



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: Daniel Echeverria, 801-535-7165, daniel.echeverria@slcgov.com
Date: September 4, 2014
Re: PLNSUB2014-000469 Meridian Commerce Center Subdivision Amendment &
PLNPCM2014-00470 Meridian Commerce Center Street Closure

Subdivision Amendment & Street Closure

PROPERTY ADDRESS: 4324 W & 4236 W Commercial Way
PARCEL ID: 15-07-402-001 & -002
MASTER PLAN: Northwest Quadrant
ZONING DISTRICT: M-1, Light Manufacturing

REQUEST: G&H Investments, LLC and Gloria B Rothwell, owners of property at 4324 W & 4236 W Commercial Way, are requesting a Subdivision Amendment to the Meridian Commerce Center Plat 2 located at approximately 4236 W Commercial Way. The subdivision amendment would remove approximately 5,500 square feet of the abutting right-of-way and must also be reviewed through the Street Closure process. The portion of right-of-way to be closed was originally platted with the intention to provide multiple lots sufficient frontage for zoning compliance. The intended number of lots has been reduced and so the applicant would like to remove the additional right-of-way area. The portion of right-of-way proposed to be closed is located at the intersection of Commercial Way and Meridian Park Road. If closed, the property would be sold to the abutting property owner at fair-market value based on the property size. The subject property is currently vacant.

RECOMMENDATION: Based on the information in this staff report, Planning Staff recommends that the Planning Commission transmit a favorable recommendation for the proposed partial street closure and subdivision amendment subject to complying with all applicable regulations. Staff recommends the following motion:

Based on the findings and analysis in the staff report I move that the Planning Commission transmit a favorable recommendation to the City Council to approve the Meridian Center Subdivision Amendment and street closure with the following condition:

1. The applicant shall comply with all department/division conditions.

ATTACHMENTS:

- A. Vicinity Map
- B. Plat Map
- C. Additional Applicant Information
- D. Existing Conditions
- E. Analysis Of Standards
- F. Public Process And Comments
- G. Department Review Comments

H. Motions

PROJECT DESCRIPTION:

G&H Investments, LLC and Gloria B Rothwell, owners of property at 4324 W & 4236 W Commercial Way, are requesting a Subdivision Amendment to the Meridian Commerce Center Plat 2 located at approximately 4236 W Commercial Way. The applicant would like to close an approximately 5,500 square foot right-of-way bulb-out located at the intersection of Commercial Way and Meridian Park Road. The portion of right-of-way requested for closure was originally platted with the intention to provide multiple lots sufficient frontage for zoning compliance. The additional lots were to be located adjacent to the bulb-out. To create the necessary street frontage for the additional lots, the right-of-way bulbs out at the intersection, resulting in approximately 100 additional feet of street frontage.

The intended number of lots has been reduced in this subdivision and so the applicant would like to remove the bulb-out from the right-of-way and incorporate this land into the adjacent lot. The right-of-way area proposed to be closed is shown in attachments A “Vicinity Map” and B “Preliminary Plat.” If closed, the property would be sold to the abutting property owner at fair-market value based on the property size. The abutting lots are currently vacant and the applicants have not submitted any development plans to the City for the properties.

DISCUSSION:

The bulb-out is a public right-of-way area that the City is responsible for maintaining. As confirmed by the City department review, the bulb-out is not necessary for vehicle maneuvering at the intersection of the two streets. The pavement and infrastructure within this right-of-way incurs a maintenance cost to the City in the long term. The bulb-out currently confers no public benefit to the City and the adjacent property owners have no plans to utilize the bulb-out for its original intended purpose.

NEXT STEPS:

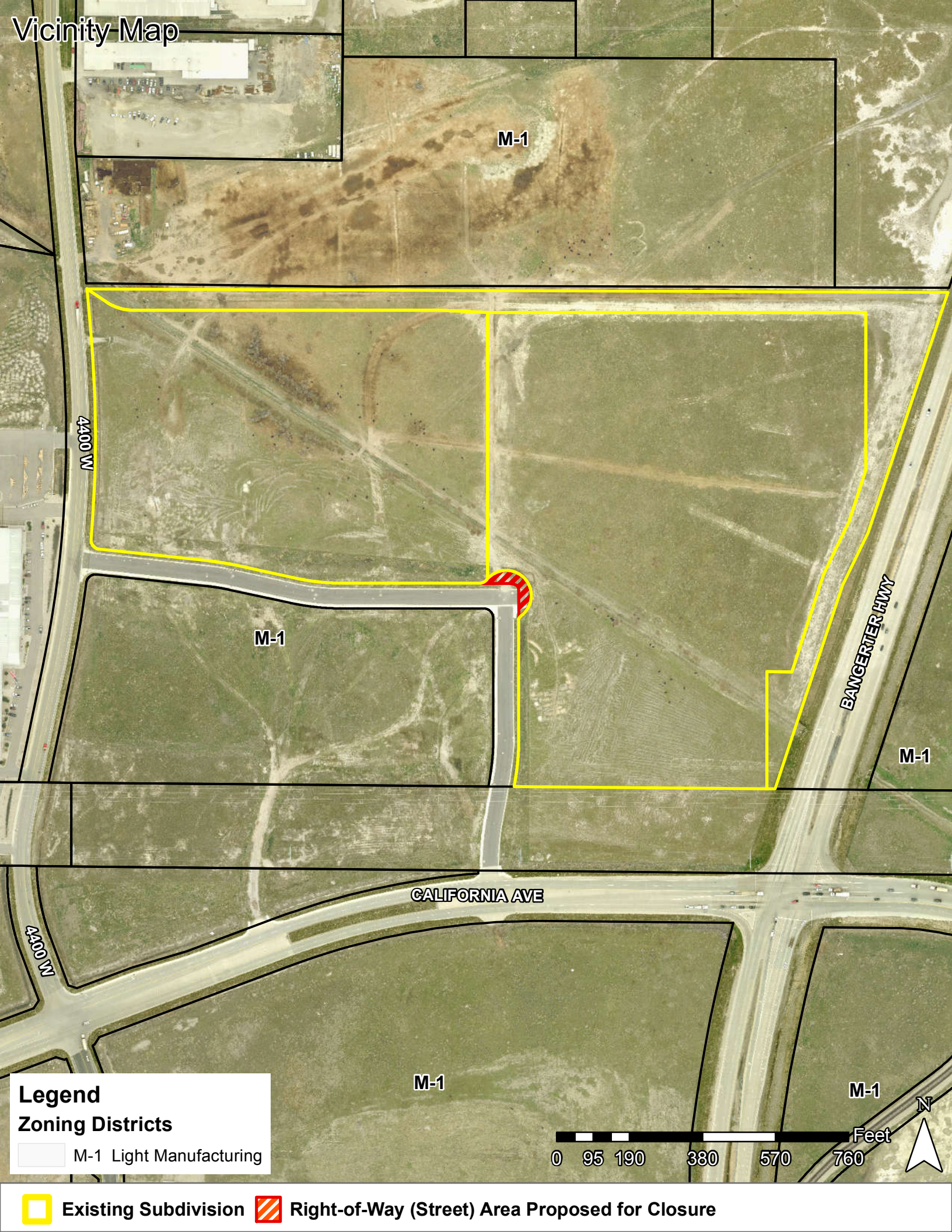
The Planning Commission can forward a positive or negative recommendation to the City Council regarding the proposal. The City Council has final decision making authority for street closures and subdivision amendments involving street modifications. The City Council will hold a public hearing and make a decision to either approve or deny the request based on compliance with the subdivision amendment and street closure standards.

If the City Council approves the request, the portion of the street that is closed will be sold to the abutting property owner at fair market value. The subdivider, or owner of the property, will be responsible for paying to modify any public infrastructure that is impacted by the partial street closure.

If the City Council denies the request, the right-of-way configuration will remain the same and the City will continue to own and maintain the right-of-way area.

ATTACHMENT A: VICINITY MAP

Vicinity Map



Legend
Zoning Districts

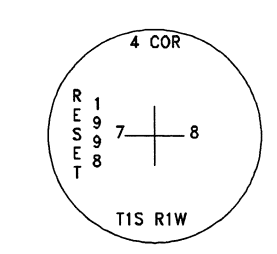
- M-1 Light Manufacturing



 Existing Subdivision  Right-of-Way (Street) Area Proposed for Closure

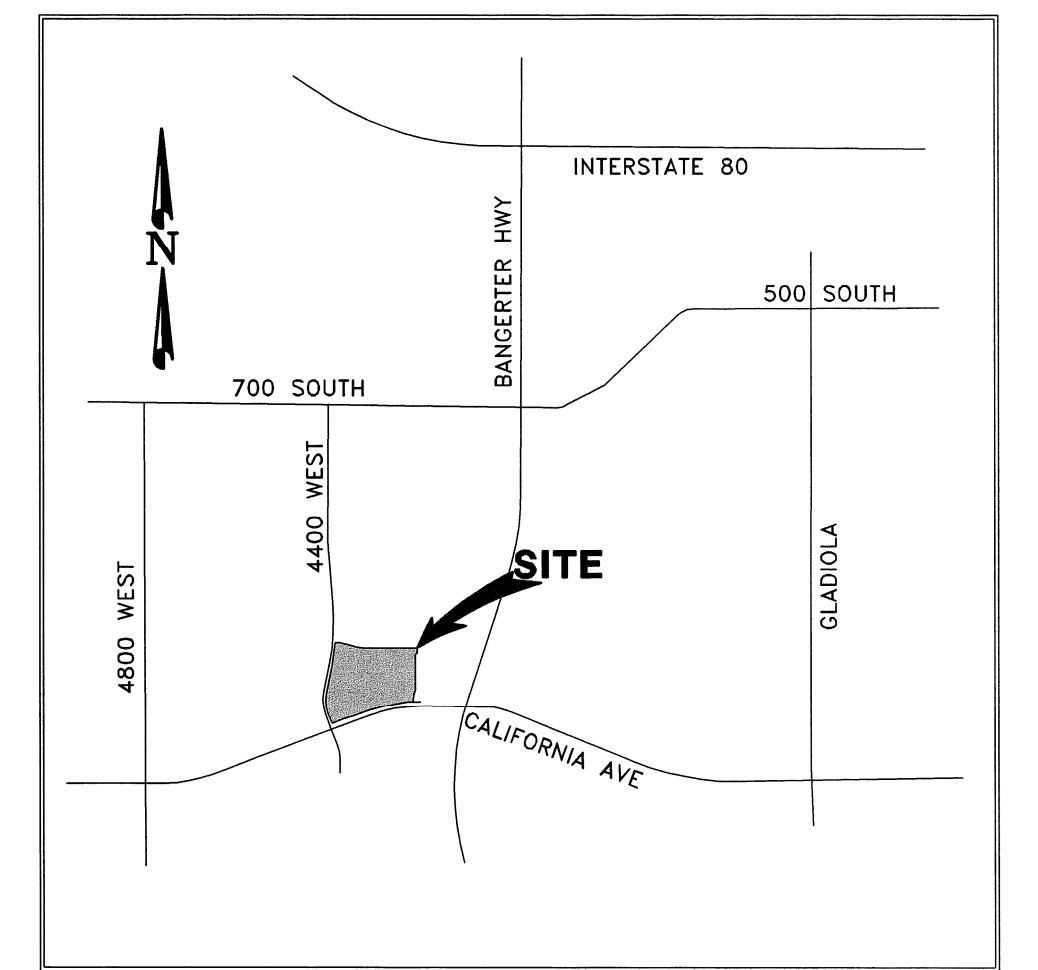
ATTACHMENT B: PLAT MAP

MERIDIAN COMMERCE CENTER PLAT 2 AMENDED
 Amending Lots 5 & 6 of Meridian Commerce Center Plat 2
 Located in the Southeast Quarter of Section 7, Township 1 South, Range 1 West,
 Salt Lake Base and Meridian
 Salt Lake City, Salt Lake County, Utah



Center 1/4 Section 7
 T. 1 S., R. 1 W. S.L.B.&M.
 Found Salt Lake County 2.5"
 Brass Monument

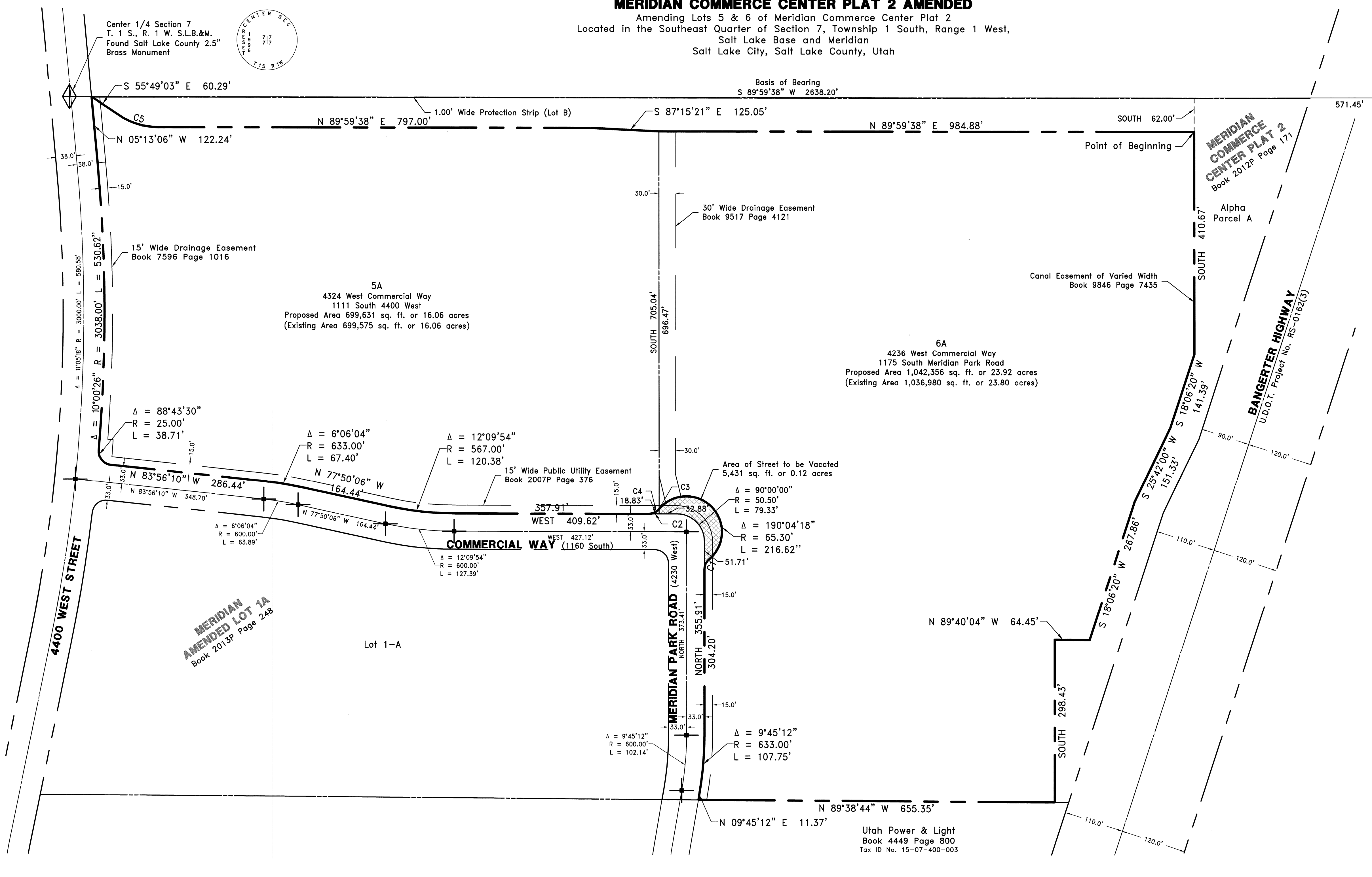
East 1/4 Corner Section 7
 T. 1 S., R. 1 W. S.L.B.&M.
 Found Salt Lake County
 Monument



Vicinity Map
 Not to Scale

PRELIMINARY PLAT DESCRIPTION
 A parcel of land located in the Southeast Quarter of Section 7, Township 1 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

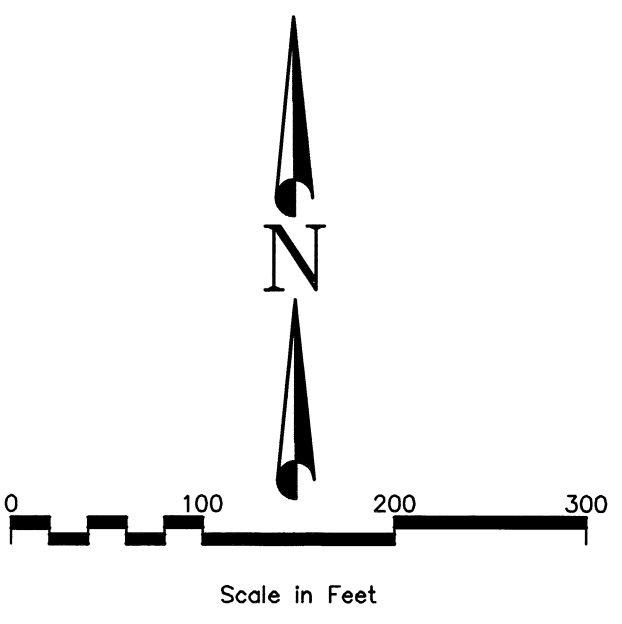
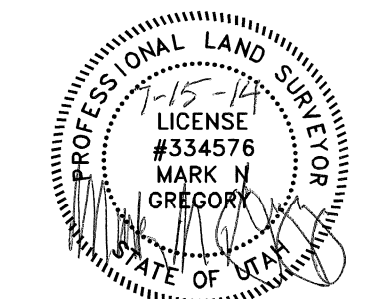
BEGINNING at a point South 89°59'38" West 571.45 feet along the north line of the Southeast Quarter of Section 7, Township 1 South, Range 1 West, Salt Lake Base and Meridian and South 62.00 feet from the East Quarter Corner of said Section 7, and thence South 410.67 feet; thence South 18°06'20" West 141.39 feet; thence South 25°42'00" West 151.33 feet; thence South 18°06'20" West 267.86 feet; thence North 89°40'04" West 64.45 feet; thence South 298.43 feet; thence North 89°38'44" West 655.35 feet to the east line of Meridian Park Road; thence along said line the following six courses: 1) North 09°45'12" East 11.37 feet to a point of tangency of a 633.00 foot radius curve to the left, 2) Northerly 107.75 feet along said curve through a central angle of 09°45'12" and a long chord of North 04°52'36" East 107.62 feet, 3) North 304.20 feet to a point of tangency of a 25.00 foot radius curve to the right, 4) Northeasterly 21.83 feet along said curve through a central angle of 50°02'09" and a long chord of North 25°01'05" East 21.15 feet to a point of reverse curvature of a 65.30 foot radius curve to the left, 5) Northwesterly 216.62 feet along said curve through a central angle of 190°04'18" and a long chord of North 45°00'00" West 130.09 feet to a point of reverse curvature of a 25.00 foot radius curve to the right and 6) Southwesterly 21.83 feet along said curve through a central angle of 50°02'09" and a long chord of South 64°58'55" West 21.15 feet to the north line of Commercial Way; thence along said line the following six courses: 1) West 357.91 feet to a point of tangency of a 567.00 foot radius curve to the right, 2) Westerly 120.38 feet along said curve through a central angle of 12°09'54" and a long chord of North 83°55'03" West 120.16 feet, 3) North 77°50'06" West 164.44 feet to a point of tangency of a 633.00 foot radius curve to the left, 4) Westerly 67.40 feet along said curve through a central angle of 06°06'04" and a long chord of North 80°53'08" West 67.37 feet, 5) North 83°56'10" West 286.44 feet to a point of tangency of a 25.00 foot radius curve to the right and 6) Northwesterly 38.71 feet along said curve through a central angle of 88°43'30" and a long chord of North 39°34'25" West 34.96 feet to the east line of 4400 West Street and a point of reverse curvature of a 3,038.00 foot radius curve to the left; thence along said line the following two courses: 1) Northerly 530.62 feet along said curve through a central angle of 10°00'26" and a long chord of North 00°12'53" West 529.94 feet and 2) North 05°13'06" West 122.24 feet to said north line of the Southeast Quarter of Section 7; thence South 55°49'03" East 60.29 feet to a point of tangency of a 128.00 foot radius curve to the left; thence Easterly 76.38 feet along said curve through a central angle of 34°11'19" and a long chord of South 72°54'42" East 75.25 feet; thence North 89°59'38" East 797.00 feet; thence South 87°15'21" East 125.05 feet; thence North 89°59'38" East 984.88 feet to the POINT OF BEGINNING. Said parcel contains 1,736,566 square feet or 39.87 acres, more or less.



CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	TANGENT
C1	25.00'	21.83'	50°02'09"	N 25°01'05" E	21.15'	11.67'
C2	25.00'	21.83'	50°02'09"	S 64°58'55" W	21.15'	11.67'
C3	25.00'	0.49'	1°07'17"	S 40°31'29" W	0.49'	0.24'
C4	25.00'	21.34'	48°54'52"	S 65°32'34" W	20.70'	11.37'
C5	128.00'	76.38'	34°11'19"	S 72°54'42" E	75.25'	39.36'

LEGEND

- Street Monument Found
- Section Corner Monument (As Noted)
- Subdivision Boundary Line
- Right-of-Way Line
- Section Line
- Monument Line
- Easement Line
- Lot Line
- Set Rebar W/ Cap Stamped "Dominion Engineering" (Unless Otherwise Noted)
- Area to be Vacated by Salt Lake City by the Recording of this Plat



Utah Power & Light
 Book 4449 Page 800
 Tax ID No. 15-07-400-003

P:\ROTHWELL - Col Ave & Bangerter\Meridian Commerce\Survey\dwg\Plat 2 Amended.dwg

DRAWN MNG 7/14
CHECKED CAB 7/14
DESIGNED _____
APPROVED _____

HANK ROTHWELL
SALT LAKE CITY, SALT LAKE COUNTY, UTAH

PRELIMINARY PLAT
MERIDIAN COMMERCE CENTER PLAT 2 AMENDED
 LOCATED IN THE SOUTHEAST QUARTER OF SECTION 7,
 TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN

PROJECT NO. 2292-01	
SHEET NO. 1 of 1	
NO.	REVISIONS
BY	DATE
FILE NAME: Plat 2	SCALE: 1"=100'

ATTACHMENT C: ADDITIONAL APPLICANT INFORMATION



Meridian Commerce Center – Plat 2 Amended
And Street Closure

Letter of Explanation

Currently the intersection of Meridian Park Road (4230 West) and Commercial Way (1160 South) is a 90° intersection with a “bulb” for multiple driveway accesses. The current related lot owners (Lot 5 and 6) with their development partner, IDI from Chicago, desire the intersection be changed to a 90° elbow to accommodate the new development master plan. The revised road intersection design has been reviewed and tentatively approved by Salt Lake City Transportation.

The proposed revision will reduce the present road right of way by 5,431 sf, but will not be a “Road Closure.” The 5,431 sf will be distributed to the adjacent Lot 5 & 6 in the plat amendment process.

Note: This land was dedicated by Meridian just 2 years ago (Meridian Plat 2) but the intersection “bulb” was never constructed.

Summary Description of Closure

The shape of the closure (as shown on the Preliminary Plat), is crescent shaped, approximately 200’ long and 35’ at the widest.

ATTACHMENT D: EXISTING CONDITIONS

M-1 Zoning Standards	Required	Existing	Comply?
Min. Lot Area/Lot Width	20,000 sq ft	600,000+ sq ft*	Yes
Min. Front Side Yard	15'	N/A	Yes
Min. Interior Side Yard	None	N/A	Yes
Min. Rear Yard	None	N/A	Yes
Max. Setback	None	N/A	Yes
Max. Building Height	65'	N/A	Yes

*The proposed right-of-way closure will result in the addition of approximately 5,000 sq ft to the adjacent existing lots. As there is no maximum lot area, the lots will continue to comply with the zoning standards.

Adjacent Land Uses

The subject right-of-way is adjacent to properties zoned M-1, Light Manufacturing. All adjacent properties are currently vacant; however, building permits for the construction of a warehouse have been issued for the property to the southwest.

Applicable Master Plan Policies

The subject right-of-way is located within the Northwest Quadrant community master plan area. There is currently no master plan adopted for the area; however, the zoning map adopted in 1995 establishes the expected future land uses for the area. This property and the surrounding adjacent properties are zoned M-1, Light Manufacturing and therefore are expected to support light industrial development.

The M-1 Light Manufacturing district purpose statement is as follows:

The purpose of the M-1 light manufacturing district is to provide an environment for light industrial uses that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting. This zone is appropriate in locations that are supported by the applicable master plan policies adopted by the city. This district is intended to provide areas in the city that generate employment opportunities and to promote economic development. The uses include other types of land uses that support and provide service to manufacturing and industrial uses. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary and to be provided in an equal way. Certain land uses are prohibited in order to preserve land for manufacturing uses.

ATTACHMENT E: ANALYSIS OF STANDARDS

Street Closure Standards

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: The street is part of an existing subdivision and the right-of-way proposed to be closed is intended to be consolidated into the abutting lot. No property would be denied access due to the proposed street closure.

Finding: Closing the proposed portion of the street would not deny access to the properties adjacent to the closure.

- 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: If the street closure is approved, the fair market value of the industrial property would be determined by the Real Estate Services department and the property would be sold for that value to the abutting property owner(s).

Finding: The property will be sold in accordance with this policy.

- 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 proposed street closure affects only a small bulb-out on an existing street. The bulb-out was platted in this configuration so that additional lots could be created in the associated subdivision. As the property owners no longer intend to create any additional lots, the bulb out is not necessary for the use of the property. As such, the bulb-out serves no public or private purpose.

In the *Transportation Master Plan Major Street Plan* map, adopted in 2012, the street is identified as a "local street." Local streets are defined as those that "provide direct access to and from abutting property. Local streets are usually one lane in each direction meant to carry traffic over short distances and at low speeds." The elimination of the bulb-out will have no impact on the ability of the street to provide local street service.

There is no master plan for the Northwest Quadrant area to provide additional guidance on street configurations. However, the proposed configuration of the street complies with the applicable City subdivision street standards and will continue to allow for the abutting properties to be utilized for industrial and commercial uses allowed by the Zoning Ordinance thereby promoting the economic development of the City.

Finding: The relevant City master plans and adopted subdivision ordinances have established City standards and policies for public streets. The proposed modification to the street will continue to comply with the relevant City policies and standards.

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

Analysis: As an alternative to the proposal, the City could maintain the same right-of-way configuration for the street. The City would be responsible for the maintenance of the public infrastructure in the right-of-way. Staff found no public policy reasons that would support the continued public ownership of the proposed right-of-way bulb-out in this area.

If in the future the property develops in such a way that such a bulb-out is necessary, the property owners could amend the associated plat and dedicate such land again to the City.

Finding: The alternative to this request is to maintain the bulb-out as public right-of-way. Staff finds the additional right-of-way area is not necessary for development of the abutting properties and serves no additional public purpose than would be accomplished by the remaining street area. Staff finds no public policy reasons for the City to continue to own and maintain the proposed right-of-way closure area.

20.16.100: STANDARDS OF APPROVAL FOR PRELIMINARY PLATS: All preliminary plats for subdivisions and subdivision amendments shall meet the following standards:

Standard	Finding	Rationale
A. The subdivision complies with the general design standards and requirements for subdivisions as established in Section 20.12.	Complies	The applicant is requesting modification of an existing public street. Public street widths and design are regulated by section 20.12.030 “Street Design Standards.” The proposed closure has been reviewed by the applicable City departments and they have found no issues with the proposal that would preclude approval. The right-of-way width will continue to comply with the applicable Subdivision ordinance standards, including the minimum width for Local Commercial/Industrial right-of-ways required by Transportation division standard section E1.a.1. Final street improvement plans for the modified right-of-way will need to comply with City ordinance and associated department standards.
B. All buildable lots comply with all applicable zoning standards	Complies	The lots in the amended subdivision will continue to comply with the applicable M-1, Light Manufacturing District zoning district standards. As noted in the existing conditions, each lot in the subdivision meets the minimum standards. The closure of the small right-of-way will increase the lot size of the abutting properties by approximately 5,000 square feet. The M-1 zone has no lot size maximum, so this additional lot area will not impact the lots’ compliance with the district standards.
C. All necessary and required dedications are made;	Complies, with conditions	No new right-of-way dedications are necessary for this subdivision amendment. However, a drainage easement will need to be adjusted due to the modification of the property lines with the right-of-way closure as noted by the Public Utilities department.
D. Water supply and sewage disposal shall be satisfactory to the public utilities department director;	Complies, with conditions	As noted by Public Utilities in the department comments, adjustments will need to be made to the utility connections that are located in the right-of-way closure area or easements will need to be established. Compliance with the requirements noted by the Public Utilities department is a condition of approval.
E. Provisions for the construction of any required public improvements, per Section 20.40.010, are included.	Complies, with conditions	As noted by the Engineering department, the subdivider will need to enter into a Subdivision Improvement Construction Agreement with the City in order to guarantee that the necessary public way improvements are installed. Compliance with the requirements noted by the Engineering department is a condition of approval.
F. The subdivision otherwise complies with all applicable laws and regulations.	Complies	There is no evidence that the subdivision does not comply with all other applicable laws and regulations.

<p>G. If the proposal is an amendment to an existing subdivision and involves vacating a street, right-of-way, or easement, the amendment does not materially injure the public or any person who owns land within the subdivision or immediately adjacent to it and there is good cause for the amendment.</p>	<p>Complies</p>	<p>This proposed right-of-way modification does not materially injure the public or any person who owns land with the subdivision. Access will be preserved to the abutting properties and the functionality of the street as a local street will be maintained. There is good cause for the amendment, as the amendment will remove unnecessary right-of-way from public ownership, thereby reducing future City maintenance costs for the associated street and public infrastructure. The closed right-of-way will be incorporated into the abutting industrially zoned lots and support their future development, which will support the City's economic development.</p>
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ATTACHMENT F: PUBLIC PROCESS AND COMMENTS

Notice of the public hearing for the proposal included:

Public hearing notice mailed: August 28, 2014

Public hearing notice posted: August 28, 2014

Public notice posted on City and State websites and Planning Division list serve: August 28, 2014

ATTACHMENT H: DEPARTMENT REVIEW COMMENTS

Engineering – Scott Weiler (scott.weiler@slcgov.com or 801-535-6159)

For the plat amendment to be recorded, the developer must enter into a Subdivision Improvement Construction Agreement. This agreement requires the subdivider to provide a security device, such as a Payment & Performance Bond, to guarantee acceptable completion of the public way improvements. The agreement also requires insurance from the subdivider and the contractor, and the payment of a 5% fee based on the estimated cost of constructing the proposed public improvements. An agreement was prepared for a previous Meridian Commerce Center 2 plat amendment but was not executed. The developer should contact Karen Carruthers (535-6355) to discuss insurance requirements for the project.

4. SLC Transportation and SLC Fire Department will determine the acceptability of the street geometrics.
5. Improvement plans for the proposed street revisions, including the ramps on 4400 West, must comply with the Salt Lake City Engineering design standards. Some of the significant requirements are as follows: The engineering drawings must show the profile view for top back of curb grade. Minimum curb design grade is 0.50%. The minimum size lettering shall be 1/10" and capital letters shall be used. The text shall be readable from one of two directions on a given sheet. A cover sheet, with approval signatures from SLC Planning, SLC Public Utilities, SLC Fire Department and SLC Engineering must accompany the improvement plans.
6. The SLC Surveyor will begin her review when a final plat is submitted.

Transportation- Barry Walsh (barry.walsh@slcgov.com or 801-535-7102)

The transportation division has worked with the applicant for some time to revise the existing roadway to coincide with proposed abutting property development and minimize public infrastructure required to service limited users. The original roadway proposal to extend the roadway to the east was intended to service multiple parcels. Over time those parcels have been combined to service two parcels with the northern property requiring the existing knuckle type intersection proposal in order to provide adequate frontage. The current proposal addresses only one parcel to the east and therefore additional frontage is not required. We believe this proposal best serves the overall public.

Public Utilities – Justin Stoker (justin.stoker@slcgov.com or 801-483-6786)

Make sure the drainage easement between lots 5A and 6A is extended to the south to include the proposed vacation area. Water and storm drain mains were extended to the eastern most extent of the bulb area. If this is to be vacated, then changes will need to be made to the mains or for easements to address the utility mains in the bulb area.

ATTACHMENT I: MOTIONS

Recommended Motion:

Based on the information in this staff report, testimony, and plans presented, I move that the Planning Commission transmit a favorable recommendation to the City Council for the proposed partial street closure and subdivision amendment subject to complying with all applicable regulations and with the following conditions:

1. The applicant shall comply with all department/division conditions.

Alternative Motion (Not Consistent with Staff Recommendation):

Based on the information in this staff report, I move that the Planning Commission transmit a negative recommendation to the City Council for the proposed partial street closure and subdivision amendment subject as the proposal does not comply with the following standards:

(The Planning Commission shall make findings on the standards as listed below.)

Subdivision Standards

- A. The subdivision complies with the general design standards and requirements for subdivisions as established in Section 20.12.
- B. All buildable lots comply with all applicable zoning standards
- C. All necessary and required dedications are made;
- D. Water supply and sewage disposal shall be satisfactory to the public utilities department director;
- E. Provisions for the construction of any required public improvements, per Section 20.40.010, are included.
- F. The subdivision otherwise complies with all applicable laws and regulations.
- G. If the proposal is an amendment to an existing subdivision and involves vacating a street, right-of-way, or easement, the amendment does not materially injure the public or any person who owns land within the subdivision or immediately adjacent to it and there is good cause for the amendment.

Street Closure Standards

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