



MEMORANDUM

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission

From: Joel Paterson, AICP
(801) 535-6141; joel.paterson@slcgov.com

Date: April 4, 2014

Re: Surplus Property Request at 1226 S 1100 East (PLNPCM2014-00008)

On February 26, 2014, the Planning Commission held a public hearing to consider a request to declare a portion of property at 1226 S. 1100 East as surplus property. Following the public hearing the Planning Commission voted to forward a positive recommendation to the City Administration to declare the property surplus and allow for a property trade which would facilitate the extension of the McClelland Trail to 1100 East.

Subsequently, the Planning Division found that there was a noticing error. To rectify this situation, the public hearing has been rescheduled for April 9, 2014. The original staff report is attached for your review.

**PLANNING COMMISSION STAFF
REPORT
ADMINISTRATIVE ITEM**



Planning Division
Department of Community
and Economic
Development

**Declaration of Surplus Property
PLNPCM2014-00008 – Surplus Property
1226 1100 East
February 26, 2014**

Applicant: Ryan McFarland, Salt Lake City Real Property Manager

Staff: Joel Paterson at (801) 535-6141 or joel.paterson@slcgov.com

Tax ID: 16-08-452-029 and -030

Current Zone: R-1/5,000 (Single Family Residential)

Master Plan Designation: Low Density Residential Mixed-use

Council District: Council District 5 – Erin Mendenhall

Community Council: East Liberty Park

Lot Size: 1226 S 1100 East: 0.15 acres

Applicable Land Use Regulations:

- Section 2.58
- Section 21A.24.070

Attachments:

- A. Petition Initiation Request
- B. Department Comments
- C. Property Photographs

Request

Ryan McFarland, Salt Lake City Real Property Manager is requesting approval from the City to declare city-owned property as surplus to allow an exchange of property with an adjacent property owner. The property is currently vacant and zoned R-1/5,000 (Single Family Residential). This type of project must be reviewed as a Surplus Property petition.

Recommendation

Based on the findings listed in the staff report, it is the Planning Staff's opinion that if the subject property is declared surplus that the Public Utilities Department will retain its ability to maintain and operate the Jordan and Salt Lake City Canal and that the trade of property will benefit the future development of the McClelland Trail and therefore recommends the Planning Commission declare the property to be surplus and to forward a recommendation to the City Administration to dispose of the property in a manner consistent with Section 2.58 of the City Code, subject to the following conditions:

1. Upon the exchange of ownership of the surplus property Salt Lake City shall retain easements across the surplus property and obtain easements on the property at 1234 S 1100 East for access and the operation and maintenance of the Jordan and Salt Lake City Canal.
2. That the recipient of the surplus property agree to grant any needed easements and construct an extension of the McClelland Trail from its current terminus on the exchange parcel to 1100 East and

along the street frontage to the south property line of 1234 S 1100 E. Design specifics will be determined by Salt Lake City.

Recommended Motion

With regard to petition PLNPCM2014-00008, based on the findings within this staff report, I move that the Planning Commission declare surplus approximately 896 square feet of property located at 1226 S 1100 East as presented 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. This recommendation is subject to the conditions listed as part of the Staff recommendation in the staff report.

Vicinity Map



Background

Project Description

The Ryan McFarland, Salt Lake City Real Property Manager, has requested that the Planning Commission declare a portion of the lot at 1226 S 1100 East to be surplus property. The lot is owned by the Salt Lake City Public Utilities Department which operates and maintains the Jordan and Salt Lake City canal which traverses the lot from the southeast to the northwest. The property to be declared surplus is approximately 896 square feet and is located at the southern corner of the lot fronting on 1100 East. The size of the lot as currently configured is approximately 6,534 square feet.

The proposed surplus property declaration and property trade would permit Mr. Winston to access to his site from 1100 East using the existing curb cut and drive approach. In return, as part of Mr. Winston's proposed commercial development of the property at 1234 S 1100 East, the McClelland Trail will be extended from its current terminus along the north property line of the lot owned by the Public Utilities Department to 1100 East

Public Notice, Meetings and Comments

Notice of the public hearing for the proposal includes:

- Public hearing notice mailed on February 13.
- Public hearing notice posted on City and State websites on February 13.
- Public hearing notice emailed to the Planning Division listserv on February 13.

City Department Comments

The comments received from pertinent City Departments / Divisions are attached to this staff report in Attachment B. In general, these comments are supportive of the proposed request and the concerns of each Department / Division are summarized below.

Transportation Division	The Transportation Division comments focused on the future improvements of the McClelland Trail. It was noted that if the trail is extended from its current terminus at the northwest corner of the lot at 1234 S 1100 East that a 20 foot easement is sufficient and the improved trail should be 10 feet wide. The Transportation Division recommends that an 8 foot sidewalk be developed along the 1100 East frontage to accommodate a mixed-use trail. The Planning Staff notes that the trail extension is not a part of this surplus property petition but will be considered when the property at 1234 S 1100 East is developed.
Real Property Services	Salt Lake City's Real Property Services is supportive of declaring the subject property as surplus. See letter in Attachment A.

Public Utilities Department	The proposed land trade was presented to the Public Utilities Advisory Committee on October 24, 2013. The Committee agreed that the project had merit and should be forwarded to the Planning Commission for consideration of declaring the property surplus. The Public Utilities Department is supportive of the request to declare the subject property as surplus to allow for the exchange of property with the abutting property owner. With the exchange of property, Public Utilities will retain an access easement across the property to allow for maintenance of the Jordan and Salt Lake City Canal.
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Analysis

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: This request was made to facilitate an exchange of property with Mr. Phil Winston, representing KingFisher LLC, which owns the lot to the south at 1234 S 1100 E. Mr. Winston is planning to construct a commercial building on his lot which is zoned CN (Neighborhood Commercial). Mr. Winston approached the City and proposed a land trade which would increase the length of his street frontage and allow access to his lot from the existing curb cut and drive approach on 1100 East. The property trade would transfer ownership of a portion of Mr. Winston’s property which contains the current terminus of the McClelland Trail, located at the northwest corner of the lot, to Salt Lake City. If this petition is approved, Mr. Winston has committed to work with the appropriate city departments to extend the McClelland Trail to 1100 East.

Finding: Declaring the property surplus and exchanging property ownership between Mr. Winston and the Public Utilities Department will facilitate the commercial development of the vacant commercial property at 1234 S 1100 East and will result in the construction of a missing segment of the McClelland Trail.

2. The History of the Subject Property.

Analysis: The property owned by the Public Utilities Department at 1226 S 1100 East is traversed by the Jordan and Salt Lake City Canal. The canal was constructed between 1879 and 1882 and is still in use. Because the canal is contained in a subterranean pipe at this location, the lot has never been developed. The lot owned by Mr. Winston at 1234 S 1100 East was the site of the City Market. The City Market building was located along the southern property line adjacent to the Liberty Heights Fresh Market. The City Market had a parking lot located to the north of the building which encroached on the lot containing the

canal. The City Market was demolished in approximately 2008.

Finding: The subject property which is proposed to be declared surplus was used in the past to provide access to the City Market and was used, in part as a parking lot.

3. Access to the Property.

Analysis: Both lots are accessed from 1100 East by an existing curb cut and drive approach. The existing lot line between the two lots bisects the drive approach. If the subject property is declared surplus and the proposed property trade takes place, the drive approach will be entirely located on the commercially zoned lot at 1234 S 1100 East. A condition of approval will require that easements be established to allow the Public Utilities Department to access its lot and to continue operation and maintenance of the canal.

Finding: The subject property has historically provided access from 1100 East to both lots. The access rights of the Public Utilities Department will be preserved by requiring easements for access and the operation and maintenance of the canal.

4. The Proposed Method of Disposition of the Property if Declared Surplus.

Analysis: If declared surplus, the Real Property Services Division would be charged with disposal of the property consistent with the standards found in Section 2.58 of the City Code. The Mayor has final authority to dispose of City-owned real property. The intent of this proposal is to exchange property between the owners of 1226 S and 1234 S 1100 East.

Finding: The Real Property Services Division will coordinate the disposition of the property in accordance with Section 2.58 of the City Code.

5. The Comments Received from Applicable Departments.

Analysis: No objections were received from any of the divisions or departments with regard to the surplus property. There were three divisions and departments that provided recommendations for the disposition of the property, including the: Public Utilities Department; Transportation Division and Real Property Services Division. The comments are noted in Attachment B and summarized on pages 3 and 4 of this staff report.

Finding: There are no comments from City departments that would impact its qualification for being declared surplus.

6. Compliance with Adopted Policies of Relevant Master Plans.

Analysis: The property is located in the *Central Community Master Plan* area. The current master plan designation calls for Low Density Mixed-use. In December, the Planning Commission forwarded a recommendation to the City Council to amend the master plan designation to Neighborhood Commercial and recommended changing the zoning from R-1/5,000 (Single Family Residential) to CN Neighborhood Commercial. The City Council

held a briefing on this petition on February 18, 2014 and will schedule a public hearing in March, 2014.

The Salt Lake City Open Space Plan recommends the development of a trail along the Jordan and Salt Lake City Canal corridor, including the segment of the canal that traverses this property.

The Transportation Division is currently updating the Bicycle and Pedestrian Master Plan and will be recommending that a mixed-use trail be developed along this section of the Jordan and Salt Lake City Canal.

Finding: The proposed surplus property request is consistent with the City's adopted policies and relevant master plans.

7. Whether Annexation is Required.

Analysis: The property is within city limits.

Finding: 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 and the proposed property exchange may be completed.

Finding: The subject property is being disposed of in accordance with applicable governmental codes and regulations.

Attachment A

Petition Initiation Request



MEMORANDUM

HOUSING AND NEIGHBORHOOD DEVELOPMENT
COMMUNITY & ECONOMIC DEVELOPMENT

To: Wilf Sommerkorn, Planning Director

From: Ryan McFarland, Real Property Manager

Date: December 27, 2013

Cc: Cheri Coffey, Assistant Planning Director; Nick Norris, Planning Manager; Ray Milliner, City Planner; Mike Akerlow, Director of Housing and Neighborhood Development; file

Re: Initiate petition to declare property surplus at 226 South 1100 East with Parcel Number 16-08-452-029-0000.

The City Administration wishes to declare property located at approximately **1226 South 1100 East (Parcel No. 16-08-452-029-0000)** as surplus to the needs of the City (Please see Attachment 1).

The property is controlled by Salt Lake City Public Utilities for installation, operation and maintenance of the Jordan and Salt Lake City Canal. At this location there is an irrigation head gate that is operated on and regular basis during the irrigation season. Mr. Phil Winston, representing KingFisher LLC has approached the City with a proposal to exchange land and easements for the benefit of the project proposed on property adjacent to the City owned parcel. Mr. Winston has proposed as part of this transaction to work with the other affected City Departments to move the existing trail head and installation of the trail at his expense as part of the negotiations.

The proposal was presented on October 24th to the Public Utilities Advisory Committee for review and comment. The Committee agreed that the project has merit and should be moved forward into the public process for the surplus declaration.

It is recommended that the approximately 896 square feet of land owned by Salt Lake City Public Utilities Department be declared surplus to allow for an equal land exchange with the KingFisher LLC group. The proposed exchange will improve access to the canal and trail head.

In compliance with City Code §2.58.010, and at your earliest convenience, please authorize the surplus disposition process to proceed. Property Management will be happy to provide any additional information should you need anything.

Best Regards,

Ryan McFarland

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Attachment B
Department Comments

From: [Walsh, Barry](#)
To: [Paterson, Joel](#)
Cc: [Young, Kevin](#); [Larson, Kurt](#); [Bergenthal, Dan](#)
Subject: RE: Surplus property Disposition Review Comments PLNPCM2014-00008
Date: Monday, February 10, 2014 9:50:48 AM

February 10, 2014

Joel Paterson, Planning

Re: PLNPCM2014-00008

Transportation comment entered into Accela as follows:

The proposed land triad needs to address the trail development for a 10 foot mix use, sidewalk and trail easement along 1100 East as noted in Dan Bergenthal's review comments - On August 28, 2013, I sent Joel the following trail comments in regards to this proposed project:

1. Request the trail be constructed 10 feet wide.
2. As I understand it, the developer is proposing to provide a 20-foot easement for the trail, measured southward from the southernmost property line of the privately owned residential parcel located to the north. This will satisfy our needs for the trail.
3. If it's determined that Public Utilities vehicles will use the trail to access their facilities it will need to be designed to handle the heavier vehicle loads.
4. The proposed trail shall not connect to the east end of the existing trail due to private property issues. I'll need to work with the developer to show him how the new section of trail needs to terminate on the west end.
5. Request an 8-foot sidewalk along the 1100 East frontage.

This drawing shows no details for the trail but it doesn't indicate a 7-foot sidewalk which is narrower than what I recommended. I still recommend a minimum 8-foot wide sidewalk be provided since it will act, in this area, as a two way shared use trail.

Thank you!

DAN BERGENTHAL

. The design submittal is conceptual and will require final development is to comply with all city design standard as required at time of permit review process.

Sincerely,

Barry Walsh

Attachment C

Property Photographs



1226 S 1100 E – Looking Northward



1234 S 1100 E – Looking Southwest



McClelland Trail Terminus



McClelland Trail – Looking Northwest