



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: Doug Dansie, 801-535-6182, doug.Dansie@slcgov.com
Date: February 10, 2016
Re: PLNPCM2015-00764 Hayes Avenue Street Closure

Hayes Avenue Street Closure

PROPERTY ADDRESS: Hayes Avenue (940 South) between the Jordan River and 1100 West
PARCEL ID: bisecting parcel 15-11-180-017
MASTER PLAN: West Salt Lake
ZONING DISTRICT: R1-5000 Single family residential; also,
Airport Flight Path Protection Zone H

REQUEST: Salt Lake City Parks and Open Space, a division of Salt Lake City, owners of property at 945 South 1100 West, are requesting the closure of Hayes Avenue between the Jordan River and 1100 West. The portion of right-of-way to be closed was originally platted as part of the adjacent subdivision but the street has not been built and the land is managed as part of a wetlands and open space preserve. The portion of right-of-way proposed to be closed is entirely surrounded by Salt Lake Open Space land. If the street is closed, the property would be conveyed to the Salt Lake City Parks and Open Space to be managed with adjacent open space.

RECOMMENDATION: Based on the information in this staff report, Planning Staff recommends that the Planning Commission transmit a favorable recommendation for the proposed street closure. 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 PLNPCM2015-00764 the Hayes Avenue street closure with the following condition:

1. The applicant shall comply with all department/division conditions.
2. The property be integrated into the legal description of the adjacent parcels and managed as part of the larger open space program.

ATTACHMENTS:

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

PROJECT DESCRIPTION:

The portion of right-of-way to be closed was originally platted as part of the adjacent subdivision but the street has not been built and the land is managed as part of a wetlands and open space preserve. The parcel is entirely surrounded by Salt Lake Open Space land. If the street is closed, the property would be conveyed to the Salt Lake City Parks and Open Space to be managed with adjacent open space.

DISCUSSION:

The right of way has never functioned as a public street. The closure of the right-of-way is intended to clear up ownership issues and acknowledge that the site is functioning as part of a larger park. Properties on both sides of the right-of-way share a common County Recorder Sidwell parcel number and are considered one parcel, even though they are bisected by the right-of-way. Approval of the closure and notification to the County Recorder would effectively integrate the property into a single parcel.

The right-of-way land proposed for closure would take upon the zoning of the adjacent land. The adjacent land is used as open space, but is technically zoned Single Family Residential R-1/5000. Parks are a permitted land use in the R-1/5000 zoning district; therefore the new land use is consistent with the zoning.

With the abandonment of the adjacent railroad right-of-way being integrated into a larger trail system, this larger site is being improved as part of the Jordan River Parkway. Therefore the closure of the street right-of way will not affect general pedestrian access to the larger site. Individual design decisions regarding ultimate open space layout may alter pedestrian traffic patterns, but general access will remain.

The closure is consistent with City Council policy to maintain access, obtain comparable value (lateral transfer of lands between City Divisions) and accomplish public policy.

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. The City Council will hold a public hearing and make a decision to either approve or deny the request based on compliance with the street closure standards.

If the City Council approves the request, the portion of the street that is closed will be transferred to the Parks Division.

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



ATTACHMENT B: PHOTO



Google earth photo illustrating context of open space land (center) between 800 South Park (left) and Jordan Park (right). Hayes Avenue right-of-way (in red) is to the right of the former rail tracks/present bike path



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, 1100W Hayes Ave

To Whom It May Concern,

Please find attached an application for street closure of the undeveloped Hayes Avenue right-of-way between 1100W and the Jordan River in Salt Lake City, 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. Much of the proposed parcel is within the 100' riparian corridor buffer along the Jordan River. The proposed parcel was incorporated into publicly-reviewed planning efforts for the design of a wetlands restoration project at this location. The wetlands restoration was carried out in 2014 with CIP funding from Salt Lake City and mitigation funding from the Utah Division of Water Quality. The restoration restored natural habitat and provides for public recreation on and around the proposed parcel. The city's open space program has been investing resources in protecting the natural values of the proposed parcel for many years.

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

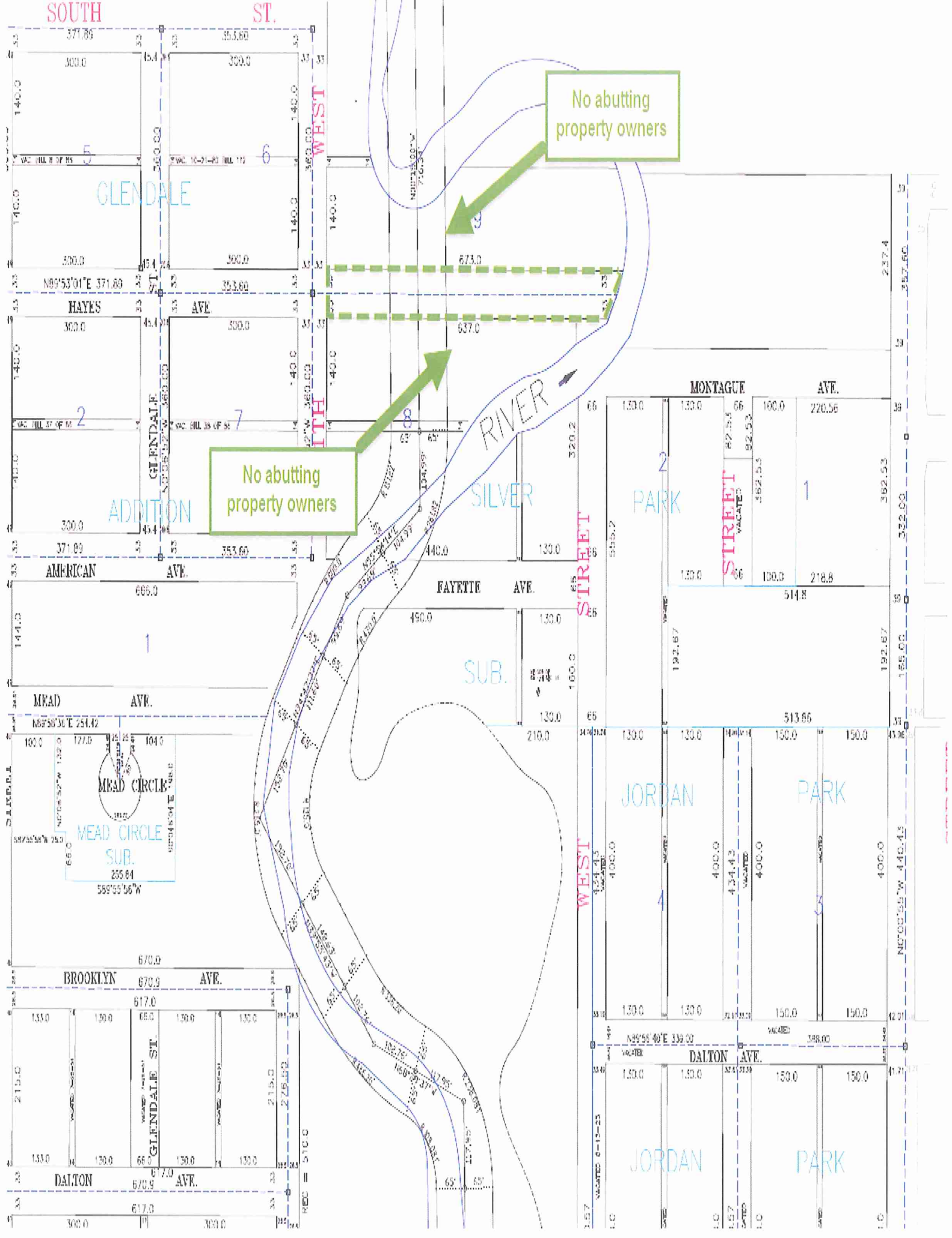
Sincerely,



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

SOUTH

ST.



No abutting
property owners

No abutting
property owners

LENDALE

ADDITION

SILVER RIVER

PARK

JORDAN PARK

PARK

JORDAN PARK

PARK

HAYES AVE

AMERICAN AVE

MEAD AVE

BROOKLYN AVE

DALTON AVE

FAYETTE AVE

MONTAGUE AVE

MEAD CIRCLE

MEAD CIRCLE SUB.

255.64

58°55'56"W

GLENDAL ST

GLENDAL AVE

GLENDAL ST

GLENDAL AVE

GLENDAL ST

GLENDAL AVE

WEST

WEST STREET

WEST STREET

STREET VACATED

STREET VACATED

DALTON AVE

DALTON AVE

DALTON AVE

89°53'01"E 371.69

371.09

605.0

182°50'30"E 254.42

100.0

670.0

1330

1330

673.0

637.0

440.0

490.0

210.0

617.0

2130.0

2130.0

673.0

637.0

320.2

130.0

130.0

130.0

130.0

130.0

130.0

130.0

130.0

130.0

130.0

130.0

130.0

130.0

100.0

100.0

100.0

100.0

100.0

100.0

100.0

220.56

218.8

513.86

150.0

150.0

150.0

150.0

237.4

592.53

592.00

192.87

185.00

185.00

400.0

400.0

400.0

REC = 570.0

REC = 570.0

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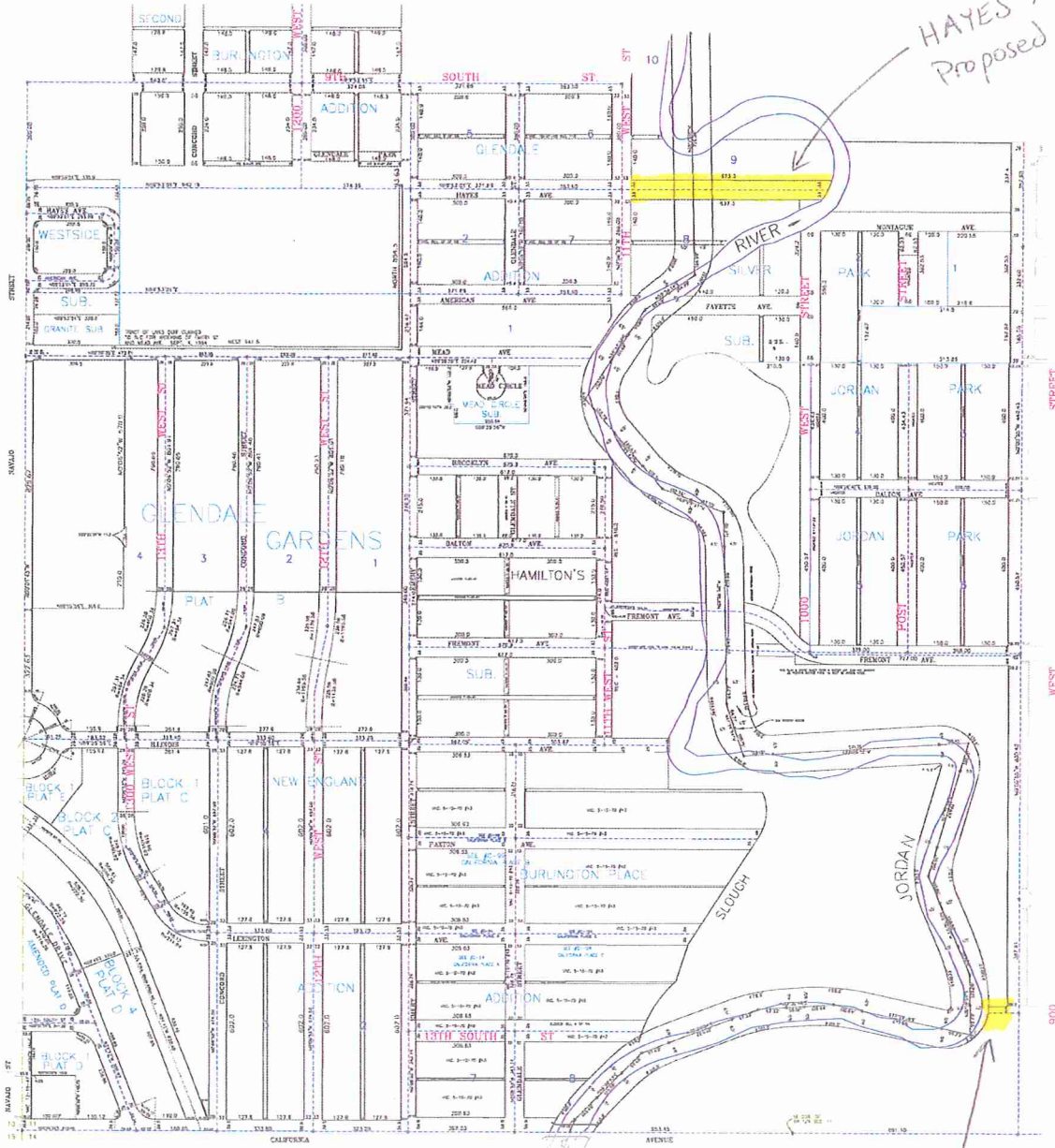
PLAT 12

SCALE: 1" = 150'

DISCLAIMER: All maps, data, information, or downloadable files are intended to be used as a visualization tool for various features within the city limits. These materials are provided as is, with the city free of any and all liability associated with the use of GIS and survey related materials contained herein. Discrepancies and distances take precedence over framework.

(SEE ATLAS MAP #27) (SEE ATLAS MAP #35)

HAYES AVE ROW
Proposed for closure



(SEE ATLAS MAP #26)

(SEE BLOCK 8, 5-ACRE PLAT "B")

12

(SEE ATLAS MAP #40)

(SEE ATLAS MAP #15)

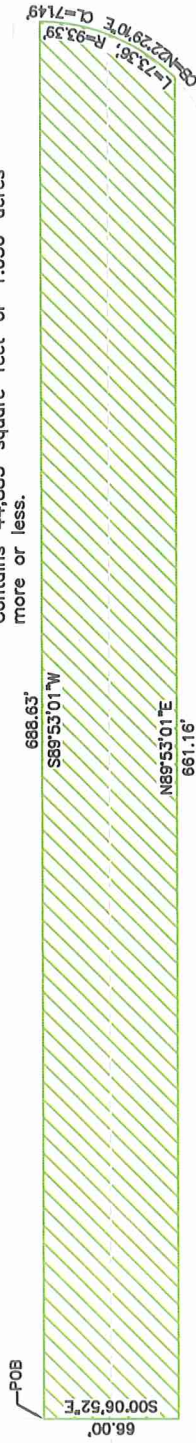
12

OWNED BY HIS DEEDS FEB. 1935
CORRECTED BY HIS DEEDS
REVISED AUGUST, 1938 - 1940
SIGNED NEW RIVER ALCOHOL, JAN. 1943
APPL. 1938, SHOWED ROW AS CONT. - 2ND REMON
MAYED 7TH ALLEY, MAY 88, 2ND
MAYED ALLEY 2ND & 3RD 84
REMAINED WEST STREET 1-75-24 84
ACED WEST 191502 SUB. 8-22-10 94
REVISED FRESHMAN AVENUE BETWEEN 11TH WEST AND 11TH WEST 8-22-10 94
CLOSED PORTION OF 13TH ST. 8-11-10 94
AND CALIFORNIA PLATE A, B & C SUBDIVISIONS 2/8/96 C.B.
REVISED DISTANCES BETWEEN MONUMENTS ON 1100 W. SAKTON TO FREMONT PER H.S. BY CUB 2/2/95
ACED ORDINANCE #17 OF 1938 INC. 2 ALLEYS BETWEEN 10TH-1100 W. WALKER-MANSON AVENUE CUB MAYED
ALCY #3 OF 1939 RWH BETWEEN ENEMY ST & 1200 W AND BETWEEN LEONARD AND SLUICH AVE.

1300 E ROW
Proposed for closure

Hayes Ave. Street Closure

Beginning at the Southwest Corner of Lot 1, Block 9, of the Glendale Addition Subdivision, Book B, Page 68 of the Salt Lake County Records Office, being in the North half of Section 11, T1S, R1W S.L.B.&M. and running thence S00°06'52"E 66.00 feet to the Northwest Corner of Lot 6, Block 8, of said Glendale Addition Subdivision; thence along the north line of said Block 8 N89°53'01"E 661.16 feet to the Jordan River; thence northeasterly along said river on a 93.39 foot radius curve to the left 73.36 feet (Chord Bears N22°29'10"E 71.49 feet); thence along the south line of said Block 9 S89°53'01"W 688.63 feet to the point of beginning. Contains 44,885 square feet or 1.030 acres more or less.



Hayes Ave. Street Closure

Beginning at the Southwest Corner of Lot 1, Block 9, of the Glendale Addition Subdivision, Book B, Page 68 of the Salt Lake County Recorders Office, being in the North half of Section 11, T1S, R1W S.L.B.&M. and running thence S00°06'52"E 66.00 feet to the Northwest Corner of Lot 6, Block 8, of said Glendale Addition Subdivision; thence along the north line of said Block 8 N89°53'01"E 661.16 feet to the Jordan River; thence northeasterly along said river on a 93.39 foot radius curve to the left 73.36 feet (Chord Bears N22°29'10"E 71.49 feet); thence along the south line of said Block 9 S89°53'01"W 688.63 feet to the point of beginning. Contains 44,885 square feet or 1.030 acres more or less.

ATTACHMENT D: EXISTING CONDITIONS

Adjacent Land Uses

The subject right-of-way is adjacent to properties zoned Single Family Residential R-1/5000. Parks are a permitted land use in the R-1/5000 zoning district. All adjacent properties are currently managed as a park/open space and parkway.

Land to the west, across 1100 West, is both zoned and developed as single family homes.

Applicable Master Plan Policies

The subject right-of-way is located within the Westside Master Plan area. The plan establishes the expected vision for the general area.

VISION

The Westside will be:

- A seamless pattern of stable residential neighborhoods;
- A growing and diverse collection of commercial and neighborhood centers and thriving recreational assets;
- Home to a diverse mix of people, cultures and businesses that form a network of neighborhood destinations for residents;
- Clearly connected to the rest of Salt Lake City through a variety of reliable transportation modes that give residents convenient options for getting around;
- Home to numerous retail and service options from a mix of commercial types;
- The primary destination in Salt Lake City for river recreation, active parks and a variety of public spaces;
- Home to eclectic neighborhoods that celebrate a shared history and character through growth of neighborhood and community nodes;
- Home to distinct community and cultural assets that provide social services, employment opportunities of all types, and educational and recreational opportunities; and
- Home to a healthy and diverse industrial business community that provides a growing employment and economic base for Salt Lake City.

The Community profile in the master plan already designates this area as open space (location information added to the actual master plan map):



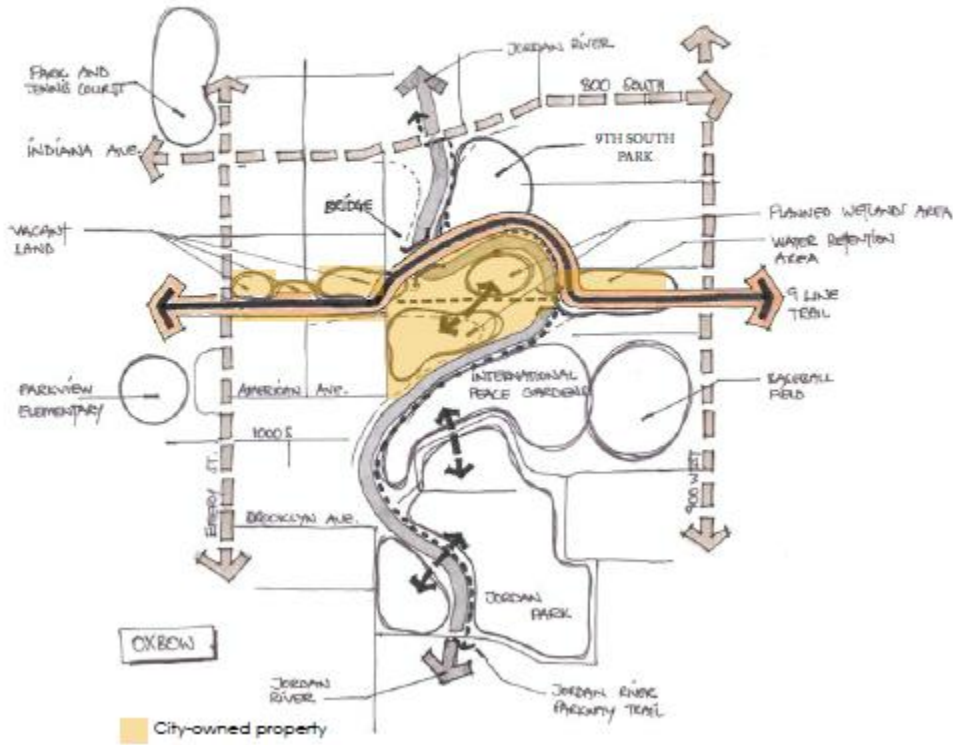
This property and the surrounding adjacent properties are zoned R-1/5,000 single-family residential district and therefore are expected to support residential development.

The R-1/5,000 single-family residential district purpose statement is as follows: The purpose of the R-1/5,000 single-family residential district is to provide for conventional single-family residential neighborhoods on lots not less than five thousand (5,000) square feet in size. This district is appropriate in areas of the city as identified in the applicable community master plan. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

Parks are a permitted land use in the R-1/5000 zoning district.

The subject right-of-way is located within the 9 Line Corridor Master Plan area. The plan establishes the expected vision for the general area.

4 - OXBOW NODE: ANALYSIS & POTENTIAL



IMPORTANT NODES / POINTS OF INTEREST

The Oxbow Node is at the heart of several major recreational points of interest including the International Peace Gardens, Jordan Park and 9th South Park. Also within a 5-minute walk, users can reach Parkview Elementary, Poplar Grove Park, as well as the neighborhood commercial node at 900 South & 900 West. Currently there are plans by Salt Lake City's Parks and Public Lands Department to redevelop the Jordan River Oxbow into an interpretive wetlands park, with commanding views to the Wasatch, which will become another recreational point of interest at this node.

The oxbow open space provides a major center point for north/south and east/west trail convergence.

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: This portion of Hayes Avenue is a “paper street” that exists on paper but is not constructed as a passable street. The land is being managed as part of the adjacent open space, owned and managed by Salt Lake City. 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: The abutting property is parkland and the transfer of ownership would basically be between City divisions.

Finding: The property will be transferred 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 is on paper only. There is no actual drivable street proposed to be closed. Hayes avenue continues on the east side of the Jordan River and to the west of 100 West as an actual street, however there are no proposals to connect the two portion of Hayes Avenue, which would require building a bridge across the river.

The Westside master plan indicates this area as open space.

Finding: The relevant City master plan supports closure of the street by acknowledging the land as open space.

- 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 remain responsible for the lands maintenance as either a street or open space. However, since this land has recently been improved as natural open space, it does not make sense to keep the land as a street. It is more rational to convert it to real property and combine the land with the adjacent parcels to ensure that it remains open space. An additional benefit of doing this is that the land would be added to the Open Space Lands Inventory. The purpose of this inventory is to preserve important open space areas of the City. If the area were to remain a street, it is not considered real property and would not be part of the Open Space Lands Inventory.

Finding: Staff finds no public policy reasons for the City to continue to own and maintain the proposed right-of-way as a street, as opposed to open space.

ATTACHMENT F: PUBLIC PROCESS AND COMMENTS

Notice of the public hearing for the proposal included:

Community Council notified October 13, 2015; no comments were received.

Public hearing notice mailed: January 28, 2016

Public hearing notice posted: January 28, 2016

Public notice posted on City and State websites and Planning Division list serve: January 28, 2016

ATTACHMENT H: DEPARTMENT REVIEW COMMENTS

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

No objections.

Transportation- Michael Barry (michael.barry@slcgov.com or 801-535-6147)

No objections from Transportation.

Public Utilities – Jason Draper (jason.draper@slcgov.com or 801-483-6751)

No objections to the proposed vacation. The property is in a flood zone. Any improvements to the property will require a flood plain development permit and a riparian permit. There is also a water meter in the right of way.

Zoning – Greg Mikolash (greg.mikolash@slcgov.com or 801-535-6181)

No zoning comments.

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 street closure subject to complying with all applicable regulations and with the following conditions:

3. The applicant shall comply with all department/division conditions.
4. The property be integrated into the legal description of the adjacent parcels and managed as part of the larger open space program.

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 street closure, as the proposal does not comply with the following standards:

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

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.