

PLANNING COMMISSION STAFF REPORT

PLNPCM2009-01389 - 5500 West Street Closure
(300 South and 490 South) and
PLNPCM2010-00085 -5500 West Major Street Plan Amendment
(300 South and 700 South)

August 11, 2010



Planning Division
Department of Community &
Economic Development

Applicant: Paul Anderson

Staff: Katia Pace 535-6354,
katia.pace@slcgov.com

Tax ID

Street Closure and Amendment:
14-01-300-013, 14-01-300-014,
14-01-301-001, 14-01-301-002
Major Street Plan Amendment:
14-01-300-005, 14-01-300-015

Current zone

CG (General Commercial) and
M-1 (Light Manufacturing)

Current master plan designation

Industrial in the West Salt Lake Master
Plan, and Collector in the Major Street Plan

Council District: District 2, Van Turner

Community Council: Poplar Grove –
Mike Harman

Current use: Vacant Land

Applicable land use regulations

- Section 2.58 of the Salt Lake City Code
- State Law, Section 10-9a-204 and 609.5

Notification

- Notice mailed July 30, 2010
- Sign posted on July 30, 2010
- Published in newspaper August 2, 2010
- Posted to Planning Dept and Utah State
Public Meeting websites July 30, 2010.

Attachments

- A. Map of Proposed Street Closure
- B. Salt Lake City Major Street Plan
- C. Department/Division Comments
- D. Photos

Request

The applicant, Paul Anderson, is requesting approval to close 5500 West Street between 300 South to about 490 South and declare it surplus property, and to amend the Major Street Plan by removing 5500 West Street, between 300 South and 700 South, as a collector street. This portion of 5500 West is located within the CG (General Commercial) and M-1 (Light Manufacturing) zoning districts.

Recommendation

PLNPCM2009-01389 – Street Closure

Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to approve application PLNPCM2009-01389 to close 5500 West Street between 300 South to about 490 South and declare it surplus property. The Planning Commission's action is based on the findings, analysis and conditions of approval in this report:

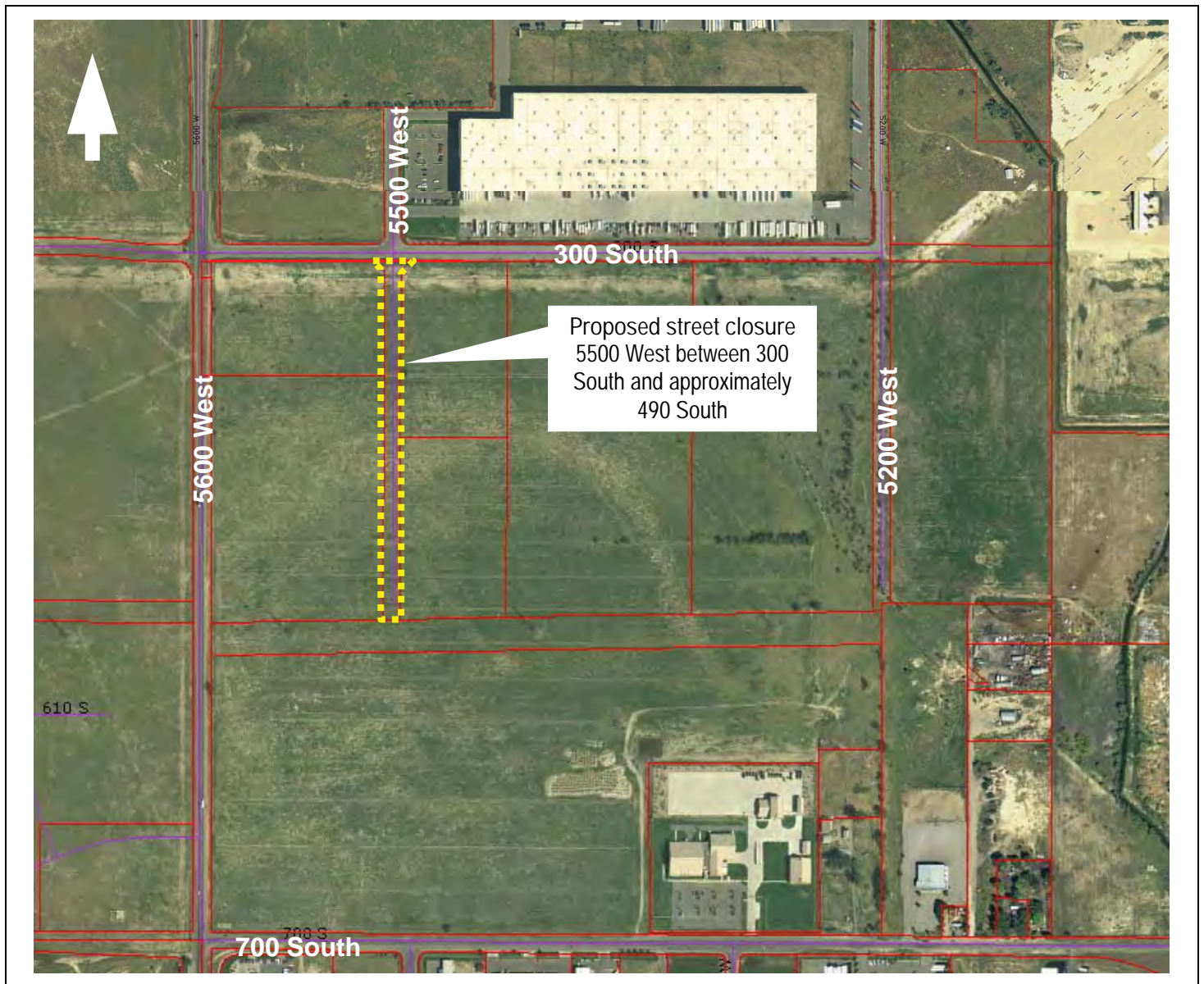
Conditions of Approval

1. That the applicant purchases the surplus property according with Salt Lake City Code Chapter 2.58.
2. That appropriate easements be established to continue to maintain and service the existing water, sewer, and storm drain mains that will remain.
3. That revision to the Major Street Plan Map is made to reflect the removal of 5500 West between 300 South and 700 South as a collector street.
4. That all requirements of the various city departments/divisions be met by the applicant prior to, or concurrent with, the purchase of this portion of 5500 West.

PLNPCM2009-01358 – Master Plan Amendment

Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to approve application PLNPCM2010-00085 to amend the Major Street Plan and remove 5500 West Street, between 300 South and 700 South, as a collector street.

Project Map



Background

Project Description

This is a request by Paul Anderson, representing the LDS Church, to close 5500 West between 300 South and 490 South; and to remove 5500 West, between 300 South and 700 South, as a collector street from the Major Street Plan.

On July 29, 2008 the “First Park Mountain View Plat 1” subdivision dedicated 5500 West south of 300 South as a public street. The street was built to the specifications of a collector street in Salt Lake City. It currently runs from 300 South until approximately 490 South ending with a temporary turnaround.

On June of 2009 the LDS Church purchased approximately 144 acres including property contiguous to 5500 West south of 300 South. The LDS Church owns all of the property abutting east and west of this portion of

5500 West. The street dead ends into a Rocky Mountain Power parcel running from 5600 West to 5200 West (see Attachment A). The LDS Church owns the large majority of the property between 5600 West to 5200 West and 300 South and 700 South.

The purpose of the street closure is to increase security of the proposed facility for the future LDS Bishop's Central Storehouse and restrict public traffic. Since this street is already built, the LDS Church intends to turn the street into a private road and close it to the public with gates. The LDS Church understands the requirement to pay fair market value for the proposed vacated road.

The fact that the property abutting the street on the west is zoned CG, and the property abutting on the east is zoned M-1 might have an impact on how the fair market value is calculated.

The request for this street closure was sent to be reviewed on December 21, 2009 in connection with a request for a subdivision plat amendment (PLNPCM2009-01390). Since this street is shown as a collector on the Major Street Plan (see Attachment B), this request was put on hold until a Major Street Plan amendment (PLNPCM2010-00085, to change 5500 West status, and PLNPCM2010-00354 to update the Major Street Plan) could be reviewed simultaneously.

Comments

Public Comments

On July 16, 2010, Mike Harman, the chair of the Poplar Grove Community Council communicated verbally that the Poplar Grove Community Council was comfortable with the request and did not required that this project be presented formally at its regular meeting.

City Department Comments

The comments received from pertinent City Departments / Divisions are attached to this staff report in Attachment C. The following is synopsis of the comments from the Public Utilities Department and the Transportation Division:

Public Utilities will require appropriate easements to be established to continue to maintain and service the existing water, sewer, and storm drain mains that will remain. To comply with OSHA safety guidelines in maintenance an easement which favors Salt Lake City Public Utilities should be established for the full width of the right-of-way, so that there are no complications in maintenance. As part of that easement, no permanent structures will be allowed in that easement which may jeopardize the safety and stability of those mains.

Transportation will require:

- Written verification letter from UDOT that 300 South 5600 West access is to remain and be upgraded as needed.
- That the 5200 West roadway will need to be developed to connect to 700 South.
- Revisions to the Major Street Plan Map to reflect future development of 5200 West corridor to extend south to connect to 700 South and the removal of 5500 West closure proposal.

Options

The Planning Commission may forward the following recommendation to the City Council:

1. To approve the amendment to the Major Street Plan, the street closure and to declare the street surplus property.
2. To approve the amendment the Major Street Plan only.
3. To deny all three requests.

Analysis and Findings

Street Closure

In 1999, the City Council adopted a street closure policy that includes the following provisions:

- 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.**

Analysis: The LDS Church owns all of the property abutting east and west of this portion of 5500 West. Since this street is already built, the LDS Church intends to turn the street into a private road and close it to the public with gates.

Finding: Closing the subject street will not deny access to the adjacent properties. The underlying property would be sold at fair market value and the property will be incorporated into the applicant's property.

- 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.**

Analysis: The applicant is the sole abutting property owner of the portion of the street in question. The applicant is committed to purchasing the portion of street after it is declared surplus property.

Finding: The right-of-way will be sold at fair market value to be determined by the Salt Lake City Property Management Division.

- 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.**

Analysis: With the construction of the Mountain View Corridor, the traffic on 5600 West will be much less than what was anticipated. 5600 West will continue to be an arterial, but will not require 5500 West to serve as a collector street as it was planned.

The Transportation Division has no objection to removing this portion of 5500 West from the Major Street Plan. Furthermore, the Transportation Division proposes revisions to the Major Street Plan Map to reflect the removal of 5500 West between 300 South and 700 South.

Finding: Staff finds that the street closure will further the master plan goal of providing an environment for industrial uses.

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

Analysis: The alternative to closing the street is to leave it as a public right-of-way, but since the applicant abuts the street on the west and east extent of the street, traffic on this street is limited to the applicant's business.

Finding: Staff finds the following reasons outweigh alternatives to the closure of the street:

1. The Transportation Division has no objection to removing this portion of 5500 West from the Major Street Plan.
2. Closing the subject street will not deny access to the adjacent properties.

3. The street closure will increase security of the proposed facility for the future LDS Bishop's Central Storehouse.

Master Plan Compliance: This property is governed by the West Salt Lake Master Plan in an area designated as Industrial on the Future Land Use Map. The proposed street closure will add to the cohesiveness of the development of the property for the storehouse on a lot designed for such a use, and therefore falls within the purpose of the master plan designation.

Master Plan Amendment

There are no specific standards in the Salt Lake City Zoning Ordinance for Master Plan Amendments. State Law, Section 10-9a-204, Notice of Public Hearings and Public Meetings to Consider General Plan or Modifications, outlines the criteria for amending a master plan relating to noticing requirements. A newspaper notice for the master plan amendment was published on August 2, 2010.

Salt Lake City Transportation Master Plan and Major Street Plan, adopted in 2006

According to the Transportation Master Plan "as progress is made and new transportation challenges face our community; it can be expected that changes to this Transportation Master Plan or associated map documents, will be proposed. It is intended, as with other Salt Lake City master plans, that future modifications to this Transportation Master Plan be approved only after successfully completing a formal public input and hearing process before the Planning Commission and City Council."

There are two companion documents associated with the Salt Lake City Transportation Master Plan. The Salt Lake City Transportation Annual Action Plan; and the Salt Lake City Transportation Master Plan Maps containing the:

- Major Street Plan
- Bikeways Master Plan
- Rail Transit Corridors

Each of these maps is updated as part of the master plan development process. The Major Street Plan classifies streets by their intended use.

The Major Street Plan shows 5500 West between 300 South and 700 South as a collector street. Collectors are designed to collect traffic to and from local streets and carry it to and from the arterials. 5500 West was designated a collector because it was to serve 5600 West, an arterial, as a frontage road.

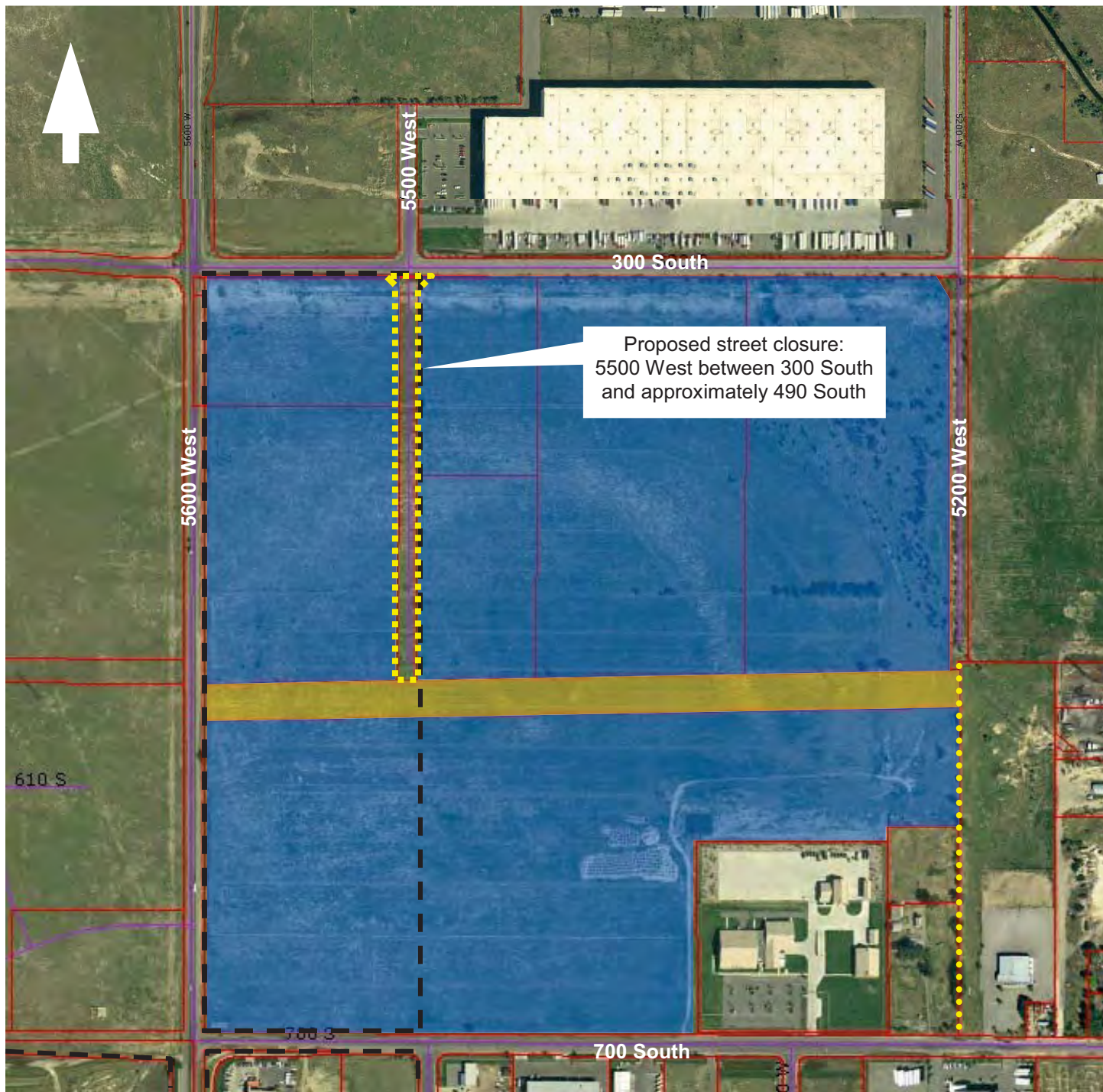
However, with the construction of the Mountain View Corridor, approximately 4,000 feet away from 5600 West, much of the traffic that was anticipated to be on 5600 West will be shifted to the Corridor (the Mountain View Corridor is a planned freeway, transit and trail system in western Salt Lake and northwestern Utah counties.) Due to the decrease in traffic on 5600 West, 5500 West at this location is no longer needed as a collector street. The Transportation Division has no objection to removing this portion of 5500 West from the Major Street Plan as long as 5200 West continues to serve as a collector street.

The Planning Division is also processing a request (PLNPCM2010-00354) initiated by Salt Lake City Mayor Ralph Becker to update the Major Street Plan of the Salt Lake City Transportation Master Plan. Removing 5500 West between 300 South and 700 South is also contained in this request.



Findings


Staff finds that in view of the changes happening to 5600 West and the request to close this portion of 5500 West, revisions to the Major Street Plan Map to reflect the removal of 5500 West between 300 South and 700 South are appropriate.

Attachment A
Map of Proposed Street Closure




Property Ownership

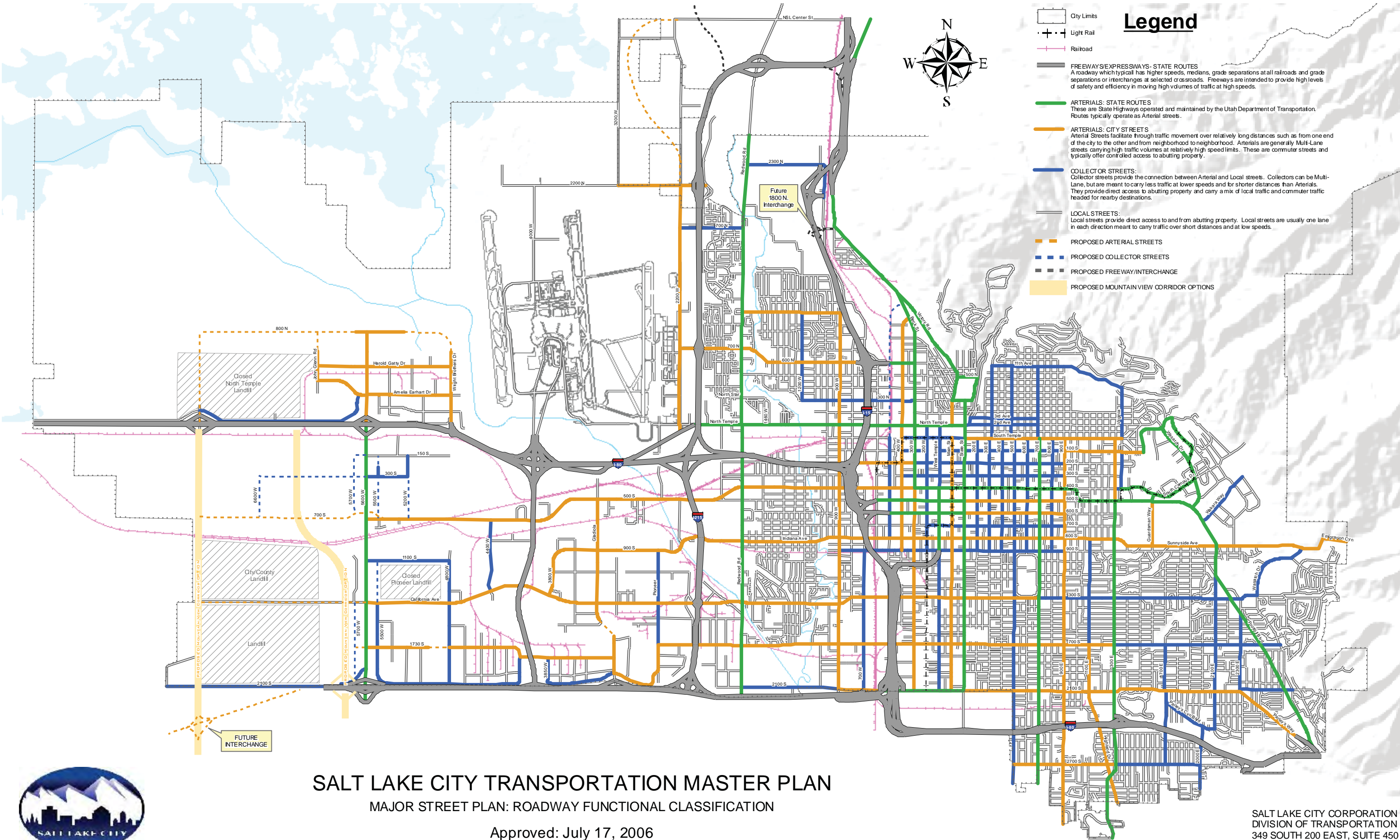
-  LDS Church
-  Rocky Mountain Power

 **Proposed 5500 West street closure**

 **Proposed 5200 West collector street**

 **CG zoning district** (every thing else outside this area it is M-1)

Attachment B
Salt Lake City Major Street Plan



Attachment C
Department/Division Comments

Engineering

Due Date

06/18/2010

Action By

Randy Drummond

Comments

Assuming there are no resultant land-locked parcels as a result of this proposal, we have no concerns regarding this proposal. We are still reviewing the proposed site plan, and have not yet given approval.

Zoning

From: Hardman, Alan
Sent: Friday, June 18, 2010 7:37 AM
To: Pace, Katia
Subject: FW: PLNPCM2009-01389 - 5500 West Street Closure
Attachments: street closure map.pdf

Categories: Other

Hi, Katia,

There are no zoning issues. I completed the task in Accela.

Alan

Public Utilities

PLNPCM2009-01389 Street Closure Review – June 18, 2010

From: Stoker, Justin
Sent: Friday, June 18, 2010 8:33 AM
To: Garcia, Peggy; Pace, Katia
Subject: RE: PLNPCM2009-01389 - 5500 West Street Closure

Categories: Other

We have no objection to the vacation of the street, however per earlier discussions, appropriate easements will need to be established for this department to continue to maintain and service the existing water, sewer, and storm drain mains that will remain. To comply with OSHA safety guidelines in maintenance an easement which favors Salt Lake City Public Utilities should be established for the full width of the right-of-way, so that there are no complications in maintenance. As part of that easement, no permanent structures will be allowed in that easement which may jeopardize the safety and stability of those mains.

The easements should be defined in a legal meets and bounds definition and then recorded by separate document with the Salt Lake County Recorder's Office. The amended plan would then show the boundaries of the recorded easement along with the reference to the Book and Page of the recorded document.

Please contact SLC Public Utilities for further information regarding the easement and language. We will assist in the preparation of the easements.

Public Utilities

PLNPCM2010-00085 Amendment Review – June 18, 2010

From: Stoker, Justin
Sent: Friday, June 18, 2010 8:26 AM
To: Garcia, Peggy; Pace, Katia
Subject: RE: PLNPCM2010-00085 - Remove 5500 West from Major Street Plan

Categories: Other

Public Utilities has no objection with removing the proposed 5500 West street from the Major Street Plan.

Public Utilities

PLNPCM2009-01389 Street Closure Review – January 6, 2010

From: Stoker, Justin
Sent: Wednesday, January 06, 2010 11:19 AM
To: Pace, Katia
Cc: Stewart, Brad; Garcia, Peggy; Greenleaf, Karryn
Subject: Preliminary Plat Amendment and Request for Street Closure at 5500 West and approx 300 South (PLNSUB2009-01390, PLNPCM2009-01389)

Categories: Other

Response to the Preliminary Plat Amendment and Request for Street Closure at 5500 West and approx 300 South (PLNSUB2009-01390, PLNPCM2009-01389):

A review of the application has found the following public utilities located in the 5500 West alignment from 300 South to the south property line: A 42-inch diameter ADS storm drain located about 9.5-ft deep with approximately 8 laterals intended to collect water from the curb of the future street. A 12-inch diameter PVC sanitary sewer main, located approximately 6.5-ft deep. At this time, the sanitary sewer line ends approximately 335-ft north of the southern property line. In addition a 12-inch PVC water main is located through the entire alignment with two 10-inch stubs and detector check assemblies for fire systems into the previously defined Lots 4 & 5.

Review of the master plan documents for this area show no other sanitary sewer or water facilities. The water and sewer located in the 5500 West alignment were intended to serve the properties to the south. Note that no sewer is located in 5600 West. A 36-inch transmission water main is located in 5600, but cannot be used for service connections.

If the applicant wishes to purchase the water and sewer mains from the city then a detailed master planned document will need to be submitted and approved by the department director showing how all neighboring parcels will be able to receive water and sewer services. This is particularly important to the parcels located between 300 South and 700 South, and between 5200 and 5600 West. If the water service is transferred to private ownership, then a 12-inch detector check assembly will need to be placed at the point of connection to the rest of the water system in 300 South. Legal agreements regarding the ownership and maintenance of the mains will need to be prepared and signed. It is also understood that fair market value for the facilities and for the easement rights will need to be purchased from Salt Lake City Public Utilities.

The applicant has proposed a 30-ft wide easement for the storm sewer system to remain. Considering the size of the pipe and the depth of the pipe, a 30-ft easement is not adequate for safe maintenance and replacement of the system. The current right of way is 66-ft with an additional 15-ft on both sides reserved as a public utility easement. This is a 96-ft wide corridor for all three utilities. If the water and the sanitary sewer lines transfer ownership it is still expected that a 50-ft easement will be needed to meet excavation safety guidelines and access. If the roads are vacated and the utilities remain public, it will be required that 24-hour access be allowed to Salt Lake City Public Utilities for the access and maintenance of any necessary utility mains.

Please note that Salt Lake City Public Utilities would prefer to retain ownership of all utility mains in this area with the full 96-ft for access and maintenance.

This project is built in an area where storm water is of a high concern. In addition to the standard restrictive storm water discharge policy of 0.2 cfs per acre discharge, a detailed study will need to be performed and additional storm water detention to account for regional detention. It should also be understood that culverts located under UDOT maintain roads are undersized and can only pass a restricted amount. The drainage study must also address the “pinch” points and not create additional flooding problems on neighboring parcels.

Note that this parcel is located near a site that has been purchased and is being prepared for a waste water treatment facility.

A number of complicated issues surround the applicant’s request to vacate 5500 West. We look forward to working closely with the applicant and their consultants to arrive at an agreement that will be mutually beneficial and will satisfy the needs.

Transportation

PLNPCM2009-01389 Street Closure Review – June 22, 2010

From: Walsh, Barry
Sent: Tuesday, June 22, 2010 11:19 AM
To: Pace, Katia
Cc: Young, Kevin; Weiler, Scott; Itchon, Edward; Garcia, Peggy; Barry, Michael; Butcher, Larry; Spencer, John
Subject: RE: PLNPCM2009-01389 - 5500 West Street Closure

Categories: Other

June 22, 2010

Katia Pace, Planning

Re: PLNPCM2009-01389 – Request to close 5500 West Street between 300 South to about 450 South

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

Per our review memo January 4, 2010, we requested a written verification letter from UDOT that 300 South 5600 West access is to remain and be upgraded as needed. Also that the 5200 West roadway will need to be developed to connect to 700 South. Both Access points are needed to service the areas north of 700 South to I-80 and east of 5600 West to 4000 West Bangerter Highway.

We have proposed revisions to the Major Street Plan Map to reflect future development of 5200 West corridor to extend south to connect to 700 South and the removal of 5500 West closure proposal.

The final roadway closure will require the removal of the intersection curb returns etc. at 300 South and replacement with continuous sidewalk, curb & gutter, and a new driveway approach, located in compliance with Salt Lake City design standards, as needed to define the separation of public roadway (300 South) and private drive (closed 5500 West).

Coordinate with Michael Barry (535-7147) for removal issues pertaining to the "Street Lighting" utilities on 5500 West.

Transportation

PLNPCM2010-00085 Amendment Review – June 22, 2010

From: Walsh, Barry
Sent: Tuesday, June 22, 2010 2:36 PM
To: Pace, Katia
Cc: Young, Kevin
Subject: RE: PLNPCM2010-00085 - Remove 5500 West from Major Street Plan

Categories: Other

June 22, 2010

Katia Pace, Planning

Re: PLNPCM2010-00085 – Request to remove the proposed 5500 West Street between 300 South and 700 South from the Major Street Plan.

The division of transportation review comments and recommendations are for approval of the proposed Major Street Plan revision.

Per the Master Street Plan update revision and the request to Close 5500 West from 300 South to 450 South, we have proposed the revision to remove 5500 West as a collector roadway proposal between 300 and 700 South.

Transportation

PLNPCM2009-01389 Street Closure Review – January 4, 2010

From: Walsh, Barry
Sent: Monday, January 04, 2010 10:39 AM
To: Pace, Katia
Cc: Young, Kevin; Weiler, Scott; Itchon, Edward; Garcia, Peggy; Barry, Michael; Butcher, Larry
Subject: 5500 W closure and sub amendment.

Categories: Other

January 4, 2010

Katia Pace, Planning

Re: PLNSUB2009-01390 – Preliminary for First Park Mountain View Plat 1, 1st Amendment.
PLNPCM2009-01389 – Request to close 5500 West Street where it abuts the First Park Mountain View Plat 1 from 300 South to @ 500 South.

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

Per our DRT review meeting 1/21/09, we require a written verification letter from UDOT that 300 So. 5600 West access is to remain and upgraded as needed. Also that the 5200 W roadway will be developed to connect to 700 So. Both Access points are needed to service the areas north of 700 South to I-80 and east of 5600 West to 4000 West Bangerter Highway.

This issue was also noted at our 10/20/09 DRT meeting along with requirement to coordinate with Michael Barry (535-7147) for removal issues pertaining to the “Street Lighting” utilities.

The final roadway closure will require the removal of the intersection curb returns etc. at 300 south and replacement with continuous sidewalk, curb & gutter, and a new driveway approach, located in compliance with salt lake city design standards, as needed.

DRT Review

January 21, 2009

Address: 5455 West 300 South

Project Name: Street Closure-Vacating 5500 West, south of 300 South, and build a new warehouse.

Contact: Corbin Bennion 713-3000/Ray Milliner 535-7645

Date Reviewed: January 21, 2009

Zone: CG/M-1

The Development Review Team (DRT) is designed to provide PRELIMINARY review to assist in the design of the complete site plan. A complete review of the site plan will take place upon submittal of the completed site plan to the Permits Counter.

Ken Brown/Zoning:

Will need to vacate the street, combine parcels to create one parcel with one parcel number to eliminate the need for cross access, cross drainage & parking lot landscaping issues. Will need to discuss a zoning map amendment to eliminate a split zoned property. Any relocation of property lines would require subdivision approval. Proposal will need to address the parking needs for the site per 21A.44., front & corner side yard setback, rear yard setback if appropriate, etc. Further review suggested as the proposal moves forward, and permit review submitted. Avigation Easement may need to be addressed for this site.

Norm Weiss/Transportation:

Need to have internal meeting with Planning & UDOT. No access onto 5600 W.

Ted Itchon/Fire:

No issues.

Brad Stewart/Public Utilities:

There is water, sewer, and 42" storm drain installed in this R.O.W. Public Utilities and developer will have to sort out what is important to keep, and what can be abandoned. Public Utilities tries to avoid utilities outside public R.O.W. May need easements which may limit buildable area. Perhaps water, sanitary sewer, and storm drain could be re-located.

Scott Weiler/Engineering:

5500 West was just built and if the vacation is approved, the road improvements will be demolished. See SLC PU regarding the utilities. Curb & gutter and sidewalk will be required across the vacated R.O.W. at 300 South.

DRT Review

October 20, 2009

Address: 5455 West 300 South
Project Name: Bishop Central Storehouse
Contact: Dave Keesler 801 634-2732
Date Reviewed: October 20, 2009
Zone: M-1

The Development Review Team (DRT) is designed to provide PRELIMINARY review to assist in the design of the complete site plan. A complete review of the site plan will take place upon submittal of the completed site plan to the Permits Counter.

Project Description: New warehouse/office building.

Ken Brown/Zoning:

Lots 3, 4, & 5 of the First Park Mountain View Plat 1, and vacating of 5500 W. Modification of the property lines requires a subdivision process. Vacating of the street requires a street closure process. If properties are not combined, cross access, cross drainage, and parking lot landscaping would need to be addressed accordingly. Use of any abutting lot for off-site parking or maneuvering would require recording of appropriate documents. A certified address for the project needs to be obtained from the Engineering Dept. Site plan to show all public way & site development elements and shall include parkstrip, front yard setback of 15', perimeter & interior parking lot landscaping areas per 21A.48, all easements, screened refuse containers (if dumpsters are planned), parking calculations for each use, fencing locations, etc. Ground mounted utility boxes, generators, etc, shall be reviewed as a Routine & Uncontested Matter. If site grading is planned prior to permit issuance, a Site Development permit application would need to be submitted for review.

Barry Walsh/Transportation:

Need to combine lots 3, 4, & 5. Propose to close & vacate 5500 W. *Utility easement. For street lighting, contact Mike Barry. Parking calculations (255 shown), note required & provided to comply with ADA & 5% bike stalls. Provide pedestrian walk access to public way (300 S.). New driveway (300 S.) 40' max. width (passenger 24, two-way). Security fence & gate, setbacks 17.5 + passenger vehicle, 100' truck staging.

Brad Stewart/Public Utilities:

40 acres. 1st Park Sub. 549k s/f building. Site is environmentally clean. Dock high building. NOI, and SWPPP's. Detention, check outfall capacity, 0.2 cfs/acre max. discharge also share of "regional" detention. PU-1 form. With vacation of 5500 W. R.O.W., SLC PU will retain easement for water & sewer pipes with 24 hour access. Backflow prevention if multiple (emergency) water connections. Discussed backflow prevention & sand/oil separators for truck wash. Discussed drainage at re-fueling area.

Randy Drummond/Engineering:

Subdivision or condo plat required. (Amended plat to combine lot combo). Certified address required, prior to permit issuance, and after plat amendment. See Alice Montoya at 801 535-7248. Public Way Permit is required for project completion. Licensed, bonded and insured Contractor to obtain permit to install or repair required street improvements. Drive approach to be APWA std. plan 225. Site plan required. Notification to all utilities of vacation of 5500 W. required.

Attachment D
Photos

