



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: Tracy Tran, 801-535-7645 or tracy.tran@slc.gov
Date: November 18, 2015
Re: PLNPCM2015-00765, 1300 South Street Closure, between 900 West and the Jordan River

Street Closure

PROPERTY ADDRESS: 1300 South, between 900 West and the Jordan River
MASTER PLAN: The Westside Master Plan
ZONING DISTRICT: R-1/7000, CN, OS

REQUEST: This is a request by the Salt Lake City Parks and Public Lands Division and the Salt Lake City Division of Real Estate Services to close a portion of 1300 South, between 900 West and the Jordan River. The purpose of this street closure is to provide an access point to the Jordan River. The proposed street closure is approximately 59 feet wide and up to approximately 180 feet long. This land is adjacent to land managed by Salt Lake City's Open Space Lands Program as a nature preserve along the Jordan River. The full proposal description provided by the applicant is included in Attachment C.

RECOMMENDATION: Based on the information in this staff report, Planning Staff recommends that the Planning Commission forward a positive recommendation to City Council for the request to close 1300 South between approximately 900 West and the Jordan River.

ATTACHMENTS:

- A. Vicinity Map
- B. Property Photographs
- C. Additional Applicant Information
- D. Analysis of Standards
- E. Public Process and Comments
- F. Department Review Comments
- G. Motions

BACKGROUND:

The subject right-of-way is paved and is currently used to illegally store/park cars by the adjacent auto service business located to the south. The subject property is located adjacent to the Jordan River and the current state of the right-of-way facilitates trespassing and dumping activities. The adjacent property to the north is a single family home that currently sits vacant.

CONSIDERATIONS:

Important considerations listed below have been identified through the analysis of the project.

1. Parks and Public Lands received a \$70,000 CDBG grant to redesign this space to include a nature preserve and a community space, which is consistent with policies in the *Westside Master Plan*. One key implementation strategy from the *Westside Master Plan* is to create an access point to the Jordan River at this location. Vacating this street will allow for this policy within the master plan to be realized.
2. The area beneath this street is the confluence of Parley's Creek, Emigration Creek, and Red Butte Creek with the Jordan River. Closing this street may eventually allow for the day-lighting of the water conduit underneath.

NEXT STEPS:

With a recommendation of approval or denial of the alley vacation from the Planning Commission, the proposal will be sent to the City Council for a final decision by that body.

ATTACHMENT A: VICINITY MAP



ATTACHMENT B: PROPERTY PHOTOGRAPHS



Right-of-Way looking west towards the Jordan River



Property adjacent to right-of-way to the South



Property adjacent to right-of-way to the north



View from right-of-way looking east



West edge of proposed street closure, looking at the Jordan River



View of Jordan River looking west

ATTACHMENT C: ADDITIONAL APPLICANT INFORMATION

Salt Lake City Corporation
Planning Department - Planning Counter
451 S State Street, Room 215
Salt Lake City, UT 84114

Re: Street Closure, 900W 1300S

To Whom It May Concern,

Please find attached an application for street closure of a 150' section of 1300 South between 900 West and the Jordan River, and conversion of this right-of-way to a parcel of land under city ownership. This proposed parcel is adjacent to land managed by Salt Lake City's Open Space Lands Program as a nature preserve along the Jordan River. Much of the proposed parcel is within the 100' riparian corridor buffer along the Jordan River. The City recently awarded the Parks & Public Lands Program \$70,000 in CDBG funding for design of a nature area and community space at this location, consistent with the recommendations contained in the 2014 West Side Master Plan. Currently, this paved right-of-way facilitates illegal parking of cars by the adjacent business, and serves no other apparent purpose except to allow dumping and trespassing on city property along the Jordan River. Conversion of this right-of-way to a parcel of land under city ownership would allow re-design of the space and potential day-lighting of the water conduit which runs under it... which few realize is the confluence of Parleys Creek, Emigration Creek, and Red Butte Creek with the Jordan River. The city's open space program has been investing resources in protecting the natural values of the adjacent parcels along the river for many years.

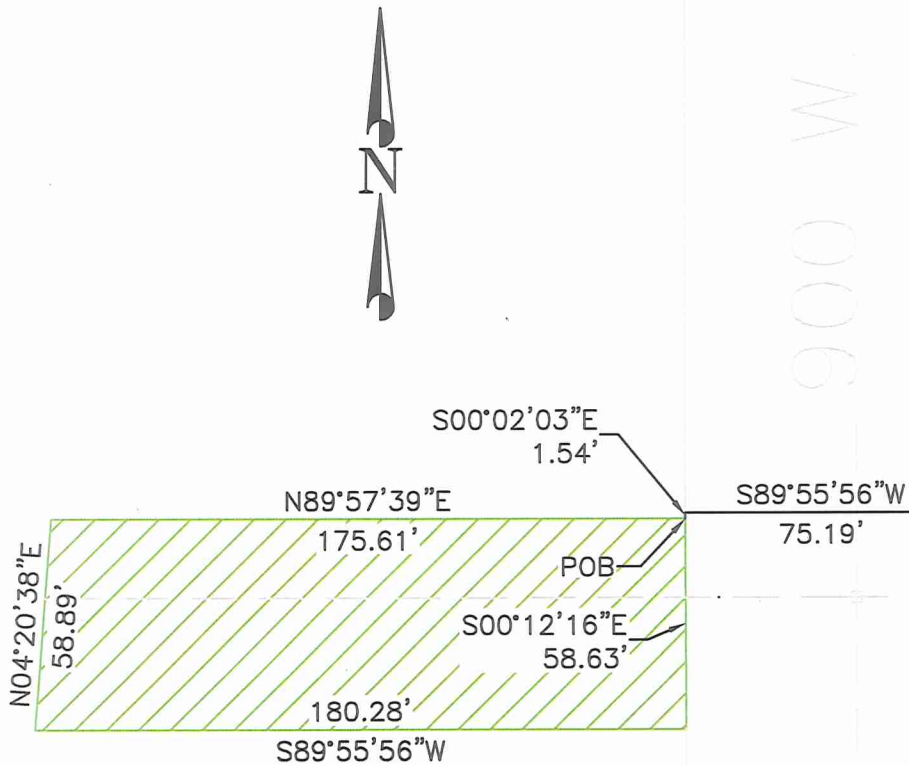
Please let me know what other information is needed. Thank you for your careful consideration of this application.

Sincerely,



Lewis Kogan
Open Space Program Manager
Salt Lake City Corporation
1965 W 500 S
Salt Lake City, UT 84104

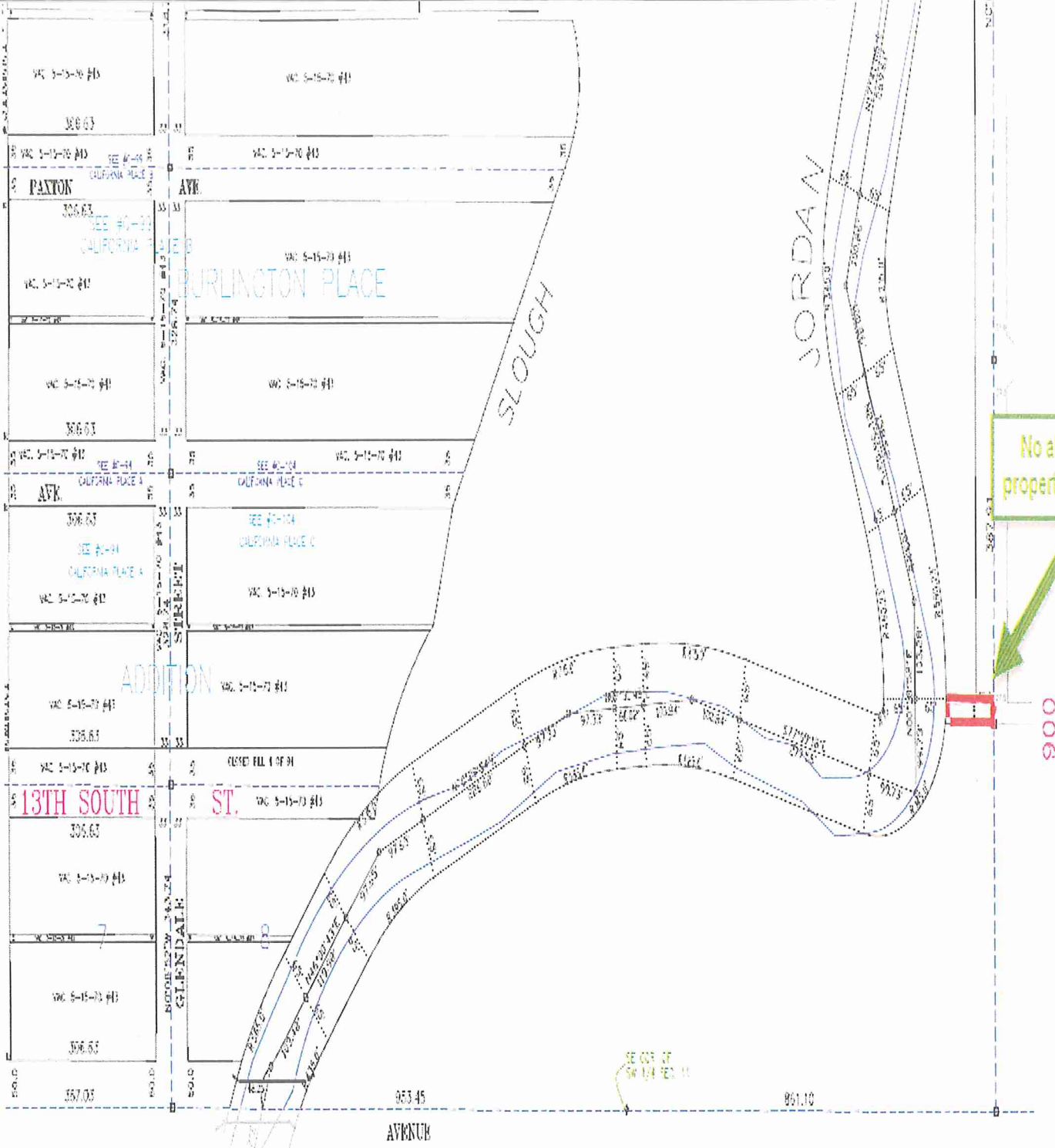
1300 S. Street Closure



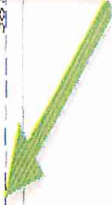
Beginning at a point which is $S89^{\circ}55'56''W$ 75.19 feet and $S00^{\circ}02'03''E$ 1.54 feet from the Southwest Corner of Lot 17, Block 1, J. Bolton & Company's Subdivision Cobb's Addition, Book C, Page 12 of the Salt Lake County Recorders Office, being in the Southeast Quarter of Section 11, T1S, R1W S.L.B.&M. and running thence $S00^{\circ}12'16''E$ 58.63 feet to the south right-of-way line of 1300 S.; thence along said right-of-way line $S89^{\circ}55'56''W$ 180.28 feet; thence $N04^{\circ}20'38''E$ 58.89 feet to the north right-of-way line of 1300 S.; thence along said right-of-way line $N89^{\circ}57'39''E$ 175.61 feet to the point of beginning. Contains 10,441 square feet or 0.240 acres more or less.

1300 South Street Closure

Beginning at a point which is $S89^{\circ}55'56''W$ 75.19 feet and $S00^{\circ}02'03''E$ 1.54 feet from the Southwest Corner of Lot 17, Block 1, J. Bolton & Company's Subdivision Cobb's Addition, Book C, Page 12 of the Salt Lake County Recorders Office, being in the Southeast Quarter of Section 11, T1S, R1W S.L.B.&M. and running thence $S00^{\circ}12'16''E$ 58.63 feet to the south right-of-way line of 1300 S.; thence along said right-of-way line $S89^{\circ}55'56''W$ 180.28 feet; thence $N04^{\circ}20'38''E$ 58.89 feet to the north right-of-way line of 1300 S.; thence along said right-of-way line $N89^{\circ}57'39''E$ 175.61 feet to the point of beginning. Contains 10,441 square feet or 0.240 acres more or less.



No abutting property owners



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(SEE ATLAS MAP #15)

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ATTACHMENT D: ANALYSIS AND FINDINGS

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: If the City Council approves of the street closure, the City would retain ownership of the property and through the Parks and Public Lands Division, the space will be redesigned. The subject right-of-way is adjacent to two properties, one single-family home to the north and one commercial property to the south. Both of these properties have access along 900 West. Closing this street would not deny access to these properties.

Finding: The proposed street closure 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: The proposed right-of-way to be closed would remain City property. Since the ownership of the land would not transfer, it is not necessary to obtain fair market value for the land. The land would remain public and eventually be incorporated into the Jordan River Parkway.

Finding: The City would retain ownership of this property and fair market value exchange is not necessary.

- 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 is located in the area addressed by the [Westside Master Plan](#), adopted in 2014. One of the visions for the Westside is that it is a primary destination in Salt Lake City for river recreation, active parks and a variety of public spaces. That plan provides the following policy related to the proposed street closure:

There is an opportunity on 900 West at 1300 South to create a small access point to the Jordan River and possibly to the Jordan River Parkway. At this point, the Jordan River is less than 200 feet from the right-of-way and proximity to the California Avenue and 900 West node opens up opportunities for highlighting the node's importance with signage or other urban design elements

This is established with the following implementation strategy:

Expand recreational opportunities on the Jordan River.

900 West Access. *Salt Lake City should acquire property on 900 West near 1300 South for the purpose of creating a new access point for the Jordan River.*

The City recently rewarded the Parks and Public Lands Program \$70,000 in CDBG funding for design of a nature area and community space at this location. By closing this street, this area can be redesigned for the public.

In addition, the [Westside Master Plan](#) discusses the importance of Gateways and that these “connections to the rest of the city are a vital element of the community’s vision.” The plan states that 1300 South and 900 West (from the north) are good examples of neighborhood gateways and these gateways are one of the most important public spaces for visitors to the community and the design of these spaces is important in providing a positive first impression.

The [Salt Lake City Urban Design Element](#) states the following regarding vacating streets:

“Decline to vacate streets, alleys and other public rights-of-way unless it is demonstrated that the vacation will result in a public benefit.”

In accordance with this policy, the proposal to close off this portion of 1300 South in order to provide for a nature area and community space at this location would benefit the public and provide a neighborhood gateway for this area. Furthermore, the existing street is not used by the public. Creating an additional access point to the river improves the transportation network for pedestrians and cyclists.

Finding: The relevant City master plans have established policies that are compatible with the proposed right-of-way closure.

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 right-of-way as is. Not closing this street will mean that CDBG funds could not be used to redesign this space for a nature area and community space.

Currently, the right-of-way is used to illegally park cars by the neighboring business and this right-of-way creates an opportunity for dumping and trespassing.

By closing the street, the land would be added to the City’s open space inventory and the Parks and Public Lands will be able to use CDBG funds to redesign this space for a nature area and community space. In addition, this street closure could allow for the potential day-lighting of the water that runs under the street.

Finding: The alternative to this request is to maintain this right of way as it currently exists. Staff finds that the proposal has the potential to create a more useful space and in addition create an access point to the Jordan River.

ATTACHMENT E: PUBLIC PROCESS AND COMMENTS

PUBLIC PROCESS AND INPUT

- Notice of petition and request for review sent to Glendale Community Council on September 29, 2015
- Letters sent to abutting property owners on October 29, 2015
- Public hearing notice mailed on November 5, 2015
- Public hearing notice posted on the property on November 5, 2015
- Public notice posted on the City and State websites and sent via the Planning Division list serve on November 5, 2015

No inquiries or public comments have been received.

ATTACHMENT F: DEPARTMENT REVIEW COMMENTS

Building:

No comments received.

Engineering:

Engineering supports the proposal.

Fire:

No comments received.

Police:

No comments received.

Public Utilities:

Public utilities has a 5' x 12' storm drain culvert and a 5' storm drain pipe that discharge to the river at this location. There is also a 6" water line that is in this right of way. All work done will need to be coordinated with public utilities. Public utilities does regular maintenance and removal of floatable debris in this right of way. This access must be maintained and if any repairs or maintenance of this infrastructure is required, it will be the Open Space and Public Lands responsible to replace or repair any landscaping or improvements beyond the existing asphalt condition.

Most of this right of way is in the Jordan River Flood Plain. A Flood Plain development permit will be required for any structures, grading or encroachment.

A SWPPP Document is required prior to any construction activities.

Sustainability:

No comments received.

Transportation:

Transportation has no objections to this street closure. Depending on future use, Transportation would like to see the curb & gutter extended along the frontage and equipped with a driveway approach if needed.

Zoning:

Question: Prior to possible improvement of the parcel, will it be fenced to eliminate the illegal parking? No other comments.

ATTACHMENT G: MOTIONS

Consistent with Staff Recommendation:

Based on the findings listed in the staff report, testimony and plans presented, I move that the Planning Commission transmit a favorable recommendation to the City Council for the request to close 1300 South between approximately 900 West and the Jordan River.

Not Consistent with Staff Recommendation:

Based on the testimony, plans presented and the following findings, I move that the Planning Commission transmit a negative recommendation to the City Council relating to this request to close 1300 South between approximately 900 West and the Jordan River.