



City Engineering review comments are as follows:

1. Curb, gutter and sidewalk exist in 700 South Street along the frontage of the proposed surplus property request. Four cracked sidewalk panels must be replaced with new sidewalk.
2. SLC Engineering has no objection to the proposed declaration of surplus property.

cc: Brad Stewart
Barry Walsh
Craig Smith
Vault