



# Staff Report

PLANNING DIVISION  
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission  
From: Wayne Mills, 801-535-7282 or [wayne.mills@slcgov.com](mailto:wayne.mills@slcgov.com)  
Date: January 13, 2016  
Re: PLNPCM2015-00766, 1700 East Street Closure, between Emerson Avenue and Logan Avenue

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## Street Closure

**PROPERTY ADDRESS: 1700 East, between Emerson Avenue and Logan Avenue**  
**MASTER PLAN: East Bench Master Plan and Wasatch Hollow Open Space Comprehensive Restoration, Use, and Management Plan**  
**ZONING DISTRICT: OS Open Space, R-1/5000 and R-1/7000 Single-Family Residential, I Institutional**

**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 1700 East, between Emerson Avenue and Logan Avenue. This portion of 1700 East was dedicated as a public street in the old Salt Lake City survey plats, but was never constructed as a street due to its location within the Emigration Creek riparian corridor.

**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 1700 East between approximately Emerson Avenue and Logan Avenue.

**RECOMMENDED MOTION:** 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 1700 East between approximately Emerson Avenue and Logan Avenue.

**ATTACHMENTS:**

- A. Vicinity Map
- B. Zoning Map
- C. Photographs
- D. Wasatch Hollow Open Space Use Plan Map
- E. Additional Applicant Information
- F. Analysis of Standards
- G. Public Process and Comments
- H. Department Review Comments
- I. Motions

**BACKGROUND:**

The subject property is an unimproved portion of 1700 East Street located within the Wasatch Hollow Open Space area. This portion of 1700 East was dedicated as a public street in the old Salt Lake City survey plats, but was never improved as a street due to its location within the Emigration Creek riparian corridor. The proposal is to change the status of the property from a public street to a City-owned parcel.

**Access and Zoning**

There are seven privately owned parcels that are adjacent to the subject portion of 1700 East; however, the street has not been used, and is not required to access these properties.

There is a mix of zoning districts adjacent to the subject portion of 1700 East; R-1/5000 Single-Family Residential, R-1/7000 Single-Family Residential, Institutional and OS Open Space (see map in Attachment B). According to Section 21A.22.030A of the Salt Lake City Zoning Ordinance, all streets are included in the adjacent zoning district and where the street is a boundary between two zoning districts, the centerline of the street is the zoning boundary. As previously stated, the subject property is adjacent to a number of different zoning districts. Planning Staff recommends that, if the street is closed and removed from the Salt Lake City street inventory, the City pursue a zoning amendment to change the zoning of the entire property to Open Space.

**Process and Outcome**

The process for removing the status of 1700 East as a public street is called a street closure and requires review by the Planning Commission and approval by the Salt Lake City Council. If the petition is approved by the City Council, the property will no longer be recognized as a public street. The City will retain ownership of the property and it will be incorporated into the City-owned Wasatch Hollow property.

The overall purpose of the petition is to implement the Wasatch Hollow Open Space Plan. Adopted by the City Council in 2011, the plan provides policies and strategies for managing access to, and restoration of, the Wasatch Hollow Open Space area. Removing this portion of 1700 East from the Salt Lake City street inventory will help to ensure that the property remains public open space and is an instrumental piece Wasatch Hollow Open Space plan. For reference, the Wasatch Hollow Open Space Use Plan Map is included as Attachment C. The full plan can be found at <http://www.slccgov.com/open-space/wasatch-hollow-preserve>.

**CONSIDERATIONS:**

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

1. Although the subject portion of 1700 East would be closed as a public street, the property would remain under City ownership as public open space.
2. Closing the subject portion of 1700 East would support and implement the Wasatch Hollow Open Space Plan.

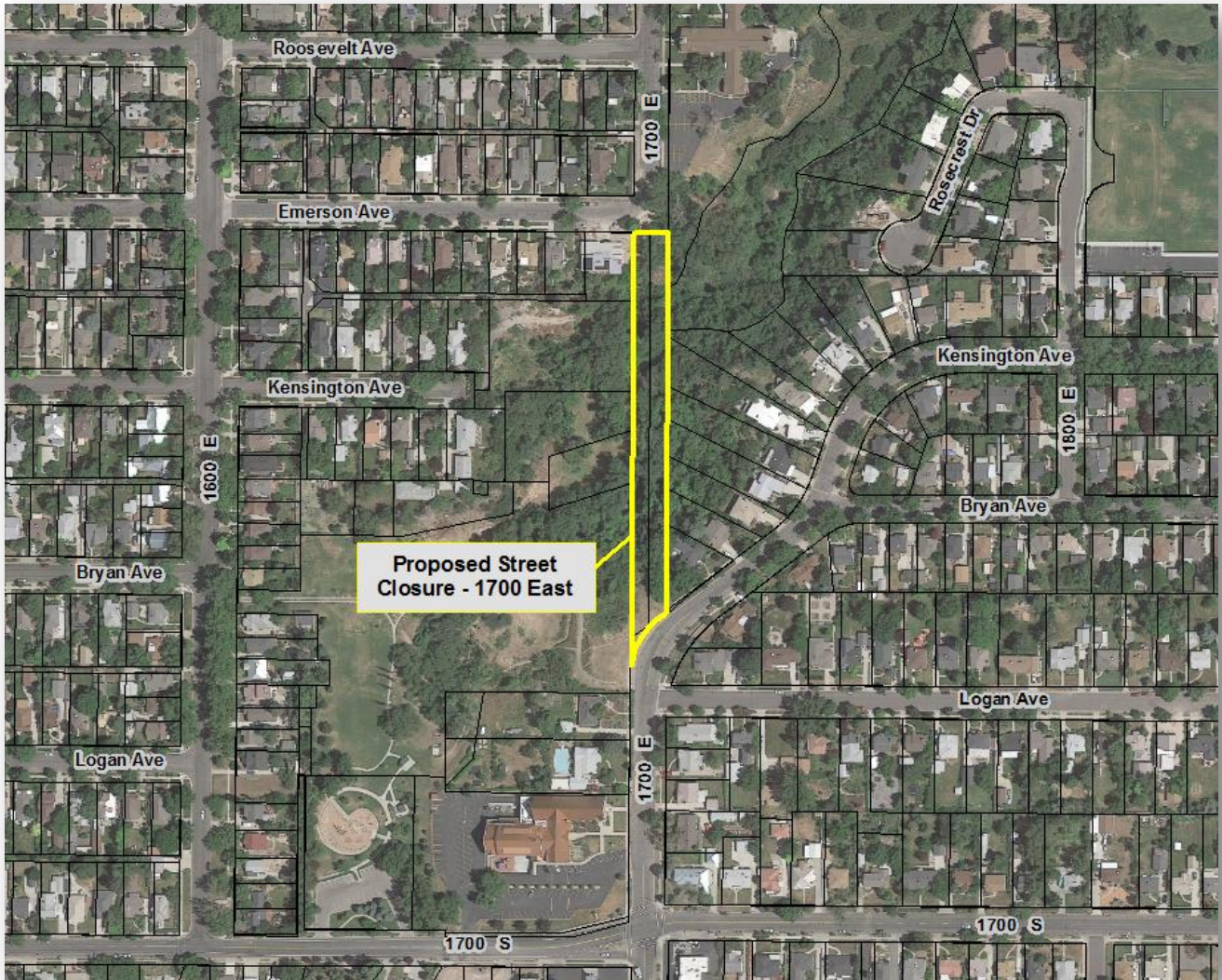
**APPLICABLE REGULATIONS**

Section 10-9a-609.5 of the Utah Code Annotated establishes the power for cities to vacate streets upon the request of the governing body or a property owner. The City Council must determine that there is good cause for the action and the action will not be detrimental to the public interest.

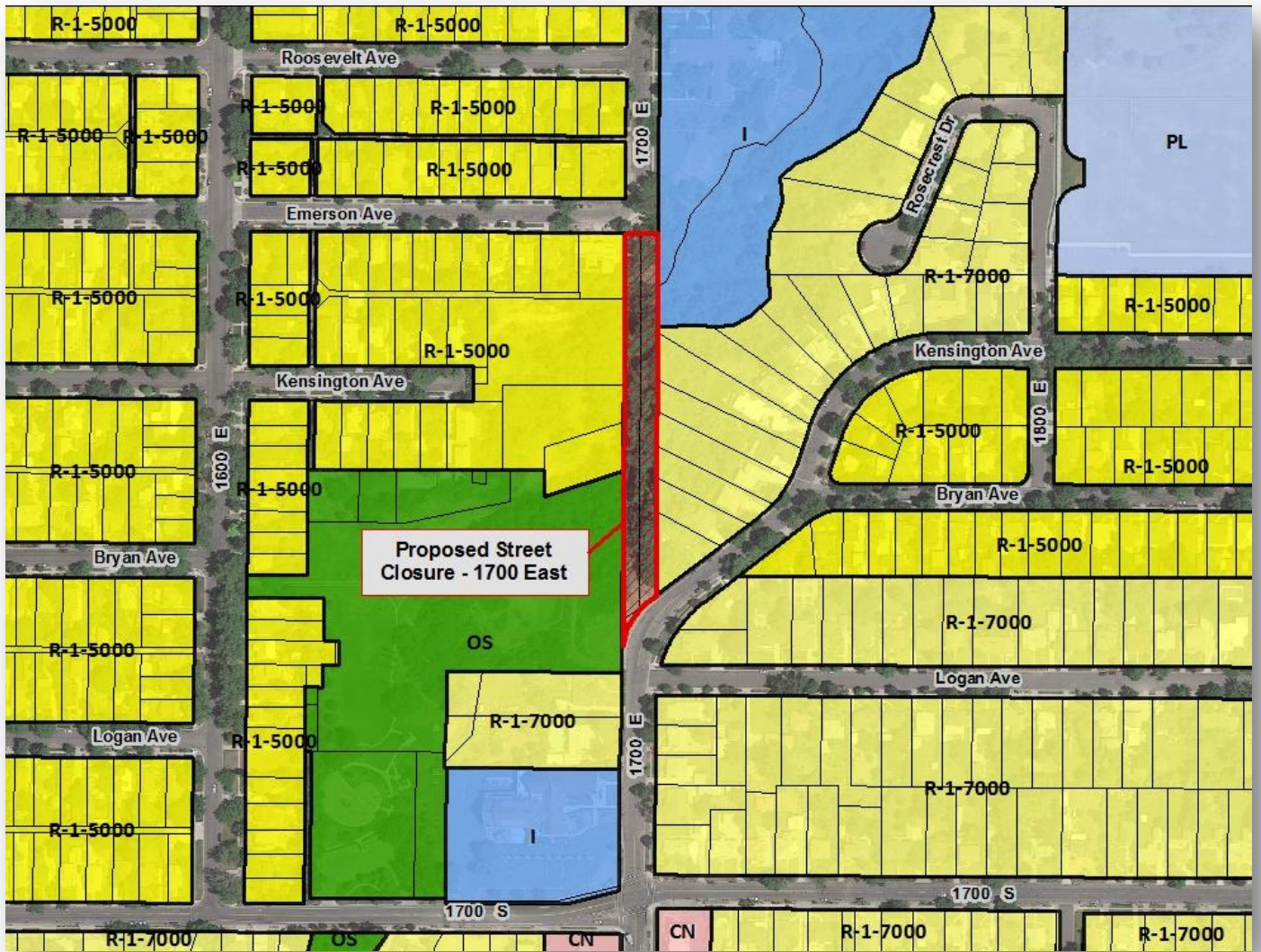
**NEXT STEPS:**

With a recommendation of approval or denial of the street closure 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: ZONING MAP



# **ATTACHMENT C: PROPERTY PHOTOGRAPHS**

Images obtained from Google Streetview.



# **ATTACHMENT D: Wasatch Hollow Open Space Use Plan Map**

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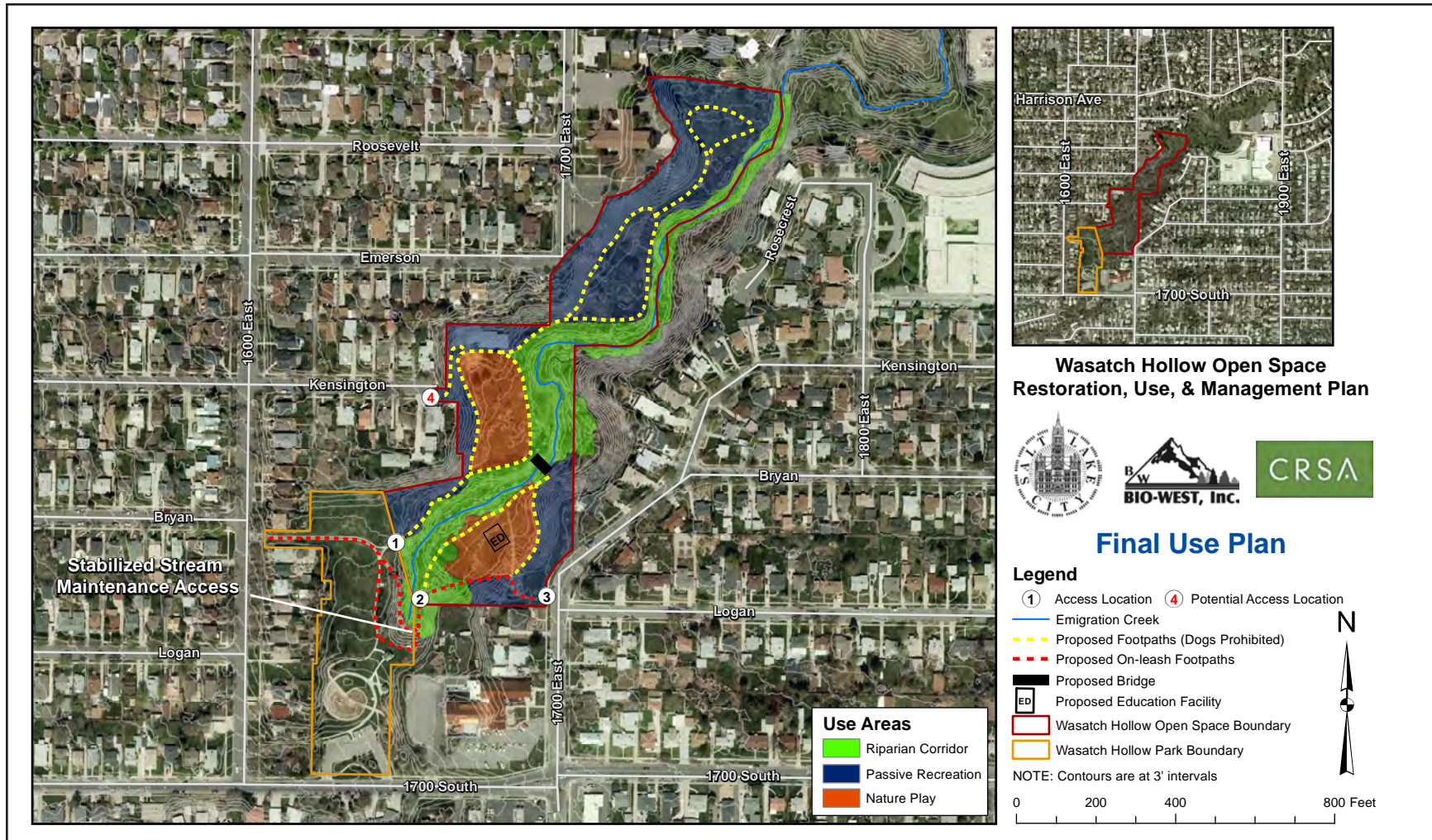
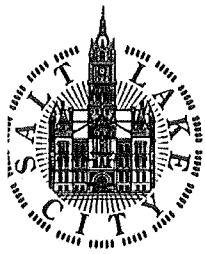


Figure 8. Wasatch Hollow Open Space Final Use Plan Map

**ATTACHMENT E: ADDITIONAL APPLICANT  
INFORMATION**

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# Street Closure

### OFFICE USE ONLY

Project #: PLWP0M705-00766	Received By: K. Lindqvist	Date Received: 9/22/15
Project Name: Parks and open space street closure		

### PLEASE PROVIDE THE FOLLOWING INFORMATION

Name/Location of the Street: 1500 S. 1700 E.	
Name of Applicant: Shelley Sepulveda	Phone:
Address of Applicant: 451 S. State St., Rm 425, SLC, UT 84114	
E-mail of Applicant: shelley.sepulveda@slc.gov.com	Cell/Fax: 8015356447
Applicant's Interest in Subject Property: <input type="checkbox"/> Owner <input type="checkbox"/> Contractor <input type="checkbox"/> Architect <input checked="" type="checkbox"/> Other:	
Name of Property Owner abutting the street (if different from applicant): N/A	
E-mail of Property Owner: N/A	Phone:

➔ Please note that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

### AVAILABLE CONSULTATION

➔ Planners are available for consultation prior to submitting this application. Please call (801) 535-7700 if you have any questions regarding the requirements of this application.

### WHERE TO FILE THE COMPLETE APPLICATION

<b>Mailing Address:</b> Planning Counter PO Box 145471 Salt Lake City, UT 84114	<b>In Person:</b> Planning Counter 451 South State Street, Room 215 Telephone: (801) 535-7700
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### REQUIRED FEE

- ➔ Filing fee of \$364.
- ➔ Plus additional fee for required public notices.

### SIGNATURE

➔ If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Signature of Owner or Agent: Shelley Sepulveda	Date: 9/22/15
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SALT LAKE CITY PLANNING

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

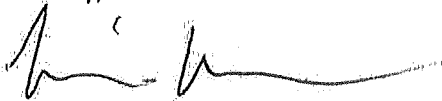
Re: Street Closure, 1500S 1700E

To Whom It May Concern,

Please find attached an application for street closure of the undeveloped 1700E right-of-way between Emerson Ave and Bryan Ave (approximately 1500S) 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 acquired by Salt Lake City for a nature preserve in 2007, and much of the proposed parcel is within the 100' riparian corridor buffer along Emigration Creek, in a steep ravine. The proposed parcel was incorporated into publicly-reviewed planning efforts which culminated in the council-approved October, 2011 Wasatch Hollow Open Space Restoration, Use and Management Plan. Since 2008, the city's open space program has been investing resources in protecting the natural values of the proposed parcel, and is preparing to conduct a major restoration project in the Wasatch Hollow Preserve, which would restore natural habitat and provide for public recreation, including on the proposed parcel.

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

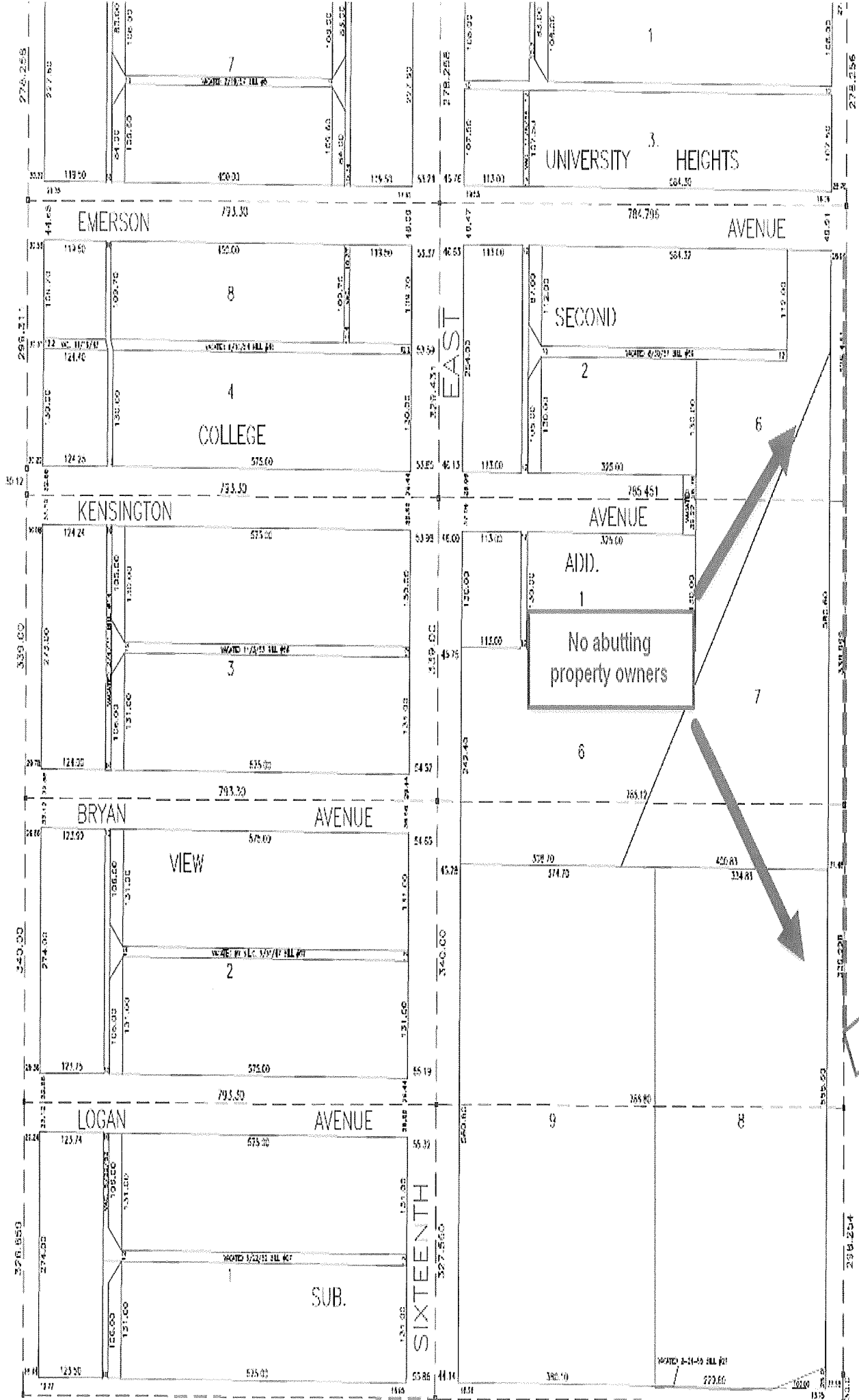


The following boundary description is for a portion of 1700 East Street that lies within Blocks 12 and 13, 5-Acre Plat C, Big Field Survey, and part of the North East Quarter of Section 16, Township 1 South, Range 1 East, Salt Lake Base and Meridian.

Beginning at the intersection of the East right of way of 1700 East Street and the North right of way of Bryan Ave that is  $S00^{\circ}03'37''W$  35.17 feet from the Southwest corner of Lot 31, Belview Gardens Subdivision, this point is also East 33.14 feet and North 574.03 feet from the northerly street monument at the intersection of 1700 South and 1700 East Streets; thence  $S52^{\circ}23'53''W$  5.78 feet to the beginning of a 155.00 foot radius curve to the left, radius bears  $S37^{\circ}36'07''E$ ; thence 141.18 feet along the curve to a point on the west right of way of 1700 East street; thence along said right of way  $N00^{\circ}12'41''E$  818.94 feet to a point being 10.40 feet north of the south right of way of Emerson Avenue; thence  $N77^{\circ}47'07''E$  29.57 feet; thence  $N29^{\circ}07'59''E$  69.59 feet to a point on the east right of way of 1700 East Street; thence along said east right of way  $S00^{\circ}03'37''W$  760.22 feet to the point of beginning, contains 1.099 acres, more or less.

EAST

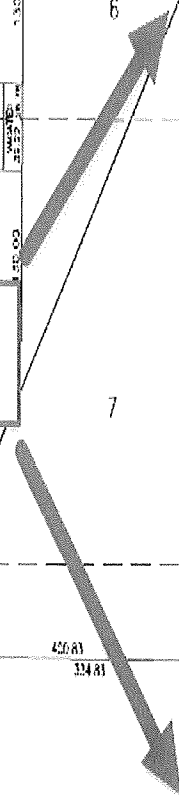
FIFTEENTH



EAST

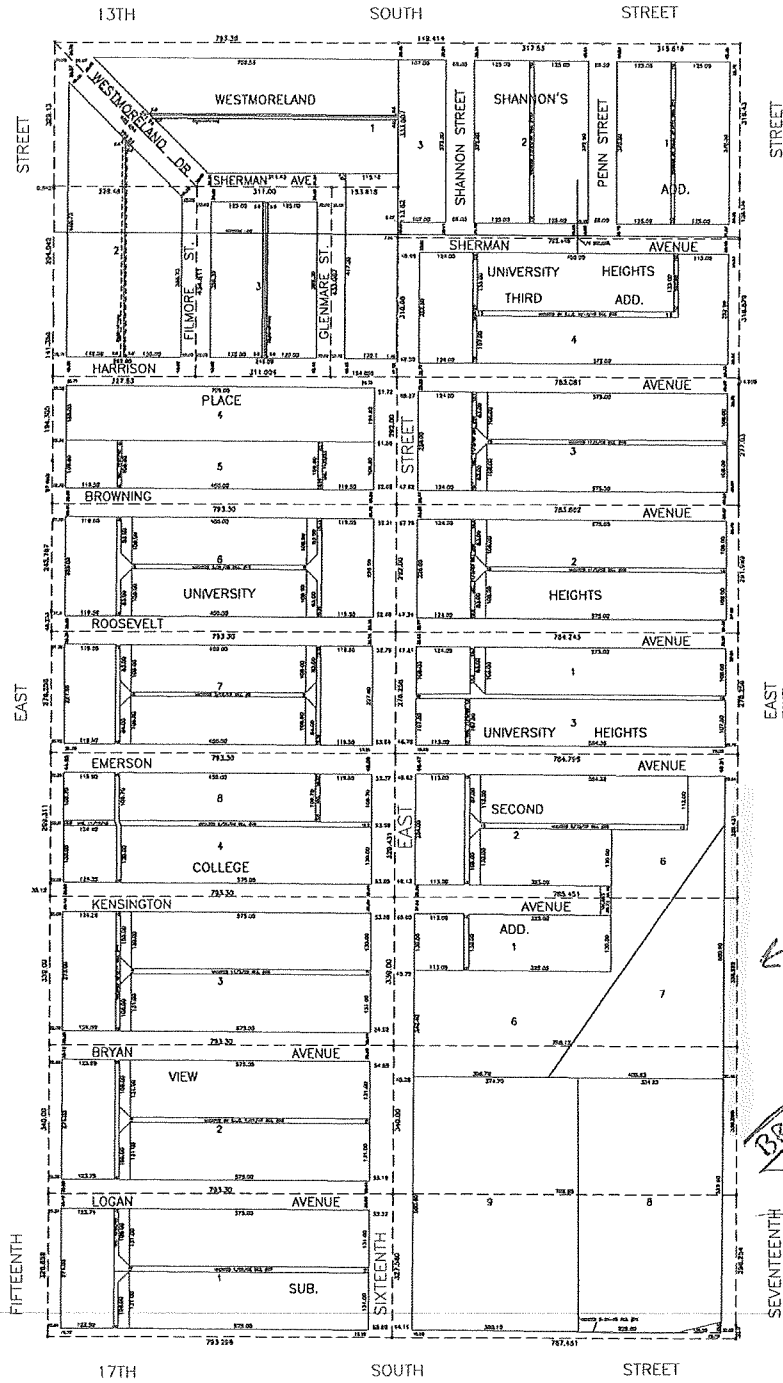
SEVENTEENTH

No abutting  
property owners



Bryan Ave

BLOCK 12, 5-ACRE PLAT C.  
 AND  
 BLOCK 12. F.M. LYMAN JR'S SURVEY OF SEC. 16, T.1S., R.1E.  
 Scale : 1" = 150'



1700 E Row  
 Proposed for  
 Closure

BRYAN AVE  
 LOGAN AVE

CLOSED ALLEY BETWEEN BRYAN AVE AND  
 LOGAN AVE 11 OF 1999 R.W.H. 16 FEB 1999

## **ATTACHMENT F: ANALYSIS AND FINDINGS**

In 1999, the City Council developed policy statements in an effort to guide decisions related to street closures. The policy statements are as follows:

- 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 property was never constructed as a public street and does not provide access to adjacent private property. If the City Council approves of the street closure, the City would retain ownership of the property and incorporate it into the surrounding Wasatch Hollow Open Space property.

**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 Wasatch Hollow Open Space property.

**Finding:** The City would retain ownership of this property; therefore, 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 subject property is located within the Wasatch Hollow Open Space Area and the City Council adopted the Wasatch Hollow Open Space Comprehensive Restoration, Use and Management Plan in 2011. The purpose of the plan is to:

*“provide stewardship of the Wasatch Hollow Open Space area in a manner that protects native vegetation, water quality, and aquatic and terrestrial wildlife habitat of Emigration Creek while providing appropriate access and educational opportunities for the public.”*

The fundamental goals of the plan are to:

- Restore and protect the Emigration Creek Riparian corridor and adjacent open space area;
- Establish clearly defined boundaries to prevent encroachment and foster respect for public and private lands;
- Provide controlled public access that is informed primarily by ecological goals;
- Increase safety by reducing risks on both public and private land; and
- Foster cooperation and collaboration among stakeholders in stewardship of the Wasatch Hollow Open Space to ensure sustainable long-term management.

Removing this portion of 1700 East from the Salt Lake City street inventory will allow the

property to be combined with the adjacent City-owned property in the Wasatch Hollow Open Space area. This will help to ensure that the property remains public open space and will allow improvements to be made to the property that support and implement the Wasatch Hollow Open Space Plan.

**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:** If the subject segment of 1700 East is not closed, it could remain an unimproved “street” and function as open space. However, keeping the property in the Salt Lake City street inventory prohibits the property from being combined with the adjacent Wasatch Hollow Open Space property. This makes it difficult to make improvements to the property and meet applicable zoning regulations due to multiple property lines.

**Finding:** The alternative to this request is to maintain the property as it currently exists. Staff finds that closing the street outweighs the alternative because it would aid in implementation of the Wasatch Hollow Open Space Plan.



# **ATTACHMENT G: PUBLIC PROCESS AND COMMENTS**

## **PUBLIC PROCESS AND INPUT**

- Letters were sent to abutting property owners on October 14, 2015 notifying them of the petition. No public comments were received.
- Notice of public open house meeting was mailed on November 6, 2015 to property owners within 300 feet of the subject property.
- Public open house meeting was held on November 19, 2015. No public comments were received.
- Public hearing notice mailed on December 31, 2015
- Public hearing notice posted on the property on December 23, 2015
- Public notice posted on the City and State websites and sent via the Planning Division list serve on December 31, 2015

## **ATTACHMENT H: DEPARTMENT REVIEW COMMENTS**

**Building:**

No comments received.

**Engineering:**

No objections.

**Fire:**

No comments received.

**Police:**

No comments received.

**Public Utilities:**

There is a 12” water main in this right of way. Access to this main must be maintained for repairs or maintenance of this water line. Any work done in this vacated right of way must be approved by public utilities. Part of the right of way is in the riparian overlay zone and the emigration creek floodway. A riparian permit and flood plain development permit would be required for any encroachments or improvements in this area.

**Sustainability:**

No comments received.

**Transportation:**

No objections.

**Zoning:**

No zoning comments or issues.

## **ATTACHMENT I: MOTIONS**

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### **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 1700 East between approximately Emerson Avenue and Logan Avenue.

### **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 1700 East between approximately Emerson Avenue and Logan Avenue.

[Planning Commission should state findings that support negative recommendation]