



Staff Report

PLANNING DIVISION
DEPARTMENT OF COMMUNITY & NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Katia Pace, Principal Planner
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Date: March 14, 2018

Re: PLNPCM2015-00651 - 800 West Street Vacation, at approximately 144 South 800 West

STREET VACATION

PROPERTY ADDRESSES & PARCEL ID:

Address of properties abutting the street proposed to be vacated:

144 South 800 West – 15-02-232-031
150 South 800 West – 15-02-232-021
156 South 800 West – 15-02-232-022
162 South 800 West – 15-02-232-036 & 15-02-232-037

MASTER PLAN: [North Temple Boulevard Plan](#)

ZONING DISTRICT: The properties abutting this portion of 800 West Street are zoned TSA-UN-T (Transit Station Area – Urban Neighborhood Station – Transition Area); the portion of 800 West Street proposed to be vacated is not in a zoning district.

REQUEST: This is a request by Renee Property Management requesting Salt Lake City to vacate a portion of 800 West from approximately 144 South to the Interstate 15 wall where the street dead ends. This portion of 800 West became obsolete when the I-15 freeway wall was built and access to 200 South was eliminated. If the city finds that this portion of the street is not used as a street, this portion of 800 West can be vacated, and sold at fair market value. The purpose for this street vacation is to combine this portion of the street with the land owned by the applicant and use it to build a multi-family residential development.

The Planning Commission’s role in the applications is to provide a recommendation for the street vacation to the City Council, who will make the final decision.

RECOMMENDATION: Based on the information in this staff report, planning staff recommends that the Planning Commission forward a positive recommendation to the City Council to vacate the portion of 800

West from approximately 144 South to the Interstate 15 wall where the street dead ends. With the following conditions:

1. To amend the subdivision and consolidate the parcels into one parcel including the portion of 800 West.
2. To record easements that would allow the city and other utility owners to maintain existing utility lines.
3. To reconfigure the street with curb and gutter according to Salt Lake City's specifications.

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Site Plan](#)
- C. [Property Photographs](#)
- D. [Purpose and Goals](#)
- E. [Applicable Regulations](#)
- F. [Public Process and Comments](#)
- G. [Department Comments](#)

PROJECT DESCRIPTION & BACKGROUND: The subject property is a piece of a paved public right-of-way of 800 West in the Euclid neighborhood. This portion of 800 West served as an access to 200 South until the Interstate 15 wall was created. Currently the property is not used for transportation purposes and would not be used in the foreseeable future.

The applicant owns parcels at 144, 150, 156, 160, 162 and 164 South 800 West that abut the west portion of the subject portion of 800 West. The parcels are located within the TSA-UN-T (Transit Station Area-Urban Neighborhood Station-Transition Area) zoning district. The parcels at 144 and 150 South 800 West are occupied by single family structures and the other parcels are vacant. The property abutting the south/southeast is owned by the Utah Department of Transportation.

KEY ISSUES:

The following key issues were identified:

Issue 1: Zoning after street is vacated

Parcels abutting this portion of 800 West are zoned TSA-UN-T (Transit Station Area-Urban Neighborhood Station-Transition Area) zoning district. 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. Since the subject property is adjacent to only a single zoning district the property would be zoned TSA-UN-T upon creation.

Issue 2: Vehicular access to parcels abutting the street to be vacated

Currently this portion of 800 West is being used for vehicular access to the parcels at 144 and 150 South 800 West. The street vacation would eliminate street access to the parcels. The lack of access can be addressed by placing a condition to consolidate the parcels. The TSA zoning district allows multiple principal buildings on a single parcel.

Issue 3: Utility easements

This portion of the street has existing public sewer, water lines and other utility lines. The applicant will be required to give an easement to the city and other utility owners before the street is officially closed. When the applicant is ready to develop the site, the easements can be cleared and the sewer, water and other utility lines can be removed or relocated.

Issue 4: Street reconfiguration

Applicant would be responsible for reconfiguring the street with curb and gutter according to the specifications of the Salt Lake City Engineering Department. More discussion on the street reconfiguration can be found on [Attachment G: Department Comments](#).

NEXT STEPS:

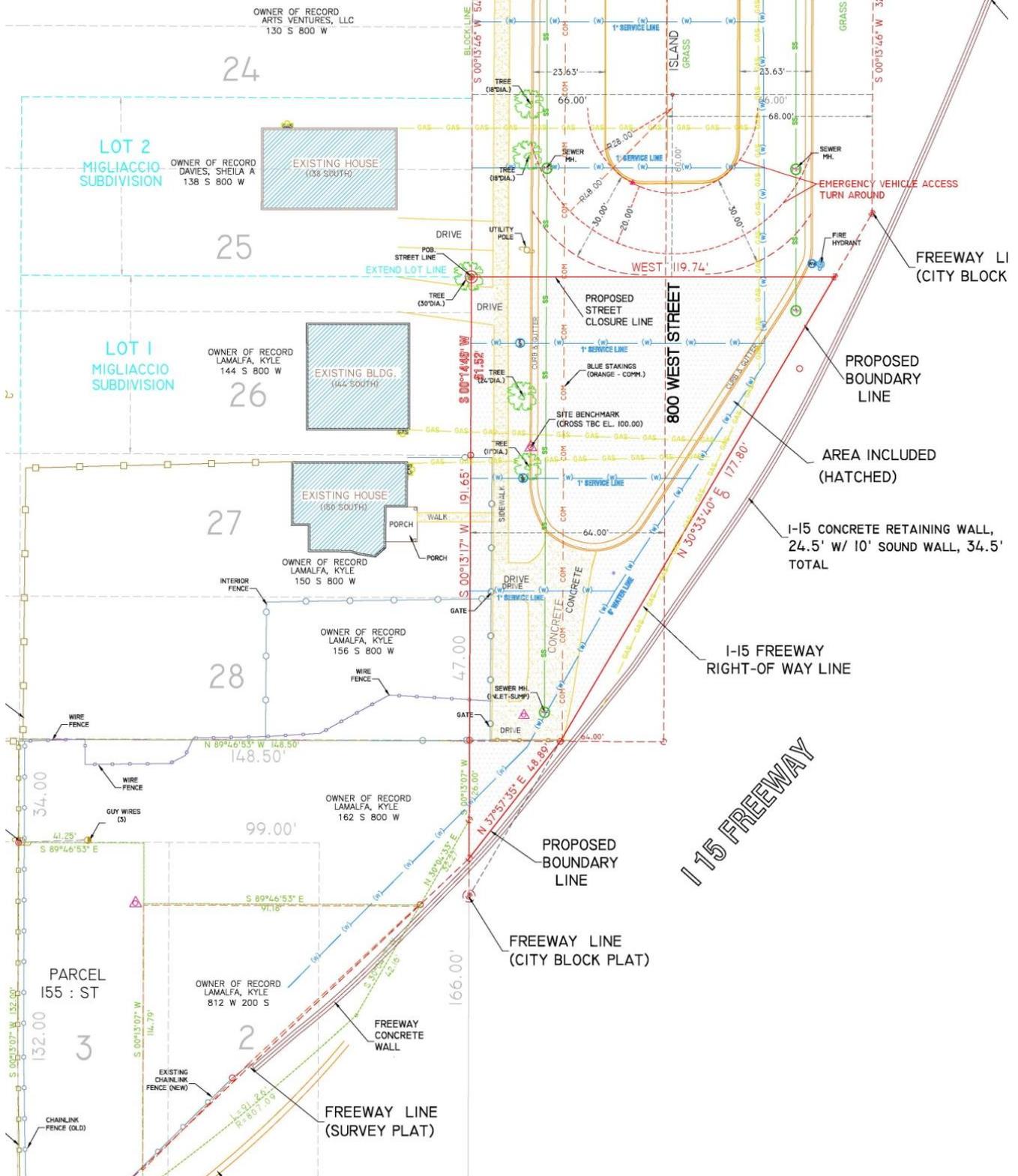
The Planning Commission's recommendations regarding the street vacation will be forwarded to the City Council for their consideration as part of their final decision. After the street vacation is finalized, a subdivision amendment would be required.

ATTACHMENT A: VICINITY MAP

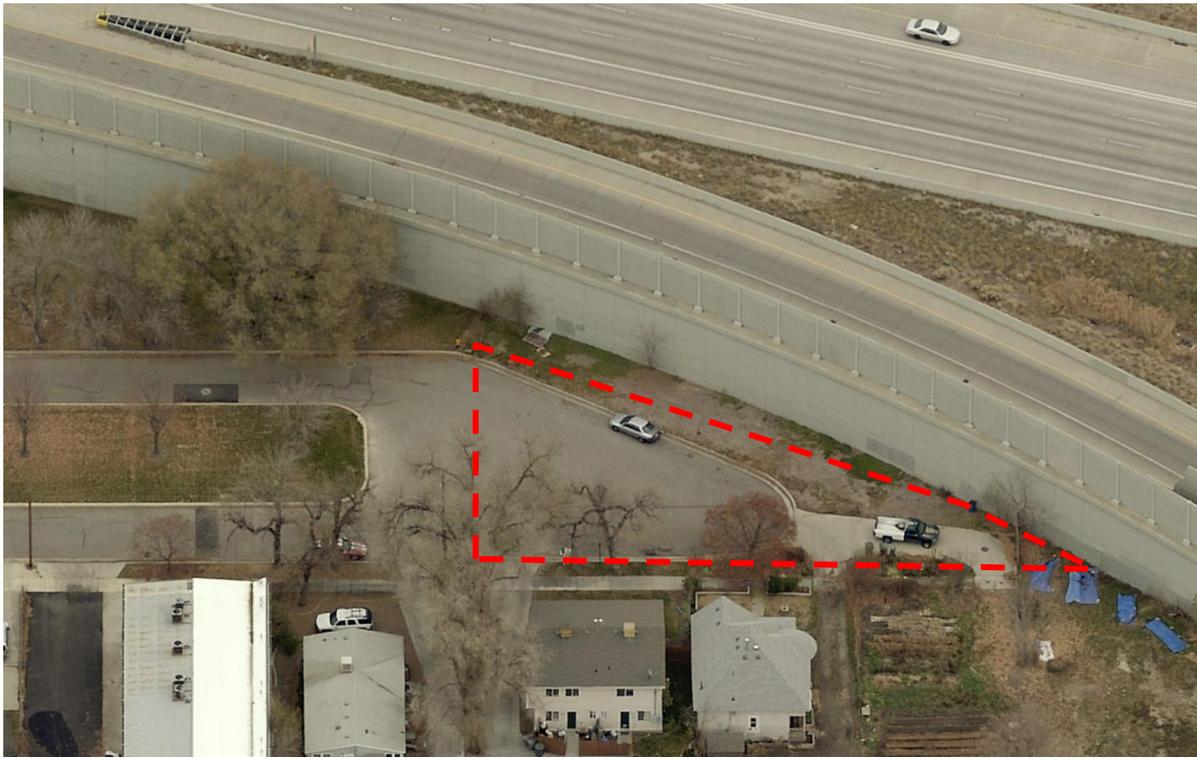


- Applicant's Property
- - - Proposed Street Closure

ATTACHMENT B: SURVEY SHOWING PROPOSED STREET VACATION



ATTACHMENT C: PROPERTY PHOTOGRAPHS



Looking East



Looking West

PLNPCM2015-00651 800 West Street Vacation (at approximately 144 South)

ATTACHMENT D: PURPOSE AND GOALS

SPECIFIC ZONING DISTRICT PURPOSE STATEMENTS

21A.26.078 TSA Transit Station Area District

The purpose of the TSA transit station area district is to provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed use development around transit stations. Redevelopment, infill development and increased development on underutilized parcels should include uses that allow them to function as part of a walkable, mixed use district. Existing uses that are complementary to the district, and economically and physically viable, should be integrated into the form and function of a compact, mixed use pedestrian oriented neighborhood.

The purpose of the transition area is to provide areas for a moderate level of land development intensity that incorporates the principles of sustainable transit oriented development. The transition area is intended to provide an important support base to the core area and transit ridership as well as buffer surrounding neighborhoods from the intensity of the core area. These areas reinforce the viability of the core area and provide opportunities for a range of housing types at different densities. Transition areas typically serve the surrounding neighborhood and include a broad range of building forms that house a mix of compatible land uses. Commercial uses may include office, retail, restaurant and other commercial land uses that are necessary to create mixed use neighborhoods.

RELATED MASTER PLAN ITEMS

Plan Salt Lake, adopted 2015

- *Growth Guiding Principle* - Growing responsibly, while providing people with choices about where they live, how they live, and how they get around.
 1. Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.
 2. Promote infill and redevelopment of underutilized land.
 3. Accommodate and promote an increase in the City's population.
- *Neighborhoods Guiding Principle* - Neighborhoods that provide a safe environment, opportunity for social interaction, and services needed for the wellbeing of the community therein.
 1. Direct new growth toward areas with existing infrastructure and services that have the potential to be people-oriented.
 2. Promote high density residential in areas served by transit.

North Temple Boulevard Plan, adopted 2010

800 West Transitional Area: The Transitional Area is the area that will see some change over the next 20 years, but the change will generally be smaller scale and less intense than the Core Area. Future development within this area should be used as a transition between North Temple and the neighborhoods nearby. Zoning regulations that could accomplish this would include the following characteristics:

- A mix of housing types, ranging from 3-4 story multifamily developments to single-family homes;
- A buffer between the Core and Stable areas;
- A mix of uses including residential and commercial uses that are less intense than what is found in the Core area;
- Buildings that are located at or near the sidewalk, possibly with landscaped yards or outdoor dining; and
- Parking located to the side or behind buildings.

ATTACHMENT E: 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.

Section 2.58 of the Salt Lake City Code governs the sale of City real property and establishes that no significant parcel of city owned real property may be conveyed until after a public hearing has been held before one or more of the following as may be applicable: the planning commission, the airport board, the public utilities advisory committee, the golf enterprise fund advisory board, or the parks, natural lands, trails, and urban forestry advisory board.

STREET VACATION POLICIES:

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

Factor	Rationale	Finding
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.	If the City Council approves of the street vacation, this portion of 800 West will be sold at fair market value. Once the parcels are consolidated, access to the property will not be an issue.	A condition should be placed that the parcels and this portion of the street be consolidated. This will guarantee that this provision is satisfied.
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.	The applicant is aware of this requirement and is willing to pay fair market value for the property. This value will be provided to the applicant before this request is heard by the City Council.	This provision will be satisfied.
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.	The Transportation Division does not foresee 800 West being extended through to 200 South. The road serves as access to a couple of the parcels and the other parcels are currently undeveloped and have no access to the street. As listed above, this proposal is well-matched with the master plan goals of the city and of this area.	The relevant City master plans have established policies that are compatible with the proposed street vacation.
4. The City Council should determine whether the stated public policy reasons outweigh alternatives to the closure of the street.	Not closing this street will maintain the status quo which is a dead end street not being used with three parcels without street frontage. As stated above, the city has a vision for this area. The TSA zoning district purpose statement and the North Temple Boulevard Plan foresee this area of 800 West evolving with residential or mixed use developments that are attractive transit and pedestrian oriented.	The alternative to this request is to maintain the property as it currently exists. Staff finds that the benefits of closing the street outweighs the alternative.

ATTACHMENT F: PUBLIC PROCESS AND COMMENTS

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

Notice of the public hearing for the proposal included:

- Public hearing notice mailed on February 28, 2018.
- Public hearing notice posted on February 28, 2018.
- Public notice posted on City and State websites and Planning Division list serve: February 28, 2018.
- Property posted on March 1, 2018.

Poplar Grove Community Council

- On January 27, 2016 the applicant presented this request to the Poplar Grove Community Council. The community council voted in favor of the proposed vacation and sale of this portion of 800 West.

Public Comment

- On March 1, 2016 a letter was sent to the adjacent property owners. Two of the property owners called with concerns:
 1. Antonio Valdez at 803 W. 100 South is against the street vacation because the freeway might be removed at some time and he would like to preserve the possibility of accessing 200 South. He also asked about the possibility of buying the property himself. Dan Rip, the Salt Lake City Real Property Manager, responded to this question by stating that people who are able to purchase portions of closed streets are abutting property owners. Mr. Valdez's property is not adjacent to this portion of the street.
 2. A representative of the Arts Ventures at 132 S. 800 West, is concerned that the reception center uses that portion of the street for parking and if the street is closed it would reduce their parking. The applicant subsequently contacted the Arts Ventures and addressed the issue.

ATTACHMENT G: DEPARTMENT COMMENTS

CITY DEPARTMENT COMMENTS

On September of 2015, planning staff sent out a request for city departments to review this project. On May 2016 this project was placed on hold and it was reopened on December of 2017. At this time, planning staff requested further review from the appropriate city departments. Below are the comments made in 2015 and some additional comments from 2018.

Building/Zoning:

Comment from 2015: There are concerns that the properties abutting the proposed street to be closed would lose access. Need to make sure that Section 20.12.010(E) of the code be met. A couple of vacant parcels were apparently created by the exit ramp for I-15 (many years ago). Is it possible in the future that these parcels are developable and that extending the road for access to these parcels could be viable?



Planning's Response:
Access to the parcels within the yellow line can be resolved with a parcel consolidation.

Planning's Response: This parcel can be accessed through 200 South

Comment from 2018: No additional comments.



Police:

Police has no comments or concerns.

Public Utilities:

Comment from 2015: On 9/21/15 Public Utilities responded: Public Utilities has concerns with the proposed street vacation. There are public and private sewer and water mains and services that will need to be relocated and/or easement provided. Also if properties are combined the water meters will need to be consolidated. Access to water meters will need to be maintained for all properties.

Additional comment on 9/22/15: There are existing water and sewer facilities that will need to be maintained by the City. The vacation of the street will need to allow for 24/7 access by PU and an easement that is the width of the ROW will need to be retained by PU. The easement will specifically not allow for structures or encumbrances that would interfere with SLC maintenance of the facilities.

Comment from 2018: We have water and two sewer mains in the proposed vacation. These will need a 30 foot easement over each of these. There also may be some UDOT drainage that would require easement. The water continues through the property to 200 south.

Sustainability:

No comments received.

Transportation:

Comment from 2015: Transportation does not foresee the road being extended through to 200 South. The road serves as access to a few parcels, some of which are undeveloped. The road appears as excess in various respects to Transportation. Ultimately, Transportation has no objections to this request as long as properties do not become inaccessible.

Comment from 2018: No additional comments.

Engineering:

Comment from 2015: In order for Engineering to approve the request for vacation, curb & gutter would need to be installed at the applicant's cost just north of the proposed vacation, providing a terminus for traffic in 800 West. This will require a Permit to Work in the Public Way to be obtained by a licensed contractor. In order to ensure that the curb & gutter is installed, a bond is needed, which could be provided by the contractor whom the applicant hires to install the curb & gutter, if the applicant does not want to obtain the bond himself.

Fire:

Comment from 2015: The International Fire Code (IFC) has the following items which must be addressed. First is the requirement for fire department access within 150 feet of all exterior walls of the first floor. We estimate that the length of the proposed road, to the far point of the south house is approximately 330 feet. The house to the north measurement is also over the required length. The next requirement is that the inside turning radius is 20 feet and outside radius is 45 feet which is measured from the road side of the waterway/curb to the other road side of the waterway/curb.

Applying the IFC section 503.1.1 to the principle and out buildings as discussed above indicates that the proposed adjustment to the road will not meet the requirements. Section 503.2.4 requires the turning radius to be 20 feet inside and 45 feet. We have copied the sections of the IFC below.

503.1.1 Buildings and facilities.

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group U occupancies.

503.2.4 Turning radius.

The required turning radius of a fire apparatus access road shall be determined by the fire code official.



330 feet = distance from road to furthest point to be accessed.

Planning's Response:
This requirement should be addressed at the time a building permit is issued and actual walls are being erected.

Comment from 2018: In reviewing the proposed vacating of 800 W. the Fire Department has a concern. The street leading into this project is 24' wide if this remains then any development of this lot will need to be under 30' in height or accommodations to meet the 26' Aerial Access will be required per Appendix D of the 2015 IFC. If the development concerns can be addressed and the inside and outside radius are met then we would have no other concerns at this time.