

PLANNING COMMISSION STAFF REPORT

Folsom Avenue Partial Street Closure PLNPCM2011-00547 (approximately 1000 West to 1100 West) Hearing date: October 26, 2011



Planning Division
Department of Community &
Economic Development

Applicant: Salt Lake City Public Utilities
Department

Staff: Casey Stewart 535-6260,
casey.stewart@slcgov.com

Tax ID

1502504030, 1502504001
1502127002, 1502128004
1502128003, 1502128002
1502128001, 1502128009
1502131005, 1502132001

Current zone

M-1 (Light Manufacturing)

Current master plan designation

(Not shown on any community or
transportation master plan.)

Council District: District 2, Van Turner

Community Council: Poplar Grove –
Andrew Johnston

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

Attachments

- A. Photographs of subject site
- B. Project description and map
- C. Department/Division Comments

Request

The applicant, Salt Lake City Public Utilities Department, is requesting approval to close a portion of undeveloped street to facilitate a storm drainage project. The right-of-way is considered an extension of Folsom Avenue, which is located on the east side of 1000 West. The closed portions would be part of a land swap with Questar Gas as part of the drainage project. The subject portion of Folsom Avenue is located within the M-1 (Light Manufacturing) zoning district.

Recommendation

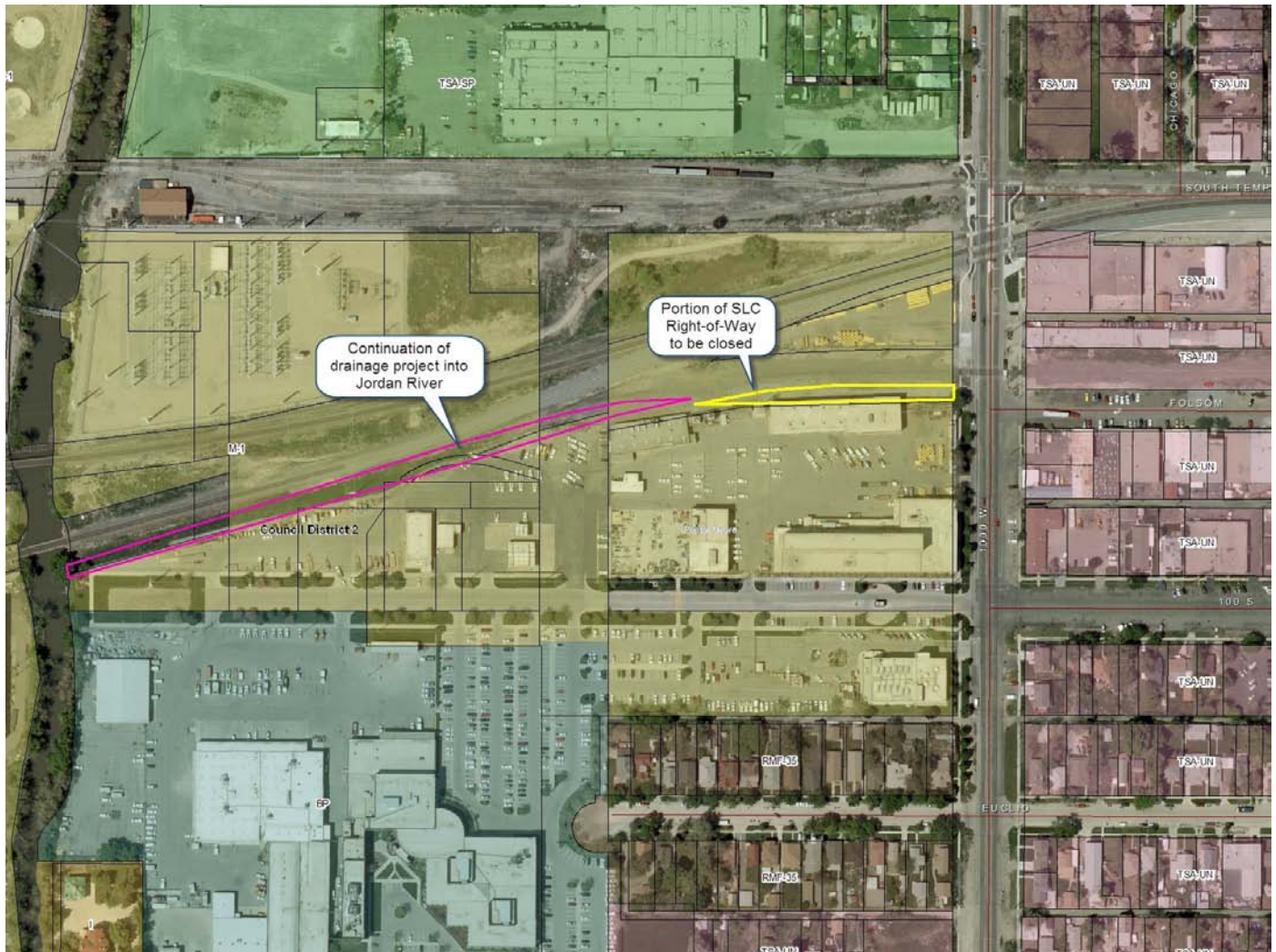
Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to approve application PLNPCM2011-00547 to close a portion of Folsom Avenue between 1000 West to approximately 1100 West. The Planning Commission's decision is subject to the following conditions:

Conditions of Approval

1. That appropriate easements be established to continue to maintain and service any existing water, sewer, and storm drain mains that will remain.

Vicinity Map

Approximately 40 South between 1000 West and 1100 West



Background

Project Description

The Salt Lake City Public Utilities Department requests approval of a partial street closure to facilitate a storm drainage project intended to increase capacity for City Creek. The subject street is an unconstructed portion of Folsom Avenue (historically a railroad corridor) located adjacent to a portion of Union Pacific's Railroad line that runs between 1000 West and the Jordan River. This section of Folsom Avenue was never constructed.

The City's storm drain project would run west along the public right-of-way of Folsom Avenue and then head in a southwesterly direction between the railroad and Questar Gas' main operations yard to the south. The storm drain would encroach into some portions of Questar's property. The Public Utilities Department seeks to close a portion of Folsom Avenue adjacent to Questar property and transfer that portion to Questar for the portions of Questar property located further west, where the storm drain would run.

The portion of Folsom Avenue to be transferred to Questar Gas, contains a “slurry wall” that was constructed for the purpose of containing soil contaminants located on Questar’s current property. Questar and the City would prefer that this area within the boundaries of the slurry wall be under Questar ownership; thus the proposed land swap is in the best interest of both parties.

Comments

Notice of the public hearing for the proposal included:

- Public hearing notice mailed on October 14, 2011
- Public hearing notice posted on property October 14, 2011
- Public hearing notice posted on City and State websites and Planning Division listserve: Oct 14, 2011

Public Comments

No public comments were received prior to this report being published. This type of application does not require review by a community council.

City Department Comments

The comments received from pertinent City Departments / Divisions are included with this staff report as *Attachment C*. The following is a synopsis of the comments:

Transportation Division has no concerns with or objections to the proposed partial street closure.
The Engineering Division has no concerns with or objections to the proposed partial street closure.

Options

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

1. Approve the partial street closure.
2. Deny the partial street closure.

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: Closing the proposed portion of the unconstructed Folsom Avenue would not deny all access to other property. The portion in question is only a portion of the City-owned right-of-way, still allowing access to properties further west. It is adjacent to railroad right-of-way and other private property (Questar Gas) that have multiple access points from 1000 West and surrounding streets.

Finding: The proposal supports this policy; closing the subject street will not deny access to the adjacent properties. The underlying property would be transferred at fair market as part of a land swap for constructing storm drainage enhancements.

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 storm drain project involves portions of property, from two different land owners, that are proposed for trade. The various portions are all zoned M-1 (industrial) and will be traded using fair market value, which may end up in one party actually paying an additional amount.

Finding: The proposal supports this policy; the right-of-way will be transferred at fair market value agreed upon by both parties.

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 subject right-of-way is not a constructed public street, and given its location adjacent to an active rail line, it is unlikely to be constructed since it has no public purpose. It is not listed on the City's Transportation Master Plan in any manner or for any purpose. The subject property has been deemed unnecessary for public use and can better serve the public as part of land swap for construction of improved storm drain infrastructure. The Public Utilities Department has sufficiently demonstrated that the closure and transfer of this property will accomplish the stated public policy and purpose.

The Transportation Division has no objection to the partial closure of this right-of-way.

Finding: Staff finds that the partial street closure supports this policy.

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. The City has no plans for future use or construction of the subject right-of-way and it is not on the City's Transportation Master Plan. The construction of the storm drain improvements are considered more of a benefit than keeping this property as public right-of-way that serves no valued purpose. All surrounding properties have multiple access points and have no need to maintain this right-of-way.

Finding: The proposal is in line with this policy; it facilitates a project that has more public value than keeping the subject portion of right-of-way open.

Findings

Staff finds that in view of redevelopment downtown and previously inadequate storm drain capacity for drainage of the City Creek waterway, the proposal for partial street closure as stated is in the best interest of the public and has more value as part of a land swap than retaining the unconstructed and unused portion of public right-of-way known as Folsom Avenue. Staff supports the partial street closure.

Attachment A
Photographs

Panoramic view – looking north along 1000 West; Developed Folsom Ave on right, undeveloped Folsom Ave on left.



Panoramic view - looking west along UP rail line; Undeveloped Folsom Avenue runs along the building shown at left



Looking directly west at Undeveloped Folsom Ave extension into area where land swap would occur.



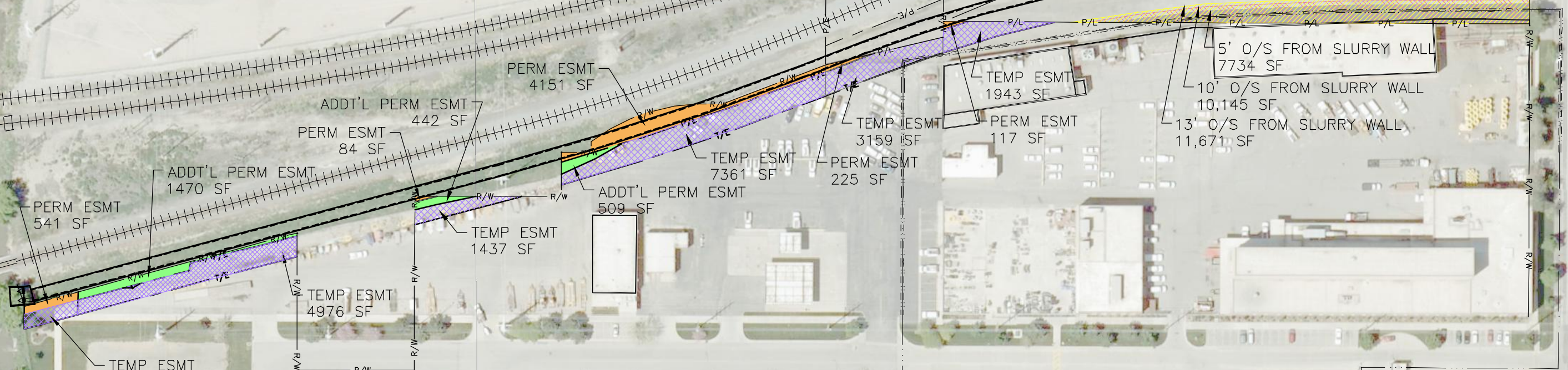
Attachment B
Map of Proposed Land Swap

NOTES:
 1. AREAS SHOWN ON THIS EXHIBIT ARE APPROXIMATIONS ONLY. ACTUAL AREAS WILL BE DETERMINED BY FINAL SURVEY.
 2. PROPERTY LINE HAVE BEEN APPROXIMATED FROM INFORMATION OBTAINED FROM MERIDIAN ENGINEERING.

1100 WEST
 (ABANDONED
 ROW)

FOLSOM AVE.

1000 WEST



October 11, 2011 - 9:51am
 \\scilles\Public\Projects\JUB\Salt Lake City Public Utilities\83-10-017_FolsomStormDrain\CAD\Sheet\Questar_Property Exhibit.dwg Layout No matchline



SALT LAKE CITY CORPORATION
DEPARTMENT OF PUBLIC UTILITIES
 1530 SOUTH WEST TEMPLE
 SALT LAKE CITY, UTAH 84115



JUB
 J-U-B ENGINEERS, INC.

**FOLSOM AVENUE
 STORM DRAIN**

ONE INCH
 AT FULL SIZE, IF NOT ONE
 INCH, SCALE ACCORDINGLY

QUESTAR PROPERTY EXHIBIT

| REVISIONS | | |
|-----------|---------------|--------------|
| NUMBER | AUTHORIZED BY | MADE BY DATE |
| | | |
| | | |
| | | |

DESIGNED BY: DQS
 DRAWN BY: DQS
 CHECKED BY: ABT
 DATE: October 2011
 SCALE - HORIZ: AS NOTED
 VERT: AS NOTED

CADD-FILENAME:
 Questar_Property Exhibit.dwg
 EWO
 NUMBER: 83-10-017
 ACCOUNT: 53470823
 SHEET 1 OF 1 SHEETS

Attachment C
Department/Division Comments

Engineering (Stephanie Toombs):

1. There are two parcels labeled as easements “Questar to SLC” that are already SLC Property (perm 117 sf and temp 1943 sf). That area was in part of the UPRR to SLC land swap (see the attached Quit Claim, page 9/10 and 10/10 in the attached file).

2. The area south of the temp easmt 1943 sf is also SLC property as part of the same Quit Claim referenced in “1” above. a. Change that area to SLC to Questar (due to the slurry wall). A legal description would be needed to transfer that area to Questar. It might make more sense to stay more parallel to the slurry wall, but I would leave that up to Public Utilities. (above review prepared by Stephanie Toombs).

Transportation (Barry Walsh): The transportation division review comments area s follows: The proposed land trade shows no impact to the existing public vehicular transportation corridor on 1000 West. The Folsom Ave corridor is an abandon rail road corridor and the 1100 West corridor is closed with ownership by Questar and the Railroad. We see no transportation corridor issue with the proposed drainage project.