

PLANNING COMMISSION STAFF REPORT

Utah Paperbox Subdivision & Surplus Property

Approximately 800 West 900 South

November 10, 2010

Petitions #PLNSUB2010-00088 and
#PLNPCM2010-00089



Planning Division
Department of Community and
Economic Development

Applicant: Mayor Ralph
Becker, Salt Lake City

Staff: Nick Britton, 535-6107
nick.britton@slcgov.com

Tax ID: 16-06-305-029

Current Zone: M-1 (Light
Manufacturing)

Master Plan Designation
*West Salt Lake Community
Master Plan – “Industrial”*

Council District
Council District 2 – Van Turner

Lot Sizes
Surplus: approx. 60,330 s.f.
(1.385 acres)
Subdivision: approx. 399,880 s.f.
(9.18 acres)

Land Use Regulations
Salt Lake City Code:
Section 2.58
Section 20.20
Section 21A.28.020

Notice
Mailing notice: Oct. 29, 2010
Property posted: Oct. 29, 2010
Agenda published: Oct. 29, 2010

Attachments
A. Petition Initiation
Requests
B. Preliminary Plat
C. Department and
Division Comments

Request

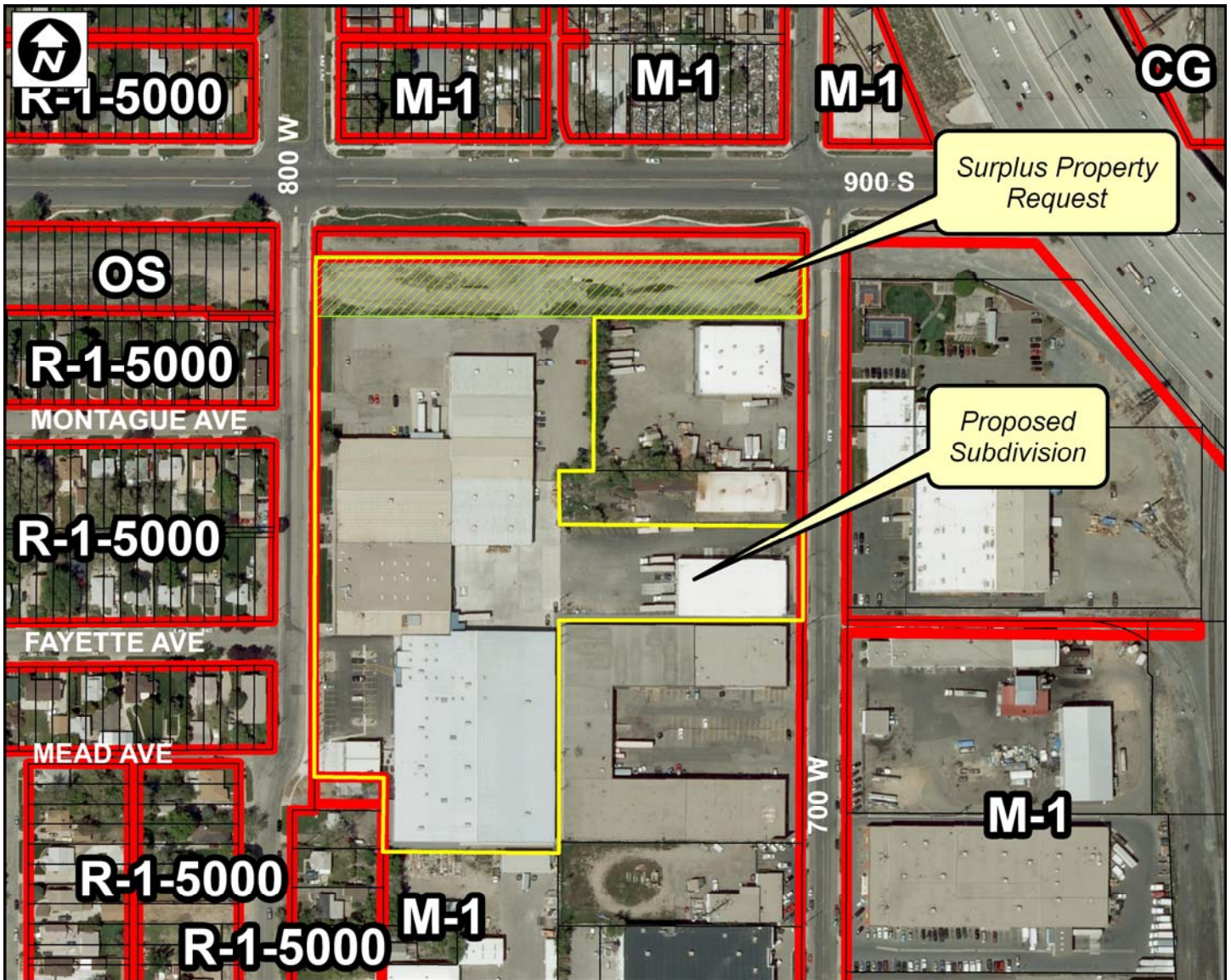
Salt Lake City is requesting that portion of land at approximately 800 West 900 South be declared surplus. The land was formerly part of a retired Union Pacific right-of-way along 900 South. Salt Lake City Property Management then plans to sell the property to Utah Paperbox Company, who abuts a portion of the property. The subdivision will incorporate the surplus property into Utah Paperbox Company's existing property.

Recommendation

With regard to petition PLNPCM2010-00088, based on the findings within this staff report, staff recommends that the Planning Commission declare surplus the 1.385 acre property between 700 West and 800 West on 900 South and forward a recommendation to the City Administration to dispose of the property in a manner consistent with Section 2.58 of the Salt Lake City Code. Additionally, with regard to petition PLNSUB2010-00089, based on the findings within this staff report, staff recommends that the Planning Commission approve the requested subdivision at approximately 800 West and 900 South.

1. A final plat is required for the subdivision and must be finalized and recorded with Salt Lake County within 18 months of this approval.
2. All requirements found in the department and division comments must be satisfied.

Vicinity Map



Analysis

Background Information

The property that the city wishes to surplus (see green hashed area above) was originally part of a Union Pacific right-of-way along the 900 South corridor. When the rail line was closed, the property was designated as part of the 900 South Trail Corridor and rezoned to OS (Open Space). In 2007, Salt Lake City initiated three petitions regarding this property: to rezone the property to M-1 in keeping with the *West Salt Lake Community Master Plan*, to amend the subdivision record, and to surplus the property with intent to sell part of the right-of-way to Utah Paperbox Company. The first petition was finalized on August 10, 2010 when the city rezoned the to-be-surplus section of the property to M-1 (Light Manufacturing). The last two petitions are analyzed below.

The city would maintain approximately 41 feet of frontage along 900 South where there is an existing sidewalk and this property will remain as part of the 900 South Trail Corridor.

In addition to the surplus property request, Salt Lake City is also proposing a subdivision on behalf of Utah Paperbox Company that would fold the proposed surplus property into Utah Paperbox's existing site to the south. The subdivision would create a new parcel approximately 9.18 acres in size.

Master Plan Discussion

The subject parcel is found in the *West Salt Lake Community Master Plan*, adopted in March of 1995. The parcel has a future land use of "industrial." The proposed use is consistent with the future land use designated in the master plan.

Public Comments

No comments have been received by staff as of the finalization of this staff report.

Department & Division Comments

The application materials were sent to the following departments/divisions: Public Utilities, Fire, Engineering, Building Services, and Transportation. All comments were forwarded to Utah Paperbox Company. Public Utilities noted that there are no utilities in the right-of-way and no issues. Transportation noted that the railroad crossings at 700 West and 800 West shall be removed in addition to the removal of the mid-block driveway on 900 South. Engineering noted that there are several sidewalk improvements needed along 800 West.

The entirety of the comments is found in Exhibit C.

Standards of Approval (Subdivision)

A subdivision amendment shall be approved only if it meets all of the following requirements set forth in Section 20.31.090:

A. The subdivision amendment will be in the best interests of the city.

Analysis: Salt Lake City's administration initiated the petition for this subdivision. The purpose of the request was to work with Utah Paperbox Company for the consolidation of their operations so they would remain in Salt Lake City. The amendment preserves right-of-way for the future 900 South Trail Corridor.

Finding: Staff finds that the subdivision requested is in the best interest of the city.

B. All lots comply with all applicable zoning standards.

Analysis: All newly created lots in the M-1 zoning district must be at least 20,000 square feet in area and have at least 80 feet of street frontage. The new lot created in this subdivision would be approximately 399,880 square feet in area and have approximately 136 feet of frontage along 700 West and approximately 853 feet of frontage along 800 West.

Finding: Staff finds that the new lots as proposed would comply with applicable zoning standards.

C. All necessary and required dedications are made.

Analysis: No dedications were required, but Transportation did note that the railroad crossings at 700 West and 800 West shall be removed and a mid-block driveway on 900 South shall be removed as well.

Finding: No new dedications were required, but some changes have been required by Transportation.

D. Provisions for the construction of any required public improvements are included.

Analysis: The Engineering review noted that some sidewalks on 800 West are in disrepair and would need to be improved.

Finding: Improvements to the public way are part of the condition of approval.

E. The amendment complies with all applicable laws and regulations.

Analysis: The proposed subdivision has been reviewed by pertinent city departments and divisions as to its adherence to applicable laws and regulations. No departments or divisions had objections to the request, subject to conditions as discussed in this staff report.

Finding: Staff finds that the proposed subdivision amendment complies with all applicable laws and regulations.

F. The amendment does not materially injure the public or any person and there is good cause for the amendment.

Analysis: There is no evidence that the proposed subdivision will materially injure the public or any person and staff finds that there is good cause for the amendment.

Finding: The proposal meets this standard.

Analysis (Surplus Property)

There are no specific standards for declaring City-owned property surplus. It is appropriate, however, to weigh the following considerations when deciding to declare a piece of property surplus.

1. The proposed use and project description.

Analysis: The proposed use of the surplus property is the expansion of Utah Paperbox's existing facilities to the south of the subject property. The property was rezoned from OS to M-1 so that it could be sent to the Planning Commission for the surplus request. The proposed use is permitted in the M-1 zone and meets the future land use for the property.

2. The history of the subject property.

Analysis: The property was formerly Union Pacific right-of-way which has since been abandoned. The railroad tracks have been removed and a majority of the right-of-way along 900 South has been designated for a future trail corridor. A majority of that right-of-way between 700 West and 800 West is part of this surplus request, but there will still be a considerable portion of it left for the city's future open space and recreation needs.

3. Access to the property.

Analysis: The property will be accessed from the rest of Utah Paperbox's property, which is itself accessible via either 700 West or 800 West. There will be no access to the property from 900 South after the drive is removed.

4. The proposed method of disposition of the property is declared surplus.

Analysis: If declared surplus, the Property Management Division would be charged with disposal of the property. All property transactions must be consistent with the standards found in Section 2.58 of City Code. The Mayor has final authority to dispose of City-owned real property. The intent is to sell the property to Utah Paperbox Company.

5. The comments received from applicable departments.

Analysis: No objections were received from any of the departments with regard to the surplus property. Nor did any department indicate a future need for the property in question. Some modifications to the rights-of-way were requested from Transportation and Engineering, which are conditions of approval and will be handled through the remaining subdivision process.

6. Compliance with adopted policies of relevant master plans.

Analysis: The property is located in the *West Salt Lake Community Master Plan*, which was adopted by ordinance in March of 1995. The future land use of this property is identified as “industrial.” The property has since been rezoned from OS to M-1, which meets the future land use, and the proposed use is consistent with the purposes and permitted uses of the M-1 zoning district.

7. Whether annexation is required.

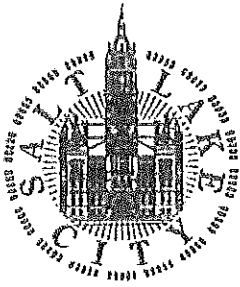
Analysis: No annexation is required for this proposal.

8. Consistency with adopted governmental codes and regulations.

Analysis: City Code Section 2.58 outlines the process for declaring property surplus. Once the Planning Commission makes a recommendation to the City Administration, the item will be transmitted from the Community and Economic Development Department to the Chief Administrative Officer. At that point, notification will be sent to the City Council members. The City Council members have 15 days to request a hearing. After the 15 days have passed or an administrative hearing is held, the property is officially declared surplus and the disposition of the property can be finalized.

Exhibit A

Petition Initiation Requests



Petition Initiation Request

Planning Division
 Community & Economic Development Department

To: Mayor Becker

From: Wilf Sommerkorn, Planning Director *WS*

Date: February 16, 2010

CC: Frank Gray, Community and Economic Development Director; Mary De La Mare-Schaefer, Community & Economic Development Department Deputy Director;
 Pat Comarell, Assistant Planning Director; Cheri Coffey, Planning Manager; file

Re: Initiate Petition to relating to the consolidation of the Utah Paper Box Company to approximately 800 West and 900 South

This memo is to request that you initiate petitions relating to the consolidation of the Utah Paper Box operations at approximation 900 South and 800 West. In October of 2007, the City, under the direction of Lyn Creswell, Chief Administrative Officer at the time, agreed to work with the Utah Paper Box Company to consolidate its operations to 900 South and 800 West which would afford the company to stay within the corporate limits of Salt Lake City while allowing for the relocation of a tire recycling company from the area to a more appropriate industrial location. In order to do this, the City committed to sell a portion of the rail road right-of-way located between 700 and 800 West at 900 South to the Utah Paper Box Company as per the attached letter.

With the Commitment of the Union Pacific Railroad Company to transfer ownership of the railroad property along 900 South to Salt Lake City in the near future, the Planning Division would like to begin the various approval processes relating to this property. The processes include the following:

- Amending the West Salt Lake Zoning Map to identify a portion of the former railroad property which is currently zoned Open Space (OS) as Light Industrial (M-1). This

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FEB 12 2010

Salt Lake City Mayor

SCANNED TO: *4/1/2010*
 SCANNED BY: *faulstich*
 DATE: *2/12/2010*

is consistent with the West Salt Lake Community Master Plan's future land use map which identifies the property as industrial.

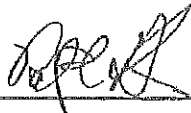
- Processing a subdivision to incorporate a portion of the railroad land to the Utah Paperbox Company; and
- Proposing to declare and sell the portion of property as surplus property

As part of the process, the Planning Division will follow the City adoption processes including citizen input and public hearings with the Planning Commission and City Council where applicable.

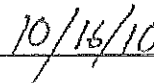
If you have any questions, please contact me.

Thank you.

Concurrence to initiate the zoning text amendment petition as noted above.

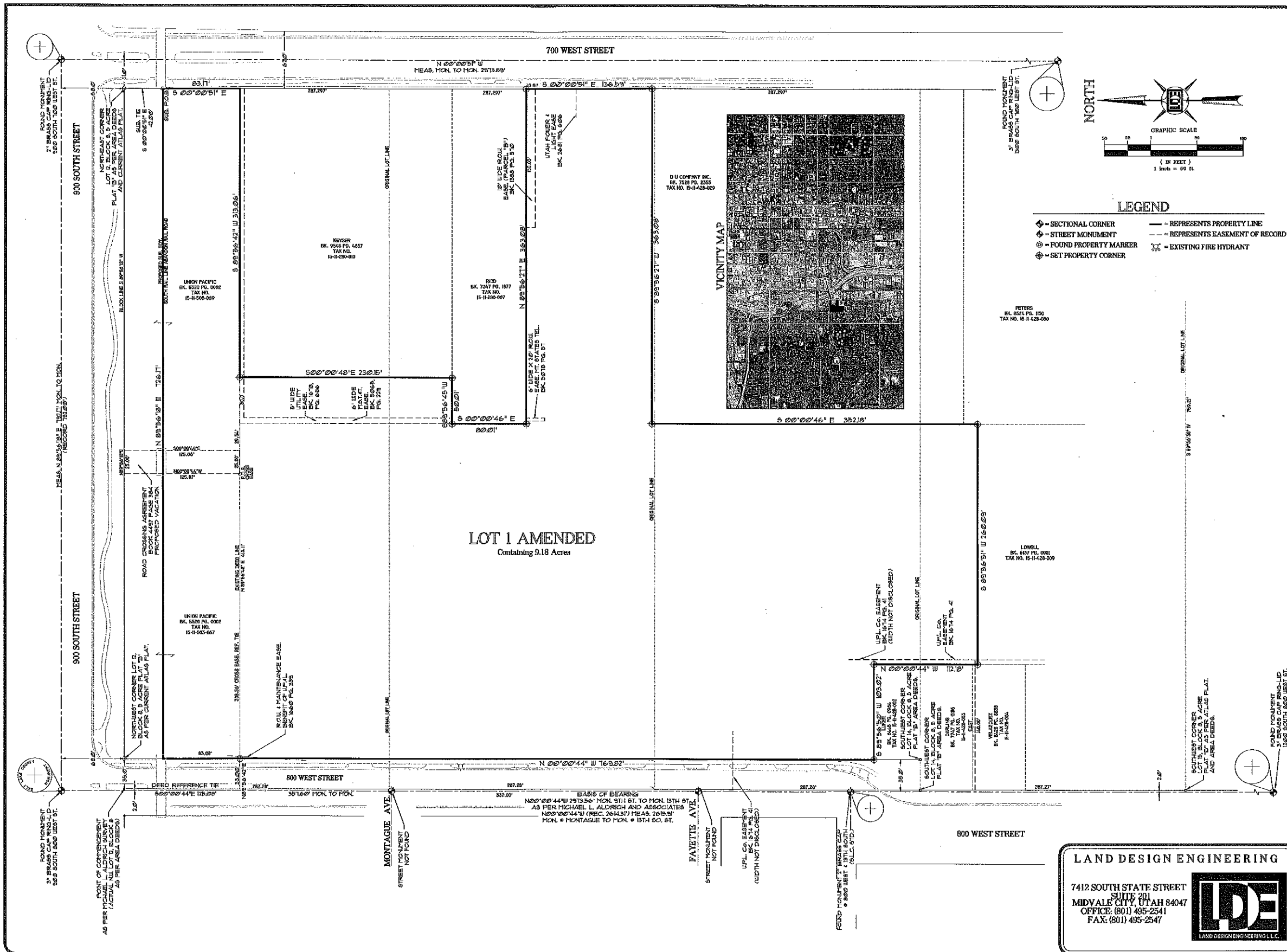


Ralph Becker, Mayor



Date

Exhibit B
Preliminary Plat



SURVEYORS CERTIFICATE

I, Richard K. Johanson, do hereby certify that I am a Land Surveyor, and that I hold certificate No. 152856, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, hereafter to be known as **UTAH PAPERBOX SUBDIVISION**, and that same has been surveyed and shown on this plat. This survey was performed within the accordance of the minimum accuracy of an urban survey, Class "A", or a linear closure of 1:15,000'.

The purpose of this survey is to locate the boundaries of the described parcel and combine these parcels into a single lot, for the usage of a single business purpose or operation; and the eventual purpose of resurrecting additional building.

Prepared this 12th day of October 2010.

BOUNDARY DESCRIPTION

Beginning at the Westerly right of way line of 700 West Street, said point lies South 00°00'51" East 42.00 feet from the Northeast corner of lot 12, block 8 Five Acre Plat "B" Big Field Survey, of Salt Lake County Utah;

Thence continuing southerly along said r.o.w. line South 00°00'51" East, a distance of 83.17 feet; thence South 89°56'42" West, a distance of 313.05 feet; thence South 00°00'48" East, a distance of 230.15 feet; thence South 89°56'45" West, a distance of 50.01 feet; thence South 00°00'46" East, a distance of 80.01 feet; thence North 89°56'27" East, a distance of 363.08 feet to said 700 West r.o.w.; thence South 00°00'51" East along said r.o.w., a distance of 136.59 feet; thence South 89°56'27" West, a distance of 363.08 feet; thence South 00°00'46" East, a distance of 352.18 feet; thence South 89°56'51" West, a distance of 260.09 feet; thence North 00°00'44" West, a distance of 112.18 feet; thence South 89°56'50" West, a distance of 103.02 feet to the Easterly r.o.w. line of 800 West Street; thence North 00°00'44" West along 800 West r.o.w., a distance of 759.82 feet; thence North 89°56'18" East, a distance of 726.17 feet to the described 700 West Street r.o.w. which is also the Point of Beginning.

Containing 9.18 acres, more or less.

Tax Parcel # 15-11-208-013

OWNER'S DEDICATION

Know all men by these presents that _____, the undersigned owner(s) of the above described tract of land having caused same to be subdivided into lots and streets to be hereafter known as **UTAH PAPERBOX SUBDIVISION**

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use. The owner(s) warrant and defend and save the City harmless against any easements or other encumbrance on a dedicated street which will interfere with the City's use, maintenance and operation of the street.

In witness whereof _____ have hereunto set this _____ day of _____ A.D., 20____.

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH I S.S.
County of SALT LAKE

On the _____ day of _____ A.D., 20____, personally appeared before me _____, who being by me duly sworn did say he/she is the _____ of _____, and that the within and foregoing instrument was signed voluntarily for said corporation and for the uses and purposes herein mentioned.

My commission expires: _____ Notary Public

residing in: _____

UTAH PAPERBOX SUBDIVISION
A PORTION LAND LOCATED IN THE THE EAST HALF OF THE
SOUTHEAST AND THE NORTHEAST QUARTERS OF SECTION
11, T.1S, R.1W, S.L.B.&M. UTAH.

LOCATED WITHIN BLOCK 8, FIVE ACRE PLAT "B",
SALT LAKE COUNTY, UTAH.
(959 SOUTH 800 WEST)

City Engineering Division I hereby certify that I have had this plat examined by this office and it is correct in accordance with information on file. City Engineer _____ Date _____ City Surveyor _____ Date _____	City Public Utilities Dept. Approved as to sanitary sewer and water details this _____ day of _____ A.D., 20____ Salt Lake City Public Utilities Director, _____	Board of Health Approved this _____ day of _____ A.D., 20____ Director, S.L.Co. Board of Health _____	Planning Director Approved this _____ day of _____ A.D., 20____ by the Salt Lake Planning Commission Planning Director _____	City Attorney Approval as to form this _____ day of _____ A.D., 20____ Salt Lake City Attorney _____	City Approval Presented to the Salt Lake City this day of _____, A.D. 20____ Salt Lake City Mayor _____ Salt Lake City City Recorder _____	Recorded # State of Utah, County of Salt Lake, recorded and filed at the request of _____ Date _____ Time _____ Book _____ Page _____ Fee \$ _____ Salt Lake County Recorder _____	FINAL SUB-AMENDED Sheet 1 of 1
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Exhibit C

Department and Division Comments

Public Utilities (Justin Stoker)

No utilities appear to be located in this right-of-way. No utility stubs appear to be present. There should be no conflicts or issues from the street closure at this location.

Transportation (Barry Walsh)

Re: PLNSUB2010-00088 and PLNPCM2010-00089 for sale of surplus property and subdivision. The division of transportation review comments and recommendations are as follows: per our DRT review and proposed future development by Utah Paper Box Co. we require the removal of both railroad crossings (700 and 800 West) along with the removal of the mid block driveway off 900 South and the easement, to bring the public way traffic pattern to current function and reduced conflicts.

Fire (Ted Itchon)

No comments.

Engineering (Randy Drummond)

SUBJECT: Utah Paperbox Subdivision 800 West 900 South PLNSUB2010-00088 and PLNPCM2010-00089

City Engineering review comments are as follows: The project proposes to create a new commercial lot having frontage on 800 West, 900 West and 900 South. All Streets have sufficient right-of-way dedication, and street improvements consisting of curb, gutter and sidewalk. On 800 West, there are 4 panels of sidewalk with a raised edge, creating a trip hazard that must be ground down to eliminate the hazard. Also on 800 West, there are 3 panels of sidewalk that are sufficiently cracked and sunken to require replacement as per APWA Std. Dwg. 291A, and there is a sidewalk/railway crossing where the existing sidewalk has sunk, creating a trip hazard on both sides of the crossing, which requires replacement of both sections of sidewalk. All of the sidewalk shall be replaced as per APWA Std. Plan 231. All of this work shall be accomplished by a licensed, bonded and insured contractor who shall first obtain a Public Way Permit from our office.

No concerns regarding surplus property.

Building Services (Larry Butcher)

No comments.