

PLANNING COMMISSION STAFF REPORT

700 South
PLNPCM2012-00454
Street closure and
sale of right-of way property
700 South between I-15
and approximately 650 West (rail line)
October 10, 2012



Planning and Zoning Division
Department of Community and
Economic Development

Applicant: Mayor Becker

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

Tax ID: No tax ID

Current Zone: Adjacent zoning
CG General Commercial

Master Plan Designation:
The surrounding land is designated mixed-use by the Gateway Master Plan. The area between the rail tracks and I-15 is proposed for programmed campus-like open space

Council District: District 4 –
Luke Garrott

Lot Size: Approximately
24,648+/- square feet

Current Use: Vacant and drive
access to parking

Applicable Land Use Regulations:

- Salt Lake City Council Policy and Guidelines for Street Closures

Notification

- Notice mailed on Sept, 27, 2012
- Sign posted on Sept, 28, 2012
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites JSept, 27, 2012

Attachments:

- A. Map of Proposed Street Closure
- B. Department/Division Comments
- C. Photographs

Request

Univar USA, Inc has submitted an application for a street closure and sale of the 700 South right-of-way between I-15 and 600 West. The property is located in a CG (General Commercial) zoning district.

This portion of the street is a “paper street” in that the right-of-way exists but the actual street has not been maintained. 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 some of the applicable standards and therefore recommends that the Planning Commission recommend to the Mayor and City Council that the street be closed and the property be declared surplus to allow a property lease, while maintaining an access easement to the property on the north side of 700 South, but not be sold due to the following reasons:

- utilities under the site allow for surface use, such as parking, but construction of a building would be difficult
- the rail crossing access at 600 West, which provides access to this portion of the street has been closed but not vacated
- the property owner on the north side of the street has found access to their land, but 700 South remains the only official street frontage
- the potential for long term public use.

Recommended Motion

Consistent with Staff Recommendation: Based on the findings listed in the staff report, testimony and plans presented, I move that the Planning Commission approve a street closure of 700 South, between approximately 650 West and I-15, with the following conditions:

1. The land be leased, not sold
2. An access easement for the 660 West 700 South property be maintained
3. A utility easement be maintained

Alternative motion: Based on the findings listed in the staff report, testimony and plans presented, I move that the Planning Commission deny the request to close 700 South



660 West 700 South

- Subject Property
- Neighboring Parcels

VICINITY MAP

PROJECT HISTORY/DESCRIPTION

Univar USA, Inc has submitted an application for a street closure and sale of the 700 South right-of-way between I-15 and the rail line at approximately 650 West. The street is a “paper” street and no formal roadway is constructed.

COMMENTS

Community Council Comments:

Community Council presentation is not required for street closures, however the Downtown Community Council was notified on August 3, 2012.

City Department/Division Comments:

The application material was routed on August 3, 2012 for a request to close portion of 700 South. The comments received from pertinent City Departments and Divisions are found in Attachment B of this staff report. There were no major concerns expressed and all departments felt that the land could be closed as surplus with no negative effect on City interests; with the exception of the need to acknowledge and address a sewer line located in the street.

Public Comments:

Planning Staff spoke with Cuma Hoopiiaina, who is the owner of the land on the north side of 700 South. She expressed a need to maintain access to a billboard on her land, managed by Reagan

Staff spoke with Guy Larsen of Reagan Outdoor Advertising to find out how the billboard was being accessed, considering that the lot is generally not accessible from 700 South at this time. (at least when approached from 600 West). He indicated the sign was being serviced from 400 South. There are two sets of rail crossings near 700 South 600 West: One is the main line, which the crossing has been closed; the other is a single track rail line which remains passable. From 400 South a person may access a paved area along the west side of the main rail tracks, enter the 700 South right-of-way between the tracks (now used by Salt Lake City Police) and cross the single rail track to access the sign..

Staff received an email from Chip Donaldson of Century Link expressing concern regarding an underground communications cable in the right-of-way

STAFF ANALYSIS AND FINDINGS

Master Plan Discussion:

Downtown Master Plan, adopted 1995

Long term development plans may include:

- Research park or light industrial campus development
- Educational campus
- Significant open space
- Lakes or ponds created from creek run-off with the dual purpose of siltation and flood retention (City, Red Butte, Emigration and Parleys Creeks all flow in culverts near this area)
- Preservation and reuse of historical buildings

Gateway Master Plan, adopted in 1998

The plan identifies the need to transition the area from industrial/rail to mixed-use. The creation of public spaces and manageable size blocks is part of that philosophy.

Analysis: The Gateway Master Plan calls for the creation of a active open space in the area between the rail tracks and the freeway. This could come in the form of a university campus, research campus or active open space (golf, tennis club). The intent is to create an attractive entry into the city, while simultaneously providing the security of a managed land sue.

This particular property is a held as public right-of-way but a street has not been built because it cannot be extended further, either to the east or west, because of rail track or I-15.

Finding: Currently, the 700 South right-of-way is not constructed as a functional street. The land is already effectively part of a private yard. Inclusion of the excess property into the adjacent lot or lots would facilitate the expansion of the existing land use, however the development of the site is limited by the number of utilities under the site and the required easements.

The City policy encourages transition of this area to a more open space oriented campus-like use..

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

This portion of 700 South is identified in the Transportation Master Plan and/or Major Street Plan as a local street.

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

Finding: Selling of the right-of-way will not impact the long term transportation goals of the City but they may impact redevelopment goals of the area. Access to maintain a billboard on the north side of 700 South is required to be maintained. Access from 700 South via 600 West is not available because of the closed main line rail crossing, however there is minimal access via a paved area between the tracks from 400 South to 700 South and across the western single track, which is not closed..

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 two properties: one owned by owned Univar, and the other by Cuma Hoopiiaina.

The elimination of the 700 South right-of-way may affect access to 660 West 700 South (Cuma Hoopiiaina), which is a parcel with a billboard as the exclusive use. That access generally goes along the west side of the rail tracks and crosses a track at an unclosed crossing at 700 South. Access to this board must be maintained. The Hoopiiaina property cannot otherwise be accessed directly from 700 South because of the closure of the main line tracks at approximately 650 West

Finding: Closing the subject street will affect access to the 660 West 700 South; however, access could be maintained as it presently is with an easement on 700 South directly west of the single line track. Because the parcel has a billboard as its single use, access is primarily for maintenance and changes of copy, not general public access.

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 request was for closure and sale of the right-of-way property, however the owners have indicated that their primary interest is in using the land for parking, not necessarily building construction, therefore a land lease may be an option.

Finding: The right-of-way will be leased at negotiated market value to be determined by the Salt Lake City.

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 largely a “paper street” that is not generally used by the public, although it is the only formal street access for the property located at 660 West 700 South, which has a billboard on the site.

Long term plans for the area call for the creation of a campus like activates open space which could come in many forms. The master plan policy is to generally encourage such a campus in an effort to green the entry into the city. This is supported in the Gateway and Downtown Master Plans as well as the Downtown Rising plan.

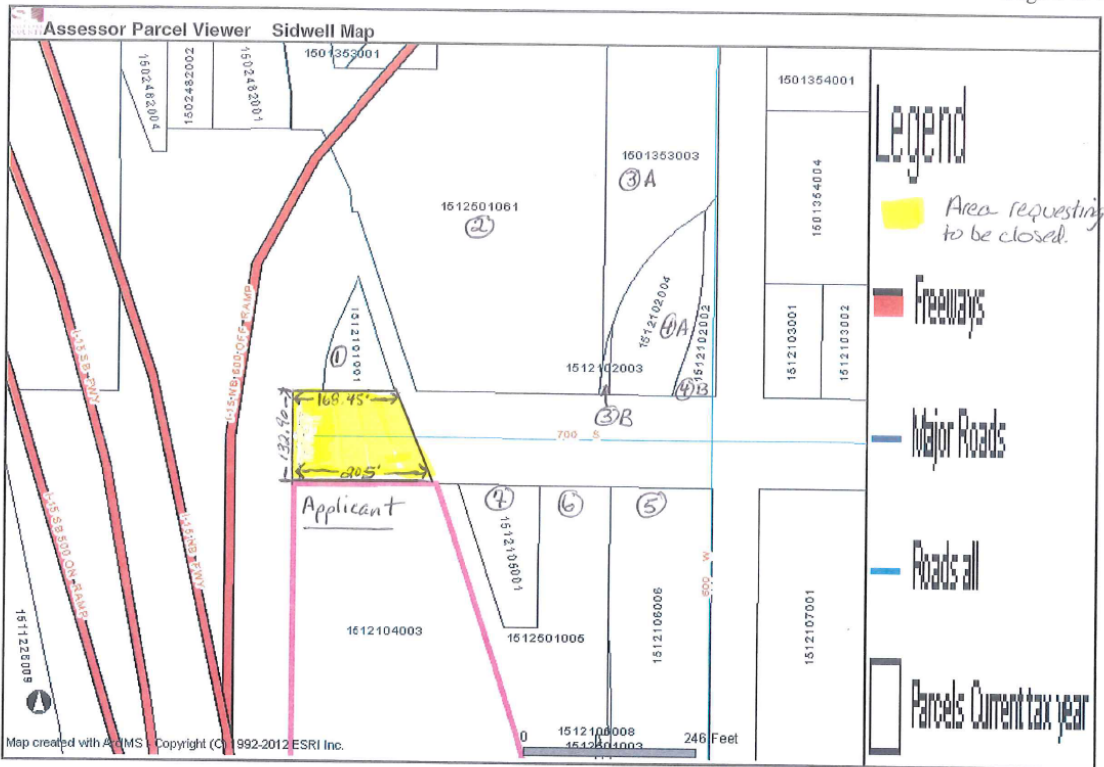
Finding: The street is presently minimally operational; the property is presently used as access and is not necessary for transportation purposes

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

Analysis: Univar has frontage onto 700 South but is primarily accessed from 800 South. 700 South presently provides extremely minimal, but exclusive, access to a parcel on the north side of the street (but is otherwise generally land locked between rail tracks and the freeway and has no through traffic.

Finding: The property is unnecessary for 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 lease or tax on it.

Attachment A
Map of Proposed Street Closure



#1
 Address: 650 West 700 South
 APN# 1512101001
 Acres: 0.22
 Owner: Hoopiiana, Cuma S.

#2
 Address: 630 West 700 South
 APN# 1512501061
 Acres: 5.29
 Owner: Union Pacific Railroad Company

#3A
 Address: 600 West 200 South
 APN# 1501353003
 Acres: 1.70
 Owner: Utah Transit Authority

#3B
 Address: Unknown
 APN# 1512102003
 Acres: 0.02
 Owner: Utah Transit Authority

#4A
 Address: Unknown
 APN# 1512102004
 Acres: 0.54
 Owner: 1051 South 300 West L.C.

#4B
 Address: 604 West 700 South
 APN# 1512102002
 Acres: 0.18
 Owner: 1051 South 300 West L.C.

#5
 Address: 619 West 700 South
 APN# 1512106006
 Acres: 1.98
 Owner: D&S Properties Inc.

#6
 Address: 500 West 700 South
 APN# 1512501005
 Acres: 1.78
 Owner: Denver & Rio Grande Western Railroad n/k/a BNSF Railroad

#7
 Address: 635 West 700 South
 APN# 1512105001
 Acres: 0.38
 Owner: Salt Lake City Corporation

Applicant
 Address: 650 West 800 South
 APN# 1512104003
 Acres: 4.56
 Owner: Van Waters & Rogers Inc. n/k/a Univar USA Inc.



Map of:
650 W 800 S
Salt Lake City, UT 84104-1026

Notes



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** Approximate area requesting to be closed.*





I 15 off ramp
→

Partial view
area requesting to be
closed.

← 600 W

Univar USA Facility

Univar USA
Spur track

7005

05.22.2012 07:35



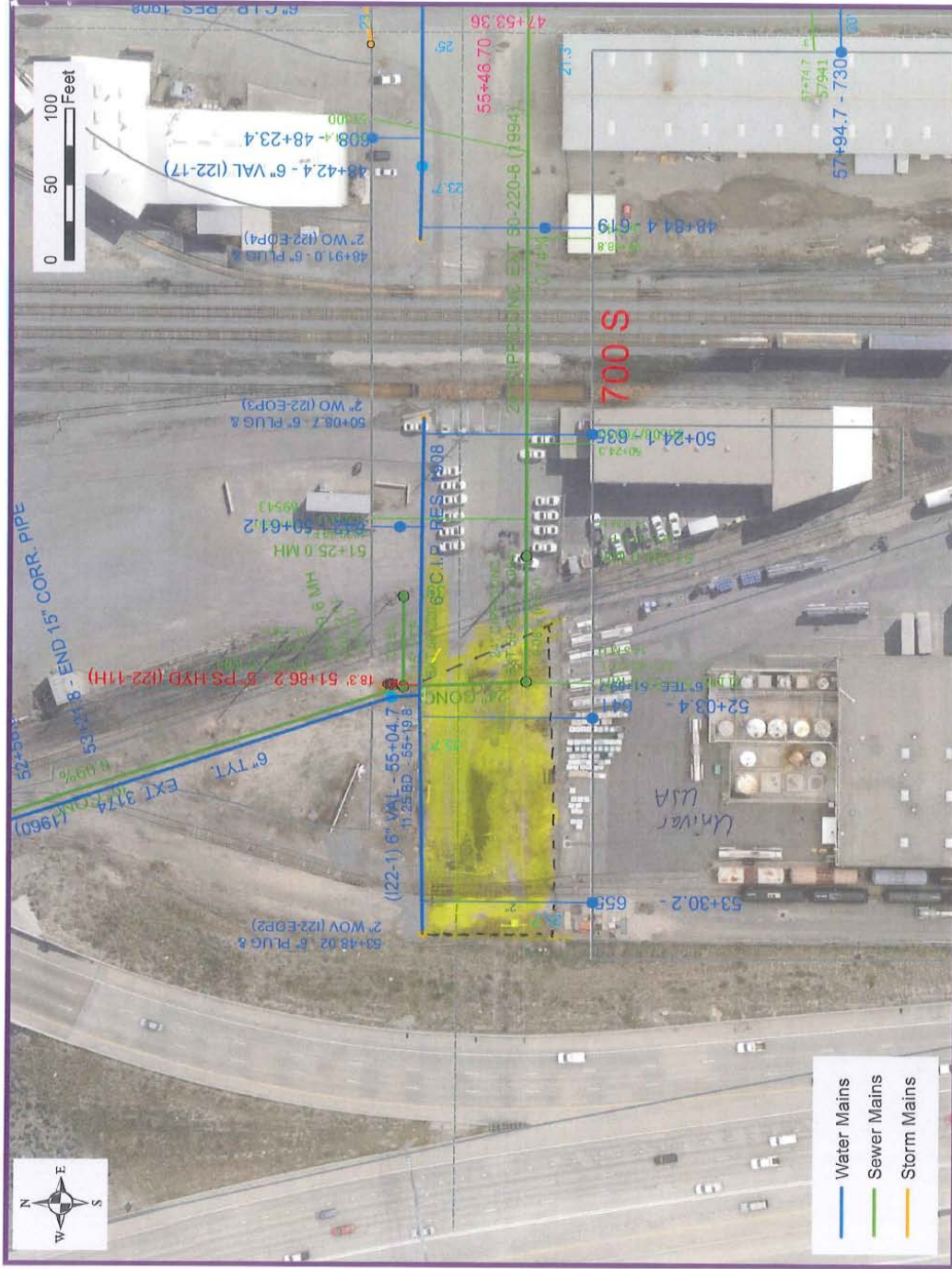
05.22.2012 07:36

I-15

Luna, Hopkinton

MOS

Chive



700 S Utility Installations

- Water Mains
- Sewer Mains
- Storm Mains

Attachment B
Department/Division Comments

Public Utilities (Justin Stoker)

The Public Utilities department supports the street vacation, however there exists an 8-inch VCP sewer main across this parcel. If the street is vacated then an easement (using Public Utilities easement language) will need to remain for access and maintenance of the sewer main. Due to the depth of the sewer main and to comply with OSHA safety standards, the easement will need to be 35-feet wide with the sewer line offset 5-feet from the center of the pipe. Better would be an easement for the full width of the current right-of-way (usually needed to work around conflicts with unmarked "dry" utilities). According to our records, the sewer main is located 25-feet north of the southern right-of-way boundary. The easement should be recorded as a separate document and the boundaries of the easement and the reference to the recorded document identified on the amended plat.

Zoning Review (Larry Butcher)

No comment

Engineering (Scott Weiler)

No objections

Transportation (Barry Walsh)

The division of transportation review comments and recommendations are for approval as follows: There is no physical roadway existing and we do not see it as a necessary transportation corridor for future development.

Fire (Ted Itchon)

No comment

**Attachment C
Photographs**



700 South at 600 West



700 South at 600 West



550 South between rail tracks
looking at north parcel billboard