

# LANNING COMMISSION STAFF REPORT



Planning and Zoning  
Division  
Department of Community &  
Economic Development

## Pearl Street Closure PLNPCM2011-00012 Approximately at 967 West Quayle Avenue June 8, 2011

**Applicant:** Peter Robbins

**Staff:** Ana Valdemoros 535-7236  
ana.valdemoros@slcgov.com

**Tax ID:**  
n/a

**Current Zone:** (abutting properties)  
CG General Commercial  
M-1 Light Manufacturing

**Master Plan Designation:**  
West Salt Lake Master Plan

**Council District:**  
District 2-- Van Blair Turner

**Lot size:**  
8,942 sq ft (street portion)

**Current Use:**  
Vacant

**Notification**  
Mailed: May 26, 2011  
Agenda posted on the Planning Division and Utah  
Public Meeting Notice websites May 27, 2011

**Applicable Land Use Regulations:**

- Salt Lake City Council Policy and Guidelines for Street Closures

**Attachments:**

- A. Application Materials
- B. Map of Proposed Street Closure
- C. Departmental/Division Comments
- D. Communication with the Community Council
- E. Photographs

### ***REQUEST***

Peter Robbins, representing P S R Properties and Investments, LLC, has requested that Salt Lake City close and sell a portion of Pearl Street which is located between 900 West and 1045 West and extends from Quayle Avenue south approximately 263 feet. This portion of the street is a "paper street" in that the right-of-way exists but the actual street has never been constructed.

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.

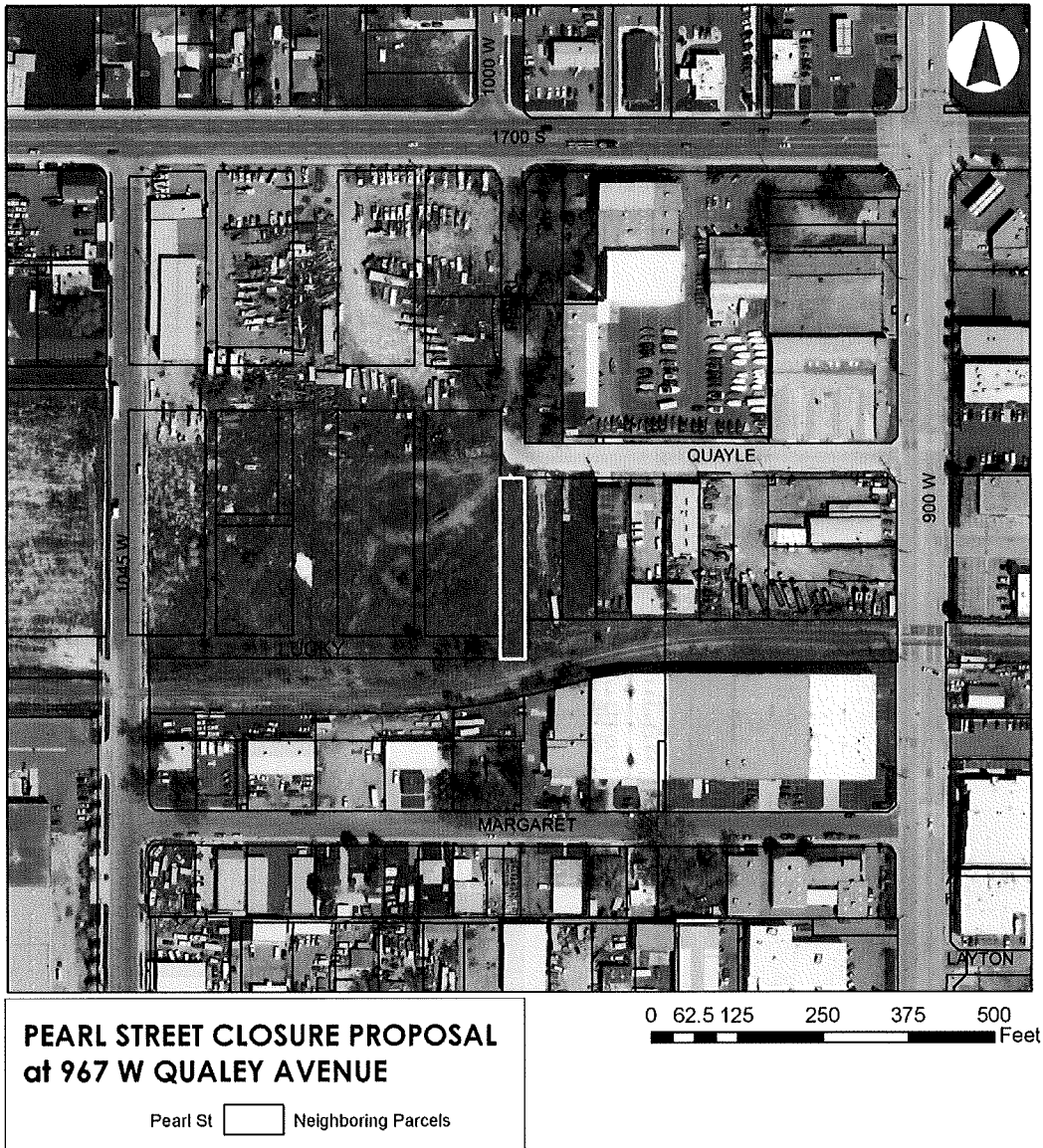
### ***STAFF RECOMMENDATION***

Based on the findings of fact listed in the staff report, staff finds that the proposal generally meets the criteria for street closures. Therefore, staff recommends the Planning Commission approve petition PLNPM2011-00012 as proposed with the following conditions:

### **Conditions of Approval**

1. Consolidation of the two parcels into one.
2. Compliance with all departmental comments.

## Vicinity Map



### **BACKGROUND**

The applicant, Peter Robbins, is requesting the closure of the north/south portion of Pearl Street at approximately 967 West Quayle Avenue to allow for the integration of the street portion into the adjacent property the applicant currently owns. The properties abutting the street to the east and west are zoned CG (General Commercial) and are currently vacant lots. To the south, the adjacent property is zoned M-1 (Light Manufacturing) and is part of the railroad owned by Pacific Union. This street is not being used and will not be affected by the proposed closure. The subject right-of-way is also adjacent to Lucky Street, which is an unmaintained and vacant east/west right of way and not identified in the Transportation Master Plan and/or Major Street Plan. The street is part of the Amended Plat of the Cannon subdivision.

## **Proposal**

The applicant is proposing to close a portion of Pearl Street and combine it with an adjacent eastern lot that the applicant owns to accommodate a new structure. The portion of the street to be closed is approximately 8,942 square feet in size and runs north/south. Both properties will be consolidated into one parcel and will be in compliance with lot size and lot development regulations established by the underlying CG (General Commercial) Zoning District.

## **Comments**

The project site is within the Glendale Community Council. The Chair Randy Sorenson was notified via email on March 1, 2011 of the petition and asked if the Community Council wanted to review this request. No comments were received.

## **Department Comments**

The proposal was reviewed by all applicable City departments and divisions. The review comments have been attached to this report as Exhibit B. There were no issues raised by the City that would prevent the proposal from proceeding. The applicant must comply with all City requirements as outlined in those comments.

### **Airport Division (David Miller)**

Mr. Miller said that this address is not in an established Salt Lake City airport influence zone. The project does not create any observed impacts to airport operations.

### **Building Services (Larry Butcher)**

Building Services had questions about lot size compliance, and staff's recommendation is to consolidate both parcels in order to create a new lot that is compliant with the underlying zoning district.

### **Engineering Division**

This division had no objections to the proposed street closure.

### **Fire Department (Ted Itchon)**

No comments were received from this division.

### **Police Department (Rich Brede)**

No comments were received from this department.

### **Property Management (Duran Lucas)**

Mr. Lucas reviewed the project and commented that the property would be sold at fair market value.

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

Mr. Stoker from commented that the City has no utility interests in the portion of Pearl Street that is proposed to be closed. A number of the parcels located west of Pearl Street do not yet have water and sewer service. Closing this portion of Pearl Street does not completely limit access, but care should be given that additional

right-of-way in the area is not closed to the point that water and sewer connections to the parcels between Pearl Street and 1045 West cannot reasonably be provided with utility connections.

**Transportation Division (Barry Walsh)**

Mr. Walsh of the division of transportation reviewed the project and recommended approval of proposed vacation of Pearl Street from Quayle Avenue south to the railroad corridor at the option of the abutting properties. Existing abutting properties have access from other public Right of Ways developed and undeveloped, subject to future improvements.

**ANALYSIS**

**Master Plan Discussion:**

**West Salt Lake Master Plan, adopted in 1995**

The proposal is located in the Glendale Neighborhood and the plan does not provide specific guidance regarding street or development in this area.

**Analysis:** This particular property is shown on Salt Lake County Sidwell Plats as a public right-of-way but a street has never been built. The Salt Lake City Engineer's office Atlas Plat records depict the property as a public right-of-way.

**Finding:** Currently this portion of Pearl Street right-of-way is not constructed as a functional street. Inclusion of the subject property into the adjacent lots would facilitate the future development of the parcels and will allow re-investment and redevelopment of the adjacent properties.

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

This portion of Pearl Street is not identified in the Transportation Master Plan and/or Major Street Plan.

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

**Finding:** Selling of the unused right-of-way will not impact the long term goals of the City's Transportation Master Plan.

**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 adjacent to vacant property owned by the applicant (to the east). The property to the west is also vacant and the property to the south is a current active railroad line. The elimination of the Pearl Street right-of-way will not affect access to any of the adjacent properties.

**Finding:** Closing the subject street will not deny access to the adjacent properties.

**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 presently undeveloped as are the adjacent parcels. All the parcels are in the CG General Commercial Zoning District, in an area where uses are industrial in nature.

**Finding:** The right-of-way will be sold at negotiated 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:** The parcel in question is a “paper street” and the City has no intention on constructing and making use of this street. If the city does not build the street and retains ownership, the right of way becomes a maintenance burden for the City. Vacating it puts the responsibility of maintenance in private hands.

**Finding:** The street is presently not operational; the property is presently privately used and is not necessary for public transportation purposes.

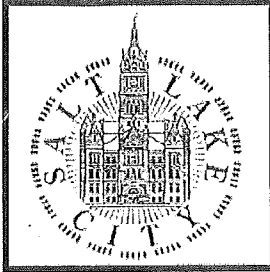
**4. The City Council should determine whether the stated public policy reasons outweigh alternatives to the closure of the street.**

**Analysis:** This segment of Pearl Street presently does not exist and is not functional as a street.

**Finding:** The property is unnecessary for public transportation purposes and would be placed in private hands where it would be maintained as part of a developed parcel and the owner would pay property taxes on the subject property.

**Attachment A**  
**Application Materials**

# STREET CLOSURE



## Land Use Planning Application

### Zoning Administration:

- Administrative Interpretation
- Alternative Parking
- Appeal of an Administrative Decision
- Determination of Nonconforming Use
- Home Daycare or Preschool
- Newspaper Dispensers
- Outside Dining In Required Yard Areas
- Rebuild Letter
- Routine & Uncontested Home Occupation
- Routine & Uncontested Matter
- Special Exception
- Variance

### Subdivision and Condominiums:

- Preliminary Condominium:  New  Conversion
- Subdivision Amendment:  Residential  Non-Residential
- Preliminary Subdivision Foothills
- Preliminary Subdivision:  Residential  Non-Residential
- Preliminary Subdivision Minor
- Routine & Uncontested Lot Line Adjustment
- Final Plat
- Subdivision Screening

### Planning Commission:

- Alley Vacation or Closure
- Annexation
- Building and Site Design Review
- Conditional Use
- Master Plan Amendment
- Planned Development
- Street Closure
- Street Name Change
- Zoning Amendment:  Text Amendment  Map Amendment

### Historic Landmark Commission:

- HLC: Demolition or Economic Hardship
- HLC: Designation
- HLC: Major Alterations, New Construction, Relocation & Appeal of Administrative Decision
- HLC: Minor Alterations

RECEIVED

BY: MBentley

Description of Proposed Project:  
(Include type of development, number of residential units, parcel size, square feet of building area, etc. (Attach additional sheet if necessary))

Street Closure For Surplus Sale

Name of Project and Property Address: 967 QUAYLE AVE

Applicant name: PETER L. ROBBINS Phone: 801-301-7201

Address: 564 EVERHAM DR MURRAY UT 84107

E-mail address: PETE@Robbins.com Cell/Fax: 801-301-7201

Property owner(s) name: PETER & SHARYL ROBBINS Phone: u u u

Property owner (s) signature: [Signature] Date: 7/14/10

E-mail address: PETE@Robbins.com Cell/Fax: 801-301-7201

County Tax ID ("Sidwell #") for all properties involved:

Fees  
Permit Fee \_\_\_\_\_  
Verified By \_\_\_\_\_

Date Received 1/12/11  
Received by MBentley  
Project Number PLNPCM2011-00012  
Assigned to \_\_\_\_\_

**Planning Commission Requirements**

**Street Closure Application Requirements**

	Number of Copies
<input checked="" type="checkbox"/> Application Form	1
<input checked="" type="checkbox"/> A letter explaining why you are requesting this street closure. Include a statement explaining why the street closure is consistent with the proposed public policy. If applicant is not a property owner adjacent to the street, please include the applicant's interest in the request	1
<input checked="" type="checkbox"/> The name, address and signatures of all abutting property owners who support the petition. Property owners must sign, not occupant who rent	1
<input checked="" type="checkbox"/> A property ownership map (Sidwell Map) showing the area of the proposed street closure. On the map please (1) highlight the section of the street (2) indicate with a list of property owners and write their names on the Sidwell map identifying the property they own	1
<input type="checkbox"/> Filing Fee \$332.22	1

**Street Name Application Requirements**

	Number of Copies
<input type="checkbox"/> Application Form	1
<input type="checkbox"/> An explanation of how the requested street name will be compatible with adjacent streets location, historical character, or theme	1
<input type="checkbox"/> Written proof of notification of affected utility companies, the State Department of Transportation (if the name change affects a State road), and the U.S. Post Office	1
<input type="checkbox"/> The name, address and signatures of all abutting property owners who support the petition. Property owners must sign, not occupant who rent	1
<input type="checkbox"/> A property ownership map (Sidwell Map) showing the location of the street. On the map please (1) highlight the street (2) write the name of the property owner on the Sidwell map identifying the property owned	1
<input type="checkbox"/> The cost of first class postage for each address is due at time of application. Please do not provide postage	
<input type="checkbox"/> Filing Fee \$276.85	1

**Zoning Amendment (Text and Map) Application Requirements**

	Number of Copies
<input type="checkbox"/> Application Form	1
<input type="checkbox"/> Written statement of the text or map amendment describing the purpose for the amendment and the exact language, boundaries and zoning district	1
<input type="checkbox"/> A complete description of the proposed use of the property where appropriate	1
<input type="checkbox"/> Legal description of the property	1
<input type="checkbox"/> Six (6) copies of site plans drawn to scale and one (1) 11x17 inch reduced copy of each plan and elevation drawing	6
<input type="checkbox"/> The cost of first class postage for each address is due at time of application. Please do not provide postage	
<input type="checkbox"/> Filing Fee \$885.92, plus \$110.74 for each acre over one acre	1

**Notice:** Additional information may be required by the planner to adequately provide for staff analysis.

**Applicant Certification**

I PERLA L. KABBINGE, applicant (or representative of the applicant) for this planning application, do hereby state that I have submitted the materials listed above, and that these materials have been completed following the instructions provided by Salt Lake City Buzz Center in the application form for this application request.

7/14/10  
Date

  
Signature

**File the Complete application at:**  
Salt Lake City Buzz Center  
451 South State Street, Room 215  
PO Box 14571  
Telephone: (801) 535-7700



Salt Lake City Planning Commission  
451 South State Street, Room 215  
PO Box 14571  
Salt Lake City, Utah

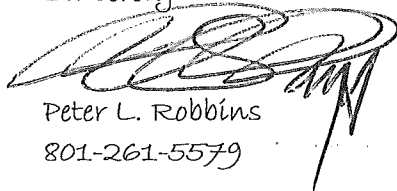
Dear Planning Commission,

Attached is a petition for the closure of a stub end of Pearl Street as shown on the attached Sidwell map.

The portion of Pearl Street we are requesting to be closed and surplused has never been developed by the city and there is no plan to develop it as it is locked between two private pieces of property and there is no need for access from this right of way.

I am the adjacent property owner on the East boundary of this right of way (15-14-406-001-0000) and am in the process of building a building and developing the property. I would like to include this property in this development so I don't have an unmaintained piece of property on my West boundary and I won't have to install curb and walkway along a never to be developed street. This would also return the property to the tax roles so the city could have the revenue each year.

Sincerely



Peter L. Robbins  
801-261-5579

Salt Lake City Planning Commission  
451 South State Street, Room 215  
PO Box 14571  
Salt Lake City, Ut.

To whom it may concern,

We have been made aware of the petition filed by Peter and Sheryl Robbins requesting a closure of the portion of Pearl Street as shown on the map attached and stated in their petition.

As property owners of      David J. & Vicki W. Mackay ; JT  
15-14-406-003-0000  
Quayle Ave  
Salt Lake City, Ut.

we support this petition request.

Respectfully,

*David J. Mackay*      *Vicki W. Mackay*  
David J. & Vicki W. Mackay ; JT  
5058 S. Commerce Dr.  
Murray, Ut. 84107-4708

Dated April 28, 2010

Salt Lake City Planning Commission  
451 South State Street, Room 215  
PO Box 14571  
Salt Lake City, Utah

To whom it may concern:

We have been made aware of the petition filed by Peter and Sheryl Robbins requesting a closure of the portion of Pearl Street as shown on the map attached and stated in their petition.

As property owners of Back Nine LLC  
15-14-405-021-0000  
Salt Lake City, ut.

Marine Products  
Pro Shop

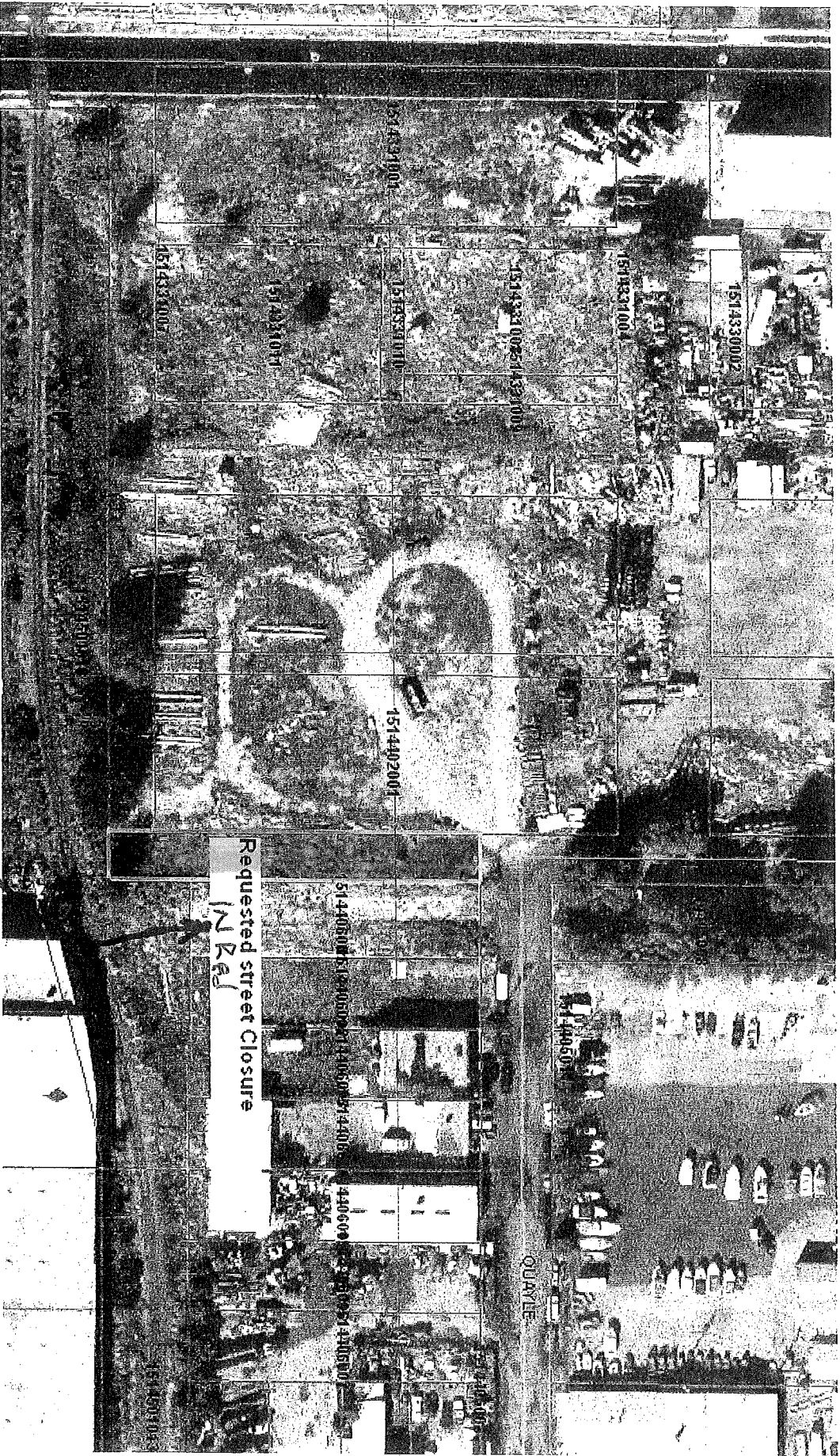
we support this petition request.

Respectfully,



Back Nine LLC  
949 W. 1700 South  
Salt Lake City, UT 84104-2226

Dated 4/26/10

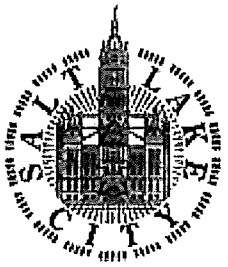


Yellow is our lot  
Pete Robbins

Requested street Closure  
IN Rd

QUARTER

PEARL ST REPORT AS OF 5/4/11



# Work Flow History Report

Pearl ST.

PLNPCM2011-00012

Date	Task/Inspection	Status/Result	Action By	Comments
1/13/2011	Staff Assignment	Assigned	Norris, Nick	
1/13/2011	Staff Assignment	In Progress	Norris, Nick	initial review due 1/27/2011
1/19/2011	Staff Assignment	Assigned	Valdemoros, Ana	
1/25/2011	Staff Assignment	In Progress	Valdemoros, Ana	1/25/11 Emailed Alice Montoya about Pearl Street portion closure to see if the portion requested to be closed is actually part of Pearl St or not since it is not shown in our IGIS system.
3/2/2011	Planning Dept Review	In Progress	Valdemoros, Ana	
3/2/2011	Staff Assignment	Routed	Valdemoros, Ana	
3/3/2011	Transporation Review	Complete	Walsh, Barry	Past DRT review comment: Recommend approval of proposed vacation of Pearl Street from Quayle Avenue south to the RR coridor at the option of the abutting properties. Existing abutting properties have access from other public ROW's. developed and undeveloped, subject to future improvements./BDW
3/10/2011	Building Review	Complete	Butcher, Larry	No comment
3/10/2011	Zoning Review	Complete	Butcher, Larry	Will property be divided between adjacent lots or a separate nonconforming lot created?
3/15/2011	Engineering Review	Complete	Weiler, Scott	Engineering has no objection to the proposed street closure.
3/16/2011	Planning Dept Review	In Progress	Valdemoros, Ana	
3/24/2011	Planning Dept Review	In Progress	Valdemoros, Ana	
4/7/2011	Planning Dept Review	In Progress	Valdemoros, Ana	
4/28/2011	Planning Dept Review	In Progress	Valdemoros, Ana	

3/14/2011 Public Utilities

Justin Stoker

3/9/2011 Airport

David Miller No impacts

5/10/11 Prop. Mgt

Just pray market value.

June 8 PC

AIRPORT

Valdemoros, Ana

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**From:** Miller, David  
**Sent:** Wednesday, March 09, 2011 2:30 PM  
**To:** Valdemoros, Ana  
**Subject:** RE: Petition PLNPCM2011-00012, Portion of Pearl Street Closure requested for 967 Quayle Avenue

Ana,

Thank you for the notice request for Portion of Pearl Street Closure requested for 967 Quayle Avenue. This address is not in an established Salt Lake City airport influence zone. The project does not create any observed impacts to airport operations.

David Miller  
Airport Principal Planner  
Salt Lake City Department of Airports  
P.O. Box 145550  
Salt Lake City, UT 84114-5550  
801.575.2972  
[david.miller@slcgov.com](mailto:david.miller@slcgov.com)

**Valdemoros, Ana**

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**From:** Stoker, Justin  
**Sent:** Monday, March 14, 2011 1:36 PM  
**To:** Valdemoros, Ana  
**Cc:** Garcia, Peggy  
**Subject:** PLNPCM2011-00012 Pearl Street Closure at 967 Quayle

SLC has no utility interests in the portion of Pearl Street that is proposed to be closed. A number of the parcels located west of Pearl Street do not yet have water and sewer service. Closing this portion of Pearl Street does not completely limit access, but care should be given that additional right-of-way in the area is not closed to the point that water and sewer connections to the parcels between Pearl Street and 1045 West cannot reasonably be provided with utility connections.

Justin

**Justin D. Stoker, PE, LEED® AP, CFM**  
**Salt Lake City Public Utilities**  
1530 S. West Temple, SLC, UT 84115  
ph. (801) 483-6786 - [justin.stoker@slcgov.com](mailto:justin.stoker@slcgov.com)



Please consider the environment before printing this e-mail

**Attachment D**  
**Communication with the Community Council**



## Valdemoros, Ana

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**From:** Valdemoros, Ana  
**Sent:** Tuesday, March 01, 2011 4:29 PM  
**To:** Glendale CC Chair  
**Cc:** Glendale CC Chair  
**Subject:** Pearl Street Closure Request  
**Attachments:** Pearl St ClosureMap.jpg

### Street Closure Community Council / Citizen Group Input

TO: Randy Sorensen, Chair Glendale Community Council

FROM: Ana Valdemoros, Planning Division Staff

DATE: 3/1/11

RE: 967 W Quayle Avenue

The Applicant Peter Robbins is requesting the Salt Lake City Planning Commission support and the City Council approve the closure of a portion of Pearl Street between Quayle Avenue and Margaret Avenue and between 1045 West and 900 West. As part of this process, the applicant is required to solicit comments from the Glendale Community Council. The purpose of the Community Council review is to inform the community of the project and solicit comments / concerns they have with the project. The Community Council may also take a vote to determine whether there is support for the project, but this is not required. I have enclosed a photograph of the street location to facilitate your review. The applicant will also present information at the meeting.

If the Community Council chooses to have a project presented to them, the applicant will only be required to meet with the Community Council once before the Planning Staff will begin processing the application. The Community Council should submit its comments to me as soon as possible after the community council meeting to ensure there is time to incorporate the comments into the staff report to the Planning Commission. Comments submitted too late to be incorporated into the staff report, can be submitted directly to the Planning Commission, via the Planning Division, for their review prior to the Planning Commission public hearing. I will also attend the meeting to answer any questions and listen to the comments made by the council members.

Following are criteria that the Planning Commission and City Council will use to make their decision. Comments from the community council should focus on these criteria:

You may submit you written comments to the Planning Division by mail at Salt Lake City Planning Division, 451 South State Street, Room 406, SLC, UT 84111; by Fax at (801) 535-6174 or via e-mail to me at [ana.valdemoros@slcgov.com](mailto:ana.valdemoros@slcgov.com).

If you have any questions, please call me at (801) 535-7236 or via e-mail. Also, let please let me know if the applicant can attend your March 16 meeting.

Thank you.

Ana F. Valdemoros  
Associate Planner

**Attachment E  
Photographs**

**PEARL STREET**

