



MOTION SHEET

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer
Policy Analyst

DATE: December 1, 2020

**RE: Street Vacation Near 800 North and Warm Springs Road
PLNPCM2019-00824**

MOTION 1 (close and defer)

I move that the Council close the public hearing and defer action to a future Council meeting.

MOTION 2 (continue hearing)

I move that the Council continue the public hearing to a future Council meeting.





COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer, Policy Analyst

DATE: December 1, 2020

**RE: STREET VACATION NEAR 800 NORTH AND WARM SPRINGS ROAD
(PLNPCM2019-00824)**

Item Schedule:

Briefing: October 20, 2020

Set Date: October 20, 2020

Public Hearing: December 1, 2020

Potential Action: December 8, 2020

WORK SESSION SUMMARY

During the work session briefing a Council Member asked about the applicant's intent for the property. Mark Greenwood, representing the applicant Granite Construction, stated they plan to use the property as storage for construction equipment. Owning the property would also provide additional street access to the southern portion of their yard.

Mr. Greenwood stated he discussed the proposed land purchase with the property owner to the south and both property owners agree with each purchasing half the land if the City Council approves the street closure. According to Mr. Greenwood, the property owner to the south also plans to use the vacated property for storage.

A Council Member asked about the potential to install a billboard on the vacated property and if a deed restriction could be placed on the property to prevent it. Paul Nielson from the City Attorney's Office stated as the property owner, the City can place restrictions on it when selling. Mr. Greenwood stated he is not opposed to a deed restriction which would remove the opportunity to erect a billboard on the property.

If the council wishes to include that restriction, a motion will be provided that would adopt the ordinance subject to a condition being added, placing a deed restriction that billboards are not permitted on the property.

Council staff discussed the Council resuming holding one public hearing on land use items going forward. The Council expressed support for one hearing, which is scheduled for December 1, 2020.

The following information was provided for the October 6 work session briefing. It is provided again for background purposes.



ISSUE AT-A-GLANCE

The Council will be briefed about a proposal to vacate an approximately 1.125-acre area that is part of the 800 North right-of-way near Warm Springs Road. The subject property is adjacent to a former Interstate-15 overpass connecting 800 West to Warm Springs Road (700 West) as shown in the image below. The overpass was removed in the mid-2000s during Interstate-15 reconstruction and this section of 800 North east of the freeway is no longer used for vehicular travel. A portion of the roadway west of Interstate-15 was previously vacated and redeveloped to include the Rose Park Neighborhood Center.

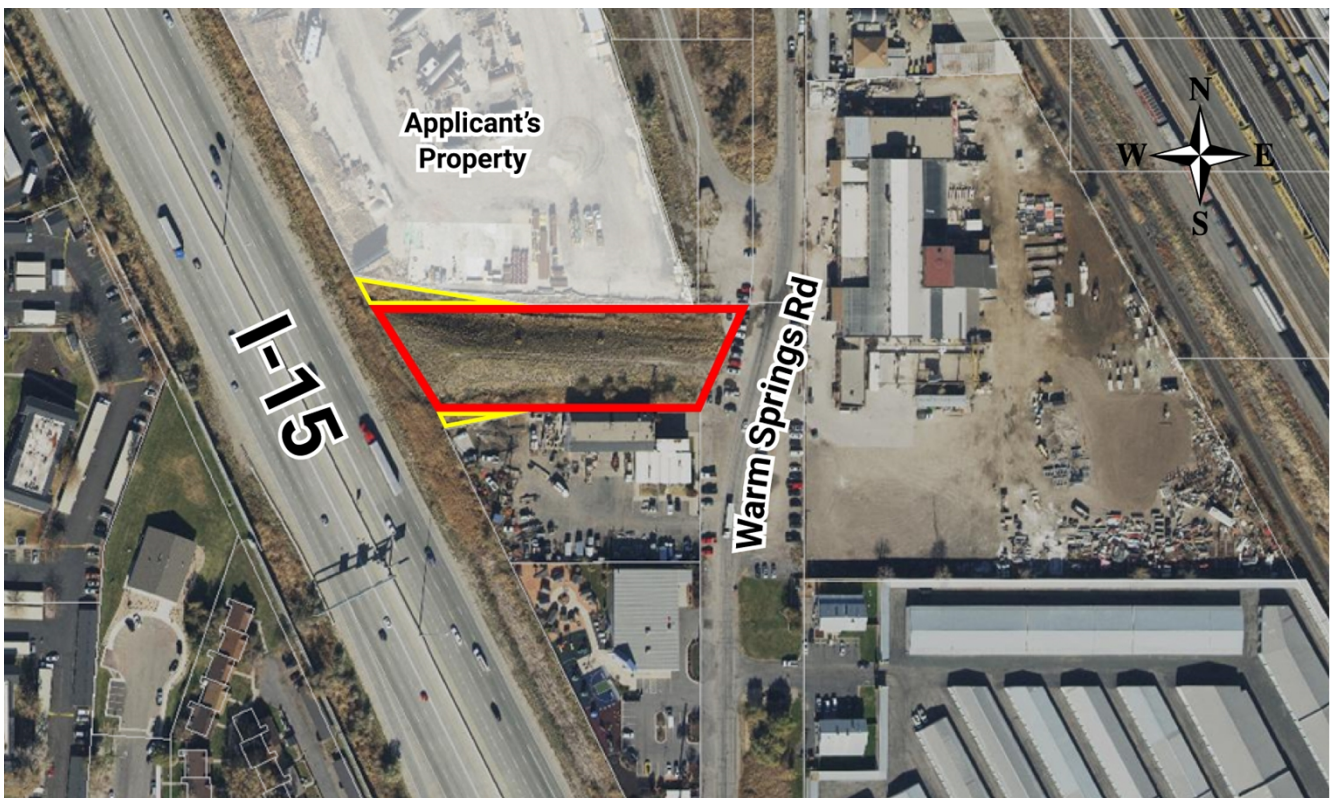
The applicant owns adjacent property to the north and proposes dividing the vacated area between property owners on the north and south sides of the property. The adjacent property owner to the south agrees with this proposal.

If the Council is supportive of the street vacation, the property will be sold to the adjacent property owners at fair market value and proceeds from the sale would go to the Surplus Land Fund within the General Fund. Market value as of August 2020 was approximately \$225,000. The Planning Commission forwarded a unanimous positive recommendation to the Council for the street vacation.

Goal of the briefing: To review the proposed street closure, address questions Council Members may have and prepare for a public hearing.

POLICY QUESTION

1. Is the Council supportive of closing the subject section of 800 North?



*Aerial image showing approximate subject property outlined in red.
Yellow triangular-shaped “flares and fins” are owned by UDOT.*



1999 aerial photo from the Administration's transmittal showing the former overpass and current parcel overlay.

ADDITIONAL INFORMATION

Attachment D of the Administration's transmittal (pages 38-39) is an analysis of factors related to the City's street closure policy. A summary is provided below. For the complete analysis, please refer to the transmittal.

- **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.**
 - **Finding:** The proposed vacation would not deny vehicular or pedestrian access to any adjacent properties.
- **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.**
 - **Finding:** The City would give up ownership of this property and obtain fair market value for sale of the property to the applicant or other adjacent property owners.
- **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.**
 - **Finding:** The proposed right-of-way vacation is supported by *Plan Salt Lake*, does not conflict with the *Capitol Hill Master Plan* and provides a public benefit as discussed in the *Salt Lake City Urban Design Element*. It is Planning's opinion the property is not needed for a public purpose and the City would benefit from selling the land with proceeds going to the Surplus Land Fund within the General Fund.

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

- **Finding:** Planning staff found two alternatives to the requested vacation:
 - i. maintain City ownership and require the applicant to enter into a long-term lease agreement, or
 - ii. City maintains ownership of the right-of-way, which will likely remain vacant and unused. The City would be responsible for maintaining the parcel.

City Real Estate staff noted long-term leases have greater administrative costs. A specific City use for the right-of-way has not been identified. Since the right-of-way terminates at Interstate-15, Planning staff stated it is unlikely the property will be needed for a public purpose. It should be noted Public Utilities will record an easement for utility lines if the Council approves the street vacation.

KEY CONSIDERATIONS

Planning staff identified three key considerations during analysis of the project which are summarized below. For the complete analysis, please refer to pages 18-19 of the Administration's transmittal.

1. **Utah State Code** section 10-9a-609.5 (included at the end of this memo) establishes the power for cities to vacate streets upon the request of the governing body or a property owner. The City Council must determine good cause exists for the vacation and neither the public interest nor any person will be materially injured by the vacation. Planning staff found the right-of-way is not being used since the overpass was removed. It is Planning staff's opinion a transfer to private ownership will not be detrimental to public interest since the City would be compensated for the property at market rate.
2. **City Master Plans:** As noted above, Planning staff does not feel the proposal conflicts with the *Capitol Hill Master Plan*. Removal of the overpass is not discussed in the *Plan*. The Industrial Land Use section of the *Plan* discourages expansion of industrial land uses within the neighborhood. Though the proposal would be a small expansion of industrially zoned land, it is surrounded on the north, south and east by land which is industrial, and Interstate-15 is adjacent to the west.
3. **City Ownership and Use:** Planning staff determined the City-owned right-of-way is dedicated for 800 North and approximately 132 feet wide. The yellow outlined triangular-shaped "flares and fins" in the image above are owned by UDOT. As an adjacent property owner, UDOT has the option to purchase an available right-of-way next to its property. The applicant indicated UDOT is not interested in purchasing the property proposed for vacation. Furthermore, UDOT reportedly expressed interest in selling its "flares and fins" adjacent to the subject property. That would be a separate transaction between the applicant and UDOT and would not involve the City Council.

During City department review of the proposal, Public Utilities stated the right-of-way should not be vacated citing a desire to retain the area for potential future utilities. However, Public Utilities did not indicate how the area might be used and provided public utility easement language to preserve options to use the right-of-way for this purpose. Planning staff believes the easement will be sufficient for future needs and the applicant is amenable.

PUBLIC PROCESS

- September 24, 2019 - A notice of the petition and request for review was emailed to the Capitol Hill and Rose Park Community Council Chairs. No request for a meeting was received. Letters were mailed on this date to property owners and residents within a 300-foot radius of the site. Planning staff did not receive comments from nearby owners or residents.

- October 17, 2019 – An open house was held to solicit comments on the project. Three employees of Lifetime, located south of the right-of-way, attended and asked general questions.
- February 12, 2020 - The Planning Commission held a public hearing. Lynn Wall, representing LJRGF CO, LLC, adjacent property owner to the south, spoke expressing a desire to purchase the southern portion of the subject property, if vacated, in order to expand its operations. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to vacate the subject property.

STREET CLOSURE PROCESS

Street closure process is dictated by Section 10-9a-609.5 Utah State Code which is included below for reference.

10-9a-609.5. Petition to vacate a public street.

- (1) In lieu of vacating some or all of a public street through a plat or amended plat in accordance with Sections 10-9a-603 through 10-9a-609, a legislative body may approve a petition to vacate a public street in accordance with this section.
- (2) A petition to vacate some or all of a public street or municipal utility easement shall include:
 - (a) the name and address of each owner of record of land that is:
 - (i) adjacent to the public street or municipal utility easement between the two nearest public street intersections; or
 - (ii) accessed exclusively by or within 300 feet of the public street or municipal utility easement;
 - (b) proof of written notice to operators of utilities located within the bounds of the public street or municipal utility easement sought to be vacated; and
 - (c) the signature of each owner under Subsection (2)(a) who consents to the vacation.
- (3) If a petition is submitted containing a request to vacate some or all of a public street or municipal utility easement, the legislative body shall hold a public hearing in accordance with Section 10-9a-208 and determine whether:
 - (a) good cause exists for the vacation; and
 - (b) the public interest or any person will be materially injured by the proposed vacation.
- (4) The legislative body may adopt an ordinance granting a petition to vacate some or all of a public street or municipal utility easement if the legislative body finds that:
 - (a) good cause exists for the vacation; and
 - (b) neither the public interest nor any person will be materially injured by the vacation.
- (5) If the legislative body adopts an ordinance vacating some or all of a public street or municipal utility easement, the legislative body shall ensure that one or both of the following is recorded in the office of the recorder of the county in which the land is located:
 - (a) a plat reflecting the vacation; or
 - (b) (i) an ordinance described in Subsection (4); and
(ii) a legal description of the public street to be vacated.
- (6) The action of the legislative body vacating some or all of a public street or municipal utility easement that has been dedicated to public use:
 - (a) operates to the extent to which it is vacated, upon the effective date of the recorded plat or ordinance, as a revocation of the acceptance of and the relinquishment of the municipality's fee in the vacated public street or municipal utility easement; and
 - (b) may not be construed to impair:
 - (i) any right-of-way or easement of any parcel or lot owner; or
 - (ii) the rights of any public utility.
- (7) (a) A municipality may submit a petition, in accordance with Subsection (2), and initiate and complete a process to vacate some or all of a public street.
(b) If a municipality submits a petition and initiates a process under Subsection (7)(a):
 - (i) the legislative body shall hold a public hearing;
 - (ii) the petition and process may not apply to or affect a public utility easement, except to the extent:
 - (A) the easement is not a protected utility easement as defined in Section 54-3-27;

- (B) the easement is included within the public street; and
- (C) the notice to vacate the public street also contains a notice to vacate the easement; and
- (iii) a recorded ordinance to vacate a public street has the same legal effect as vacating a public street through a recorded plat or amended plat.

ERIN MENDENHALL
Mayor



DEPARTMENT of COMMUNITY
and NEIGHBORHOODS
Jennifer McGrath
Interim Director

CITY COUNCIL TRANSMITTAL


Lisa Shaffer
Lisa Shaffer, Chief Administrative Officer

Date Received: August 14, 2020
Date sent to Council: September 21, 2020

TO: Salt Lake City Council
Chris Wharton, Chair

DATE: 08/13/2020

FROM: Jennifer McGrath, Interim Director Department of Community & Neighborhoods


Jennifer McGrath (Aug 13, 2020 14:51 MDT)

SUBJECT: PLNPCM2019-00824 Street Vacation Near 800 N and Warm Springs Road

STAFF CONTACT: Sara Javoronok, Senior Planner
801-535-7625, sara.javoronok@slcgov.com

DOCUMENT TYPE: Ordinance

RECOMMENDATION: Per Planning Commission's recommendation, adopt the ordinance to vacate a an approximately 1.125 acre area that is part of the 800 North right-of-way near Warm Springs Road.

BUDGET IMPACT: At the time of this transmittal, Real Estate Services indicated that fair market value for the subject area is approximately \$4.58 per square foot. If the vacation is approved by the Council and the property is sold to the applicants, approximately \$224,571 would be paid into the General Fund.

BACKGROUND/DISCUSSION: This is a request by Mark Greenwood of Granite Construction to vacate a section of the 800 North right-of-way that is adjacent to a former overpass from 800 West over I-15 to Warm Springs Road (700 West). The overpass was closed and removed with the reconstruction of I-15 in the mid-2000s. A portion of the roadway on the west side of I-15 has already been vacated and redeveloped. The approximate area of the street vacation is 1.125 acres. The applicant owns the property to the north and proposes that the vacated area will be split between the owners to the north and south.

The proposed street vacation is for a section of the 800 North right-of-way that was adjacent to a former overpass over I-15 extending from 800 West over I-15 to Warm Springs Road. The proposed street vacation is approximately 1.125 acres in size and measures approximately 132 feet wide and 485 feet long on the north and 410 feet on the south. The subject right-of-way is no longer used as a roadway and is generally unoccupied.

The applicant, Granite Construction, owns approximately 19 acres of property to the north of the subject right-of-way. LJRGF CO, LLC owns approximately 1.2 acres to the south and the offices for Pathway Directional Boring are located on the property. The applicant anticipates using the area for storage and is not intending to build structures on the property.

While the vacated land would not be publicly owned, Public Utilities has indicated an interest in recording a public utility easement over the right-of-way at the time of disposition. The applicant is amenable to this condition.

If approved by the City Council, approximately 1.125 acres would be vacated, declared surplus property, and sold to the applicants for a fair market value. The adjacent properties are zoned M-1.

MASTER PLAN POLICIES

The proposal's compliance with applicable City master plans are evaluated on page 4 of the Planning Commission Staff Report (Exhibit 4B).

The *Capitol Hill Master Plan* was last amended in 2001 and includes a paragraph on the I-15 Reconstruction. It states that Phase II, which includes the subject area, is in the process of scoping alternatives. Thus, it does not contemplate or discuss the removal of the overpass. It also does not specifically discuss the overpass.

The Industrial Land Use section includes a policy to discourage the expansion of industrial land uses within the neighborhood and encourages their relocation to areas north of 900 North or other areas of the city. While the proposal would be a small expansion of industrially zoned land in the city, there is existing industrial zoned land to the north, south, and east, and I-15 is located to the west.

The *Salt Lake City Urban Design Element* (1990) includes a section titled Streets and Elements of Open Space, with a Policy Concept that states, "Decline to vacate streets, alleys, and other public rights-of-way unless it is demonstrated that the vacation will result in a public benefit." There is a potential public benefit to allow for the expansion of a business onto property that is currently vacant, and without the street closure, would continue to remain vacant. The property isn't needed for a public purpose, and the City would benefit financially from the sale of the land—proceeds would be placed in the General Fund.

Plan Salt Lake (2015) includes a guiding principle to have "A balanced economy that produces quality jobs and fosters an environment for commerce, local business, and industry to thrive. This includes an initiative to "Support the growth of the industrial areas of the City," which is consistent with this proposal.

PUBLIC PROCESS:

- A notice of petition and request for review was emailed to the Capitol Hill and Rose Park Community Council Chairs on September 24, 2019. No request for a meeting was received. On this date, letters were also mailed to property owners and residents within a 300 foot radius of the site. Staff did not receive comments from nearby owners or residents.
- October 17, 2019 – An open house was held to solicit comments on the project was held. Three employees of Lifetime, which is located to the south of the right-of-way, attended with general questions.
- The Planning Commission held a public hearing on February 12, 2020, and voted unanimously to forward a recommendation to vacate the subject area. Lynn Wall, representing the property owner to the south, LTRGFCO, LLC spoke indicating that they wished to purchase the southern portion of the vacated land and that they wanted to expand their operations onto the property.

RELEVANT ORDINANCES:

- Utah State Code §10-9a-609.5 establishes the power for cities to vacate streets upon the request of the governing body of a property owner.

The decision to vacate a street is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. The City Council adopted a street closure policy in 1999. These policies were evaluated in the Planning Commission Staff Report and considered by the Planning Commission. Analysis and Findings can be found on pages 3-4 and 13-14 of the Staff Report dated February 12, 2020 (Exhibit 4B).

EXHIBITS:

1. Ordinance
2. Project Chronology
3. Notice of City Council Hearing
4. Planning Commission – February 12, 2020 Public Hearing
 - A) Public Hearing Notice
 - B) Staff Report
 - C) Agenda and Minutes
5. Original Petition
6. Mailing List

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 - C. Agenda/Minutes
5. Original Petition
6. Mailing List

1. ORDINANCE

SALT LAKE CITY ORDINANCE
No. _____ of 2020

(Vacation a portion of 800 North Street adjacent to I-15 and Warm Springs Road)

An ordinance vacating a portion of 800 North Street from the east right-of-way of I-15 to 700 West Street pursuant to Petition No. PLNPCM2019-00824.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on February 12, 2020, to consider the request made by Mark Greenwood of Granite Construction (the “Applicant”) (Petition No. PLNPCM2019-00824) to vacate a portion of 800 North Street from the east right-of-way of I-15 to 700 West Street; and

WHEREAS, at its February 12, 2020 meeting, the Salt Lake City Planning Commission held a public hearing and voted in favor of forwarding a positive recommendation to the Salt Lake City Council on said application; and

WHEREAS, the Salt Lake City Council finds after holding a public hearing on this matter, that the city’s interest in the city-owned public right-of-way described below is not presently necessary for use by the public and that vacating the city-owned right-of-way will not materially injure the public interest or any person; and

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Vacating City-Owned Right-of-way. That the 800 North Street right-of-way from the east right-of-way of I-15 to 700 West Street, which is the subject of Petition No. PLNPCM2019-00824 and which is more particularly described in Exhibit “A” attached hereto, hereby is vacated and declared not presently necessary or available for public use.

SECTION 2. Reservations and Disclaimers. The above vacation is expressly made subject to all existing rights-of-way and easements of all public utilities of any and every description now located on and under or over the confines of this property, and also subject to

the rights of entry thereon for the purposes of maintaining, altering, repairing, removing or rerouting said utilities, including the city's water and sewer facilities. Said vacation is also subject to any existing rights-of-way or easements of private third parties.

SECTION 3. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this ____ day of _____, 20__.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER
(SEAL)

Bill No. _____ of 2020
Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date: August 10, 2020
By: *Paul Nielson*
Paul Nielson, Senior City Attorney

Exhibit “A”

Legal description of the right of way to be vacated:

A portion of a Salt Lake City Street (800 North Street) lying and situate in the Southeast Quarter of Section 26, Township 1 North, Range 1 West, Salt Lake Base and Meridian, Salt Lake City, Salt Lake County, State of Utah, being more particularly described as follows:

COMMENCING at the found Street monument at the intersection of 700 West Street and 800 North Street; thence North 00°00'55" West 63.92 feet along the 700 West Street monument line to the extension of the North line of 800 North Street; thence North 89°59'32" West 64.00 feet to the Southeast Corner of Block 107, Plat ‘C’, Salt Lake City Survey and the **POINT OF BEGINNING**; thence South 00°00'55" East 131.78 feet along the West line of 700 West Street; thence North 89°59'29" West 333.03 feet along the South line of 800 North Street to the Easterly Right-of-Way line of Interstate 15 (Project #I-15-7-26(307) Year 1965; thence North 30°36'26" West 153.12 feet along said Easterly Right-of-Way line; thence South 89°59'32" East 410.96 feet along the North line of 800 North Street to the **POINT OF BEGINNING**.

Contains 49,022 square feet / 1.125 acres

2. PROJECT CHRONOLOGY

PROJECT CHRONOLOGY

Petition: PLNPCM2019-00824

- | | |
|--------------------|---|
| August 29, 2019 | Mark Greenwood of Granite Construction submits application for Street Closure/Vacation for the approximately 1.3 acre area of 800 North near Warm Springs Road. |
| September 16, 2019 | Petition PLNPCM2019-00824 assigned to Sara Javoronok, Senior Planner, for staff analysis and processing. |
| September 24, 2019 | Email sent to Recognized Community Organizations (Capitol Hill and Rose Park Community Councils) informing them of the petition. |
| October 17, 2019 | Open House held to solicit comments on the project. Three employees of Lifetime, located to the south of the subject area, attended with general questions. |
| January 31, 2020 | Sign posted on property. |
| January 31, 2020 | Planning Commission hearing notices posted on City and State websites and Planning Division listserv. Notices also mailed out to property owners/residents. |
| February 12, 2020 | Planning Commission reviewed the petition and held a public hearing. The commission voted unanimously to send a positive recommendation to the City Council. |
| August 3, 2020 | Legal description submitted by the applicant for the area to be vacated. |
| August 4, 2020 | Ordinance review requested from City Attorney's office. |

**3. NOTICE OF CITY
COUNCIL HEARING**

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition **PLNPCM2019-00824 Street Vacation near 800 North and Warm Springs Road**. A request for street vacation by Mark Greenwood of Granite Construction for vacation of a section of the 800 North right-of-way that is adjacent to a former overpass from 800 West over I-15 to Warm Springs Road. The approximate area of the street vacation is 1.3 acres. The subject property is located in a M-1 (Light Manufacturing) zoning district and is located in Council District #3 represented by Chris Wharton.

As part of their study, the City Council is holding two advertised public hearings to receive comments regarding the petition. During these hearings, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The Council may consider adopting the ordinance on the same night of the second public hearing. The hearing will be held electronically:

DATE: **Date #1 and Date #2**
TIME: **7:00 p.m.**
PLACE: ****This meeting will not have a physical location.**

****This will be an electronic meeting pursuant to the Salt Lake City Emergency Proclamation. If you are interested in participating in the Public Hearing, please visit our website at <https://www.slc.gov/council/> to learn how you can share your comments during the meeting. Comments may also be provided by calling the 24-Hour comment line at (801)535-7654 or sending an email to council.comments@slcgov.com. All comments received through any source are shared with the Council and added to the public record.**

If you have any questions relating to this proposal, please call Sara Javoronok at 801-535-7625 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at sara.javoronok@slcgov.com. You may review the file online at <https://citizenportal.slcgov.com/citizen>, by selecting the Planning tab, and entering the petition number PLNPCM2019-00824.

4. PLANNING COMMISSION

A. Mailing Notice

January 31, 2020



Salt Lake City Planning Division
451 S State Street, Room 406, PO Box 145480, Salt Lake City, Utah 84114-5480

Salt Lake City Planning Commission Wednesday, February 12, 2020, 5:30 p.m.
City and County Building 451 S State Street, Room 326

A public hearing will be held on the following matter. Comments from the Applicant, City Staff and the public will be taken.

Street Vacation at approximately 800 N and Warm Springs Rd - A request for street vacation by Mark Greenwood of Granite Construction for vacation of a section of the 800 North right-of-way that is adjacent to a former overpass from 800 West over I-15 to Warm Springs Road. The approximate area of the street vacation is 1.3 acres. The subject property is located in a M-1 (Light Manufacturing) zoning district and is located in Council District #3 represented by Chris Wharton. (Staff Contact: Sara Javoronok at (801) 535-7625 or sara.javoronok@slcgov.com) **Case number PLNPCM2019-00824**

Salt Lake City Corporation complies with all ADA guidelines. People with disabilities may make requests for reasonable accommodations no later than 48 hours in advance in order to attend this meeting. Accommodations may include: alternative formats, interpreters, and other auxiliary aids. This is an accessible facility. For additional meeting information, please see www.slcgov.com or call 801-535-7757; TDD 535-6220.



SALT LAKE CITY PLANNING DIVISION
451 S STATE STREET ROOM 406
PO BOX 145480
SALT LAKE CITY UT 84114-5480

FIRST CLASS



U.S. POSTAGE >>> PITNEY BOWES

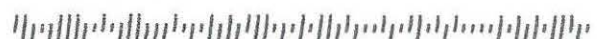


ZIP 84116 \$ 000.50⁰
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STATE MAIL 02/04/2020

Salt Lake City Planning Division Sara Javoronok
PO BOX 145480
Salt Lake City, UT 84114

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4. PLANNING COMMISSION

B. Staff Report

February 12, 2020



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY & NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Sara Javoronok, 801-535-7625 or sara.javoronok@slcgov.com

Date: February 12, 2020

Re: PLNPCM2019-00824 Street Vacation Near 800 North and Warm Springs Road

Street Vacation

PROPERTY ADDRESS: Near 800 North and Warm Springs Road
MASTER PLAN: Capitol Hill Master Plan
ZONING DISTRICT: M-1

REQUEST: This is a request by Mark Greenwood of Granite Construction to vacate a section of the 800 North right-of-way that is adjacent to a former overpass from 800 West over I-15 to Warm Springs Road. The overpass was closed and removed with the reconstruction of I-15 in the mid-2000s. A portion of the roadway on the west side of I-15 has already been vacated and redeveloped. The approximate area of the street vacation is 1.3 acres. The applicant owns the property to the north and proposes that the vacated area will be split between the owners to the north and south.

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 vacate this section of 800 North right-of-way from I-15 to Warm Springs Road subject to the following condition:

1. The city shall record a public utility easement in the vacated area at the time of disposition.

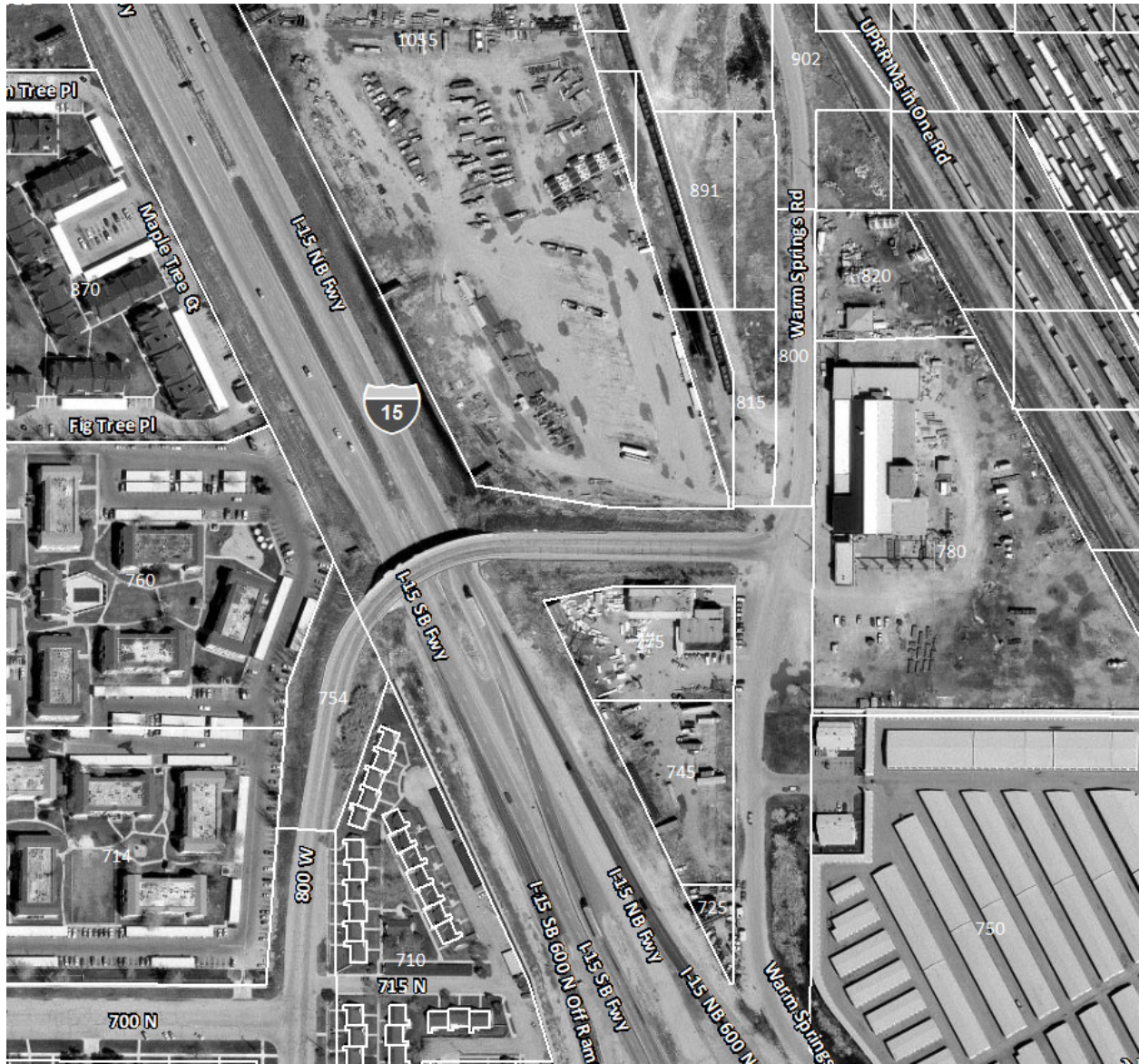
ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Property Photographs](#)
- C. [Additional Applicant Information](#)
- D. [Analysis of Standards](#)
- E. [Public Process and Comments](#)
- F. [Department Review Comments](#)

BACKGROUND

Prior to the reconstruction of I-15 in the mid-2000s, there was an overpass for 800 West over I-15 to Warm Springs Road (see photo on the next page). This was closed by 2006 and the overpass was removed by 2010. The right-of-way on the west side was vacated through petitions in 2016

(PLNPCM2015-00462) and 2017 (PLNPCM2016-01008). Following this, the Rose Park Neighborhood Center was constructed in 2017 at the terminus of 800 W. The right-of-way on the east side has remained unoccupied since the removal of the overpass. City staff has determined that the city right-of-way is limited to the approximately 132 feet of right-of-way that would have been part of 800 North. The flares or fins that appear in the images below extend to the north and south are UDOT property or right-of-way.



1999 aerial photo showing the former overpass with the current parcel overlay



Recent aerial photo showing the approximate location of street vacation.

PROJECT DESCRIPTION:

The proposed street vacation is for a section of the 800 North right-of-way that was adjacent to a former overpass over I-15 extending from 800 West over I-15 to Warm Springs Road. The proposed street vacation is approximately 1.3 acres in size and measures approximately 132 feet wide and 475 feet long on the north and 340 feet on the south. The subject right-of-way is no longer used as a roadway and is generally unoccupied.

The applicant, Granite Construction, owns approximately 19 acres of property to the north of the subject right-of-way. LJRGF CO, LLC owns approximately 1.2 acres to the south and the offices for Pathway Directional Boring are located on the property. The applicant anticipates using the area for storage and is not intending to build structures on the property.

While the vacated land would not be publicly owned, Public Utilities has indicated an interest in recording a public utility easement over the right-of-way at the time of disposition. The applicant is amenable to this condition.

KEY CONSIDERATIONS:

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

1. **Utah State Code:** 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 good cause exists for the vacation, and neither the public

interest nor any person will be materially injured by the vacation. Since the overpass was removed, the right-of-way is no longer used as a roadway and has been generally unoccupied. Staff finds that a transfer to private ownership would not be detrimental to public interest, particularly since it would result in the applicant compensating the City for the property at the market rate.

2. **City Master Plans:** The *Capitol Hill Master Plan* was last amended in 2001 and includes a paragraph on the I-15 Reconstruction. It states that Phase II, which includes the subject area, is in the process of scoping alternatives. Thus, it does not contemplate or discuss the removal of the overpass. It also does not specifically discuss the overpass.

The Industrial Land Use section includes a policy to discourage the expansion of industrial land uses within the neighborhood and encourages their relocation to areas north of 900 North or other areas of the city. While the proposal would be a small expansion of industrially zoned land in the city, there is existing industrial zoned land to the north, south, and east, and I-15 is located to the west.

The *Salt Lake City Urban Design Element* (1990) includes a section titled Streets and Elements of Open Space, with a Policy Concept that states, “Decline to vacate streets, alleys, and other public rights-of-way unless it is demonstrated that the vacation will result in a public benefit.” There is a potential public benefit to allow for the expansion of a business onto property that is currently vacant, and without the street closure, would continue to remain vacant. The property isn’t needed for a public purpose, and the City would benefit financially from the sale of the land—proceeds would be placed in the General Fund.

Plan Salt Lake (2015) includes a guiding principle to have “A balanced economy that produces quality jobs and fosters an environment for commerce, local business, and industry to thrive. This includes an initiative to “Support the growth of the industrial areas of the City,” which is consistent with this proposal.

3. **City Ownership and Use:** Staff has determined that the city ownership of the right-of-way is limited to the approximately 132 feet wide right-of-way dedicated for 800 North as part of Plat C of the Big Field Survey. The flares or fins are owned by UDOT, and UDOT would have the option to purchase the right-of-way adjacent to these portions. Staff has notified UDOT of the proposal and has not received any comments. The applicant has indicated that they have heard from UDOT and they have indicated that they are willing to sell the property and do not have interest in purchasing the portion that would be vacated. The Transportation Division has indicated that they have no interest in using the right-of-way.

Planning staff requested review of the proposed vacation from city departments and Public Utilities has stated that the right-of-way should not be vacated expressing desire to retain the area for future utilities. Public Utilities has not stated how the area would be used and has provided language for a public utility easement that would preserve the ability to use the right-of-way for this purpose. Staff believes that the required easement should be sufficient for any future utility needs in the area. The applicant is amenable to a public utility easement.

DISCUSSION:

The proposal has been reviewed according to Utah State Code, the City Council policies regarding street closures (Attachment D), and applicable city master plans, and staff finds that there are citywide initiatives and policies that will be furthered with the adoption of the street vacation. Further, the City will benefit financially from the sale of the property to the applicant.

NEXT STEPS:

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

ATTACHMENT A: VICINITY MAP

ATTACHMENT B: PROPERTY PHOTOGRAPHS



Existing Conditions – facing west towards the location of former overpass



Standing in the right-of-way and facing north



Standing in the right-of-way and facing southeast



Facing north – existing Granite Construction storage yard



Standing in the western area of the right-of-way and facing east

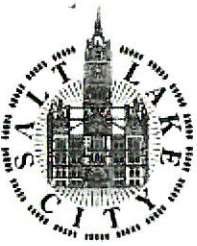


Standing in the western area of the right-of-way and facing west towards I-15



Granite Construction offices located to the north of the subject area

ATTACHMENT C: ADDITIONAL APPLICANT INFORMATION



Street Closure

SALT LAKE CITY PLANNING

OFFICE USE ONLY

Received By:

Date Received:

Project #:

Project Name:

Name/Location of the Street:

Name of Applicant:

Phone:

Address of Applicant:

E-mail of Applicant:

Cell/Fax:

Applicant's Interest in Subject Property:

☒ Owner ☐ Contractor ☐ Architect ☐ Other:

Name of Property Owner abutting the street (if different from applicant):

E-mail of Property Owner:

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

Mailing Address: Planning Counter
PO Box 145471
Salt Lake City, UT 84114

In Person: Planning Counter
451 South State Street, Room 215
Telephone: (801) 535-7700

REQUIRED FEE

Filing fee of \$388
Plus additional fee for required public

SIGNATURE

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

Signature of Owner or Agent:

Date:

SUBMITTAL REQUIREMENTS

Staff Review

☐☒

Please include with the application: (please attach additional sheet)

☐☒

1. A letter explaining why you are requesting this Street Closure.

☐☒

2. A Sidwell map showing the area of the proposed Street Closure. On the map please:

☐☒

a. Highlight the area of the proposed Street Closure.

☐☒

b. Indicate the property owners abutting the proposed Street Closure.

☐☒

c. Submit one paper copy and a digital (PDF) copy of the map.

☐☒

3. A written description with the width and length measurements of the proposed Street Closure.

- A final legal description prepared by a licensed engineer will be required later.

4. The name, address and signatures of all abutting property owners who support the petition.

- You may use the form attached to this application or provide your own form with signatures.
- Signatures should be from the property owners and not from the property renters.

Included in letter

Please be aware that once the City closes the street it will then sell the property at fair market value to the abutting property owners.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

PETITION TO CLOSE A STREET

Name of Applicant:

Granite Construction Co.

Address of Applicant:

1000 N. Warm Springs Dr. SLC, UT 84116

Date:

8-14-19

As an owner of property adjacent to the street, I agree to the proposed street closure. I also understand that I have the option to purchase the portion of the street adjacent to my property at fair market value.

①

Union Pacific Railroad Company (Rio Grande Land Co.), 1400 Douglas St., Omaha, NE 68179

Rick Harris, Manager-Real Estate
August 28, 2019

Print Name

Address

Signature

Date

SLC, UT 84116

②

LIRGFCO LLC 775 N. Warm Springs Dr.

Print Name

Address

Signature

Date

Manager

8-28-19

Print Name

Address

Signature

Date

Print Name

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August 29, 2019

Salt Lake City Planning
451 South State Street, Room 215
Salt Lake City, UT 84114

Re: Street Closure Application – Near Warm Springs Drive and 800 North.

To Whom It May Concern,

Granite Construction Company (Granite) is proposing to close a section of street owned by Salt Lake City. The street is located along Warm Springs drive and approximately 800 north. The street is a former over pass that crossed over I-15 and connected Warm Springs Drive and 800 West. The over pass has been removed and the property is currently vacant. The proposed closure is illustrated in the attached Sidwell Map. The approximate dimensions of the street closure is 140 feet wide by 450 feet long.

Granite has contacted all immediately adjacent property owners including Union Pacific Railroad Company (UP) and LJRGCFCO LLC. UP has no interest in purchasing the property and LJRGCFCO LLC is interested in purchasing half of the proposed closure in conjunction with Granite. Both property owners have signed the street closure petition (attached). Granite has worked with Shellie Finan at Salt Lake City, to determine the correct path forward to purchase the property. Granite's correspondence with Ms. Finan is included with this application.

The attached documents include the Salt Lake City Street Closure form, Sidwell map, signed petition, and correspondence with Ms. Finan at Salt Lake City. Thank you for taking the time to review this information. Please feel free to contact Mark Greenwood at 801-707-8547 with any questions that you might have.

Regards,

A handwritten signature in blue ink, appearing to read "Mark Greenwood".

Mark Greenwood, PE
Region Environmental Manager
Granite Construction
1000 North Warm Springs Rd
Salt Lake City, UT 84116
P: (801) 526-6051
C: (801) 707-8547
E: mark.greenwood@gcinc.com

Granite Construction Warm Springs Parcels

0 50 100 200 Feet



1 inch = 100 feet



Granite Construction Co.

RIO GRANDE
LAND CO

Proposed Salt Lake City
Street Closure Purchase

LJRGFCO, LLC

Salt Lake City Streets

Greenwood, Mark

From: Klaumann, Jason
Sent: Tuesday, August 13, 2019 9:28 AM
To: Greenwood, Mark
Subject: FW: City Property on Warm Springs RD

FYI

From: Finan, Shellie <Shellie.Finan@slcgov.com>
Sent: Monday, August 12, 2019 1:52 PM
To: Klaumann, Jason <[REDACTED]>
Subject: RE: City Property on Warm Springs RD

Hi Jason,

I reached out to the department heads concerning property of interest and have received no objections. The only comment made by Public Utilities was 700 West needs to remain a right of way since there is a main waterline underground. I don't think the portion you are interested in interferes with 700 West.

Like we discussed, the next step is to reach out to Planning to begin the street closure application process. If approved by Planning and City Council, the next step will be to work with Real Estate Services to begin the disposition of surplus land process and purchase agreement which the purchase price will be based on the current market value of the property.

Please let me know if you have any other questions.

Shellie Finan, RWA, CNE
Real Property Manager

DEPARTMENT OF COMMUNITY AND NEIGHBORHOODS
SALT LAKE CITY CORPORATION

TEL 801-535-6447
CELL 385-321-7143

www.SLCGOV.com/HAND

From: Klaumann, Jason <[REDACTED]>
Sent: Tuesday, August 06, 2019 1:08 PM
To: Finan, Shellie <Shellie.Finan@slcgov.com>
Subject: City Property on Warm Springs RD

Shellie,

I was thinking one thing and typed another, below should be 800 N street not 900 W. Current bridge goes over I-15 on 900 W.

Jason

From: Klaumann, Jason
Sent: Tuesday, August 6, 2019 11:41 AM
To: Finan, Shellie <Shellie.Finan@slcgov.com>
Subject: RE: City Property on Warm Springs RD

Shellie,

It is the old 900 west street that went over I-15 and was abandoned. The city entered into 99 year lease with the piece of property that was on the west side of I-15 where the 900 west bridge landed and this is the east side property. Not sure if that helps but maybe.

Jason

From: Finan, Shellie <Shellie.Finan@slcgov.com>
Sent: Tuesday, August 6, 2019 11:17 AM
To: Klaumann, Jason <[REDACTED]>
Subject: RE: City Property on Warm Springs RD

Hi Jason!

I just wanted to let you know I haven't forgotten about your email request. I'm verifying if the City does indeed own the property since there's no parcel # assigned to the portion you're interested in. It looks like it could be right-of-way but not sure if it's considered a street. I'll get back to you as soon as I have more information and we can discuss further.

Thanks,

Shellie Finan, RWA, CNE
Real Property Manager

DEPARTMENT OF COMMUNITY AND NEIGHBORHOODS
SALT LAKE CITY CORPORATION

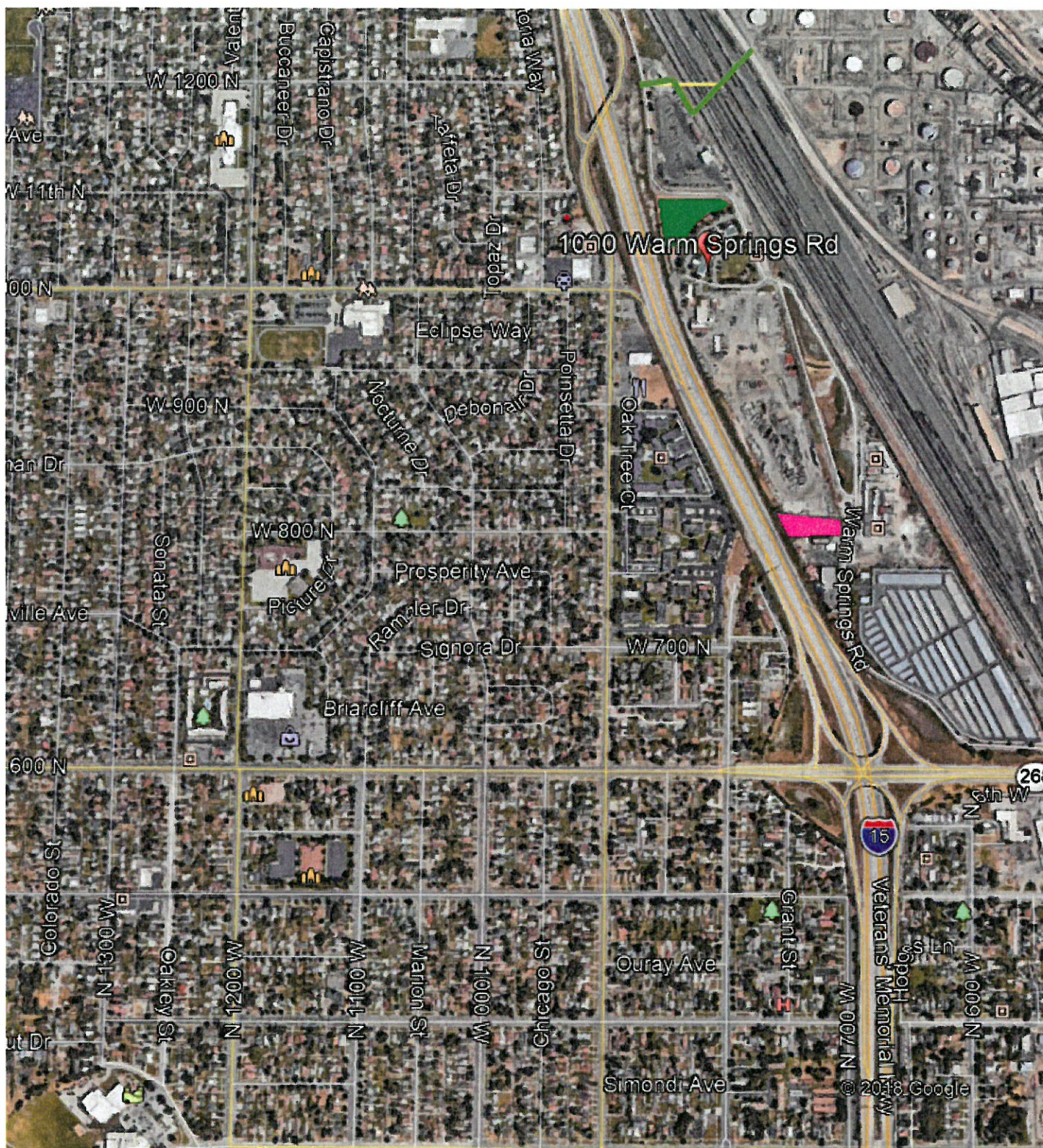
TEL 801-535-6447
CELL 385-321-7143

WWW.SLCGOV.COM/HAND

From: Klaumann, Jason <[REDACTED]>
Sent: Monday, August 05, 2019 5:52 PM
To: Finan, Shellie <Shellie.Finan@slcgov.com>
Subject: City Property on Warm Springs RD

Shellie,

Would you have a time to sit down with me and look at a city owned property that borders our current property on Warm Springs Road. I am wondering if there is a idea on this piece of property that could benefit both of us. The property I am talking about is shown in pink in the attached map. At your convenience let me know when you would have 30 min to discuss.



Thank you in advance,

Jason

Jason Klaumann

Vice President- Utah Region Manager

1000 Warm Springs Road
Salt Lake City, UT 84116
Cell 801-831-6093

jason.klaumann@gcinc.com
www.graniteconstruction.com

From: [Greenwood, Mark](#)
To: [Javoronok, Sara](#)
Subject: RE: (EXTERNAL) Re: Street Closure Application
Date: Wednesday, February 5, 2020 3:30:03 PM

Sara,

We have finally heard back from UDOT about the small triangle property that partially separates us from the SLC street closure section we are proposing at 800 N and Warm Springs Dr. UDOT is planning to sell us the property and they do not have interest in purchasing any portion of the street closure section. We will pass this information along to the horizontal drilling company that owns the property on the south side of the closure so they can also purchase the similar UDOT section of property on their side of the closure. Do you need me to get UDOT to sign the surrounding parcel owners document? See you next Wednesday for the planning commission meeting.

Thanks,
Mark

Mark Greenwood, PE
Utah Region Env Manager
1000 N Warm Springs Rd
Salt Lake City, Utah 84116
Direct 801-526-6051
Cell 801-707-8547



From: Greenwood, Mark
Sent: Tuesday, January 21, 2020 3:26 PM
To: Javoronok, Sara <Sara.Javoronok@slcgov.com>
Cc: Klaumann, Jason [REDACTED]
Subject: Re: (EXTERNAL) Re: Street Closure Application

Yes, February 12 still works and I am planning on being there. No word from UDOT. They are a hard nut to crack. We will keep probing.

Thanks,
Mark

Sent from my iPhone

On Jan 21, 2020, at 2:29 PM, Javoronok, Sara <Sara.Javoronok@slcgov.com> wrote:

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: The portion of right-of-way that the applicant has requested the City vacate currently terminates at I-15 and no longer provides access to other roadways or properties.

Finding: The proposed vacation would not deny vehicular or pedestrian access to any adjacent 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.**

Analysis: If approved by the City Council, the approximately 1.3 acres of right-of-way would be sold at a fair market value to the applicant or other adjacent property owners.

Finding: The City would give up ownership of this property and obtain fair market value for the sale of the property to the applicant or other adjacent property owners.

- 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: As outlined in the 'Key Considerations' section above, the reconstruction of I-15 was in the planning stages when the *Capitol Hill Master Plan (2001)* was most recently amended and does not include any specific direction on the use or disposition of the former right-of-way. Staff finds that the request, supplemented with a public utility easement, is consistent with public policies.

The *Salt Lake City Urban Design Element (1990)* indicates that the City should decline to vacate right-of-ways unless it will result in a public benefit. There is a public benefit to the closure since the business owner would be able to expand into the currently vacant land. Additionally, the City would benefit financially from the sale of the property to applicant.

Plan Salt Lake supports the proposed vacation. This includes the Economy related guiding principle to have a balanced economy as well as an initiative to support the growth of industrial areas of the city.

Finding: The proposed right-of-way vacation is supported by *Plan Salt Lake*, does not conflict with the *Capitol Hill Master Plan*, and, per the *Salt Lake City Urban Design Element* it provides a public benefit. The property is not needed for a public purpose and the city would benefit from the sale of the land the proceeds from which would go into the General Fund.

- 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 and applicant could enter into a long term lease agreement for the existing right-of-way. All maintenance of the subject property would be by the lessee (the applicant) subject to required permits for any work. In exchange

for exclusive use of the subject property, the lessee (the applicants) would be required to pay annual rent based on fair market value.

Finding: There are two alternatives to the requested vacation: 1) is that the City maintains ownership of the approximately 1.3 acres of public right-of-way and requests that the applicant enter into a long term lease agreement, and 2) is that the right-of-way is retained by the city, and likely remains vacant and unused. The city would be responsible for maintaining the parcel in perpetuity. As for the first option, real estate staff has indicated that long term leases have greater administrative costs. A specific use by the city for this right-of-way has not been identified. Public utilities may be located in an easement that would be recorded at the time of disposition. Since the overpass was removed and the right-of-way terminates at I-15, it is unlikely that it will be needed for a public purpose.

ATTACHMENT E: PUBLIC PROCESS AND COMMENTS

Public Notice & Comments

- September 24, 2019 – Notice of the project was provided to the Capitol Hill and Rose Park Community Council Chairs. No response was received.
 - On this date, letters were also mailed to property owners and residents within a 300 foot radius of the site. Staff did not receive comments from nearby owners or residents.
- October 17, 2019 – An open house was held to solicit comments on the project was held. Three employees of Lifetime, which is located to the south of the right-of-way, attended with general questions.
- January 31, 2020 – Public hearing notices mailed for the Planning Commission meeting / Notice also posted on City & State web sites and emailed to Planning Division list serve.
- January 31, 2020 – Public hearing notice sign posted at subject property.

At the time that this report was published, no other public comments had been received. If any are submitted after this date, they will be forwarded to the Commission and included in the public record.

ATTACHMENT F: DEPARTMENT REVIEW COMMENTS

Planning Notes (Sara Javoronok, Senior Planner, 801-535-7625, sara.javoronok@slcgov.com)

- It is city practice to divide the right-of-way in half if the property owners are interested.
- The right-of-way is not a community asset or surplus property.
- I have requested clarification on the Public Utilities comment below, but have not received additional information.
- The city may consider recording a public utility easement in the right-of-way, this could be a condition of approval and would likely be recorded at the time of disposition.
- UDOT owns the approximate areas shown below in yellow, contact the individuals in their surplus property team for information. As owners of these portions, they would have the option to purchase the right-of-way. Surplus Property Team: Deryl Davis – [REDACTED] or Michael Timothy – [REDACTED]



Public Utilities (Karryn Greenleaf, Utilities Manager, 801-483-6769, karryn.greenleaf@slcgov.com)

Here are my concerns, on a consistent basis we and other utility companies are looking to cross I-15 or other large roadways with utilities that serve the public. I would respectfully ask that we not be hasty in vacating our rights in any roadway or property that could have future utility access uses, there has been some indication that this roadway along with the roadway on the opposite side could have been reserved as a utility corridor. Just because we do not have a utility currently located in an existing roadway does not mean that we should be vacating the property and thereby causing additional costs to City projects down the road. Closing the street to use and leasing it to an adjacent property owner is not as much of a concern as long as there are no permanent structures or items that require special approval to be removed and conditions can be applied to the lease to protect the City's interest.

I would ask that we not vacate this street as part of the street closure.

Building Services

Building Services finds no zoning related issues associated with this request.

Engineering (Matt Cassel, City Engineer, 801-535-6140, matthew.cassel@slcgov.com)

- There appears to be a power line across the property,
- There is a drainage ditch that crosses the property,
- I would suggest doing some borings on the property to verify what materials were used for the ramp.
- In Shellie's email she talks about starting the disposition of surplus property with the purchase property to be based on current market value of the property. Per State Code, this is a vacation of a community asset and is not surplus property. State code already dictates that the ROW, if vacated, shall be divided down the middle with ownership to each adjacent property owner.
- I am a big believer that any ROW vacated should create a community benefit. If we just sell this land for market price, we are not protecting these community assets.

Fire

Building Services finds no Fire Code related issues associated with this proposal.

Transportation

Transportation has no interest in using this piece of property.

4. PLANNING COMMISSION

C. Agenda/Minutes

February 12, 2020

SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA
In Room 326 of the City & County Building
February 12, 2020, at 5:30 p.m.
(The order of the items may change at the Commission's discretion)

FIELD TRIP - The field trip is scheduled to leave at 4:00 p.m.

DINNER - Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m. in Room 126 of the City and County Building. During the dinner break, the Planning Commission may receive training on city planning related topics, including the role and function of the Planning Commission.

PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM IN ROOM 326

APPROVAL OF MINUTES FOR JANUARY 22, 2020

REPORT OF THE CHAIR AND VICE CHAIR

REPORT OF THE DIRECTOR

1. **Changes to Planning Commission Policies and Procedures** – The Planning Director is requesting the Planning Commission amend their rules of procedure to include Consent agenda matters. The Planning Commission may consider what types of petitions may be reviewed in a Consent agenda. This may include administrative petitions where the Planning Commission is the decision-making authority.
2. **Planned Development Extension Request at approximately 563 & 567 East 600 South** - Kristen Clifford, the consultant who represents the property owner, is requesting the Planning grant a one-year time extension on approval of a Planned Development at approximately 563 E. 600 S. The Commission originally granted approval for this project on March 28, 2018 and granted one extension of that approval that will expire March 28, 2020. (Staff Contact: Amy Thompson at (801) 535-7281 or amy.thompson@slcgov.com) **Case number PLNSUB2017-00297**

PUBLIC HEARINGS

3. **Zoning Map and Master Plan Amendment for 159 S. Lincoln, 949 E., 955 E., 959 E., 963 E. 200 S.** - Graham Gilbert, on behalf of the property owners, is requesting to amend the Central Community Future Land Use Map and the Zoning Map. The request includes an amendment to the Central Community Future Land Use Map from Low Density Residential (1-15 dwelling units per acre) to Medium Density Residential (15-30 dwelling units per acre). The applicant is requesting to amend the Zoning Map for these properties from R-2 (Single and Two-Family Residential) to RMF-35 (Moderate Density Multi-Family Residential). The master plan and zoning map amendments are requested to allow more residential housing units than what is currently allowed. The subject property is located within District 4, represented by Ana Valdemoros. (Staff Contact: Kelsey Lindquist at (801) 535-7930 or kelsey.lindquist@slcgov.com) **Case Numbers PLNPCM2019-00683 and PLNPCM2019-00684**
4. **The Revival Design Review at approximately 355 South 200 West** - A request by Matt Krambule of PEG Development, representing 4th South Associates LLC and SLHB B Investors, LLC for Design Review for additional height at approximately 355 South 200 West. The proposed residential mixed-use project, to be known as the Revival, consists of 5 stories of residential units above 2.5 stories of parking, with a retail component on the ground floor. A midblock walkway will run east-west along the north property line. The proposed height of the building is 89 feet and 10 inches. In the D-3 zone, buildings located between corner properties have a permitted height of 75 feet. Buildings taller than 75 feet but less than 90 feet in may be authorized through the Design Review process. The property is zoned D-3 (Warehouse/Residential District) and is located in Council District 4, represented by Ana Valdemoros. (Staff Contact: Laura Bandara at (801) 535-6188 or laura.bandara@slcgov.com) **Case number PLNPCM2019-00640**

5. **Street Vacation at approximately 800 N and Warm Springs Rd** - A request for street vacation by Mark Greenwood of Granite Construction for vacation of a section of the 800 North right-of-way that is adjacent to a former overpass from 800 West over I-15 to Warm Springs Road. The approximate area of the street vacation is 1.3 acres. The subject property is located in a M-1 (Light Manufacturing) zoning district and is located in Council District #3 represented by Chris Wharton. (Staff Contact: Sara Javoronok at (801) 535-7625 or sara.javoronok@slcgov.com) **Case number PLNPCM2019-00824**
6. **Conditional Use for an ADU at approximately 1083 S Blair** - A request by Tom Candee of Brach Design on behalf of the property owner, Heather Flanders, for a detached accessory dwelling unit located at approximately 1083 S Blair Street. The ADU would have an approximately 459 square foot footprint with a 186 square foot lofted area for a total of 645 square feet. The building height would not exceed 17 feet. The subject property is located in an R-1/5,000 single family residential zoning district and is located in Council District 5, represented by Darin Mano. (Staff Contact: Sara Javoronok at (801) 535-7625 or sara.javoronok@slcgov.com) **Case number PLNPCM2019-01051**
7. **Conditional Use Sacred Circle Group Recovery Home** - Sacred Circle Healthcare is requesting Conditional Use approval for a new medical detoxification/recovery facility to be located on the first floor in their existing building at 660 South 200 East in the D-2 – Downtown Support zoning district. The proposed use will consist of a 14-bed in-patient facility with 24-hour supervision and security and counseling and medical services provided by a multi-disciplinary team. The facility is classified as a Dwelling - Large Group Home and is allowed as a Conditional Use in the D-2 zoning district. The property is located within Council District 4, represented by Ana Valdemoros. (Staff Contact: David J. Gellner at (801) 535-6107 or david.gellner@slcgov.com) **Case number PLNPCM2019-01012**
8. **700 North Zoning Map Amendment** - 3 Properties - R-1/5000 to CB - Property owners Anna Tran and Hoc Van Do are requesting that the City amend the zoning map for three (3) properties located at 1616 W 700 N, 1632 W 700 N and 1640 W 700 N respectively. The properties currently contain individual single-family dwellings, one on each property. The applicants are requesting to change the zoning map designation of the properties from R-1/5000 (Single-Family Residential) to CB (Community Business) in order to consolidate the parcels and develop a commercial use on the site. No specific site development proposal has been submitted at this time. The Master Plan is not being changed. The properties are located within Council District 1, represented by James Rogers. (Staff Contact: David J. Gellner at (801) 535-6107 or david.gellner@slcgov.com) **Case number PLNPCM2019-00923**
9. **1612 West 700 North Zoning Map Amendment** - R-1/5000 to CB - Salt Lake City has received a request from property owner Bethany Christensen requesting that the City amend the zoning map for her property located at 1612 W 700 N. The property currently contains an individual single-family dwelling. The applicant is requesting to change the zoning map designation of the property from R-1/5000 (Single-Family Residential) to CB (Community Business). No specific site development proposal has been submitted at this time. The Master Plan is not being changed. The property is located within Council District 1, represented by James Rogers. (Staff Contact: David J. Gellner at (801) 535-6107 or david.gellner@slcgov.com) **Case number PLNPCM2019-00986**

The files for the above items are available in the Planning Division offices, room 406 of the City and County Building. Please contact the staff planner for information. Visit the Planning Division's website at www.slcgov.com/planning for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at www.slctv.com. The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326, Salt Lake City, Utah
Wednesday, February 12, 2020

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:33:15 PM](#). Audio recordings of the Planning Commission meetings are retained for a period of time.

Present for the Planning Commission meeting were: Chairperson Adrienne Bell; Vice Chairperson Brenda Scheer; Commissioners Maurine Bachman, Amy Barry, Carolyn Hoskins, Jon Lee, Matt Lyon, Andres Paredes, and Sara Urquhart.

Planning Staff members present at the meeting were Molly Robinson, Planning Manager; Paul Nielson, Attorney; Amy Thompson, Senior Planner; Kelsey Lindquist, Senior Planner; Sara Javoronok, Senior Planner; David Gellner, Principal Planner; and Marlene Rankins, Administrative Secretary.

Field Trip

A field trip was held prior to the work session. Planning Commissioners present were; Maurine Bachman, Brenda Scheer, and Sara Urquhart. Staff members in attendance were; Molly Robinson, Kelsey Lindquist, and David Gellner.

- **660 S 200 E:** Staff reviewed the request.
Q: Change of use?
A: Building code requirements for occupancy
- **900 E 200 S:** Staff reviewed the request.
Q: Are seismic upgrades required for single family homes?
Q: Why is this not a LHD?
- **355 S 200 W:** Staff reviewed the request.
Q: Where's the mid-block walkway?
A: North side of property along ramp to Broadway lofts parking.

APPROVAL OF THE JANUARY 22, 2020, MEETING MINUTES. [5:34:30 PM](#)

MOTION [5:34:36 PM](#)

Commissioner Bachman moved to approve the January 22, 2020, meeting minutes. Commissioner Scheer seconded the motion. Commissioners Paredes, Urquhart, Lyon, Barry, Scheer, Lee, and Bachman voted "Aye". Commissioner Hoskins abstained from voted as she was not present during the said meeting. The motion passed 6-1.

REPORT OF THE CHAIR AND VICE CHAIR [5:35:12 PM](#)

Chairperson Bell stated she had nothing to report.

Vice Chairperson Scheer stated she had nothing to report.

REPORT OF THE DIRECTOR [5:35:20 PM](#)

Molly Robinson, Planning Manager, suggested that the Commission move the changes to planning Commission Policies and Procedures to the end of the meeting.

- Design and material details
- Clarification on standards that would address the impacts to neighboring properties

MOTION [7:49:27 PM](#)

Commissioner Scheer stated, based on the analysis and findings listed in the staff report, information presented, and the input received during the public hearing, I move that the Planning Commission approve the Design Review request for additional height (PLNPCM2019-00640) for the project located at approximately 355 South 200 West. The recommendation is based on the conditions of approval listed in the staff report and final details regarding the conditions of approval are delegated to Planning Staff.

Commissioner Bachman seconded the motion. Commissioners Paredes, Urquhart, Lyon, Barry, Scheer, Lee, Hoskins, and Bachman voted “Aye”. The motion passed unanimously.

[7:50:48 PM](#)

Street Vacation at approximately 800 N and Warm Springs Rd - A request for street vacation by Mark Greenwood of Granite Construction for vacation of a section of the 800 North right-of-way that is adjacent to a former overpass from 800 West over I-15 to Warm Springs Road. The approximate area of the street vacation is 1.3 acres. The subject property is located in a M-1 (Light Manufacturing) zoning district and is located in Council District #3 represented by Chris Wharton. (Staff Contact: Sara Javoronok at (801) 535-7625 or sara.javoronok@slcgov.com) **Case number PLNPCM2019-00824**

Sara Javoronok, Senior Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission forward a positive recommendation to the City Council with the condition regarding public utility easement.

The Commission and Staff discussed the following:

- Clarification on whether the applicant intends to use this portion of the street

PUBLIC HEARING [7:54:59 PM](#)

Chairperson Bell opened the Public Hearing;

Lynn Wall, property owner to the South – stated his support of the request

Seeing no one else wished to speak; Chairperson Bell closed the Public Hearing.

MOTION [7:56:19 PM](#)

Commissioner Scheer stated, based on the information in the staff report, the information presented, and the input received during the public hearing, I move that the Planning Commission forward a positive recommendation to City Council for the request to vacate this section of 800 North right-of-way from I-15 to Warm Springs Road subject to the following condition:

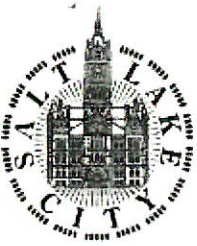
1. The city shall record a public utility easement in the vacated area at the time of disposition.

Commissioner Lee seconded the motion. Commissioners Bachman, Hoskins, Lee, Scheer, Barry, Lyon, Urquhart, and Paredes voted “Aye”. The motion passed unanimously.

[7:57:19 PM](#)

Conditional Use for an ADU at approximately 1083 S Blair - A request by Tom Candee of Brach Design on behalf of the property owner, Heather Flanders, for a detached accessory dwelling unit located

5. ORIGINAL PETITION
PLNPCM2019-00824



Street Closure

SALT LAKE CITY PLANNING

OFFICE USE ONLY

Received By:

Date Received:

Project #:

Project Name:

Name/Location of the Street:

Name of Applicant:

Phone:

Address of Applicant:

E-mail of Applicant:

Cell/Fax:

Applicant's Interest in Subject Property:

☒ Owner ☐ Contractor ☐ Architect ☐ Other:

Name of Property Owner abutting the street (if different from applicant):

E-mail of Property Owner:

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

Mailing Address: Planning Counter
PO Box 145471
Salt Lake City, UT 84114

In Person: Planning Counter
451 South State Street, Room 215
Telephone: (801) 535-7700

REQUIRED FEE

Filing fee of \$388
Plus additional fee for required public

SIGNATURE

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

Signature of Owner or Agent:

Date:

SUBMITTAL REQUIREMENTS

Staff Review

☐☒

Please include with the application: (please attach additional sheet)

☐☒

1. A letter explaining why you are requesting this Street Closure.

☐☒

2. A Sidwell map showing the area of the proposed Street Closure. On the map please:

☐☒

a. Highlight the area of the proposed Street Closure.

☐☒

b. Indicate the property owners abutting the proposed Street Closure.

☐☒

c. Submit one paper copy and a digital (PDF) copy of the map.

☐☒

3. A written description with the width and length measurements of the proposed Street Closure.

- A final legal description prepared by a licensed engineer will be required later.

4. The name, address and signatures of all abutting property owners who support the petition.

- You may use the form attached to this application or provide your own form with signatures.
- Signatures should be from the property owners and not from the property renters.

Included in letter ↙

(Please be aware that once the City closes the street it will then sell the property at fair market value to the abutting property owners.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

A handwritten signature in blue ink, appearing to be 'M/2', is written over a horizontal line.

I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

PETITION TO CLOSE A STREET

Name of Applicant:

Granite Construction Co.

Address of Applicant:

1000 N. Warm Springs Dr. SLC, UT 84116

Date:

8-14-19

As an owner of property adjacent to the street, I agree to the proposed street closure. I also understand that I have the option to purchase the portion of the street adjacent to my property at fair market value.

① Union Pacific Railroad Company (Rio Grande Land Co.), 1400 Douglas St., Omaha, NE 68179

Rick Harris, Manager-Real Estate
August 28, 2019

Print Name

Address

Signature

Date

SLC, UT 84116

② LTRGFCO LLC

775 N. Warm Springs Dr.

Address

Signature

Date

Manager

8-28-19

Print Name

Address

Signature

Date

Print Name

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August 29, 2019

Salt Lake City Planning
451 South State Street, Room 215
Salt Lake City, UT 84114

Re: Street Closure Application – Near Warm Springs Drive and 800 North.

To Whom It May Concern,

Granite Construction Company (Granite) is proposing to close a section of street owned by Salt Lake City. The street is located along Warm Springs drive and approximately 800 north. The street is a former over pass that crossed over I-15 and connected Warm Springs Drive and 800 West. The over pass has been removed and the property is currently vacant. The proposed closure is illustrated in the attached Sidwell Map. The approximate dimensions of the street closure is 140 feet wide by 450 feet long.

Granite has contacted all immediately adjacent property owners including Union Pacific Railroad Company (UP) and LJRGF CO LLC. UP has no interest in purchasing the property and LJRGF CO LLC is interested in purchasing half of the proposed closure in conjunction with Granite. Both property owners have signed the street closure petition (attached). Granite has worked with Shellie Finan at Salt Lake City, to determine the correct path forward to purchase the property. Granite's correspondence with Ms. Finan is included with this application.

The attached documents include the Salt Lake City Street Closure form, Sidwell map, signed petition, and correspondence with Ms. Finan at Salt Lake City. Thank you for taking the time to review this information. Please feel free to contact Mark Greenwood at 801-707-8547 with any questions that you might have.

Regards,

A handwritten signature in blue ink, appearing to read "Mark Greenwood".

Mark Greenwood, PE
Region Environmental Manager
Granite Construction
1000 North Warm Springs Rd
Salt Lake City, UT 84116
P: (801) 526-6051
C: (801) 707-8547
E: mark.greenwood@gcinc.com

Granite Construction Warm Springs Parcels

0 50 100 200 Feet



1 inch = 100 feet



Granite Construction Co.

RIO GRANDE
LAND CO

Proposed Salt Lake City
Street Closure Purchase

LJRGFCO, LLC

Salt Lake City Streets

Greenwood, Mark

From: Klaumann, Jason
Sent: Tuesday, August 13, 2019 9:28 AM
To: Greenwood, Mark
Subject: FW: City Property on Warm Springs RD

FYI

From: Finan, Shellie <Shellie.Finan@slcgov.com>
Sent: Monday, August 12, 2019 1:52 PM
To: Klaumann, Jason <Jason.Klaumann@gcinc.com>
Subject: RE: City Property on Warm Springs RD

Hi Jason,

I reached out to the department heads concerning property of interest and have received no objections. The only comment made by Public Utilities was 700 West needs to remain a right of way since there is a main waterline underground. I don't think the portion you are interested in interferes with 700 West.

Like we discussed, the next step is to reach out to Planning to begin the street closure application process. If approved by Planning and City Council, the next step will be to work with Real Estate Services to begin the disposition of surplus land process and purchase agreement which the purchase price will be based on the current market value of the property.

Please let me know if you have any other questions.

Shellie Finan, RWA, CNE
Real Property Manager

DEPARTMENT OF COMMUNITY AND NEIGHBORHOODS
SALT LAKE CITY CORPORATION

TEL 801-535-6447
CELL 385-321-7143

www.SLCGOV.com/HAND

From: Klaumann, Jason [<mailto:Jason.Klaumann@gcinc.com>]
Sent: Tuesday, August 06, 2019 1:08 PM
To: Finan, Shellie <Shellie.Finan@slcgov.com>
Subject: City Property on Warm Springs RD

Shellie,

I was thinking one thing and typed another, below should be 800 N street not 900 W. Current bridge goes over I-15 on 900 W.

Jason

From: Klaumann, Jason
Sent: Tuesday, August 6, 2019 11:41 AM
To: Finan, Shellie <Shellie.Finan@slcgov.com>
Subject: RE: City Property on Warm Springs RD

Shellie,

It is the old 900 west street that went over I-15 and was abandoned. The city entered into 99 year lease with the piece of property that was on the west side of I-15 where the 900 west bridge landed and this is the east side property. Not sure if that helps but maybe.

Jason

From: Finan, Shellie <Shellie.Finan@slcgov.com>
Sent: Tuesday, August 6, 2019 11:17 AM
To: Klaumann, Jason <Jason.Klaumann@gcinc.com>
Subject: RE: City Property on Warm Springs RD

Hi Jason!

I just wanted to let you know I haven't forgotten about your email request. I'm verifying if the City does indeed own the property since there's no parcel # assigned to the portion you're interested in. It looks like it could be right-of-way but not sure if it's considered a street. I'll get back to you as soon as I have more information and we can discuss further.

Thanks,

Shellie Finan, RWA, CNE
Real Property Manager

DEPARTMENT OF COMMUNITY AND NEIGHBORHOODS
SALT LAKE CITY CORPORATION

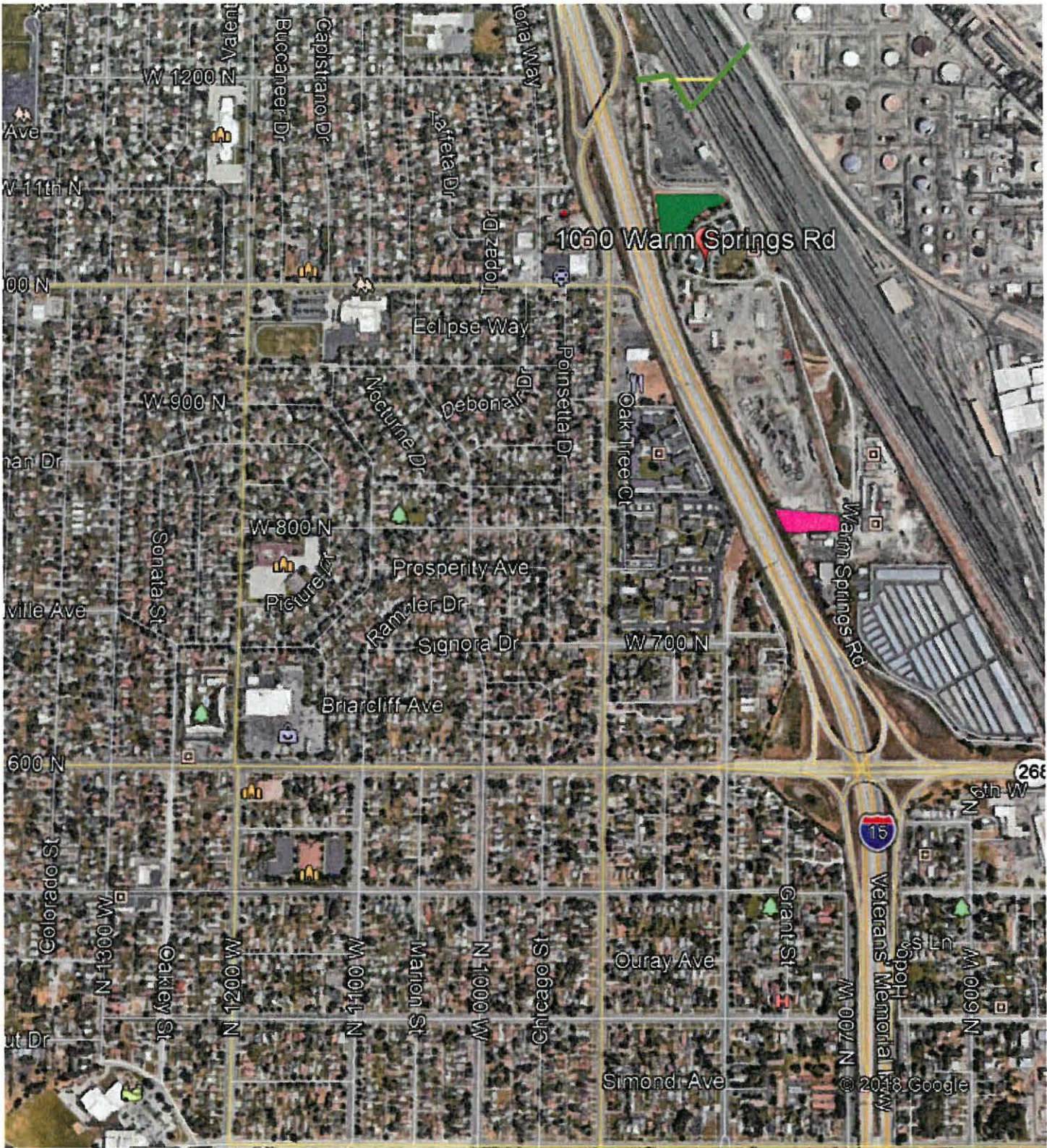
TEL 801-535-6447
CELL 385-321-7143

WWW.SLCGOV.COM/HAND

From: Klaumann, Jason [<mailto:Jason.Klaumann@gcinc.com>]
Sent: Monday, August 05, 2019 5:52 PM
To: Finan, Shellie <Shellie.Finan@slcgov.com>
Subject: City Property on Warm Springs RD

Shellie,

Would you have a time to sit down with me and look at a city owned property that borders our current property on Warm Springs Road. I am wondering if there is a idea on this piece of property that could benefit both of us. The property I am talking about is shown in pink in the attached map. At your convenience let me know when you would have 30 min to discuss.



Thank you in advance,

Jason

Jason Klaumann

Vice President- Utah Region Manager

1000 Warm Springs Road
Salt Lake City, UT 84116
Cell 801-831-6093

jason.klaumann@gcinc.com
www.graniteconstruction.com

[Greenwood, Mark](#)
[Javoronok, Sara](#)



Sara.Javoronok@slcgov.com

6. MAILING LIST

Owner(s)	Attention	Owner Address	Owner City/State	Owner Zip Code
AA ALPINE STORAGE-SALT LAKE, LLC		74 E 500 S	AMERICAN FORK UT	84003
W HUNTER PARSONS		820 N WARM SPRINGS RD	SALT LAKE CITY UT	84116
LTD. PERRY A. OLSEN FAMILY PARTNERSHIP		8949 S ALPEN WY	COTTONWOOD HTS UT	84121
GRANITE CONSTRUCTION COMPANY	TAX DEPARTMENT	PO BOX 50085	WATSONVILLE CA	95077
PAC-SOLARA, LP		27571 GOLD DUST LN	LAGUNA HILLS CA	92653
WRIGHT EFFICIENCY PARK HOMEOWNERS ASSOCIATION, INC	HOMEOWNERS ASSOCIATION	710 N 800 W # 12	SALT LAKE CITY UT	84116
SALT LAKE CITY CORPORATION	REAL ESTATE SERVICES	PO BOX 145460	SALT LAKE CITY UT	84114
LJRGFCO, LLC	LYNN R WALL	775 N WARM SPRINGS RD	SALT LAKE CITY UT	84116
MOWER LEASING COMPANY LLC	BACKYARDS INC BLDG D-11	PO BOX 160010	CLEARFIELD UT	84016
UTAH DEPARTMENT OF TRANSPORTATION	UDOT RIGHT OF WAY	PO BOX 148420	SALT LAKE CITY UT	84114
RIO GRANDE LAND CO	UNION PACIFIC RAILROAD	1400 DOUGLAS ST STOP 1640	OMAHA NE	68179
RESIDENT		750 N WARM SPRINGS RD	Salt Lake City	84116
RESIDENT		780 N WARM SPRINGS RD	Salt Lake City	84116
RESIDENT		1055 N WARM SPRINGS RD	Salt Lake City	84116
RESIDENT		760 N 900 W	Salt Lake City	84116
RESIDENT		710 N 800 W	Salt Lake City	84116
RESIDENT		754 N 800 W	Salt Lake City	84116
RESIDENT		745 N WARM SPRINGS RD	Salt Lake City	84116
RESIDENT		800 N WARM SPRINGS RD	Salt Lake City	84116
RESIDENT		815 N WARM SPRINGS RD	Salt Lake City	84116