

Item D-4

SALT LAKE CITY COUNCIL STAFF REPORT

DATE: February 1, 2002

SUBJECT: Petition No. 400-01-53 – Mr. DeWayne Iverson representative for Iverson Home L.C. - request to close a portion of Utah Street (1605 West) between California Avenue (1330 South) and High Avenue (1450 South)

STAFF REPORT BY: Janice Jardine, Land Use and Policy Analyst

Document Type	Budget-Related Facts	Policy-Related Facts	Miscellaneous Facts
Ordinance	The Administration’s transmittal notes that the petitioner will be required to purchase the property at fair market value.	The proposal is presented as a new ordinance.	The Administration has clearly stated the positive aspects of the proposal.

OPTIONS AND MOTIONS:

1. [“I move that the Council”] Adopt an ordinance closing a portion of Utah Street (1650 West) between California Avenue (1330 South) and High Avenue (1450 South).
2. [“I move that the Council”] Not adopt an ordinance closing a portion of Utah Street (1650 West) between California Avenue (1330 South) and High Avenue (1450 South).

KEY ELEMENTS

- A. For the past several years, residents and property owners in the West Salt Lake area have consistently contacted the Administration, Council Members and the Council office expressing the need to provide new, affordable housing to encourage homeownership and increase a stable population base to support new retail services in the community. The Community Councils and residents in the West Salt Lake Planning Community have worked continuously over the past several years in order to achieve stability and maintain the single-family character of their neighborhoods.
- B. The Council approved two rezoning requests from Mr. Iverson for property located immediately to the north across California Avenue in June and October of 2000. The rezoning facilitated development of a similar residential planned development with a reduced street width and provided approximately 81 new single-family homes (Madison Estates Phases #1 and #2).

- C. The Administration's transmittal provides a detailed discussion of the proposed partial street closure request. Major points are summarized below. Please refer to the Administration's transmittal, Planning Commission minutes and Planning staff report for details.
1. This action would facilitate development of a residential scale streetscape, utilizing a reduced width public street and provide additional property for a proposed 27-unit residential planned development, Madison Estates Phase #3. Please see the attached maps for details.
 2. The partial street closure area consists of a tapering parcel, that is 30 feet wide at the intersection of Utah Street and California Avenue, tapering to approximately 10 feet wide at the south end of the property. Total property area is 13,174 sq. ft. or 0.302 acres.
 3. The Property Management Division recommended that the property be declared surplus and sold at fair market value. Consistent with City policy, the petitioner has agreed to purchase the property at fair market value.
 4. The City's Transportation Division, Engineering Division, Fire Department, Police Department, Public Utilities Department and Property Management Division have reviewed the request. All departments involved in the review have recommended approval of the partial street closure request subject to City standards and specific requirements. City Departments will continue to be involved as development plans are finalized and approved.
 5. The street closure and proposed development are consistent with applicable master plans.
 6. The street closure will not have a negative effect on traffic circulation in the immediate area and the City's ability to deliver emergency services.
- D. The Planning Commission voted to recommend that the City Council approve the proposed partial street closure request. Please refer to the Planning Commission minutes for details. The Planning Commission's motion notes that "the purpose is to close up to 30 feet of the existing 80-foot right-of-way to provide for a more residential scale streetscape for a residential subdivision planned development and to declare the area of the partial street closure as surplus property to be sold to the Petitioner for inclusion in the subdivision lots." In addition, the Planning Commission approved a conditional use for a reduced width public street and a planned development for a residential subdivision. Please refer to the Planning Commission minutes for details and conditions for the planned development.
- E. Discussion at the Planning Commission meeting focused on:
1. Density of the proposed development, reduced lot size, building scale and design, useable open space, parking, lighting and fencing.
 2. Traffic access, impacts and safety concerns relating to the immediate neighborhood and the potential for future impacts to the neighboring streets.
 3. Neighborhood impacts and compatibility.
 4. Safety and transient issues relating to the vacant property and the surplus canal.
 5. Zero lot line development concepts and design options to provide additional useable open space, reduce the amount of hard surfaced areas and create more architecturally varied structures.
- F. The Administration's transmittal notes that the project was reviewed and approved the West Salt Lake Community Council on April 19, 2000 passing by a 26 to 5 margin. The Planning staff report includes a letter from the West Salt Lake Community Council dated October 25, 2001. The letter notes:
1. On April 29, 2000, the Community Council reviewed Mr. Iverson's proposal for building homes on both sides of California Avenue.
 2. Construction of three bedroom homes would increase the population and encourage developers to build retail stores for convenient community shopping.
 3. The development on the north side of California Avenue has turned vacant fields into a beautiful residential area.
 4. The Community Council has been anxiously awaiting City approval for Mr. Iverson's project on the south side of California Avenue for over a year and would like to see the project begin as soon as possible.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR ADMINISTRATION:

- In a related matter, the Planning Commission approved a conditional use request from Mr. Iverson for a reduced width public street and a planned development of a residential subdivision. Conditions of approval included connection of Utah Street with High Avenue. (Please refer to the Planning Commission minutes for details.) Mr. Iverson’s proposed development that was reviewed by the community council and area residents included a cul-de-sac at the end of Utah Street with no connection to Utah Avenue.

Council Member Van Turner met with Mr. Iverson and Planning staff on December 12, 2001 to discuss the Planning Commission’s action. Council Member Turner was concerned that the Community Council and property owners on Utah Street and High Avenue may not be aware of the changes recommended by the Planning Commission specifically the connection of Utah Street with High Avenue. Planning staff indicated that they would notify the Community Council Chair and residents on Utah Street and High Avenue regarding the Planning Commission action. In addition, Planning staff identified the option to schedule an additional discussion with the Planning Commission.

Council Members may wish to discuss with the Administration in further detail steps taken to address these issues and to notify the Community Council and residents on Utah Street and High Avenue.

- In the past, Planning staff has indicated that the current street closure procedure does not require Community Council notification and review. Currently, the Planning Commission agenda is mailed to Community Council Chairs. A Planning Commission hearing notice is mailed to property owners within a 300-foot radius of a proposed street closure. In this case, the Community Council review was required as part of the planned development conditional use process.

During the Council’s recent alley policy discussions, Council Members expressed support for including neighborhood and community council review and comment as part of the public process prior to the Administration formalizing their recommendation to the City Council.

In addition, the Council has recently received some street closures requests in which the Administration has provided a recommendation from the City’s Transportation Advisory Board. In other cases, the Transportation Advisory Board has not reviewed street closure requests.

Council Members may wish to consider adjusting the Council’s street closure policy to ensure a consistent policy direction. (Please refer to the next section for the Council’s street closure policy.)

MASTER PLAN AND POLICY CONSIDERATIONS:

1. This section of Utah Street is not designated in the City’s master plans as a potential component of the bicycle or trail system or as a mid-block walkway.
2. The 1995 West Salt Lake Community Master Plan notes that the Community offers a full range of residential uses including low, medium and high density. The plan contains statements, goals and policies for maintaining and preserving the existing residential land use patterns, improve the quality of existing housing and prevent further residential decline. The land use goals in the master plan include:
 - a. Promote compatible land uses—whether residential, commercial or industrial—while maintaining the integrity of the Community.

- b. Preserve the existing predominantly low-density character and related land use patterns in the residential part of the West Salt Lake Community.
 - c. Encourage properly regulated new growth in areas of anticipated development, especially in the West Salt Lake Industrial District. (The area west of Redwood Road.)
 - d. Propose a future land use plan that will minimize and eventually eliminate land use conflicts in developed areas.
3. The Council's street closure policy includes the following:
 - a. It is Council policy to close public streets and sell the underlying property. The Council does not close streets when that action would deny all access to other property.
 - b. The general policy when closing a street is to obtain fair market value for the land, whether the abutting property is residential or commercial.
 - c. There are instances where the City has negotiated with private parties to allow the parties to make public improvements in lieu of cash payment. The Council and the Administration consider these issues on a case-by-case basis.
 - d. 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 petitioner that the sale and/or closure of the street would accomplish the stated public policy reasons.
 - e. The City Council should determine whether the stated public policy reasons outweigh alternatives to the sale or closure of the street.
 4. Related Council policy statements contained in the City's Transportation Master Plan are summarized below:
 - a. Focus on ways to transport people, not on moving vehicles at the expense of neighborhoods.
 - b. Support transportation decisions that increase the quality of life, not necessarily the quantity of development.
 - c. Support the creation of linkages (provisions and incentives) to foster appropriate growth in currently defined growth centers.
 - d. Support considering impacts on neighborhoods on an equal basis with impacts on transportation systems.
 - e. Support giving all neighborhoods equal consideration in transportation decisions.
 5. The City's recently adopted Community Housing Plan contains policies and implementation strategies that address:
 - a. Creating a wide variety of housing types across the City.
 - b. Encouraging innovation in housing design compatible with neighborhoods that are creative, aesthetically pleasing and provide attractive public spaces.
 - c. Creating affordable and transitional housing.
 - d. Supporting home ownership for a variety of income levels.
 6. The Council's policy relating to maintaining a residential population base notes, "It is the policy of the City Council to use its zoning power to maintain the residential population base within the City and to encourage population expansion."
 7. During the Council's recent discussions relating to growth, annexations and housing policy, Council Members have expressed support for developments that promote livable community concepts such as:
 - a. Pedestrian and bicycle friendly environments
 - b. Compact, transit and pedestrian oriented developments
 - c. Neighborhood anchor areas or commercial and/or business uses that are necessary to the function of residential neighborhoods or are compatible with residential activity
 - d. Local services that are conveniently available or can be provided and are accessible on foot.

8. The Council's adopted growth policy states: It is the policy of the Salt Lake City Council that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
 - a. is aesthetically pleasing;
 - b. contributes to a livable community environment;
 - c. yields no negative net fiscal impact unless an overriding public purpose is served; and
 - d. forestalls negative impacts associated with inactivity.

9. The City's Strategic Plan and the Futures Commission Report express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting, but not at the expense of minimizing environmental stewardship or neighborhood vitality. The Plans emphasize placing a high priority on maintaining and developing new affordable residential housing in attractive, friendly, safe environments. The documents contain statements that support policies in the Transportation Master Plan that focus on an integrated transportation system and urban design concepts that focus on people rather than the automobile.

CHRONOLOGY:

The Administration's transmittal provides a chronology of events relating to the proposed street closure. Key meeting dates are listed below. Please refer to the Administration's transmittal letter and chronology for details.

- April 19, 2000 – West Salt Lake Community Council meeting
- December 6, 2001 – Planning Commission public hearing

cc: Rocky Fluhart, Jay Magure, Roger Cutler, Lynn Pace, David Dobbins, Linda Cordorva, Tim Harpst, Stephen Goldsmith, Brent Wilde, Doug Wheelwright, Gregg Mikolash, Marge Harvey, Annette Daley

File Location: Community and Economic Development Dept., Planning Division, Street Closures – Utah Street (1605West) between California Avenue (1330 South) and High Avenue (1450 South) – DeWayne Iverson