

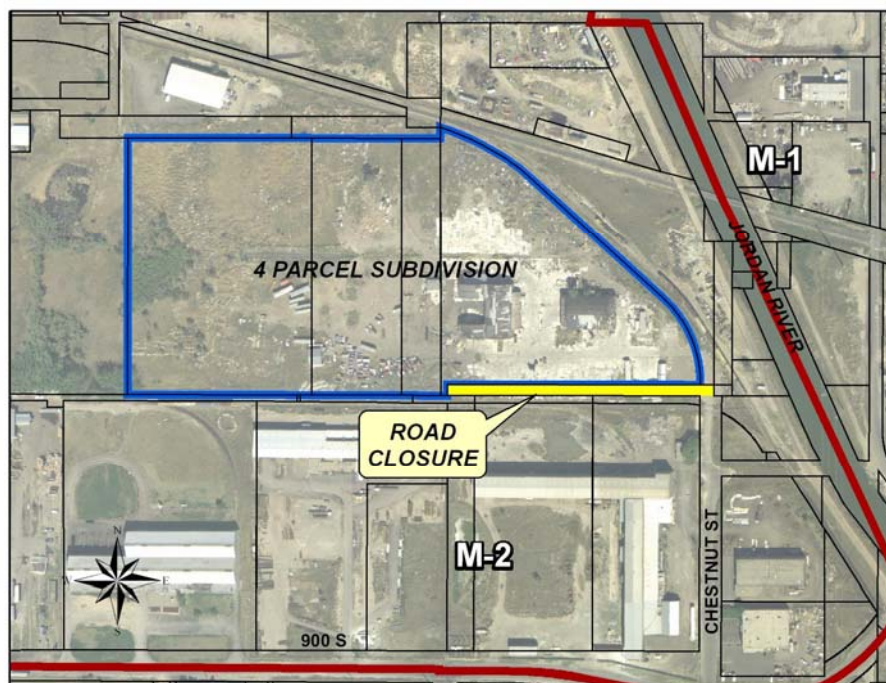
DATE: April 19, 2007
TO: Salt Lake City Planning Commission
FROM: Nick Britton, Principal Planner
RE: Staff Report for the April 25, 2007 Planning Commission Meeting

CASE #: 400-06-47 and 490-06-52

APPLICANT: Blue Tee Corporation (d.b.a. Brown Strauss Steel)

STATUS OF APPLICANT: The applicant is the owner of the properties north of the proposed street closure and of the properties to be combined.

REQUESTED ACTION: That four parcels located at approximately 800 South Chestnut Street be combined and that the 800 South Street right-of-way from Chestnut Street to approximately 2700 West be closed and declared surplus and sold to the applicant for fair market value. The Planning Commission is the decision-maker for subdivision amendments and forwards a recommendation to the City Council regarding the street closure.



PROJECT LOCATION: 800 South from Chestnut Street (2500 West) to approximately 2700 West. The parcels to be combined are located at 800 S. Chestnut Street and approximately 2935 West 700 South.

PROPERTY SIZE: 26.32 acres (right-of-way is approximately 0.58 acres)

COUNCIL DISTRICT: District 2, Councilmember Van Blair Turner

COMMUNITY COUNCIL: Poplar Grove Community Council

SURROUNDING ZONING DISTRICTS:

North	M-2 (Heavy Manufacturing)
South	M-2 (Heavy Manufacturing)
East	M-2 (Heavy Manufacturing)
West	M-2 (Heavy Manufacturing)

SURROUNDING LAND USES AND OWNERS:

North	Vacant (Jeffery Sharp)
South	Vacant, Industrial Manufacturing (EMP Real Estate, B&G Utah Properties, Pacific Hide & Fur)
East	Railroad, Industrial Manufacturing (OWM Company, Sang Yun Nam)
West	Agricultural Production (Abraham Markosian)

PROJECT DESCRIPTION:

Blue Tee Corporation is requesting that the City close a segment of 800 South from approximately Chestnut Street (2500 West) to approximately 2700 West (see Exhibit A). The easternmost portion of this right-of-way will be retained by the city as a small part of a cul-de-sac dedication from Blue Tee Corporation. The right-of-way is not improved and is not accessible to vehicular or pedestrian traffic. The applicant is requesting that the right-of-way be declared surplus and sold at fair market value. The only potential buyer for the right-of-way would be the applicant as the land abutting the right-of-way to the south is railroad tracks.

Blue Tee Corporation is also requesting that the Planning Commission approve a preliminary subdivision request that would combine four parcels into a single parcel (see Exhibit B). Three of the four parcels do not currently have frontage on any public rights of way. Frontage for the requested combined parcel would come in the way of a public cul-de-sac, approximately 0.28 acres in size) dedicated from Blue Tee Corporation to Salt Lake City.

APPLICABLE LAND USE REGULATIONS:

Salt Lake City Code:

- Chapter 2.58 regulates the disposition of surplus City-owned real property.
- Section 20.08.210 defines a Minor Subdivision
- Section 20.20.020 outlines required conditions and improvements for minor subdivisions

Utah Code:

- Section 10-8-8 regulates a request for action to vacate, narrow, or change the name of a street or alley.

MASTER PLAN SPECIFICATIONS:

The applicable master plan for this area is the West Salt Lake Master Plan, adopted in 1995. The subject right-of-way and parcels fall into the “West Salt Lake Industrial District,” which has a pattern of land utilization that is “not well organized and poorly interrelated.” The master plan calls for “planning influences that will result in an improved urban pattern.” 800 West is not identified in the Salt Lake City Transportation Master Plan or Major Street Plan (adopted in 2006), and is therefore not required if it is not utilized as a public street.

COMMENTS:

The comments received from pertinent City Departments/Divisions and the Community Council are attached to this staff report for review (see Exhibit C). The following is a summary of the comment and concerns received.

City Department/Division Comments

A. Airport (Allen McCandless)

Mr. McCandless noted that this site is in Airport Influence Zone B and any new development in this zone would require an avigation easement. However, neither the street closure request nor the subdivision request created any observed impacts to airport operations.

B. Building Services (Alan Hardman)

Building Services conducted a Zoning Review of the project and provided Planning staff with a copy of the list of comments. Building Services requires approval of plans from Public Utilities, Transportation, and Engineering. Building Services also asked for a subdivision plat, site plan, parking calculations, and landscaping plans that show a 25 foot front yard and perimeter and interior parking lot landscaping.

C. Engineering (Scott Weiler)

Engineering noted that Chestnut Street is a paved public street with no curb, gutter or sidewalk between Indiana Avenue and 900 South. North of that point, Chestnut Street is a dirt road and the railroad spur that crosses Chestnut has no signal arms. New roadway improvements are required for Chestnut, including

curb, gutter and sidewalk, with approval from UDOT for the new rail crossing. The developer must also enter into a subdivision improvement construction agreement which requires a payment of a 5% fee based on the estimated cost of the public roadway improvements. Engineering also noted that the proposed public cul-de-sac must be designed in accordance with City design standards and that Transportation approval is required for street geometrics and street lighting. The proposed subdivision plat must conform to the requirements of the redlined review and plat checklist and the developer must enter into agreements required by Public Utilities and pay the required fees. Finally, the construction contractor must file a Notice of Intent with the State of Utah, Department of Environmental Quality, Division of Water Quality, to comply with the NPDES permitting process. A copy of the pollution plan must also be submitted to Randy Peterson in Salt Lake City Public Utilities.

D. Fire (Wayne Leydsman)

The Fire Department stated that they require access to all structures and buildings that may be on the property more than 150 feet from a road access point. New water mains and fire hydrants may be required as well. The proposed cul-de-sac shall be a minimum of 96' in diameter and access to buildings on the property shall be by all-weather surface roads with a minimum width of 20 feet and appropriate turn-arounds as required by Fire Code.

E. Police

No comments were received from the Police Department.

F. Property Management

No comments were received from Property Management. Blue Tee Corporation is currently discussing the fair market value of the subject property with Property Management.

G. Public Utilities (Jason Brown)

Public Utilities noted that there are no recorded public utilities located within the portion of right-of-way requested for closure and they have no objection to the request. Subdivision approval is conditioned on design and installation to public utility standards for extensions of water, storm drain and sanitary sewer facilities with the possibility of lift stations. As high ground water can be expected in this area, all future parking, detention, docks and finished floor elevations must be a minimum 1-foot above the historical high ground water elevation as determined by historical well records of 1 foot above the water elevation in the Surplus canal as determined by the "Jordan River and Surplus Canal Operations Manual" and hydraulically connected to the property.

H. Transportation (Barry Walsh)

The Transportation Division noted that the closure of 800 West would present no conflict with the transportation corridors in the area. The final site development is

subject to plan reviews to determine compliance with city standards for full roadway development, including property frontage and geometrics.

Community Council Comments

A. Poplar Grove Community Council

Mike Harman, Chairperson of the Poplar Grove Community Council, was notified via e-mail on November 2, 2006 of the petition and asked if he wanted the Community Council to review this petition. Street closures do not require Community Council notification. No response was received from the Poplar Grove Community Council.

ANALYSIS AND FINDINGS:

The subject portion of the right-of-way, 800 South, is not identified in the Salt Lake City Transportation Master Plan because it is unimproved right-of-way. It is not currently accessible to any traffic. Because 800 South is not used by traffic and does not lead anywhere, it is believed that the proposed closure will have virtually no impact on traffic circulation in the area.

The Planning Commission will need to review the street closure request and make findings based on the following Salt Lake City Council Policy Guidelines for Street Closures.

Salt Lake City Council Policy Guidelines for Street Closures and Findings:

- 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.**

Discussion: No property owners would be denied access to their property should 800 South be closed. There are a number of parcels that are currently landlocked northeast of the terminus of Chestnut Street at 800 South that could potentially benefit from the development of these parcels and the proposed cul-de-sac. Blue Tee's property abuts the street to the north and railroad tracks lie to the south. Primary access to Blue Tee's property would be via Chestnut Street and the proposed cul-de-sac. Most of the underlying property would be sold to Blue Tee; the remainder would be retained as public right-of-way of the aforementioned cul-de-sac.

Finding: The proposed street closure will not deny access to any adjacent properties and most of the underlying property will be sold to Blue Tee Corporation. The rest will be retained by the City for a public cul-de-sac to provide frontage for Blue Tee Corporation's parcel and access to the surrounding properties.

- 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.**

Discussion: The applicant is interested in purchasing the property at fair market value. Blue Tee Corporation would be the only purchaser of the portion of the 800 South right-of-way.

Finding: The right-of-way will be sold at fair market value to be determined by the Salt Lake City Property Management Division.

- 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.**

Discussion: The portion of 800 South in question is an unimproved right of way that runs from Chestnut Street to approximately 2700 West. It does not connect with any other rights-of-way aside from Chestnut Street. The street is not accessible to vehicular or pedestrian traffic as the right-of-way is fenced off from Chestnut Street. The proposed cul-de-sac will provide better access to the subject parcels and the public way improvements along Chestnut Street will encourage proper development of the subject parcel and the surrounding area. Improvements to the area as a result of this closure may encourage surrounding development and improved land development as per the West Salt Lake Master Plan

Finding: This right-of-way is not utilized as a street and its closure and sale will not impact traffic flow in the area. There is sufficient public policy to justify the closure and sale of the subject right-of-way.

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

Discussion: The alternatives to closure are to leave the right-of-way as is (unimproved) or to improve the right-of-way to its terminus at approximately 2700 West. Either alternative would provide the applicant with access to his property. However, the road is not scheduled for improvements and the right-of-way is currently inaccessible to traffic. Development of a public cul-de-sac at the terminus of Chestnut Street would provide the applicant and neighboring properties with improved access. Furthermore, allowing the applicant and the other adjacent property owner to close the street and purchase the property will allow for better development of their properties.

Finding: While the alternatives still provide the applicant with access to his property, it is the finding of Staff that the public policy reasons outweigh those alternatives. This request complies with this standard.

Staff finds the following regarding petition 400-06-47, requesting 800 South to be closed from Chestnut Street to approximately 2700 West in the M-2 district:

1. The Salt Lake City Transportation Master Plan does not identify this portion of 800 South and there are no plans to extend or otherwise improve it.
2. Closing and selling the right-of-way will provide the applicant, Blue Tee Corporation, with the means to better develop the property.
3. No other property owners would be impacted in any way by this closure and the proposed cul-de-sac and public way improvements along Chestnut Street will improve access to the surrounding properties.
4. This segment of 800 South is not used as a public right-of-way and is not accessible to pedestrian or vehicular traffic.

Minor Subdivision Required Conditions and Improvements:

Regarding the subdivision request, a minor subdivision shall be approved only if it meets all of the following standards outlined in Section 20.20.020, “Required Conditions And Improvements”:

- A. The general character of the surrounding area shall be well defined, and the minor subdivision shall conform to this general character.**

Discussion: The surrounding area is primarily zoned M-2 and the land uses are typically industrial manufacturing or warehousing. There is a considerable amount of vacant land. Parcels are typically multiple acres in size. The proposed subdivision is in keeping with the general character of the area.

Finding: Staff finds that the proposed subdivision conforms to the general character of the surrounding area.

- B. Lots created shall conform to the applicable requirements of the zoning ordinances of the city.**

Discussion: The created lot, after the cul-de-sac dedication, is approximately 26.04 acres and will have approximately 230 feet of frontage along the cul-de-sac (see Exhibit B). This meets the parcel and frontage requirements of the M-2 Zoning District.

Finding: Staff finds that all proposed lots will comply with all applicable zoning standards.

C. Utility easements shall be offered for dedication as necessary.

Discussion: All necessary and required dedications will be made with the recording of the final plat.

Finding: The minor subdivision meets this standard.

D. Water supply and sewage disposal shall be satisfactory to the city engineer.

Discussion: All plans for required public improvements must be submitted and approved prior to approval of the final plat.

Finding: Staff finds that the provisions for the construction of any required public improvement must be included as part of the final plat process.

E. Public improvements shall be satisfactory to the planning director and city engineer.

Discussion: The proposed subdivision has been forwarded to the pertinent City Departments for comment. All public improvements must comply with all applicable City Departmental standards and the comments outlined in this staff report and included with the staff report exhibit.

Finding: Staff finds that the subdivision must comply with all applicable laws and regulations and that the proposal must meet the requirements outlined by City staff.

Staff finds the following regarding petition 490-06-52, a minor subdivision request combining four parcels in the M-2 district:

1. The proposed lot consolidation meets all the required conditions for a minor subdivision.
2. Additional public street dedication and street and utility improvements are required to be installed by the applicant for Chestnut Street.

RECOMMENDATION:

Staff recommends that the Planning Commission approve the minor subdivision, transmit a favorable recommendation to the City Council to close 800 South between Chestnut Street and approximately 2700 West, and declare a portion of the right-of-way as surplus and recommend the Mayor sell the property to the applicant at fair market value. The recommendation is subject to the following conditions:

1. All requirements and comments from outlined in this staff report and attached as Exhibit C must be met.
2. A cul-de-sac at the northern terminus of Chestnut Street with a minimum diameter of 96 feet must be dedicated to the City to meet the required frontage for the M-2 Zoning District.
3. An avigation easement must be given to the City for continued airport activities.
4. A final plat is required.

Attachments: Exhibit A – Map of Proposed Street Closure
 Exhibit B – Proposed Minor Subdivision (Preliminary Plat)
 Exhibit C – Department/Division Comments
 Exhibit D – Photographs

Exhibit A
Map of Proposed Street Closure

Exhibit B
Proposed Minor Subdivision
(Preliminary Plat)

Exhibit C
Department/Division Comments

Exhibit D
Photographs



The subject right-of-way, 800 South, as viewed from the end of Chestnut Street. The southern edge of the right-of-way is along the fence.



The intersection of Chestnut Street and 800 South's right-of-way (looking north).