

# PLANNING COMMISSION STAFF REPORT



Planning and Zoning Division  
Department of Community and  
Economic Development

## Edmonds Place PLNPCM2009-00591

Partial street closure and  
sale of excess right-of way property  
346 Edmonds Place  
February 10 2009

**Applicant:** Brian Park

**Staff:** Doug Dansie 801 535-6182  
doug.dansie@slcgov.com

**Tax ID:** No tax ID

**Current Zone:** Adjacent zoning  
SR-3 Special Residential

**Master Plan Designation:**  
The surrounding land is designated  
low density residential by the  
Capitol Hill Master Plan

**Council District:** District 3 -  
Stan Penfold

**Lot Size:** Approximately 2000 +/-  
square feet

**Current Use:** Front yard of  
vacant home at 362 North Edmonds

### Applicable Land Use

#### Regulations:

- Salt Lake City Council Policy  
and Guidelines for Street  
Closures

### Notification

- Notice mailed on January 28,  
2010
- Sign posted on February 1, 2010
- Agenda posted on the Planning  
Division and Utah Public  
Meeting Notice websites January  
28, 2010

### Attachments:

- A. Map of Proposed Street Closure
- B. Department/Division  
Comments
- C. Public Comments
- D. Photographs
- E. Argyle Court Block Redesign  
Plan

## Request

Brian Park has requested that Salt Lake City close and sell portions of Edmond Place which is located at approximately 346 and 362 North. This portion of the street was a former cul-de-sac that was used prior to the connection with Argyle Court in the 1980's. It is now a through street and the cul-de-sac is not constructed or in use.

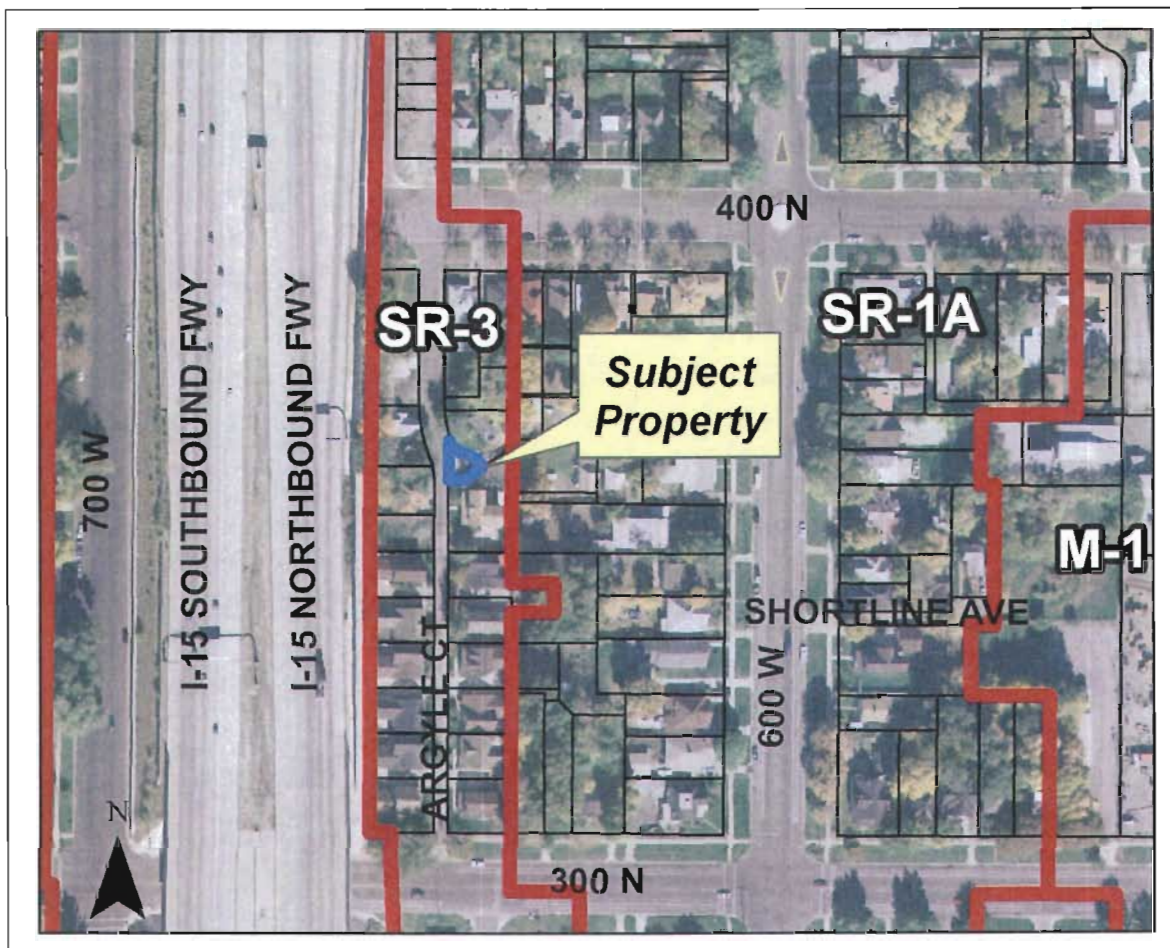
The Planning Commission sends a recommendation to the City Council on street closures requests. The Mayor has the authority to sell property that is deemed surplus.

## Staff Recommendation

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the project generally meets the applicable standards and therefore recommends that the Planning Commission recommend to the Mayor and City Council that the property be declared surplus and sold with the following conditions:

1. Enough land be sold to the property owner at 362 North Edmonds, to insure that the property has at least 50 feet frontage on a deeded street and the driveway remains functional.
2. The remaining land is sold according to the City regulation relating to disposition of real property.

## VICINITY MAP



### PROJECT HISTORY/DESCRIPTION

This is a request to narrow the width of the Edmonds Place right-of-way at approximately 346/362 North where it abuts the applicant's property on the southeast side of the road. Edmonds Place was formerly a cul-de-sac until it was extended through Argyle Court in the mid 1980's. Now that it is a through street, the surplus portions of the former cul-de-sac are not integrated into the roadway. The property is adjacent to the applicant's property but appears to the casual observer to be part of the neighboring property to the north at 362 North Edmonds Place. The applicant's property is used for a residential building. The applicant's plan for the proposed closed street right-of-way is to use it as additional yard space.

The property located at 362 North Edmonds Place is presently vacant and has an enforcement history. There have also been complaints of trash and dumping on the site. The home is built at an angle to the present street because it originally faced the cul-de-sac. The property has unusual property lines: The home sits on three parcels. The southern portion of the lot was acquired through a tax sale, but the original owners still own a 6 foot parcel through the center of the house. The owner of the southern parcel also acquired a property to the north, therefore the predominant owner of the building owns both the north and south ends of the property separated by a 6 foot strip of land down the center (through the home) owned by a separate owner. The predominant property owner has stated that he wishes to acquire the City property to integrate into the site and also plans to purchase the remaining 6 feet dividing the property when it becomes available at tax sale. He states that he is in the process of installing a furnace to make the home inhabitable. The property proposed for surplus is being used as a drive approach for 362 Edmonds Place (there are two drives – one on each side of the home).



## COMMENTS

### **Community Council Comments:**

Although Community Council presentation is not required for street closures, the Fairpark Community Council was notified via e-mail on November 6, 2009 and no response was received. Planning also hosted an open house. Two individuals representing Neighborworks, who have done much of the development of Edmonds Place, attended the open house. They expressed concern that the property be sold to 362 North Edmonds Place and not 342 Edmonds Place.

### **City Department/Division Comments:**

The application material was routed on June 15, 2009 for a request to close portion of Edmonds Place. The comments received from pertinent City Departments and Divisions are found on Attachment B of this staff report. There were no major concerns expressed and all departments felt that the land could be sold as surplus with no negative effect on City interests.

### **Public Comments:**

Planning Staff received three comments from individuals. Two comments supported the closure but felt that the property should be sold to 362 North Edmond Place, which is adjacent to the land proposed to be surplus. The property owner at 362 North Edmonds Place expressed his desire that the land not be sold to Mr. Park, since it is effectively in front of his home and not that of Mr. Park.

The applicant also provided a petition listing signatures of property owners on the street who support the street closure.

## STAFF ANALYSIS AND FINDINGS

### **Master Plan Discussion:**

#### **Capitol Hill Community Master Plan, adopted in 1999**

The plan identifies the need to improve stabilize and improve housing in the Guadalupe area through the use of rehabilitation and the creation of infill housing. Argyle Court/Edmonds Place was a pioneer infill housing project designed to stabilize the neighborhood (see attached Argyle Court Block Redesign Plan).

**Analysis:** This particular property is a remnant piece from the connection of Argyle Court and Edmonds Place. These streets were connected in order to accommodate infill development consistent with the master plan.

**Finding:** Currently the street is constructed and the land in question is outside the functional street. The land is already effectively part of a private front yard. The current street configuration supports the goals of the Capitol Hill Master Plan and the excess property is not needed. Inclusion of the excess property into the adjacent lot or lots would facilitate ongoing investment in the adjacent properties, which would in turn stabilize the neighborhood.

#### **Salt Lake City Transportation Master Plan or Major Street Plan, adopted in 2006**

Edmonds Place is identified in the Transportation Master Plan or Major Street Plan as a local street.

**Analysis:** The Street is presently constructed and the Transportation Division has indicated they do not need the right-of-way in question.

**Finding:** Selling the unused portion of the right-of-way will not impact the use of the street or the ability to carry the traffic.

### **Street Closure Guidelines:**

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

The Planning Commission will need to review the street closure request and make findings based on the following guidelines:

- 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:** This land in question is primarily in front of 362 North Edmonds, although a portion is also in front of 346 depending on where the separation is made. Selling the full portion to Mr. Park would effectively eliminate much of the street frontage of the property at 362 North Edmonds Place. All new residential lots require a minimum of 50 feet of frontage on a deeded street. The property at 362 North Edmonds also has two driveways; both of which have curb cuts: one of the curb cuts and driveways is over the surplus property in question.

**Finding:** Closing the subject street will not deny access to the adjacent properties; however, who it is sold to would affect the properties. The land is primarily in front of 362 North Edmond Place and is effectively the front yard for that home. 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 land is abutting residential property. The land is primarily in front of 362 North Edmonds, not 342 North Edmonds where the petitioner resides.

**Finding:** The right-of-way will be sold at fair market value to be determined by the Salt Lake City Property Management Division. Who the land is sold to is a matter to be determined, but staff recommends that at least a portion of the land be sold to the owner of 362 North Edmonds to insure 50 feet of frontage on a deeded street and an operable driveway..

- 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:** The Capitol Hill Community Master Plan envisions Guadalupe with stabilized housing. The parcel in question is a remnant of a former cul-de-sac that was in existence prior to Edmonds Place and Argyle Court being connected. The land in question is behind the curb line and not part of the roadway.

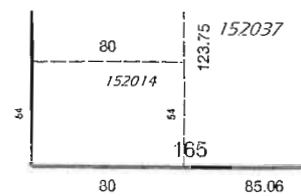
**Finding:** The street is presently operational; the property is outside the traveled /paved way of the street and is not necessary for transportation purposed

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

**Analysis:** The street presently exists and is functional. The land in question is outside the paved roadway.

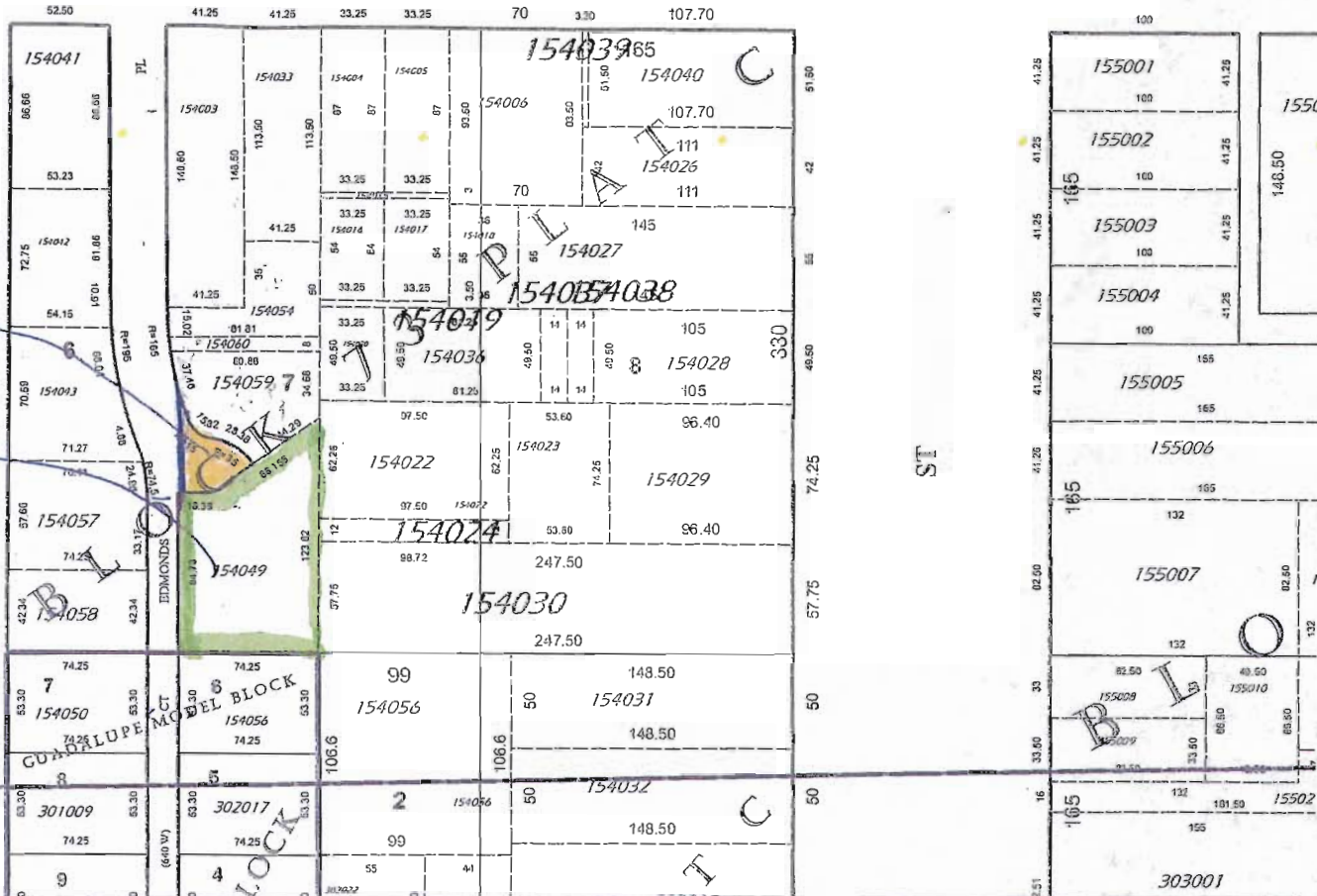
**Finding:** Staff finds the property to be unnecessary for transportation purposes and would be better in private hands where it would be maintained as part of a developed parcel and the owner would pay property taxes on it.

**Attachment A**  
**Map of Proposed Street Closure**



PROPOSED  
STREET

APPLICANT'S  
PROPERTY  
(PARK)



Friday, January 30, 2009

**Attachment B**  
**Department/Division Comments**



## **Public Utilities (Justin Stoker)**

We have reviewed the exhibit provided to us regarding the proposed street closure on Edmonds Place located at approximately 346 South. No water or sewer mains are located in the area proposed to be vacated, however a water lateral and meter connection that services 362 S. Edmonds Place is located in the proposed area. It is Salt Lake City Public Utilities' policy that water meter services be located in front of the lot that they service. While we have no objection to the closure, it is unclear from the proposal and exhibit what will happen with the land from the street closure. If the is acquired by 362 S. Edmonds Place, so that the meter remains on the property that it services, there will continue to be no objection to the proposal. If the land, for which the meter is located is acquired by 364 S. Edmonds Place, the meter that services 362 S. will need to be disconnected from the main and retapped to our department standards so that the meter is properly located in front of 362 S.

## **Building Services (Alan Hardman)**

6-23-09 This proposal was reviewed at the DRT meeting on May 13, 2009. There were no zoning issues noted

## **Engineering (Randy Drummond)**

Assuming all the adjoining property owners do not need the frontage, Public Utilities has all easements they need, and Public Services has no concern regarding any snow plowing advantages of keeping the snow storage of this partial cul-de-sac, we have no concerns. We recommend that the applicant be advised of the maintenance responsibilities of the roadway.

## **Transportation (Barry Walsh)**

June 18, 2009 Re: PLNPCM2009-00591 Edmonds Place partial street ROW closure at 346 and 362 North. The division of transportation review comments and recommendations are as follows: The proposal is for closure of part of the right of way along the east side of the roadway, behind the existing road side curb definition or park strip area. The south bound public roadway, Edmonds Place, ends at this point and a private roadway (Argyle Ct.) provides a continuation of the roadway to the south connection with 400 North. Due to the width of Argyle Ct and the sub standard "Y" type turn around terminus of Edmonds Place, final approval is subject to Fire review issues.

## **Fire (Ted Itchon)**

This office with the previous Fire Marshal McCarty have reviewed the proposed closure and feel that it meets the intent of defining the roadway and is recognized.

If we can be assistance to you in further answering your questions or concerns please feel free to contact us.

**Attachment C**  
**Public Comments**

David Bolinder  
362 North Edmonds Place  
Salt Lake City, Utah

801 272 2322

November 9<sup>th</sup> 2009

Salt Lake City  
Community Development  
451 South State Street  
Salt Lake City, Utah 84114  
Attn: Doug Dansie, Senior Planner

Dear Sirs:

I own the property at 362 North Edmonds Place.

There was an old turn around in my front yard. This turn around is no longer used.  
Edmonds and Argile are now joined.

This property is no longer used, and now is part of my front yard.

I strongly object to this property being sold to Mr. Brian Parks.

He is my neighbor to the south. My front yard would do him little good, and do me great harm.

If the property is sold, it would be only fair that I be allowed to purchase the property.

I understand that once a fence has been up long enough, it becomes the property line.

Thank you for any help you can give me.

Sincerely,



David V. Bolinder

P.S. Mr. Parks is welcome to get any property that is  
with in his fence line.



# Neighbor Consent Form

Applicant:

Brian Park

Subject Address:

346 Edmonds Place Salt Lake U.T 84116

Matter to be Considered:

1. Please attach a copy of the appropriate form being considered along with the necessary information for your neighbors to review.
2. You need to obtain signatures of approval from all abutting property owners. You may need to obtain signatures of approval from owners of properties across the street. The Planning staff will guide you on which signatures to obtain.

My signature below attests that I have seen the plans and examined the proposal of my neighbor at the address listed above and I have no objection to his/her proposed request. I understand that the Zoning Administrator has authority to grant this request without a public hearing. I understand that if I do not sign this form, my neighbor may elect to have the case heard by the Board of Adjustment where a public hearing will be held. I also understand that anyone aggrieved by a decision of the Zoning Administrator may appeal to the Board of Adjustment within 30 days from the decision.

Asmir Milicevic	337 N 6420	Signature	5-16-2009	Date
Print Name and Address		Signature		Date
Glen Cunningham	320 N. Argyle Ct.	Signature	5-16-09	Date
Print Name and Address		Signature		Date
THEODORA COYNE	312 ARYLE CT Thornton CO	Signature	5-16-09	Date
Print Name and Address		Signature		Date
Fredy Volger	311 N. Argyle Ct	Signature	5-16-09	Date
Print Name and Address		Signature		Date
Francine Maestas	334 N. Argyle Ct. Francine Maestas	Signature	5-16-09	Date
Print Name and Address		Signature		Date
JAMES FERRER	331	Signature	5-16-09	Date
Print Name and Address		Signature		Date
GOPHON MILICEVIC	341 Edmonds	Signature	05-18-09	Date
Print Name and Address		Signature		Date
Tiffany Erickson	319 Argyle	Signature	5-18-09	Date
Print Name and Address		Signature		Date

**Attachment D**  
**Photographs**





**362 North Edmonds Place**



**346 North Edmonds Place**





**362 North Edmonds Place**

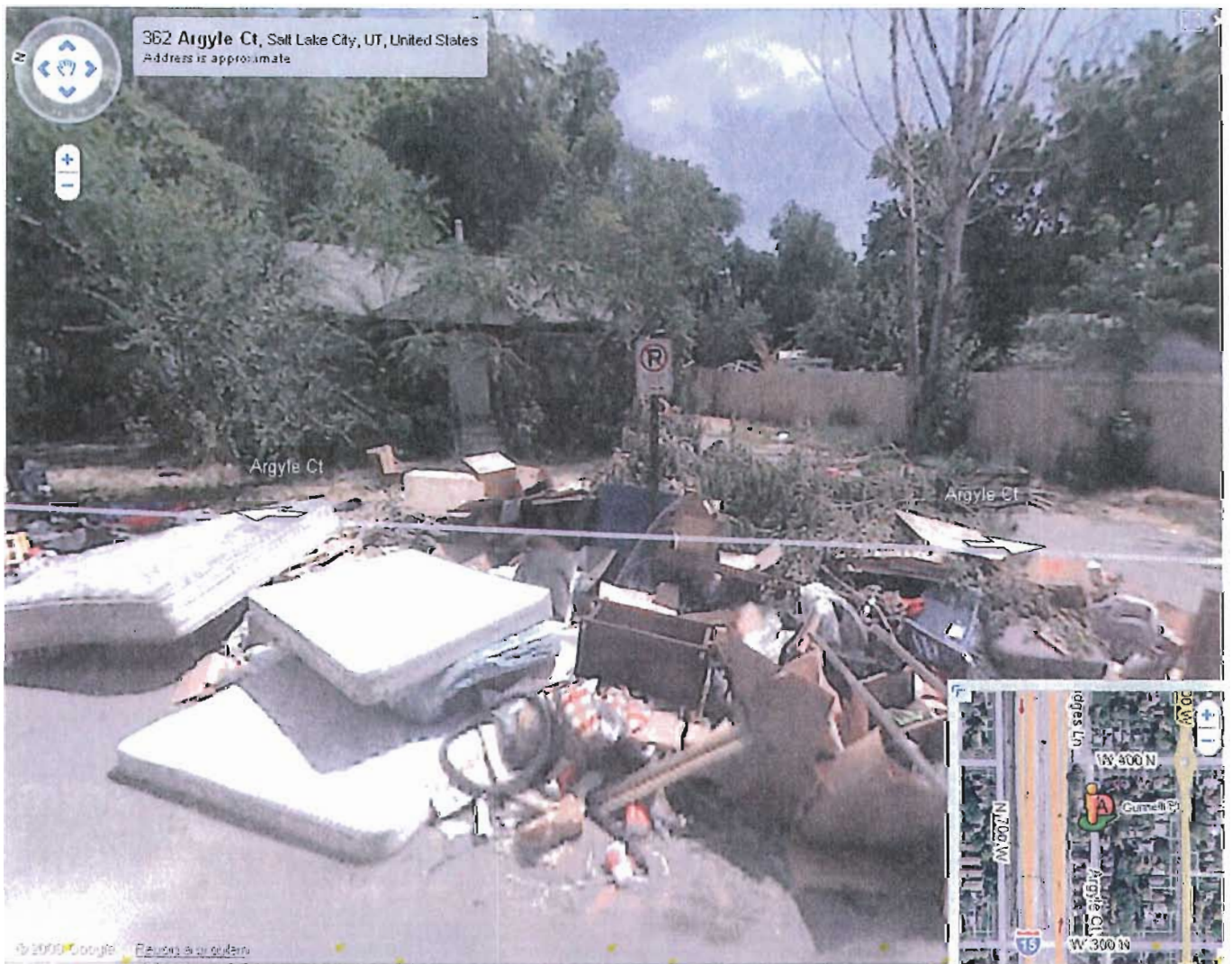


**Edmonds Place transition to Argyle**



**362 North Edmonds Place**  
**Property in question on the right of the photo**  
**behind the curb cut**







368 Argyle Ct, Salt Lake City, UT, United States  
Address is approximate

Argyle Ct

Argyle Ct

© 2009 Google Report a problem





**Attachment E**  
**Argyle Court Block Redesign Plan**

# Argyle Court Block Redesign

## Historical Perspective

When Brigham Young created the original Plat of Salt Lake City he platted ten acre super blocks down to 900 South Street. These large blocks were originally divided into eight 1 acre lots. Original owners situated their homes near the streets with large garden and orchard areas to the rear. Rock-lined irrigation ditches ran along the block fronts for watering the gardens and trees. This arrangement left the center of the blocks open and undeveloped. Over the years, as properties changed hands, new owners subdivided the original lots, and homes were often built on small alleys and lanes not constructed to any reasonable standards. Argyle Court is one of these.

The Argyle block is situated in what is known as the Guadalupe neighborhood. The detractive influence of the I-15 Freeway on the west and the railroad tracks on the east have caused the decline in residential quality of the neighborhood over the years. In 1960 freeway construction bisected a large residential neighborhood and the Guadalupe neighborhood is one of the remnants. Sandwiched between the freeway and the railroad, neighborhood residents are continually plagued with noise and air pollution, and unsightly conditions created by the freeway's sparsely vegetated fill material.

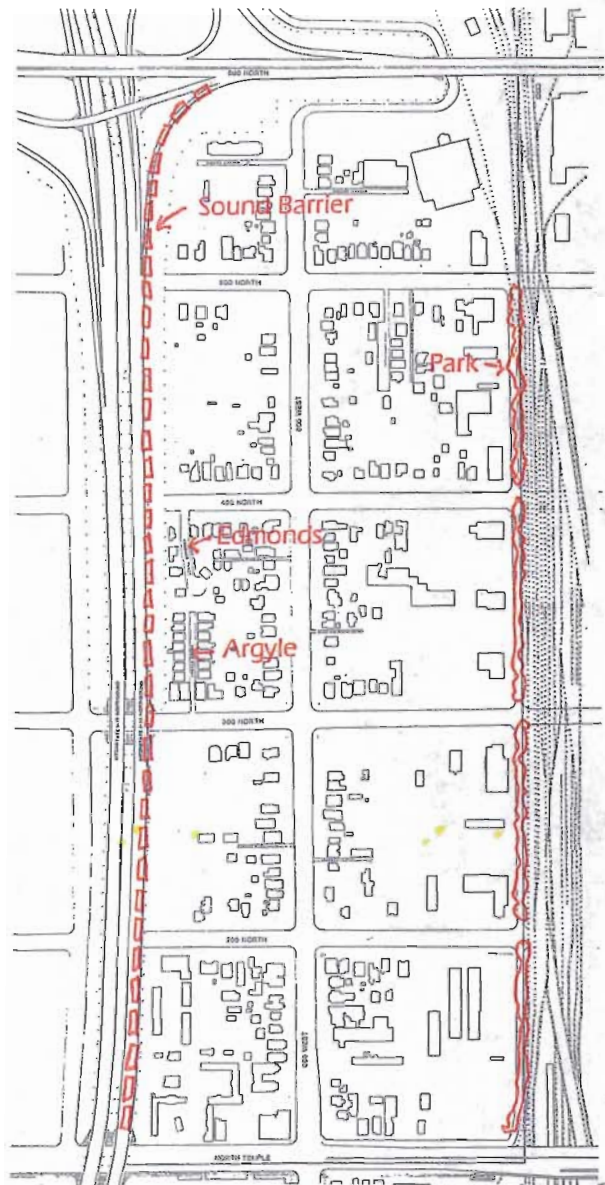
The Argyle block boundaries are 300 North and 400 North and 600 West and the I-15 Freeway. The two dead end streets on the block, Argyle Court and Edmonds Place, are mostly inhabited by recently immigrated Asian families. Overcrowding is a problem and most homes are rundown.

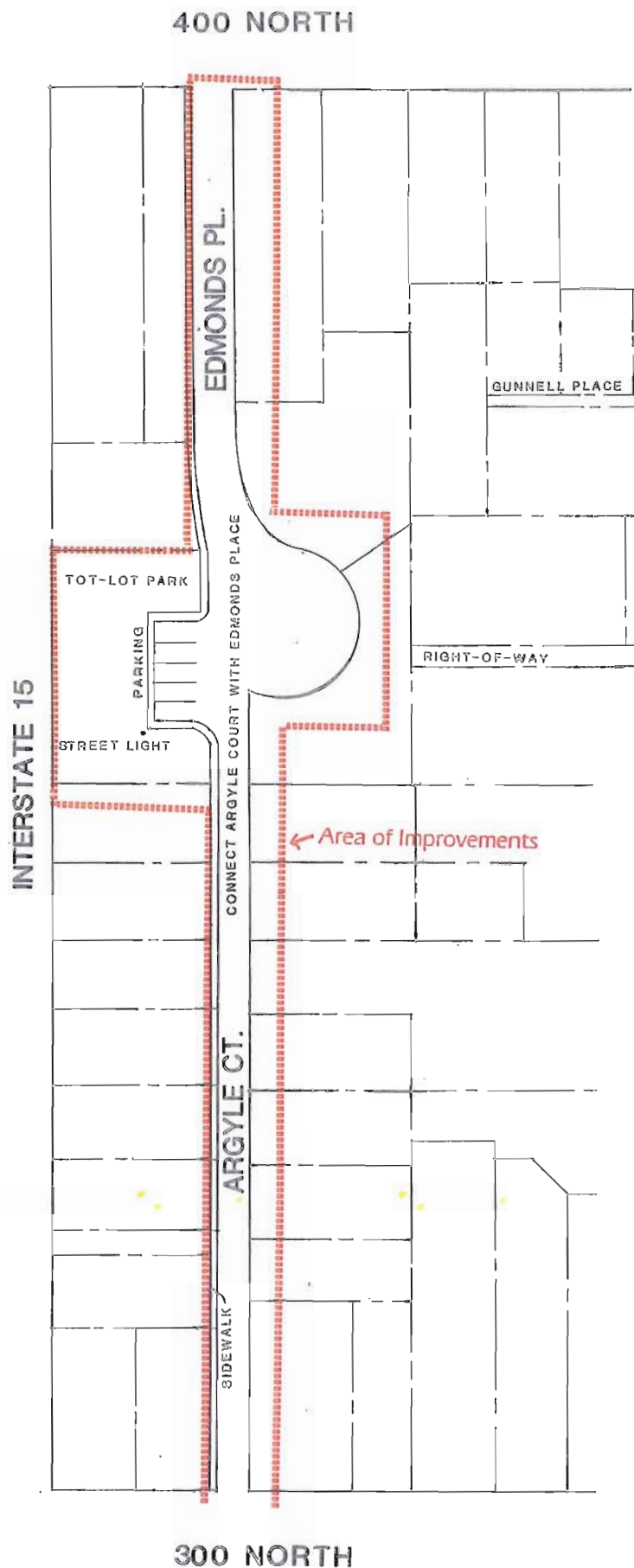
This report represents the initial planning and design phase of the block redesign process. Once the project has been approved, it will be rated along with other projects eligible for Community Development Block Grant (CDBG) funding and scheduled for implementation.

## What Does The Master Plan Say?

The Capitol Hill Master Plan, published in January of 1981, recommends that the residential environment and the deteriorating housing in the Guadalupe area be preserved and upgraded. Measures such as a landscaped linear park along the railroad and a sound barrier along I-15 are suggested.

The subsequent Guadalupe Target Area Plan, adopted by the City Council April 10, 1984, recommends the Argyle Block as a Redesign Block and that all housing along Argyle Court be rehabilitated.





## What Is A Redesign Block?

To provide some incentive for property owners and residents to upgrade conditions in this block, Salt Lake City has selected the Argyle block as a "Redesign Block". Under the (CDBG) Program, the Argyle block will become eligible for a variety of improvements, such as, street, utility, parking, and open space improvements according to the plan outlined. In addition to the improvements that the city will provide, there are a number of grants and loans available to property owners, through various agencies, to assist in improving their properties.

Some of them are:

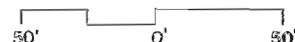
- Emergency Home Repair (Assist Inc.)
- Salt Lake City Building and Housing Department's Paint Program
- Crime Watch
- State Energy Office and Utility Companies (Home Insulation)



## What Needs To Be Done?

The major challenges in the Argyle Block center around:

- PEOPLE AND CARS
- HOUSING CONDITION
- TRASH COLLECTION
- YARD CONDITION
- STREET LIGHTING and
- RECREATION AND OPEN SPACE





## People and Cars

Argyle Court is only 14' 10" curb to curb and there are no sidewalks. Many of the homes have driveways, but they are generally sub-standard. Cars are parked helter-skelter on front yards and often project into the street. This is not only dangerous for pedestrians, but often traffic is blocked in both directions. Emergency and other service vehicles are unable to get up the street.

Parking problems on Edmonds Place are not as severe as on Argyle Court because Edmonds is 50 feet wide. The homes have been moved there within the last five years and they can generally comply with today's parking standards. The street has recently been resurfaced and a 70 foot diameter cul-de-sac terminates the southern end. Although some residents do park their automobiles in the front and side yards of their homes, all homes have enough area to provide proper off-street parking. It simply needs to be installed.



### Solutions

- Connect Argyle and Edmonds Court, but allow only one-way traffic on Argyle. (Entrance onto Argyle would continue to be from the south at 300 North Street.)
- Allow two-way traffic on Edmonds Court to the point where Edmonds and Argyle Streets intersect.
- Discourage on-street parking. Parking along Argyle should be for temporary loading and unloading of passengers only. Residents without permanent off-street parking should use the proposed parking lot. Street signs should be posted indicating "Passenger loading only—No parking on street."
- Provide a 3 foot continuous sidewalk along the west side of both Edmonds and Argyle.

## Housing Conditions

Structural condition of homes and yards on Argyle Court and Edmonds Place is generally poor. The Planning Department recently resurveyed the homes on both streets using Salt Lake City's 1980 housing condition survey as a reference. (The 1980 survey rates homes on a scale of 1 to 5, with 1 being good condition and 5 being dilapidated.)

On Argyle Court 75% of the houses were rated a 3, needing some repair; and 25% were rated a 4, requiring major repair (additional information is available from the Planning Department). A similar situation exists on Edmonds Place, (Rehabilitation cost for a condition 3 house is \$1,000 to \$5,000; for a condition 4 house the range is \$5,000 to \$10,000.)



### Solutions

- Continue zoning code and housing code enforcement in the area.
- Encourage the use of appropriate redevelopment programs for housing fix-up and repair.

## Trash Collection

Argyle Court's narrow width makes trash collection difficult and dangerous. If truck drivers do try to negotiate their way up the street they then are faced with the prospect of backing out. This practice is obviously very dangerous to the many children in the area.



### Solutions

- Centralize public trash collection at the intersection of Argyle and Edmonds (see plan).
- Require absentee land owners to provide screened trash receptacles for their tenants.

## Yard Conditions

Salt Lake City's Housing Condition Survey rates not only structures, as described above, but also premises. Both of these blocks are generally rundown and unkempt. In the survey, 85% of the lots were rated a 2, which means they are cluttered, overgrown and weedy, and strewn with litter. The remaining 15% of the lots are rated a 3, which indicates severe neglect. (Trash and junk all about.)

Most of the residents are recent immigrants who are renting their properties and fail to understand their obligations for maintenance.



### Solutions

- Encourage residents to take better care of yards through more vigorous code enforcement and through the encouragement of the Salt Lake Association of Community Councils.
- Require property owners, through code enforcement, to make necessary repairs to both premises and buildings.
- Enforce trash, refuse, and weed ordinances on vacant lots. (Especially at the end of Edmonds cul-de-sac.)

## Street Lighting

Neither Edmonds Place nor Argyle Court have any street lighting. Crime Watch representatives in the area testify that lack of lighting is a major contributor to the growing rate of crime. Loitering and vandalism are especially persistent problems.



### Solutions

- Provide street lighting at midblock and at the ends of the streets (see plan).

## Recreation/Open Space

A population survey performed in this area by the city revealed that 56% of area residents are under the age of 18. Nearly 80% of that number are under the age of 12. With the large number of children on the block recreation equipment is badly needed.

The nearest public recreation facility is the Boys' and Girls' Club, located at 300 North and 600 West Streets. In order to reach it children must cross busy streets; a hazardous situation for the younger children.



### Solutions

- Provide a mini-park on the block designed to serve children, ages 1 to 10.

## Conclusion

The Argyle/Edmonds block has the potential to, once again, be a decent, attractive place to live. But some remedial action is necessary to restore confidence in the area. The planned facility improvements in the block will improve living conditions and protect a much needed residential area of the city.

## Acknowledgements

Harvey Boyd - Project Director  
Cris Schulz - Staff  
Doug Dansie - Graphics  
December 1985