

**SALT LAKE CITY CORPORATION
NOTIFICATION OF PROPOSED REAL PROPERTY CONVEYANCE**

The following real property or legal interest therein, is hereby proposed to be sold, traded, leased or otherwise conveyed or encumbered by Salt Lake City Corporation.

1. DESCRIPTION OF REQUEST:

The Church of Jesus Christ of Latter-day Saints is requesting that Salt Lake City declare the southern half of the closed section of Edison Street between 600 South and 700 South, as surplus property. The subject property is currently used as a driveway for the Deseret Industries store located at 131/141 East 700 South. The Church proposes to purchase the property and combine it with the Deseret Industries property.

2. LOCATION OF REQUEST:

Southern half of Edison Street (approximately 150 East) between 600 and 700 South Streets.

3. COMPANY OR INDIVIDUAL MAKING REQUEST:

Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints

4. COMPENSATION TENDERED:

\$34,000

5. BASIS OF VALUE OR CONSIDERATION:

Competitive Bid _____ Fee Appraisal _____ Other xx

xx – Over the Fence method

6. DESCRIPTION OF POTENTIAL IMPACT:

There will be no functional impact as this previously-closed portion of Edison Street has been used and maintained as a driveway to the donation drop-off area for several years.

7. LONG TERM IMPACT OF CONVEYANCE (is compensation adequate?):

No impacts evident.

8. PROS AND CONS OF CONVEYANCE:

City is retaining easements for Public Utility facilities, otherwise property has been and will continue to be maintained as part of the Deseret Industries facility.

9. TERM OF AGREEMENT:

Deeding City's interest (with reservation of easement for Public Utility facilities)

10. CONVEYANCE SUBJECT TO ANY OTHER CITY ORDINANCES:

None

11. POTENTIAL OPPOSITION?:

As noted in Planning Commission minutes, a citizen with a current purchase contract on property abutting the Deseret Industries property claims that this petition will eliminate a historic 8' wide right-of-way extending from Stringfellow Ct. to Edison St.

12. WORK STARTED IN RELATION TO THIS REQUEST?:

No.

13. CITY DEPARTMENT/PERSON REQUESTING CONVEYANCE:

Property Management, Linda Cordova, Matthew Williams

Any interested person or persons may appear and comment upon the above proposals if a call for hearing by a council member is made within fifteen (15) days from the date this notice is posted. If a call for hearing is made, such a hearing shall take place at 5:00 P.M. on April 12, 2005, at 451 South State, Room 315, City and County Building, Salt Lake City, Utah.

Date:

21 March 2005

Linda Cordova
Linda Cordova
Property Manager

Date delivered to
Recorder's Office:

3/21/05

City Recorder
451 South State, Fourth Floor
535-7671

Received by:

[Signature]

Date delivered to
City Council:

3/21/05

Salt Lake City Council
451 South State, Third Floor
535-7600

Received by:

M. Mascaro

Date Delivered to
Mayor's Office:

3/21/05

Mayor's Office
451 South State, Third Floor
535-7704

Received by:

[Signature]

Delivered by:

[Signature]

**CITY COUNCIL REPLY TO NOTIFICATION
OF PROPOSED REAL PROPERTY CONVEYANCE**

TO: Linda Cordova
Property Manager

SUBJECT: NOTIFICATION OF REAL PROPERTY CONVEYANCE

The City Council has reviewed the proposed conveyance of real property

LOCATED AT: South half of Edison St (approx. 150 East) between 6th and 7th South

TO: Corporation of the Presiding Bishop of the
Church of Jesus Christ of Latter-day Saints

and has decided to take the following action:

_____ Not to issue a call for hearing

_____ Has issued a call for a hearing to be held at the time and place so
specified in the notification.

City Council Chairperson

Date

A. LOUIS ZUNGUZE
PLANNING DIRECTOR

BRENT B. WILDE
DEPUTY PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP
DEPUTY PLANNING DIRECTOR

SALT LAKE CITY CORPORATION

COMMUNITY DEVELOPMENT
PLANNING AND ZONING DIVISION

ROSS C. ANDERSON
MAYOR

COUNCIL TRANSMITTAL

TO: Rocky Fluhart, Management Services Director **DATE:** March 4, 2005

FROM: Louis Zunguze, Community Development Director

RE: **Petition 400-04-51:** A Petition by the Church of Jesus Christ of Latter Day Saints, requesting that Salt Lake City declare the southern half of the closed section of Edison Street (approx. 150 East) located between 600 South and 700 South, as surplus property.

STAFF CONTACT: Wayne Mills, Principal Planner at 535-6173 or
wayne.mills@slcgov.com

RECOMMENDATION: That Property Management notify the City Council that they intend to dispose of the property.

DISCUSSION: Issue Origin: In 1987, Salt Lake County requested that Salt Lake City close the northern segment of Edison Street (approx. 150 East) located between 600 South and 700 South. At that time, Salt Lake County Health Facility buildings were located on both sides (east and west) of the northern half of the street and the County wanted to upgrade and utilize the street property as a driveway and parking lot to support the facility. The street closure request was then extended to include all of Edison Street between 600 South and 700 South. The Salt Lake City Council reviewed the request and closed Edison Street as a public right-of-way, pursuant to Ordinance No. 13 and Ordinance No. 77 (legal description modification of Ordinance No. 13) of 1987, but retained ownership of the property.

It is Salt Lake City policy that when a street is closed, it is sold at fair market value to abutting property owners. In this case, Salt Lake City retained ownership of the street because the City owned (and still owns a portion of) the parcels containing the County Health Facility and the property owners along the southern half of Edison Street had no interest in purchasing the land.

To this day, Salt Lake City owns all of the Edison Street property between 600 South and 700 South with the exception of a 2 ½ foot strip abutting the Mountain America Credit Union parcel (660 South 200 East). This strip of land was deeded to Mountain America Credit Union in 1998.

The Church of Jesus Christ of Latter Day Saints (LDS Church) owns Deseret Industries; a retail store located west of the southern half of the closed portion of Edison Street located between 600 South and 700 South. The LDS Church is requesting to purchase the southern portion of the Edison Street parcel that abuts their property and combine it with the Deseret Industries parcels.

According to the LDS Church's representative, there are no immediate plans for the development of the property.

Analysis: Chapter 2.58 – City-Owned Real Property – of the Salt Lake City Code states that **“Department heads shall periodically identify potential surplus property within the possession of their departments and report such property to the chief procurement officer.”**

Pursuant to Utah State Code, 10-9-305, all requests to purchase City-owned property must first be reviewed by the Planning Commission. If the Planning Commission finds that a parcel of City-owned land no longer serves a public use, the land can be declared surplus. The Mayor may then proceed to dispose of the property through the regulations set forth in Chapter 2.58 – City-Owned Real Property – of the Salt Lake City Code.

The Edison Street right-of-way has been closed as a public street since 1987 and is now used solely by the property owner requesting to purchase the land. The Planning Commission has determined that declaring the property surplus and selling it for fair market value is consistent with Salt Lake City's disposition of surplus property ordinance, if it is sold to an abutting property owner.

City Council Policy and Master Plan considerations

Applicable Master Plan: The Downtown Plan and the draft update of the Central Community Plan identify the need for mid-block pedestrian corridors within and around the Downtown area; however, the State Street Plan and draft Central Community Plan also recommend public investment into State Street and 200 East, both located adjacent to the Edison Street property, to enhance and encourage pedestrian activity. It is the decision of the Planning Commission that because streets immediately adjacent to the subject property are targeted for public investment to encourage pedestrian activity, the Edison Street property should be sold to encourage future private investment for development purposes to compliment the public investment on State Street and 200 East Streets.

Public Process: The Planning Commission reviewed the petition on January 26, 2005. The Central City Community Council and property owners abutting the entire length of the Edison Street property between 600 South and 700 South were notified of the Planning Commission public hearing. There were no members of the Community Council present at the hearing and no comments were received from the Community Council prior to the meeting. Owners of a parcel to the north of the subject property, but not adjoining Edison Street, expressed their opposition to the request. The property owners objected because they stated they had a right-of-way linked to the northern half of Edison Street; however, they did not provide any evidence of this right-of-way. The Planning Commission determined that the opposition was unfounded and not related to the request of declaring the southern half of the street as surplus property. The Planning Commission voted in favor of declaring the property surplus.

Relevant Ordinances: Salt Lake City Code: Section 2.58 (City-owned Real Property)

RECOMMENDATION:

Based on the comments, analysis, and findings of fact noted in this report, the Planning Staff recommends that the Planning Commission approve Petition Number 400-04-51 by declaring the southern half of the closed portion of Edison Street, located between 600 South and 700 South, as surplus to the existing or future needs of the City. The subject property is more particularly described in Exhibit A, which is attached to the Planning Commission Staff Report. This determination will allow the administration to further process the disposition of the subject property under the terms of Chapter 2.58 of the Salt Lake City Code. The approval is subject to the following conditions:

1. The property is purchased by an abutting property owner and legally combined with the abutting property.
2. The subject property must retain an easement dedicated to Salt Lake City Corporation for the maintenance, repair, operation and inspection of underground sewer and storm drain facilities. No new structures, buildings, fences, trees, islands, large landscaping features, etc. may be built on the property unless approval is granted by the Salt Lake City Public Utilities Department.

Attachments:

Exhibit A - Legal Description

Exhibit B - Salt Lake City Code, Chapter 2.58 – City-Owned Real Property

Exhibit C - Ordinance No. 13 of 1987 and Ordinance No. 77 of 1987, Closing Edison Street between 600 and 700 South

Exhibit D - Department Comments

Exhibit E - Property Management Petition Request