

SALT LAKE CITY COUNCIL STAFF REPORT

DATE: December 14, 2010

SUBJECT: Petition No. PLNPCM2009-01389 and PLNPCM2010-00085 – Paul Anderson, representing the Church of Jesus Christ of Latter Day Saints, requesting Salt Lake City close a portion of 5500 West between 300 and 490 South, and to amend the Major Street Plan by removing 5500 West Street between 300 and 700 South as a collector street.

STAFF REPORT BY: Jennifer Bruno, Deputy Director

AFFECTED COUNCIL DISTRICTS: District 2

**ADMINISTRATIVE DEPT:
AND CONTACT PERSON:** Community Development
Katia Pace, Principal Planner

NOTICE REQUIREMENTS: Newspaper advertisement once a week for 4 weeks prior to the Public Hearing

KEY ELEMENTS:

- A. An ordinance has been prepared for Council consideration that would close a portion of 5500 West Street between 300 and 490 South, and amend the Major Street Plan of the Salt Lake City Transportation Master Plan by removing the designation of “collector street” from 5500 West between 300 and 700 South.
- B. Key points from the Administration’s transmittal are the following:
1. An initial petition was submitted by Paul Anderson, representing the Church of Jesus Christ of Latter Day Saints (LDS Church), to close 5500 West Street between 300 and 490 South. This will facilitate the development and increase security of a future project for the LDS Church (a LDS Bishop’s Central Storehouse).
 - The Church intends to retain the street as built, but secure the street with gates and restrict public traffic. Public Utilities easements will remain.
 - A Bishop’s Central Storehouse would typically have grocery items that the LDS Church distributes as a part of their welfare program. This facility, because it is proposed to be one of the larger facilities in the valley (according to the original petition it will be approximately 600,000 square feet), it would likely have other ancillary purposes as well, including regional distribution and a maintenance yard. The petition does not speculate as to traffic volume, but indicates that a visitor center and public parking lot will be provided in an unsecured area of the site. The rest of the site is proposed to be secured.
 2. Because 5500 West between 300 and 700 South was designated as a collector street in the Salt Lake City Transportation Plan and Major Street Plan (adopted 2006), the Transportation Division recommended that a parallel petition be started to amend the Salt Lake City Transportation Plan.
 - According to the Transportation Master Plan, “collector streets” are designed to collect traffic to and from local streets and carry it to and from the arterials. 5500 West was designated as a collector because it was to eventually serve 5600 West, an arterial, by connecting to 700 South (*staff note: 5500 West is not yet built through to 700*

- South. Because of land ownership, the City would need to acquire land from Rocky Mountain Power and the LDS Church to connect this street through).*
- Planning staff notes that it is likely that once the Mountain View Corridor opens (4,000 feet away from 5600 West), that will likely be the main North/South Corridor on the West side, and not 5600 West. Even so, the Transportation is still allowing for a collector to 5600 West by proposing that 5200 West be designated in the plan as the collector instead of 5500 West (see item F.2.).
3. This subject street was dedicated to the City in 2008 as a part of a subdivision application. It is currently built to the specifications as a “collector street” from 300 South to approximately 490 South. It dead ends at a temporary turn-around at the south end which is the edge of a narrow parcel owned by Rocky Mountain Power that runs from 5200 to 5600 West (**see attached map**).
 4. In 2009 the LDS Church purchased approximately 144 acres including property on the east and west sides of the portion of street proposed to be closed, as well as property to the South of the Rocky Mountain Power Parcel, to 700 South. Therefore the only abutting property owners to the proposed street closure are the LDS Church and Rocky Mountain Power.
 5. Closing the street to the public will allow for increased security for the future development by allowing the abutting property owner (the LDS Church) to place gates across the currently-built public street.
 6. Rocky Mountain Power currently owns a parcel on the south end of the proposed street closure, and has street frontage on 5200 West and 5600 West. 5600 West is a State-owned Road, and UDOT has discouraged Rocky Mountain Power from establishing an access on 5600 West. The LDS Church has agreed to provide RMP an access through the closed portion of street in order to ensure that they have an additional access point to their property other than just 5200 West.
 7. The portion of 5500 West from 300 to 490 South is approximately 2.14 acres.
 8. Property Management has determined that the fair market value for the property is \$3.75 per square foot (based on what was paid for the abutting property in 2009). Adjusting for utility easements, Property Management determines that the fair market value of the property is **\$230,000**, which the petitioner has agreed to pay the City in order to finalize the street closure. See transmittal attachment 5 for details of valuation.
- C. The petitioner’s property is currently zoned General Commercial (GC) on the Western side of 5500 West and Light Manufacturing (M-1) on the Eastern side of 5500 West. Currently the land is vacant.
- D. Street closures do not require review with the appropriate Community Council. However, Planning Staff contacted the chair of the Poplar Grove Community Council, who communicated that the Community Council has no objections to the proposed street closure.
- E. The Planning staff report notes the following findings, based on analysis of the Council’s adopted street closure policy (see transmittal for full analysis and Master Plan and Policy Considerations for Council’s adopted policy):
1. The proposed street closure will not deny access to adjacent properties.
 2. The right of way will be sold at fair market value.
 3. The right of way sale will provide an environment for industrial uses (stated goal in the master plan), and will increase security of a future development.

4. The subject right-of-way is not currently utilized as a street, and its sale will not impact traffic flow in the area, as the Major Street Plan will be amended to identify 5200 West as a collector street.
 5. No other property owners would be impacted in any way by this closure.
- F. The following summarizes department comments on the petition:
1. The Public Utilities Department will require an easement to continue maintenance of existing water, sewer and storm drains that run under the street. This will mean that no permanent structures will be allowed on the full width of the street.
 2. The Transportation Division has no objections to removing this portion of 5500 West from the Major Street Plan, and closing the street, as long as 5200 West will take the role of the collector street. This would require 5200 West to be built down to 700 South. Since neither 5200 West nor 5500 West are connected to 700 South yet, the financial impact is the same. Additionally, the Transportation Division requests that the 5600 West 300 South intersection be upgraded by the Utah Department of Transportation (UDOT) as needed in the future. *(The transmittal states that UDOT has confirmed this understanding).*
 3. Engineering and Zoning Administration also reviewed the petition and had no objections.
- G. The Utah Department of Transportation (UDOT) was contacted to provide input as to the proposed street closure. They have no objections as long as neither the LDS Church nor Rocky Mountain Power needed or used 5600 West as an access point. The LDS Church Property's main access will be from the road formerly known as 5500 West. As noted in B.6., Rocky Mountain Power's main access point to their property is 5200 West, or the road formerly known as 5500 West. The LDS Church has agreed to give Rocky Mountain Power access through secured gates, should they be built in the future (see Matters at Issue).
- H. On August 11, 2010, the Planning Commission held a hearing to discuss both petitions. They voted unanimously to forward a positive recommendation to the City Council to declare the property surplus and close the street, as well as amend the Major Street Plan, subject to the conditions outlined in the Planning Staff report. No comments were received at the Public Hearing.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR ADMINISTRATION:

- A. Typically the Council does not close a street if access to parcel is required from that road. Because the state discourages access from 5600 West, Rocky Mountain Power would then only have access to their property from 5200 West or the street formerly known as 5500 West. The LDS Church has agreed to allow Rocky Mountain Power to have access to the portion of road to be closed, in order to access their property. *The Council may wish to discuss with the petitioner what steps might be taken to ensure access to the RMP property, should either property ever change ownership.*

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. The Council's street closure policy includes the following:
1. 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.
 2. The general policy when closing a street is to obtain fair market value for the land, whether the abutting property is residential or commercial.

3. There are instances where the City has negotiated with private parties to allow the parties to make public improvements in lieu of a cash payment. The Council and the Administration consider these issues on a case-by-case basis.
 4. 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.
 5. The City Council should determine whether the stated public policy reasons outweigh alternatives to the sale or closure of the street.
- B. The Transportation Master Plan (adopted 2006) states the following: “as progress is made and new transportation challenges face our community; it can be expected that changes to this Transportation Master Plan or associated map documents, will be proposed. It is intended, as with other Salt Lake City Master Plans, that future modifications to this Transportation Master Plan be approved only after successfully completing a formal public input and hearing process before the Planning Commission and City Council.”
- a. The Major Street Plan (map document within the Transportation Master Plan) shows 5500 West between 300 and 700 South as a collector street. “Collector streets” are designed to collect traffic to and from local streets and carry it to and from the arterials. 5500 West was designated as a collector because it was to serve 5600 West, an arterial. This petition would remove 5500 West from the plan, and designate 5200 West as the collector street.
 - b. Planning staff notes that it is likely that once the Mountain View Corridor opens (4,000 feet away from 5600 West), it will likely become the main North/South Corridor, and not 5600 West.
 - c. The Transportation Division has no objections to removing this portion of 5500 West from the Major Street Plan, and closing the street, as long as 5200 West will take the role of the collector street. This would require 5200 West to be finished and built from approximately 490 South (where it currently ends) to 700 South. Since neither 5200 West nor 5500 West are connected to 700 South yet, the financial impact is the same.
- C. The purpose of the Light Industrial District M-1 is to provide an environment for light industrial uses that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting.
- D. The purpose of the General Commercial (CG) district is to provide an environment for a variety of commercial uses, some of which involve the outdoor display/storage of merchandise or materials.
- E. This property is located in the Northwest Quadrant planning area for the City and as such does not have an adopted land use master plan.
- F. State Code states the following with regard to alley or street vacations.
- ”72-5-105. Highways, streets, or roads once established continue until abandoned -- Temporary closure.**
- (1) All public highways, streets, or roads once established shall continue to be highways, streets, or roads until abandoned or vacated by order of a highway authority having jurisdiction or by other competent authority.
 - (2) (a) For purposes of assessment, upon the recordation of an order executed by the proper authority with the county recorder's office, title to the vacated or abandoned highway, street, or road shall vest to the adjoining record owners, with 1/2 of the width of the highway, street, or

road assessed to each of the adjoining owners.

(b) Provided, however, that should a description of an owner of record extend into the vacated or abandoned highway, street, or road that portion of the vacated or abandoned highway, street, or road shall vest in the record owner, with the remainder of the highway, street, or road vested as otherwise provided in this Subsection (2).

(3) (a) In accordance with this section, a state or local highway authority may temporarily close a class B or D road, an R.S. 2477 right-of-way, or a portion of a class B or D road or R.S. 2477 right-of-way.

G. 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:

1. is aesthetically pleasing;
2. contributes to a livable community environment;
3. yields no negative net fiscal impact unless an overriding public purpose is served; and
4. forestalls negative impacts associated with inactivity.

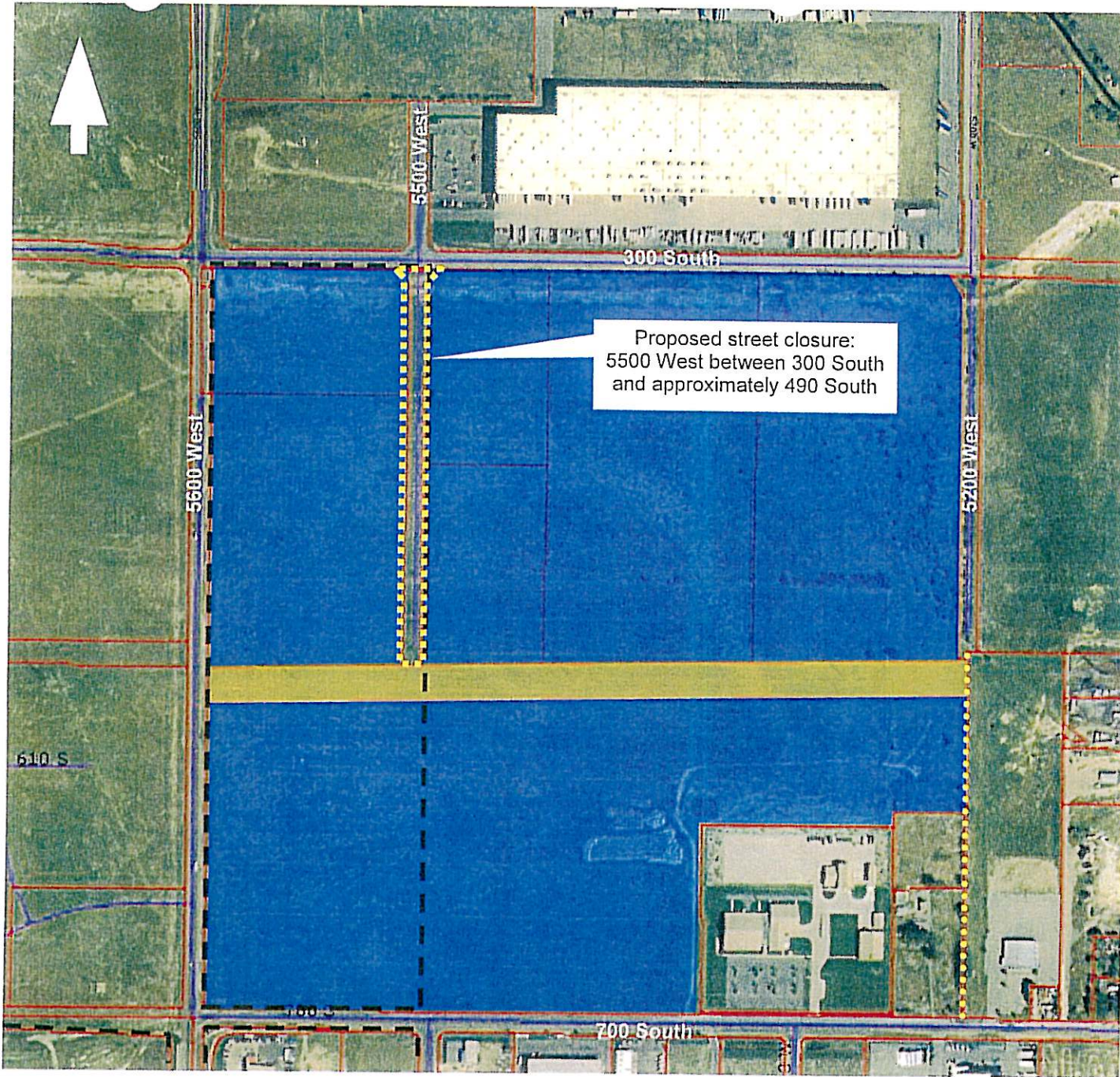
CHRONOLOGY:

Please refer to the Administration's transmittal for a complete chronology of events relating to the proposed text amendment.

- | | |
|---------------------|---|
| • December 8, 2009 | Petition received by Planning Division |
| • December 16, 2009 | Petition assigned to Planner |
| • January 4, 2010 | Transportation requires petition be amended to include the proposed amendment |
| • August 11, 2010 | Planning Commission Hearing |
| • August 16, 2010 | Ordinance requested from City Attorney's Office |
| • October 20, 2010 | Ordinance received from City Attorney's Office |
| • November 5, 2010 | Petition received in Council Office |

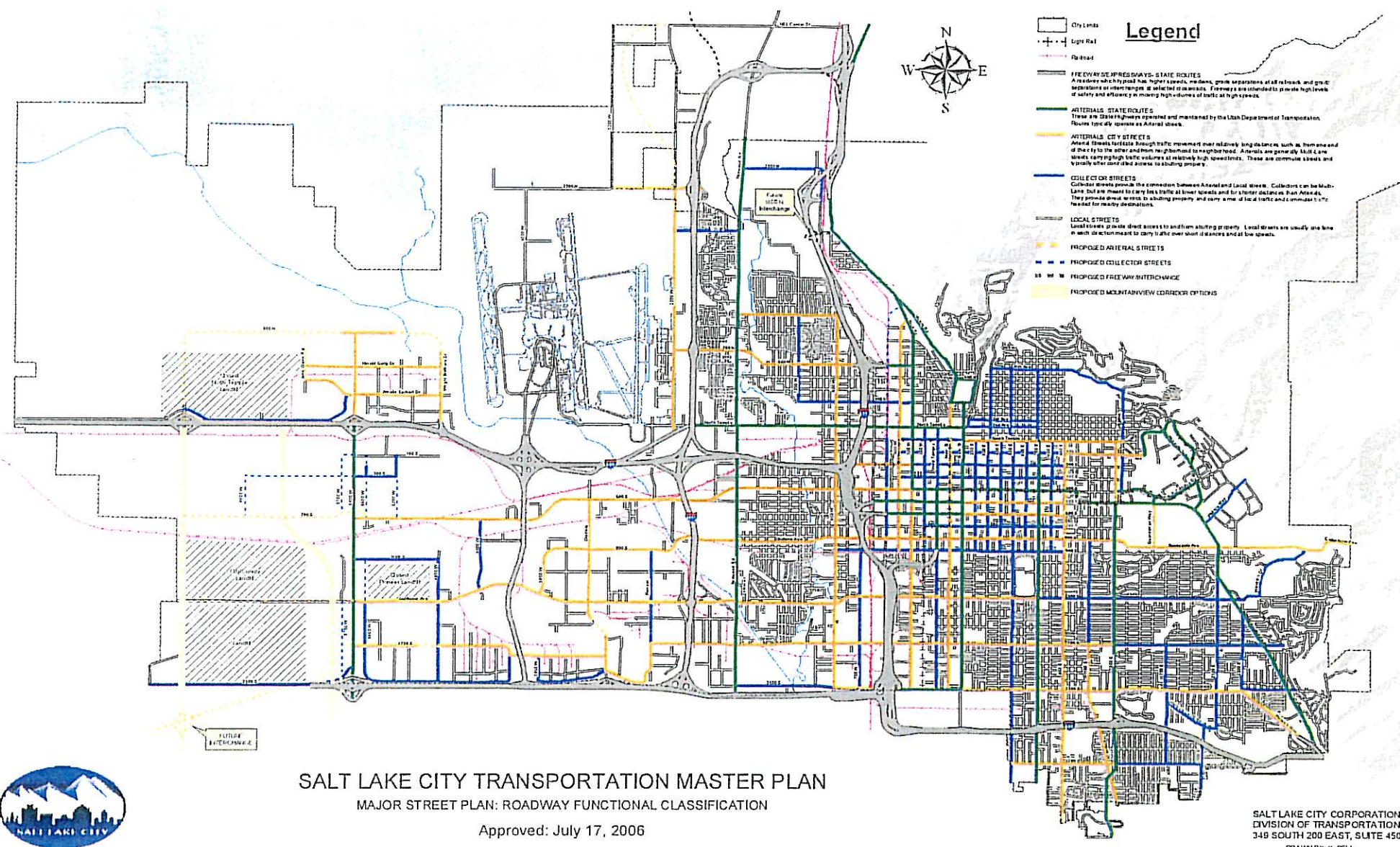
cc: David Everitt, Frank Gray, Rick Graham, Jeff Neirmeyer, Tim Harpst, Max Peterson, Mary De La Mare-Schaefer, Cheri Coffey, Katia Pace, Janice Jardine, Nick Tarbet

File Location: Community Development Dept., Planning Division, Street Closures, Paul Anderson representing the LDS Church, 5500 West between approximately 300 and 490 South



Property Ownership

- LDS Church
- Rocky Mountain Power
- Proposed 5500 West street closure
- Proposed 5200 West collector street
- CG zoning district (every thing else outside this area it is M-1)



- ### Legend
- City Limits
 - Light Rail
 - Railroad
 - FREWAY/SPRINGSWAYS- STATE ROUTES**
A roadway which by law has higher speeds, median, grade separations at all tracks and grade separations at other ranges, is selected as an arterial. Freeways are intended to provide high levels of safety and efficiency in moving high volumes of traffic at high speeds.
 - ARTERIALS- STATE ROUTES**
These are State Highways operated and maintained by the Utah Department of Transportation. Routes typically operate as Arterial routes.
 - ARTERIALS- CITY STREETS**
Arterial Streets facilitate through traffic movement over relatively long distances, such as from one end of the city to the other and from neighborhood to neighborhood. Arterials are generally built to low speeds carrying high traffic volumes at relatively high speeds. These are corridor streets and typically offer controlled access to abutting property.
 - COLLECTOR STREETS**
Collector streets provide the connection between Arterial and Local streets. Collectors can be Multi-Lane, but are meant to carry less traffic at lower speeds and for shorter distances than Arterials. They provide direct access to abutting property and carry a low level of traffic and unusual traffic needed for nearby destinations.
 - LOCAL STREETS**
Local streets provide direct access to and from abutting property. Local streets are usually one lane in each direction meant to carry traffic over short distances and at low speeds.
 - PROPOSED ARTERIAL STREETS
 - PROPOSED COLLECTOR STREETS
 - PROPOSED FREEWAY INTERCHANGE
 - PROPOSED MOUNTAINVIEW CORRIDOR OPTIONS

SALT LAKE CITY TRANSPORTATION MASTER PLAN

MAJOR STREET PLAN: ROADWAY FUNCTIONAL CLASSIFICATION

Approved: July 17, 2006

SALT LAKE CITY CORPORATION
DIVISION OF TRANSPORTATION
349 SOUTH 200 EAST, SUITE 450
DRAWN BY: K. DELL



FRANK B. GRAY
DIRECTOR

SALT LAKE CITY CORPORATION

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
OFFICE OF THE DIRECTOR

RALPH BECKER
MAYOR
RECEIVED


MARY DE LA MARE-SCHAEFER
DEPUTY DIRECTOR

NOV 05 2010

ROBERT FARRINGTON, JR.
DEPUTY DIRECTOR

CITY COUNCIL TRANSMITTAL

Salt Lake City Mayor
SCANNED TO: *proctor*
SCANNED BY: *ST*
DATE: *11/5/10*



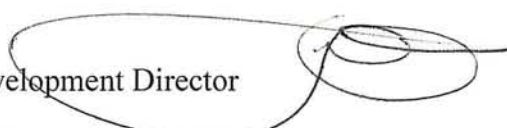
David Everitt, Chief of Staff

Date Received: _____

Date Sent to City Council: 11/5/2010

TO: Salt Lake City Council
JT Martin, Chair

DATE: November 1, 2010

FROM: Frank Gray, Community & Economic Development Director 

RE: Petitions PLNPCM2009-01389 and PLNPCM2010-00085 by Paul Anderson, representing the LDS Church, requesting Salt Lake City to close portion of 5500 West Street between 300 South to about 490 South; and to amend the Major Street Plan by removing 5500 West Street between 300 South and 700 South as a collector street.

STAFF CONTACT: Katia Pace, Principal Planner, at 801 535-6354 or
katia.pace@slcgov.com

DOCUMENT TYPE: Ordinance

COMMISSION MOTION & FINDINGS: The Planning Commission forwarded a favorable recommendation to the City Council to approve application PLNPCM2009-01389 to close 5500 West Street between 300 South to about 490 South Street, and application PLNPCM2010-00085 to amend the Major Street Plan and remove 5500 West Street between 300 South and 700 South Street as a collector street.

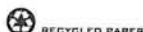
The Planning Commission also forwarded a favorable recommendation to the Mayor to declare the portion of 5500 West Street between 300 South to about 490 South Street as surplus property and sell it at fair market value as it relates to application PLNPCM2009-01389.

BUDGET IMPACT: The applicant has agreed to purchase the street from Salt Lake City for fair-market value.

RECOMMENDATION: That the City Council hold a briefing and schedule a Public Hearing.

451 SOUTH STATE STREET, ROOM 404
P.O. BOX 145486, SALT LAKE CITY, UTAH 84114-5486
TELEPHONE: 801-535-6230 FAX: 801-535-6005

WWW.SLCGOV.COM/CEDE



BACKGROUND/DISCUSSION:

Issue Origin: This is a request by Paul Anderson, representing the LDS Church, to close 5500 West between 300 South and 490 South; and to remove 5500 West, between 300 South and 700 South, as a collector street from the Major Street Plan.

On July 29, 2008 the "First Park Mountain View Plat 1" subdivision dedicated 5500 West south of 300 South as a public street. The street was built to the specifications of a collector street in Salt Lake City. It currently runs from 300 South to approximately 490 South ending with a temporary turnaround. The street dead ends into a Rocky Mountain Power parcel that runs from 5600 West to 5200 West Street.

On June of 2009 the LDS Church purchased approximately 144 acres including property contiguous to 5500 West south of 300 South. The LDS Church owns the abutting property on the east and west sides of this portion of 5500 West.

The purpose of the street closure is to increase security of the proposed facility for the future LDS Bishop's Central Storehouse and restrict public traffic. Since this street is already built, the LDS Church intends to turn the street into a private road and close it to the public, with gates.

Analysis: The application material was routed to pertinent City Departments and Divisions. The following is a synopsis of the comments from the Public Utilities Department and the Transportation Division:

The Public Utilities Department will require appropriate easements to be established to continue to maintain and service the existing water, sewer, and storm drain mains that will remain. To comply with OSHA safety guidelines for maintenance, an easement which favors Salt Lake City Public Utilities should be established for the full width of the right-of-way so that there are no complications in maintenance. As part of that easement, no permanent structures will be allowed in that easement which may jeopardize the safety and stability of those mains.

The Transportation Division will require a written verification letter from UDOT that 300 South 5600 West access is to remain and be upgraded as needed; and revisions to the Major Street Plan Map to reflect future development of 5200 West corridor to extend south to connect to 700 South and the removal of 5500 West closure proposal. The Transportation Division has no objection to removing this portion of 5500 West from the Major Street Plan, as long as 5200 West continues to serve as a collector street.

The applicant is willing to maintain the necessary easements required by Public Utilities. In addition, the applicant has provided a letter from UDOT that complies with one of the Transportation Division's requirements listed above.

The Rocky Mountain Power parcel located at the south end of the proposed street closure has street frontage from both 5600 West and 5200 West. However, 5600 West is a State road and access to the parcel from 5600 West is discouraged by UDOT. The LDS Church and Rocky

Mountain Power have entered into an agreement wherein the LDS Church will grant Rocky Mountain Power access to this portion of 5500 West, proposed to be closed, to their parcel.

Master Plan Considerations:

Salt Lake City Transportation Master Plan and Major Street Plan, adopted in 2006

The Major Street Plan is a companion document associated with the Salt Lake City Transportation Master Plan. It classifies streets by their intended use.

The Major Street Plan shows 5500 West between 300 South and 700 South as a collector street. Collectors are designed to collect traffic to and from local streets and carry it to and from the arterials. 5500 West was designated a collector because it was to serve 5600 West, an arterial, as a frontage road.

The Mountain View Corridor, a planned freeway in western Salt Lake and northwestern Utah counties, will be built approximately 4,000 feet away from 5600 West. Much of the traffic that was anticipated to be on 5600 West will be reallocated to the Corridor. Consequently, 5500 West at this location will no longer be needed as a collector street.

The Transportation Division has no objection to removing this portion of 5500 West from the Major Street Plan as a collector street, as long as 5200 West continues to serve as a collector street.

PUBLIC PROCESS:

The Poplar Grove Community Council was notified via e-mail on July 7, 2010 of the request for the street closure and the Major Street Plan amendment. On July 16, 2010, Mike Harman, the Chair of the Poplar Grove Community Council communicated verbally that the Poplar Grove Community Council was comfortable with the request and did not require that this project be presented formally at its regular meeting.

The Planning Commission held a Public Hearing on August 11, 2010. Based on the findings listed in the Staff Report and the Public Hearing, the Planning Commission forward a favorable recommendation to the City Council to approve application PLNPCM2009-01389 to close 5500 West Street between 300 South to about 490 South Street, and application PLNPCM2010-00085 to amend the Major Street Plan and remove 5500 West Street between 300 South and 700 South Street as a collector street.

The Planning Commission also forwarded a favorable recommendation to the Mayor to declare the portion of 5500 West Street between 300 South to about 490 South Street as surplus property and sell it at fair market value as it relates to application PLNPCM2009-01389.

The Planning Commission included the following conditions listed in the staff report to their recommendation:

1. That the applicant purchases the surplus property according with Salt Lake City Code Chapter 2.58.

2. That appropriate easements be established to continue to maintain and service the existing water, sewer, and storm drain mains that will remain.
3. That revision to the Major Street Plan Map is made to reflect the removal of 5500 West between 300 South and 700 South as a collector street.
4. That all requirements of the various city departments/divisions be met by the applicant prior to, or concurrent with, the purchase of this portion of 5500 West.

RELEVANT ORDINANCES:

Utah State Code, Title 10-9a-609.5 Vacating or altering a street or alley

Utah State Code, Title 10-9a-204 Notice of Public Hearings and Public Meetings to Consider General Plan or Modifications

Salt Lake City Code, Chapter 2.58 Sale of Real Property-Notice and Hearing

TABLE OF CONTENTS

- 1. CHRONOLOGY**
- 2. ORDINANCE**
- 3. NOTICE OF CITY COUNCIL HEARING**
- 4. MAILING LABELS**
- 5. VALUATION OF STREET**
- 6. LETTER FROM UDOT**
- 7. PLANNING COMMISSION**
 - A) Newspaper Add
August 2, 2010**
 - B) Agenda Postmarked
July 30, 2010**
 - C) Staff Report
August 11, 2010**
 - D) Minutes (Draft)**
- 8. ORIGINAL PETITIONS**
 - A) Petition PLNPCM2009-01389**
 - B) Petition PLNPCM2010-00085**

1. CHRONOLOGY

PROJECT CHRONOLOGY

December 8, 2009	Petition PLNPCM2009-01389 for a street closure was submitted.
December 16, 2009	Petition assigned to Katia Pace.
December 21, 2009	Routed letter requesting comments from the appropriate Salt Lake City Departments and Divisions.
January 4, 2010	The Transportation Division responded by requiring that the Transportation Master Plan be amended to remove 5500 West as a collector street.
February 25, 2010	Petition PLNPCM2010-00085 for a master plan amendment was submitted.
March 1, 2010	Petition assigned to Katia Pace.
June 2, 2010	The Transportation Division submitted petition PLNPCM2010-00354 for additional amendments to the Transportation Master Plan to be processed concurrently with the 5500 West master plan amendment.
June 17, 2010	Routed e-mail to the appropriate Salt Lake City Departments and Divisions requesting for comments concerning the street closure and the master plan amendment.
July 2, 2010	E-mailed request for the Poplar Grove Community Council input.
July 30, 2010	Planning Commission hearing notices sent via U.S. Mail and email.
August 2, 2010	Newspaper Public Hearing Notice ran on the Salt Lake Tribune and Deseret News.
August 11, 2010	Planning Commission holds a public hearing and votes to forward a positive recommendation to the City Council.
August 16, 2010	Requested ordinance from the Attorney's Office.
October 20, 2010	Received ordinance from the Attorney's Office.

2. ORDINANCE

SALT LAKE CITY ORDINANCE
No. _____ of 2010
(Closing a portion of 5500 West and amending the
Major Street Plan of the City's Transportation Master Plan)

An ordinance closing a portion of 5500 West as a public street between 300 South and 490 South and amending the Major Street Plan of the Salt Lake City Transportation Master Plan to remove the designation of collector street from a portion of 5500 West between 300 South and 700 South from the Major Street Plan, pursuant to Petition Nos. PLNPCM2009-01389 and PLNPCM2010-00085.

WHEREAS, the Salt Lake City Planning Commission ("Planning Commission") held a public hearing on August 11, 2010 to consider a request made by Paul Anderson ("Applicant") to close a portion of City-owned right-of-way at 5500 West between 300 South and 490 South (Petition No. PLNPCM2009-01389) that such property may be declared surplus, and to amend the Major Street Plan of the Salt Lake City Transportation Master Plan (Petition No. PLNPCM2010-00085) to remove the designation of collector street from a portion of 5500 West between 300 South and 700 South; and

WHEREAS, at its August 11, 2010 hearing, the Planning Commission voted in favor of forwarding a positive recommendation on said petitions to the Salt Lake City Council ("City Council") with certain conditions; and

WHEREAS, the City Council finds after public hearings that the City's interest in the portion of the street described below is not necessary for use by the public as a street and that closing the portion of the City-owned right-of-way will not be adverse to the general public's interest; and

WHEREAS, closing the portion of the City-owned right-of-way described below requires an amendment to the Major Street Plan of the Salt Lake City Transportation Master Plan to remove from that plan the designation of collector street of that portion of 5500 West proposed to be closed; and

WHEREAS, after a hearing before the City Council, the City Council has determined that adopting this ordinance is in the best interest of the City.

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

SECTION 1. Closing a Portion of 5500 West Street. That a portion of 5500 West Street from 300 South to 490 South, which is the subject of Petition No. PLNPCM2009-01389, and which is more particularly described on Exhibit "A" attached hereto, hereby is, closed declared no longer needed or available for use as a street, subject to the conditions set forth in Section 4 herein.

SECTION 2. Reservations and Disclaimers. The above closure and 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 closure and vacation is also subject to any existing rights-of-way or easements of private third parties.

SECTION 3. Amending the Salt Lake City Transportation Master Plan. That the Major Street Plan of the Salt Lake City Transportation Master Plan shall be and hereby is amended to remove the "collector street" designation from that portion of 5500 West Street between 300 South and 700 South.

SECTION 4. Conditions. The street closure approved by this ordinance is conditioned upon the following:

1. Payment to the City of fair market value of those portions of the street, or its equivalent, and title to those portions of this street shall remain with the City until sale for fair

market value, or the receipt of equivalent value, in accordance with Salt Lake City Code Chapter 2.58; and

2. The street closure is subject to all existing rights-of-way and easements of all public utilities now located on, under or over the subject property; and
3. That revision to the Major Street Plan Map is made to reflect the removal of 5500 West between 300 South and 700 South as a collector street.
4. That all requirements of the relevant City departments/divisions, as identified in the August 11, 2010 Planning Division Staff Report concerning the above-referenced applications, be met by the applicant prior to, or concurrent with, the purchase of the subject portion of 5500 West.

SECTION 5. Effective Date. This Ordinance shall become effective on the date of its first publication and shall be recorded with the Salt Lake County Recorder. The City Recorder is instructed not to publish or record this ordinance until the conditions identified above have been met.

SECTION 6. Time. If the conditions identified above have not been met within one year after adoption, this ordinance shall become null and void. The City Council may, for good cause shown, by resolution, extend the time period for satisfying the conditions identified above.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2010.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

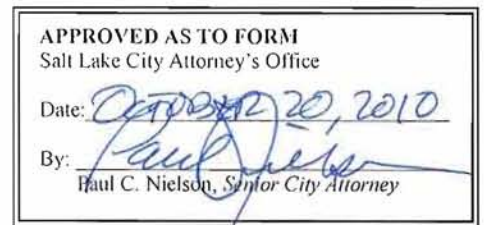
Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2010.
Published: _____.



HB_ATTYY-#15070-v2-Ordinance_closing_a_portion_of_5500_West_and_amending_street_plan.DOC

5500 WEST STREET VACATION BOUNDARY DESCRIPTION

BOUNDARY DESCRIPTION OF PUBLIC RIGHT OF WAY TO BE VACATED

A part of the Southwest Quarter of Section 1, Township 1 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey:

Beginning at a point on the 1/4 Section line, which is 674.79 feet North 89°50'32" East along said 1/4 section line from the West Quarter corner of said Section 1; and running thence North 89°50'32" East 139.64 feet along said 1/4 Section line to the Northwest corner of Lot 3, First Park Mountain View Plat 1 – First Amendment, a subdivision in Salt Lake City, Salt Lake County, Utah to the East right of way line of 5500 West Street; thence Southerly two (2) courses along said East right of way line as follows: South 44°50'32" West 52.08 feet and South 0°09'28" East 1354.89 feet to the North line of a Utah Power & Light Parcel: thence South 88°54'04" West 66.00 feet along said North line to the East line of First Park Mountain View Plat 2, Salt Lake City, Salt Lake County, Utah, thence Northerly two (2) courses along said East line as follows: thence North 0°09'28" West 1355.97 feet and North 45°09'28" West 52.08 feet to the point of beginning.

Contains 2.140 Acres

3. NOTICE OF CITY COUNCIL HEARING

NOTICE OF PUBLIC HEARING

The Salt Lake City Council will hold a public hearing regarding Petitions PLNPCM2009-01389 and PLNPCM2010-00085 by Paul Anderson, representing the LDS Church, requesting Salt Lake City to close portion of 5500 West Street between 300 South to about 490 South; and to amend the Major Street Plan by removing 5500 West Street between 300 South and 700 South as a collector street.

As part of its study, the City Council is holding an advertised public hearing to receive comments regarding the petitions. During this hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

Date:

Time: 7:00 p.m.

Place: Room 315 (City Council Chambers)*
Salt Lake City and County Building
451 S. State Street
Salt Lake City, UT

*Please enter building from east side.

If you have any questions relating to this proposal or would like to review the petitions on file, please call Katia Pace, Principal Planner, at 801 535-6354 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at katia.pace@slcgov.com.

People with disabilities may make requests for reasonable accommodations no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. The City & County Building is an accessible facility. For questions, requests, or additional information, please contact the ADA Coordinator at (801) 535-7971; TDD 535-6021.

4. MAILING LABELS

Alene Bentley
Rocky Mountain Power
201 South Main, Suite 2300
Salt Lake City, UT 84111

HARDY, A WESLEY & RUTH B
2495 E CREEK RD
COTTONWOOD HTS, UT 84093-6440

CORP OF PB OF CH JC OF LDS
50 E NORTHTEMPLE ST
SALT LAKE CITY, UT 84150-9001

FR/CAL FIRSTPARK SLC LLC
PO BOX 511196
SALT LAKE CITY, UT 84151-1196

PROPERTY RESERVE INC
PO BOX 511196
SALT LAKE CITY, UT 84151-1196

KATIA PACE
SALT LAKE CITY PLANNING
PO BOX 145480
SALT LAKE CITY, UT 84114-5486

RC WILLEY HOME FURNISHINGS
2301 S 300 W
SOUTH SALT LAKE, UT 84115-2516

KATIA PACE
2546 LAMBOURNE AVE.
SALT LAKE CITY, UT 84109

Matthew R. King
Great Basin Engineering
5746 South 1475 East
Ogden, UT 84403

Paul Anderson
Great Basin Engineering
5746 South 1475 East
Ogden, UT 84403

Poplar Grove Community Council
Mike Harman
1044 West 300 South
Salt Lake City, UT.84104

5. VALUATION OF STREET

From: [Williams, Matthew](#)
To: [Williams, Matthew](#); [Pace, Katia](#)
Cc: [Stoker, Justin](#); [Spencer, John](#); [Drummond, Randy](#)
Subject: RE: PLNPCM2009-01389 - Property value for 5500 West Street Closure
Date: Tuesday, September 28, 2010 10:35:05 AM

I just spoke with Chris (last name?) from LDS church. He indicated that they paid \$3.75 per square foot for the property last year. I think it's reasonable to use that as a basis for a different valuation. Based on that purchase price and adjusting the entire parcel for all the utility facilities, I think we could justify a reduction in the value to \$230,000. I have given the church the option to this value or to seek an independent MAI appraisal.

Thanks,
Matt

From: Williams, Matthew
Sent: Friday, August 20, 2010 10:54 AM
To: Pace, Katia
Cc: Stoker, Justin; Spencer, John; Drummond, Randy
Subject: RE: PLNPCM2009-01389 - Property value for 5500 West Street Closure
Importance: High

I'm coming up with a value of approximately \$440,000 for the 2.14 acres (this equates to about \$4.73 per square foot). This does not account for easement adjustments, if any. Once Public Utilities confirms if any exist, I can come to a final value.

Matt

From: Pace, Katia
Sent: Friday, August 13, 2010 5:11 PM
To: Williams, Matthew
Cc: Stoker, Justin; Spencer, John; Drummond, Randy
Subject: PLNPCM2009-01389 - Property value for 5500 West Street Closure

Matt,

On August 11, 2010 the Planning Commission recommended approval for a street closure located at 5500 West Street between 300 South to about 490 South.

The LDS Church is developing the lots abutting 5500 West. This portion of 5500 West is already built, the LDS Church would like to turn the street into a private road and close it to the public with gates.

The next step (before City Council hearing) is to come up with a monetary value for the street. I'm including a legal description provided by the applicant. I realize that the value of the property is linked to public utility easements, and consequently will require coordination with the Public Utilities Department. Do you think Engineering needs to be involved on this calculation also?

From: [Craig Weidmer](#)
To: [Pace, Katia](#)
Cc: [Kim Baran](#)
Subject: RE: PLNPCM2009-01389 - Property value for 5500 West Street Closure
Date: Wednesday, September 29, 2010 12:03:01 PM

Katia:

I spoke with Matt Williams regarding the value of the road being vacated. Church policy requires that I obtain an appraisal for any property being purchased. Matt and I discussed this and I will order an MAI appraisal for the 2.14+/- acre property. I hope to have the appraisal back within four weeks.

Regards,

Craig E. Weidmer
Real Estate Project Manager
(801) 240-5290

From: Pace, Katia [mailto:Katia.Pace@slcgov.com]
Sent: Monday, September 27, 2010 4:23 PM
To: Craig Weidmer
Subject: RE: PLNPCM2009-01389 - Property value for 5500 West Street Closure

Craig,

I would suggest that you get in touch with our Property Management Department. Matt Williams at 801 535-6447 would be the person to talk to, he is working on this project. Let me know if you need another contact.

Katia

From: Craig Weidmer [mailto:WeidmerCE@ldschurch.org]
Sent: Monday, September 27, 2010 4:16 PM
To: Pace, Katia
Subject: RE: PLNPCM2009-01389 - Property value for 5500 West Street Closure

Katia:

The valuation is substantially above what we paid for the property last year. Values have not increased since then. And, as you have noted the valuation does not account for the various easements which will remain on the property. The road improvements will remain in place. It is unlikely that the property can be developed with any structures, which would limit the value of the property in question.

Perhaps we should engage an MAI appraiser to determine fair market value of the property?

Please advise.

Thanks,

Craig E. Weidmer
Real Estate Project Manager
(801) 240-5290

From: Pace, Katia [mailto:Katia.Pace@slcgov.com]
Sent: Monday, September 27, 2010 3:57 PM
To: Craig Weidmer
Subject: FW: PLNPCM2009-01389 - Property value for 5500 West Street Closure
Importance: High

Craig,

Please look at the email below. I think that this value might change due to the easements. Let me know if you have any questions.

Katia Pace
Principal Planner
SLC Planning Division
Office: (801) 535-6354
Fax: (801) 535-6174

From: Williams, Matthew
Sent: Friday, August 20, 2010 10:54 AM
To: Pace, Katia
Cc: Stoker, Justin; Spencer, John; Drummond, Randy
Subject: RE: PLNPCM2009-01389 - Property value for 5500 West Street Closure
Importance: High

I'm coming up with a value of approximately \$440,000 for the 2.14 acres (this equates to about \$4.73 per square foot). This does not account for easement adjustments, if any. Once Public Utilities confirms if any exist, I can come to a final value.

Matt

From: Pace, Katia
Sent: Friday, August 13, 2010 5:11 PM
To: Williams, Matthew
Cc: Stoker, Justin; Spencer, John; Drummond, Randy
Subject: PLNPCM2009-01389 - Property value for 5500 West Street Closure

Matt,

On August 11, 2010 the Planning Commission recommended approval for a street closure located at 5500 West Street between 300 South to about 490 South.

The LDS Church is developing the lots abutting 5500 West. This portion of 5500 West is already built, the LDS Church would like to turn the street into a private road and close it to the public with gates.

The next step (before City Council hearing) is to come up with a monetary value for the street. I'm including a legal description provided by the applicant. I realize that the value of the property is linked to public utility easements, and consequently will require coordination with the Public Utilities Department. Do you think Engineering needs to be involved on this calculation also?

Please review the attached material and let me know if you need additional information.

Thank you.

Katia Pace
Principal Planner
SLC Planning Division
Office: (801) 535-6354
Fax: (801) 535-6174

NOTICE: This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

6. LETTER FROM UDOT



State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

JOHN R. NIORD, P.E.
Executive Director

CARLOS M. BRACERAS, P.E.
Deputy Director

August 18, 2010

Kevin Young, P.E.
Salt Lake City Transportation Division
PO Box 145502
Salt Lake City UT 84114-5502

Dear Mr. Young:

Thank you for the inquiry into the closure of 5500 west at 300 south in Salt Lake City, Utah and for allowing the Utah Department of Transportation Region 2 staff to be involved in the comments.

UDOT Region 2 does not object to the closure of 5500 west as long as:

- The future development of the LDS property located between 5600 west and 5500 west access the private road that is to be owned by the LDS Church formally known as 5500 west.
- The property south of the northern property boundary of Rocky Mountain Power (Pacific Corp) has access off of 700 south and not 5600 west.

I want to thank you for this opportunity to work with Salt Lake City. UDOT's roads are designed to provide a high volume network for travel between major points and for traffic to move safely and efficiently. Coordination between Salt Lake City and UDOT will help us maintain that function.

If you have any questions or comments, please contact me at 9754810.

Sincerely,

Mark Velasquez
UDOT Region 2
Access Control Coordinator

H:\Access Roads\City\2010\LDS Property 5500 W. 300 S. 819-10.doc

7. PLANNING COMMISSION

A) Newspaper Advertisement

August 2, 2010

Order Confirmation for Ad #0000604366-01

Client PLANNING DIVISION	Payor Customer PLANNING DIVISION
Client Phone 801-535-6184	Payor Phone 801-535-6184
Account# 9001394298	Payor Account 9001394298
Address PO BOX 145480 SALT LAKE CITY UT 84114-5455 USA	Payor Address PO BOX 145480 SALT LAKE CITY UT 84114-5455
Fax	Ordered By Acct. Exec
E-Mail everett.joyce@slcgov.com	angela jvaldez

Ad Content Proof Actual Size

SALT LAKE CITY
 PLANNING COMMISSION
 HEARING

On Wednesday August 11, 2010 at 5:45 P.M., the Salt Lake City Planning Commission will hold a public hearing to take public comment regarding:

1. Hatch Family Chocolates Development Project – A request by Steve Hatch for various approvals which would allow for the relocation of Hatch Family Chocolates to the former 8th Avenue Market. The property is located at approximately 376 8th Avenue.

a. PLNPCM2010-00369 Master Plan Amendment – A request to amend the Future Land Use Map of the Avenues Master Plan. The amendment would change the future land use classification of the property from Low-Density Residential to Mixed Use.

b. PLNPCM2010-00370 Zoning Map Amendment and Zoning Ordinance Text Amendment – A request to rezone property from SR-1A Special Development Pattern Residential to RMU-35 Residential Mixed Use in order to expand and operate an existing nonconforming commercial use on the property. The text amendment would modify Chapter 21A.24.190 Table of Permitted and Conditional Uses for Residential Zones to make a restaurant without drive through facilities a permitted use in the RMU-35 zoning district.

2. PLNPCM2010-00085 Major Street Plan Amendment – A request to amend the Major Street Plan and remove 5500 West Street, between 300 South and 700 South, as a collector street from the Major Street Plan map.

The hearing will be held in Room 326 of the Salt Lake City and County Building, 451 South State Street, Salt Lake City. Corporation complies with all ADA guidelines. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this meeting. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, request or additional information, please contact the Planning Division at 535-7757; TDD 535-6220. For further information regarding this hearing, call ray.milliner@slcgov.com or 801-535-7645 or kaita.pace@slcgov.com 801-535-6354 604366 UPAXLP

Total Amount	\$661.50				
Payment Amt	\$0.00				
Amount Due	\$661.50	Tear Sheets	Proofs	Affidavits	
		0	0	1	
Payment Method		PO Number	SLC PLANNING COM		

Confirmation Notes:

Text:

Ad Type	Ad Size	Color
CLS Liner	1.0 X 101 Li	<NONE>

<u>Product</u>	<u>Placement</u>
Salt Lake Tribune::	General Classified
Scheduled Date(s): 08/02/2010	
<u>Product</u>	<u>Placement</u>
Deseret News::	General Classified
Scheduled Date(s): 08/02/2010	
<u>Product</u>	<u>Placement</u>
sltrib.com::	General Classified
Scheduled Date(s): 08/02/2010	
<u>Product</u>	<u>Placement</u>
deseretnews.com::	General Classified
Scheduled Date(s): 08/02/2010	

7. PLANNING COMMISSION

B) Agenda Postmarked

July 30, 2010

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

RETURN SERVICE REQUESTED

STATE MAIL SVCS 08/09/2010 04:19

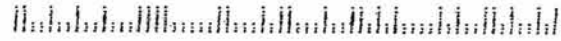


NOTICE OF HEARING

Ray Milliner
451 S State Rm 406
PO Box 145480
SLC UT 84114

FWD

8410382755 0010



INFORMATION TO APPLICANTS AND CITIZENS

1. Attendance: Applicant or representative must be present during the meeting or the case will not be reviewed.
2. Decision Making Process: Planning Commission will review one case at a time and receive information from the applicant, professional staff, adjoining neighbors and citizens. After reviewing the case, the Planning Commission will deliberate on the case in executive session. No additional testimony will be accepted during the executive session, unless requested by the Commission for clarification purposes. The Planning Commission will make their decision by making a motion, second, discussion and majority vote by the Commission.
3. Appeals process: Any person aggrieved by any decision of the Planning Commission may appeal that decision to the Salt Lake City Land Use Appeals Board within thirty (30) days of the Planning Commission final decision.
4. Meeting notices: Meeting notices are made available in advance. If persons wish to submit written comments they should be directed to the Planning Commission or a Planning Commission member indicated at least 7 days in advance to enable the Commissioners to consider those written comments. **Comments should be sent to :**

Salt Lake City Planning Commission
PO Box 145480
Salt Lake City, UT 84114-5480

Physical Address: 451 S State Street, Room 406 Salt Lake City, UT 84111

NOTE: Please turn off cellular phones during the meeting. We comply with all ADA guidelines. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this meeting. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Commission Secretary at 535-6171 regarding this agenda or ADA accommodations. TDD 535-6220.

SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA

In Room 326 of the City & County Building at 451 South State Street

Wednesday, August 11, 2010 at 5:45 p.m.

The field trip is scheduled to leave at 4:00 p.m. Dinner will be served to the Planning Commission and staff at 5:00 p.m. in Room 126. **Work Session**—The Planning Commission may discuss project updates and minor administrative matters. This portion of the meeting is open to the public for observation.

Approval of Minutes from July 14, 2010 and July 28, 2010.

Report of the Chair and Vice Chair

Report of the Director

Public Hearings

1. **PLNPCM2010-00448 & PLNPCM2010-00461 YNC Yalecrest Neighborhood Character Overlay District** – A request by the Salt Lake City Council to amend the Salt Lake City Zoning Ordinance and Map. The proposed zoning text amendment will create a new overlay district to limit demolition of homes that define the character of the Yalecrest neighborhood and preserve existing streetscape building setbacks. The proposed zoning map amendment will apply the YNC Yalecrest Neighborhood Character Overlay District to property located approximately between Sunnyside Avenue and 1300 South, and between 1900 East and 1300 East. The property affected is located in Council District 5, represented by Jill Remington Love, and Council District 6, represented by J.T. Martin. (Staff contact: Wayne Mills at 801-535-7282 or wayne.mills@slcgov.com, or Michael Maloy at 801-535-7118 or michael.maloy@slcgov.com)
2. **Solei Cove Planned Development** – A request by Craig Anderson, representing Sequoia Development, to construct an eight-lot residential planned development located at approximately 2178 East 1700 South. The property is zoned R-1/7,000 Single-Family Residential District. The property is located within Council District 7, represented by Søren Simonsen. (Staff contact: Michael Maloy at 801-535-7118 or michael.maloy@slcgov.com)
 - a. **PLNPCM2010-00154 Solei Cove Subdivision** – A request for preliminary approval for an eight-lot residential subdivision.
 - b. **PLNSUB2010-00301 Solei Cove Planned Development** – A request for a planned development of eight single-family residential lots with one of those lots being a flag lot. Flag lots are only allowed in the R-1/7,000 zoning district through the planned development process.
3. **Hatch Family Chocolates Development Project** – A request by Steve Hatch for various approvals which would allow for the relocation of Hatch Family Chocolates to the former 8th Avenue Market. The property is located at approximately 376 8th Avenue in Council District 3, represented by Stan Penfold. (Staff contact: Ray Milliner at 801-535-7645 or ray.milliner@slcgov.com)
 - a. **PLNPCM2010-00369 Master Plan Amendment** – A request to amend the Future Land Use Map of the Avenues Master Plan. The amendment would change the future land use classification of the property from Low-Density Residential to Mixed Use.
 - b. **PLNPCM2010-00370 Zoning Map Amendment and Zoning Ordinance Text Amendment** – A request to rezone property from SR-1A Special Development Pattern Residential to RMU-35 Residential Mixed Use in order to expand and operate an existing nonconforming commercial use on the property. The text amendment would modify Chapter 21A.24.190 Table of Permitted and Conditional Uses for Residential Zones to make a restaurant without drive through facilities a permitted use in the RMU-35 zoning district.
3. **PLNPCM2010-00300 Sentry Security Systems Text Amendment** – A request by Michael Pate for Sentry Security Systems to amend Chapter 21A.40.120 of the Salt Lake City Zoning Ordinance. The amendment would add language to regulate the use of electric security fences in Manufacturing and Commercial zones. Changes would be City wide. (Staff contact: Ray Milliner at 801-535-7645 or ray.milliner@slcgov.com)
4. **5500 West Street Amendment** – A request by Paul Anderson for various approvals which would allow the combination of property on both sides of 5500 West Street between 300 South and 700 South, in order to develop the property for a warehouse use. The subject street is located between the CG General Commercial and M-1 Light Manufacturing zoning districts in Council District 2, represented by Van Turner. (Staff contact: Katia Pace at 801-535-6354 or katia.pace@slcgov.com)
 - a. **PLNPCM2009-01389 5500 West Street Closure** – A request to close 5500 West Street between 300 South to about 490 South.
 - b. **PLNPCM2010-00085 Major Street Plan Amendment** – A request to amend the Major Street Plan and remove 5500 West Street, between 300 South and 700 South, as a collector street from the Major Street Plan map.
5. **PLNSUB2010-00182 Crandall Cove Minor Subdivision** – Ivory Development requests preliminary approval for a subdivision plat to create seven lots; one commercial lot for the existing commercial building at 2855 S Highland Drive and six new residential lots accessed from Crandall Avenue. The subject property is located at approximately 2853-2855 S Highland Drive in an R-1/7,000 zoning district, in Council District 7, represented by Søren Simonsen. (Staff contact: Casey Stewart at 801-535-6260 or casey.stewart@slcgov.com.)

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/CED/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.

7. PLANNING COMMISSION
C) Staff Report
August 11, 2010

PLANNING COMMISSION STAFF REPORT

PLNPCM2009-01389 - 5500 West Street Closure

(300 South and 490 South) and

PLNPCM2010-00085 -5500 West Major Street Plan Amendment

(300 South and 700 South)

August 11, 2010



Planning Division
Department of Community &
Economic Development

Applicant: Paul Anderson

Staff: Katia Pace 535-6354,
katia.pace@slc.gov.com

Tax ID

Street Closure and Amendment:
14-01-300-013, 14-01-300-014,
14-01-301-001, 14-01-301-002
Major Street Plan Amendment:
14-01-300-005, 14-01-300-015

Current zone

CG (General Commercial) and
M-1 (Light Manufacturing)

Current master plan designation

Collector in the Major Street Plan

Council District: District 2, Van Turner

Community Council: Poplar Grove –
Mike Harman

Current use: Vacant Land

Applicable land use regulations

- Section 2.58 of the Salt Lake City Code
- State Law, Section 10-9a-204 and 609.5

Notification

- Notice mailed July 30, 2010
- Sign posted on July 30, 2010
- Published in newspaper August 2, 2010
- Posted to Planning Dept and Utah State Public Meeting websites July 30, 2010.

Attachments

- A. Map of Proposed Street Closure
- B. Salt Lake City Major Street Plan
- C. Department/Division Comments
- D. Photos

Request

The applicant, Paul Anderson, is requesting approval to close 5500 West Street between 300 South to about 490 South and declare it surplus property, and to amend the Major Street Plan by removing 5500 West Street, between 300 South and 700 South, as a collector street. This portion of 5500 West is located within the CG (General Commercial) and M-1 (Light Manufacturing) zoning districts.

Recommendation

PLNPCM2009-01389 – Street Closure

Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to approve application PLNPCM2009-01389 to close 5500 West Street between 300 South to about 490 South, and to declare it surplus property. The Planning Commission's action is based on the findings, analysis and conditions of approval in this report:

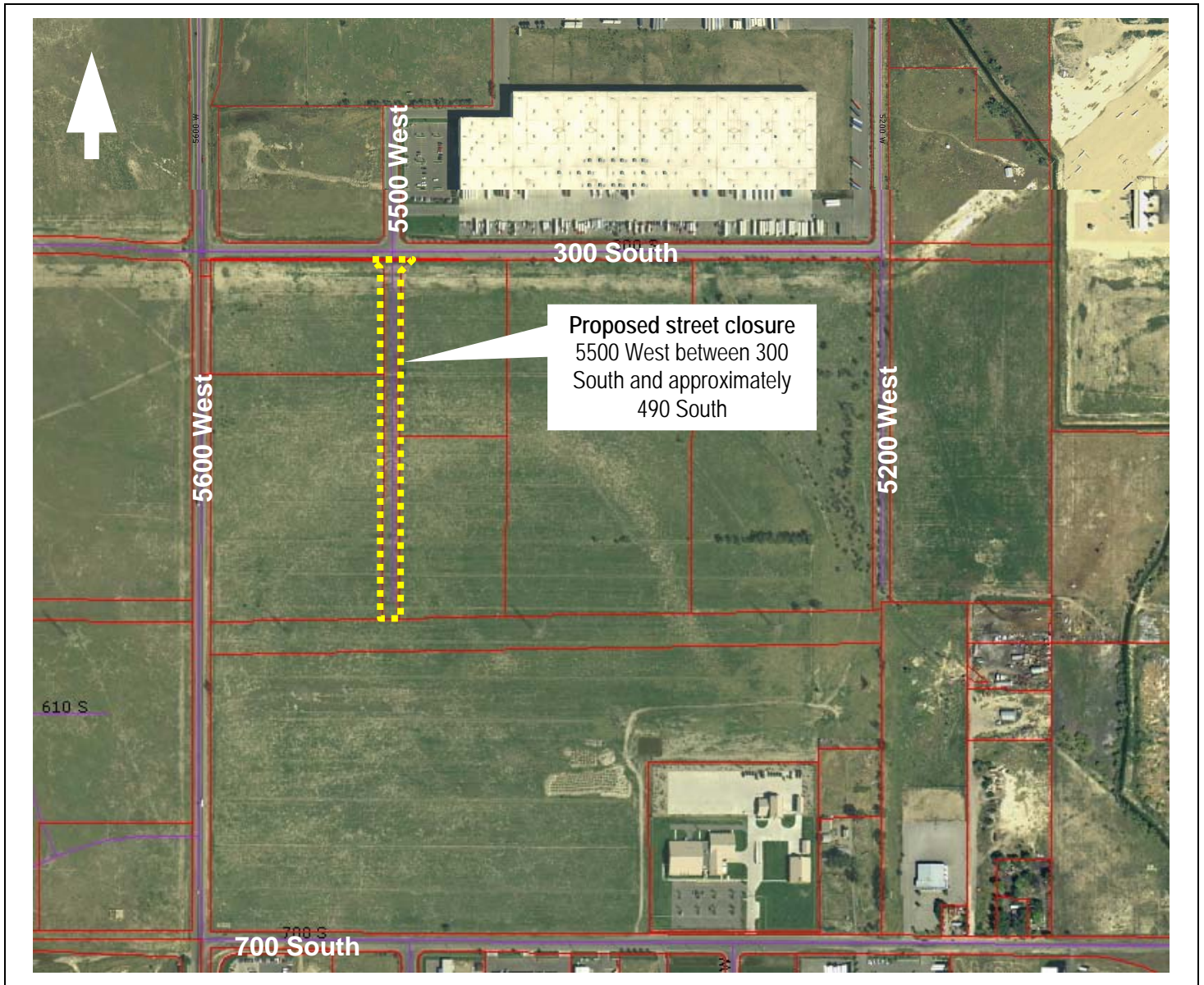
Conditions of Approval

1. That the applicant purchases the surplus property according with Salt Lake City Code Chapter 2.58.
2. That appropriate easements be established to continue to maintain and service the existing water, sewer, and storm drain mains that will remain.
3. That revision to the Major Street Plan Map is made to reflect the removal of 5500 West between 300 South and 700 South as a collector street.
4. That all requirements of the various city departments/divisions be met by the applicant prior to, or concurrent with, the purchase of this portion of 5500 West.

PLNPCM2010-00085 – Master Plan Amendment

Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to approve application PLNPCM2010-00085 to amend the Major Street Plan and remove 5500 West Street, between 300 South and 700 South, as a collector street.

Project Map



Background

Project Description

This is a request by Paul Anderson, representing the LDS Church, to close 5500 West between 300 South and 490 South; and to remove 5500 West, between 300 South and 700 South, as a collector street from the Major Street Plan.

On July 29, 2008 the “First Park Mountain View Plat 1” subdivision dedicated 5500 West south of 300 South as a public street. The street was built to the specifications of a collector street in Salt Lake City. It currently runs from 300 South until approximately 490 South ending with a temporary turnaround.

On June of 2009 the LDS Church purchased approximately 144 acres including property contiguous to 5500 West south of 300 South. The LDS Church owns all of the property abutting east and west of this portion of

5500 West. The street dead ends into a Rocky Mountain Power parcel running from 5600 West to 5200 West (see Attachment A). The LDS Church owns the large majority of the property between 5600 West to 5200 West and 300 South and 700 South.

The purpose of the street closure is to increase security of the proposed facility for the future LDS Bishop's Central Storehouse and restrict public traffic. Since this street is already built, the LDS Church intends to turn the street into a private road and close it to the public with gates. The LDS Church understands the requirement to pay fair market value for the proposed vacated road.

The fact that the property abutting the street on the west is zoned CG, and the property abutting on the east is zoned M-1 might have an impact on how the fair market value is calculated.

The request for this street closure was sent to be reviewed on December 21, 2009 in connection with a request for a subdivision plat amendment (PLNPCM2009-01390). Since this street is shown as a collector on the Major Street Plan (see Attachment B), this request was put on hold until a Major Street Plan amendment (PLNPCM2010-00085, to change 5500 West status, and PLNPCM2010-00354 to update the Major Street Plan) could be reviewed simultaneously.

Comments

Public Comments

On July 16, 2010, Mike Harman, the chair of the Poplar Grove Community Council communicated verbally that the Poplar Grove Community Council was comfortable with the request and did not require that this project be presented formally at its regular meeting.

City Department Comments

The comments received from pertinent City Departments / Divisions are attached to this staff report in Attachment C. The following is synopsis of the comments from the Public Utilities Department and the Transportation Division:

Public Utilities will require appropriate easements to be established to continue to maintain and service the existing water, sewer, and storm drain mains that will remain. To comply with OSHA safety guidelines in maintenance an easement which favors Salt Lake City Public Utilities should be established for the full width of the right-of-way, so that there are no complications in maintenance. As part of that easement, no permanent structures will be allowed in that easement which may jeopardize the safety and stability of those mains.

Transportation will require:

- Written verification letter from UDOT that 300 South 5600 West access is to remain and be upgraded as needed.
- That the 5200 West roadway will need to be developed to connect to 700 South.
- Revisions to the Major Street Plan Map to reflect future development of 5200 West corridor to extend south to connect to 700 South and the removal of 5500 West closure proposal.

Options

The Planning Commission may forward the following recommendation to the City Council:

1. To approve the amendment to the Major Street Plan, the street closure and to declare the street surplus property.
2. To approve the amendment the Major Street Plan only.
3. To deny all three requests.

Analysis and Findings

Street Closure

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 LDS Church owns all of the property abutting east and west of this portion of 5500 West. Since this street is already built, the LDS Church intends to turn the street into a private road and close it to the public with gates.

Finding: Closing the subject street will not deny access to the adjacent properties. The underlying property would be sold at fair market value and the property will be incorporated into the applicant's property.

- 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: The applicant is the sole abutting property owner of the portion of the street in question. The applicant is committed to purchasing the portion of street after it is declared surplus property.

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

- 3. There should be sufficient public policy reasons that justify the sale and/or closure of a public street, and it should be sufficiently demonstrated by the applicant that the sale and/or closure of the street will accomplish the stated public policy reasons.**

Analysis: With the construction of the Mountain View Corridor, the traffic on 5600 West will be much less than what was anticipated. 5600 West will continue to be an arterial, but will not require 5500 West to serve as a collector street as it was planned.

The Transportation Division has no objection to removing this portion of 5500 West from the Major Street Plan. Furthermore, the Transportation Division proposes revisions to the Major Street Plan Map to reflect the removal of 5500 West between 300 South and 700 South.

Finding: Staff finds that the street closure will further the master plan goal of providing an environment for industrial uses.

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

Analysis: The alternative to closing the street is to leave it as a public right-of-way, but since the applicant abuts the street on the west and east extent of the street, traffic on this street is limited to the applicant's business.

Finding: Staff finds the following reasons outweigh alternatives to the closure of the street:

1. The Transportation Division has no objection to removing this portion of 5500 West from the Major Street Plan.
2. Closing the subject street will not deny access to the adjacent properties.

3. The street closure will increase security of the proposed facility for the future LDS Bishop's Central Storehouse.

Master Plan Amendment

There are no specific standards in the Salt Lake City Zoning Ordinance for Master Plan Amendments. State Law, Section 10-9a-204, Notice of Public Hearings and Public Meetings to Consider General Plan or Modifications, outlines the criteria for amending a master plan relating to noticing requirements. A newspaper notice for the master plan amendment was published on August 2, 2010.

Salt Lake City Transportation Master Plan and Major Street Plan, adopted in 2006

According to the Transportation Master Plan "as progress is made and new transportation challenges face our community; it can be expected that changes to this Transportation Master Plan or associated map documents, will be proposed. It is intended, as with other Salt Lake City master plans, that future modifications to this Transportation Master Plan be approved only after successfully completing a formal public input and hearing process before the Planning Commission and City Council."

There are two companion documents associated with the Salt Lake City Transportation Master Plan. The Salt Lake City Transportation Annual Action Plan; and the Salt Lake City Transportation Master Plan Maps containing the:

- Major Street Plan
- Bikeways Master Plan
- Rail Transit Corridors

Each of these maps is updated as part of the master plan development process. The Major Street Plan classifies streets by their intended use.

The Major Street Plan shows 5500 West between 300 South and 700 South as a collector street. Collectors are designed to collect traffic to and from local streets and carry it to and from the arterials. 5500 West was designated a collector because it was to serve 5600 West, an arterial, as a frontage road.

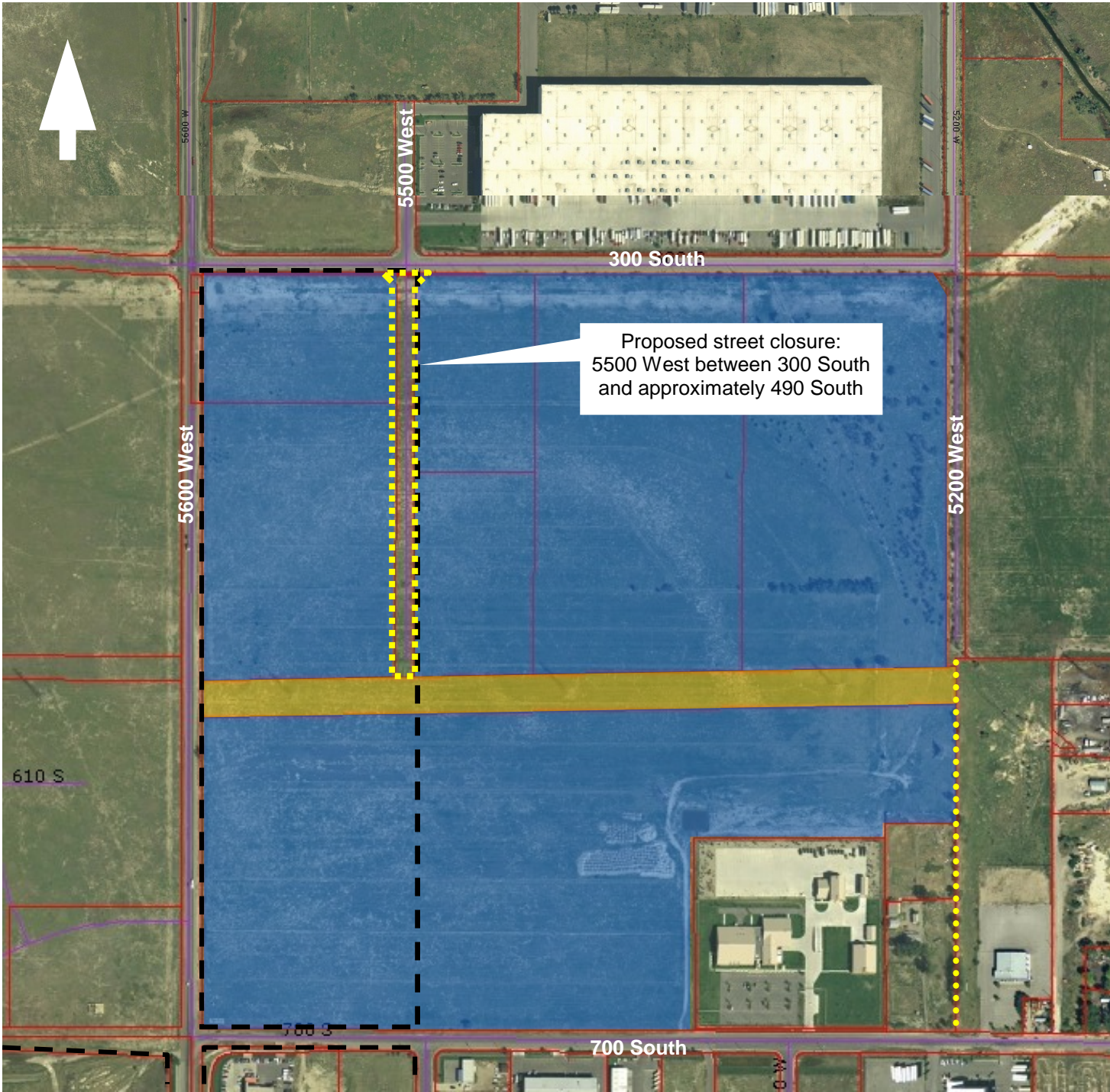
However, with the construction of the Mountain View Corridor, approximately 4,000 feet away from 5600 West, much of the traffic that was anticipated to be on 5600 West will be shifted to the Corridor (the Mountain View Corridor is a planned freeway, transit and trail system in western Salt Lake and northwestern Utah counties.) Due to the decrease in traffic on 5600 West, 5500 West at this location is no longer needed as a collector street. The Transportation Division has no objection to removing this portion of 5500 West from the Major Street Plan as long as 5200 West continues to serve as a collector street.

The Planning Division is also processing a request (PLNPCM2010-00354) initiated by Salt Lake City Mayor Ralph Becker to update the Major Street Plan of the Salt Lake City Transportation Master Plan. Removing 5500 West between 300 South and 700 South is also contained in this request.

Findings

Staff finds that in view of the changes happening to 5600 West and the request to close this portion of 5500 West, revisions to the Major Street Plan Map to reflect the removal of 5500 West between 300 South and 700 South are appropriate.

Attachment A
Map of Proposed Street Closure



Proposed street closure:
5500 West between 300 South
and approximately 490 South

Property Ownership

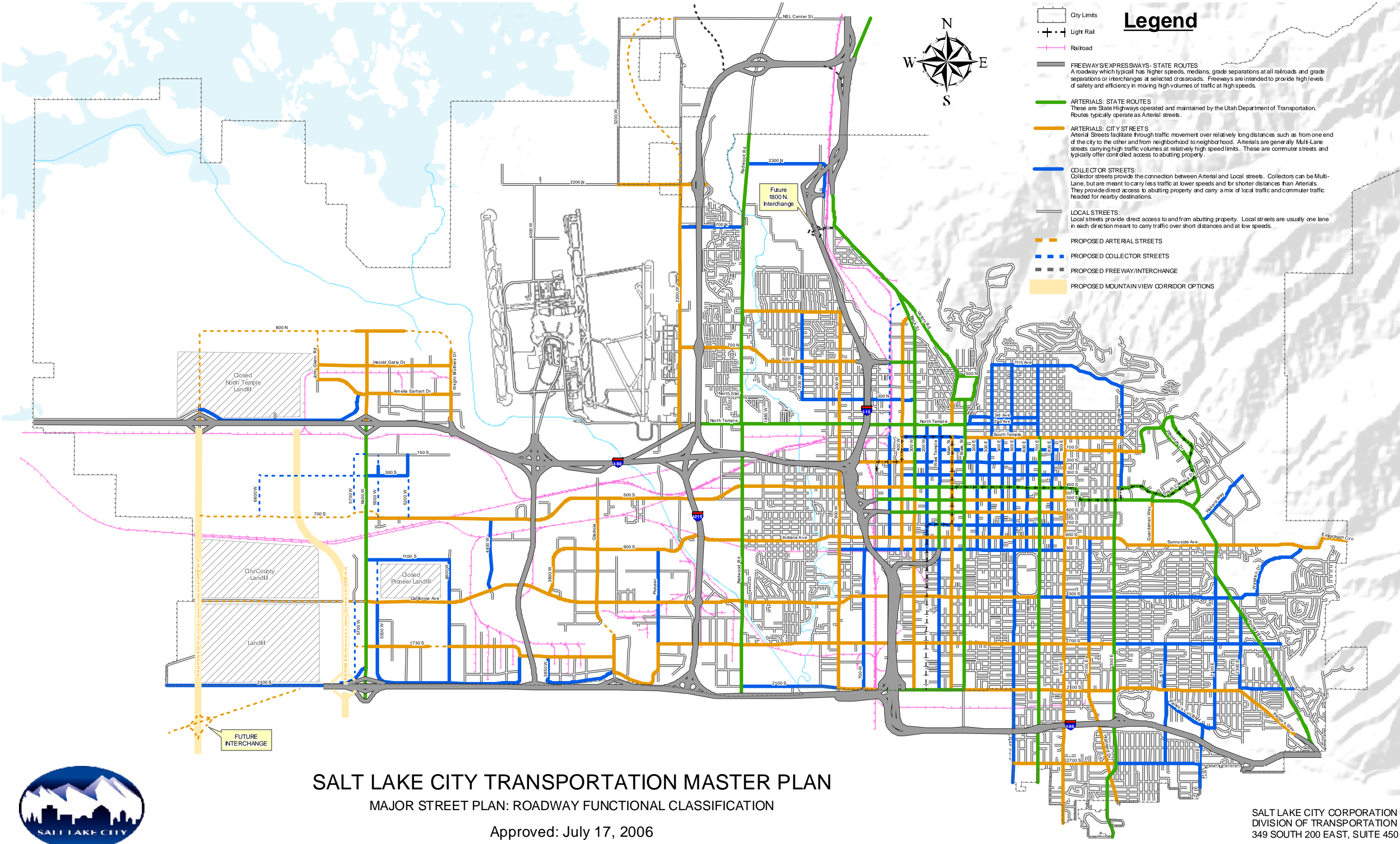
- LDS Church
- Rocky Mountain Power

Proposed 5500 West street closure

Proposed 5200 West collector street

CG zoning district (every thing else outside this area it is M-1)

Attachment B
Salt Lake City Major Street Plan



- ### Legend
- City Limits
 - Light Rail
 - Railroad
 - FREWAYS/EXPRESSWAYS- STATE ROUTES**
A roadway which typical has higher speeds, medians, grade separations at all railroads and grade separations or interchanges at selected crossroads. Freeways are intended to provide high levels of safety and efficiency in moving high volumes of traffic at high speeds.
 - ARTERIALS: STATE ROUTES**
These are State Highways operated and maintained by the Utah Department of Transportation. Routes typically operate as Arterial streets.
 - ARTERIALS: CITY STREETS**
Arterial Streets facilitate through traffic movement over relatively long distances such as from one end of the city to the other and from neighborhood to neighborhood. Arterials are generally Multi-Lane streets carrying high traffic volumes at relatively high speed limits. These are commuter streets and typically offer controlled access to abutting property.
 - COLLECTOR STREETS:**
Collector streets provide the connection between Arterial and Local streets. Collectors can be Multi-Lane, but are meant to carry less traffic at lower speeds and for shorter distances than Arterials. They provide direct access to abutting property and carry a mix of local traffic and commuter traffic headed for nearby destinations.
 - LOCAL STREETS:**
Local streets provide direct access to and from abutting property. Local streets are usually one lane in each direction meant to carry traffic over short distances and at low speeds.
 - PROPOSED ARTERIAL STREETS**
 - PROPOSED COLLECTOR STREETS**
 - PROPOSED FREEWAY/INTERCHANGE**
 - PROPOSED MOUNTAIN VIEW CORRIDOR OPTIONS**

SALT LAKE CITY TRANSPORTATION MASTER PLAN

MAJOR STREET PLAN: ROADWAY FUNCTIONAL CLASSIFICATION

Approved: July 17, 2006



SALT LAKE CITY CORPORATION
DIVISION OF TRANSPORTATION
349 SOUTH 200 EAST, SUITE 450
DRAWN BY: K. BELL

Attachment C
Department/Division Comments

Engineering

Due Date

06/18/2010

Action By

Randy Drummond

Comments

Assuming there are no resultant land-locked parcels as a result of this proposal, we have no concerns regarding this proposal. We are still reviewing the proposed site plan, and have not yet given approval.

Zoning

From: Hardman, Alan
Sent: Friday, June 18, 2010 7:37 AM
To: Pace, Katia
Subject: FW: PLNPCM2009-01389 - 5500 West Street Closure
Attachments: street closure map.pdf

Categories: Other

Hi, Katia,

There are no zoning issues. I completed the task in Accela.

Alan

Public Utilities

PLNPCM2009-01389 Street Closure Review – June 18, 2010

From: Stoker, Justin
Sent: Friday, June 18, 2010 8:33 AM
To: Garcia, Peggy; Pace, Katia
Subject: RE: PLNPCM2009-01389 - 5500 West Street Closure

Categories: Other

We have no objection to the vacation of the street, however per earlier discussions, appropriate easements will need to be established for this department to continue to maintain and service the existing water, sewer, and storm drain mains that will remain. To comply with OSHA safety guidelines in maintenance an easement which favors Salt Lake City Public Utilities should be established for the full width of the right-of-way, so that there are no complications in maintenance. As part of that easement, no permanent structures will be allowed in that easement which may jeopardize the safety and stability of those mains.

The easements should be defined in a legal meets and bounds definition and then recorded by separate document with the Salt Lake County Recorder's Office. The amended plan would then show the boundaries of the recorded easement along with the reference to the Book and Page of the recorded document.

Please contact SLC Public Utilities for further information regarding the easement and language. We will assist in the preparation of the easements.

Public Utilities

PLNPCM2010-00085 Amendment Review – June 18, 2010

From: Stoker, Justin
Sent: Friday, June 18, 2010 8:26 AM
To: Garcia, Peggy; Pace, Katia
Subject: RE: PLNPCM2010-00085 - Remove 5500 West from Major Street Plan

Categories: Other

Public Utilities has no objection with removing the proposed 5500 West street from the Major Street Plan.

Public Utilities

PLNPCM2009-01389 Street Closure Review – January 6, 2010

From: Stoker, Justin
Sent: Wednesday, January 06, 2010 11:19 AM
To: Pace, Katia
Cc: Stewart, Brad; Garcia, Peggy; Greenleaf, Karryn
Subject: Preliminary Plat Amendment and Request for Street Closure at 5500 West and approx 300 South (PLNSUB2009-01390, PLNPCM2009-01389)

Categories: Other

Response to the Preliminary Plat Amendment and Request for Street Closure at 5500 West and approx 300 South (PLNSUB2009-01390, PLNPCM2009-01389):

A review of the application has found the following public utilities located in the 5500 West alignment from 300 South to the south property line: A 42-inch diameter ADS storm drain located about 9.5-ft deep with approximately 8 laterals intended to collect water from the curb of the future street. A 12-inch diameter PVC sanitary sewer main, located approximately 6.5-ft deep. At this time, the sanitary sewer line ends approximately 335-ft north of the southern property line. In addition a 12-inch PVC water main is located through the entire alignment with two 10-inch stubs and detector check assemblies for fire systems into the previously defined Lots 4 & 5.

Review of the master plan documents for this area show no other sanitary sewer or water facilities. The water and sewer located in the 5500 West alignment were intended to serve the properties to the south. Note that no sewer is located in 5600 West. A 36-inch transmission water main is located in 5600, but cannot be used for service connections.

If the applicant wishes to purchase the water and sewer mains from the city then a detailed master planned document will need to be submitted and approved by the department director showing how all neighboring parcels will be able to receive water and sewer services. This is particularly important to the parcels located between 300 South and 700 South, and between 5200 and 5600 West. If the water service is transferred to private ownership, then a 12-inch detector check assembly will need to be placed at the point of connection to the rest of the water system in 300 South. Legal agreements regarding the ownership and maintenance of the mains will need to be prepared and signed. It is also understood that fair market value for the facilities and for the easement rights will need to be purchased from Salt Lake City Public Utilities.

The applicant has proposed a 30-ft wide easement for the storm sewer system to remain. Considering the size of the pipe and the depth of the pipe, a 30-ft easement is not adequate for safe maintenance and replacement of the system. The current right of way is 66-ft with an additional 15-ft on both sides reserved as a public utility easement. This is a 96-ft wide corridor for all three utilities. If the water and the sanitary sewer lines transfer ownership it is still expected that a 50-ft easement will be needed to meet excavation safety guidelines and access. If the roads are vacated and the utilities remain public, it will be required that 24-hour access be allowed to Salt Lake City Public Utilities for the access and maintenance of any necessary utility mains.

Please note that Salt Lake City Public Utilities would prefer to retain ownership of all utility mains in this area with the full 96-ft for access and maintenance.

This project is built in an area where storm water is of a high concern. In addition to the standard restrictive storm water discharge policy of 0.2 cfs per acre discharge, a detailed study will need to be performed and additional storm water detention to account for regional detention. It should also be understood that culverts located under UDOT maintain roads are undersized and can only pass a restricted amount. The drainage study must also address the “pinch” points and not create additional flooding problems on neighboring parcels.

Note that this parcel is located near a site that has been purchased and is being prepared for a waste water treatment facility.

A number of complicated issues surround the applicant’s request to vacate 5500 West. We look forward to working closely with the applicant and their consultants to arrive at an agreement that will be mutually beneficial and will satisfy the needs.

Transportation

PLNPCM2009-01389 Street Closure Review – June 22, 2010

From: Walsh, Barry
Sent: Tuesday, June 22, 2010 11:19 AM
To: Pace, Katia
Cc: Young, Kevin; Weiler, Scott; Itchon, Edward; Garcia, Peggy; Barry, Michael; Butcher, Larry; Spencer, John
Subject: RE: PLNPCM2009-01389 - 5500 West Street Closure

Categories: Other

June 22, 2010

Katia Pace, Planning

Re: PLNPCM2009-01389 – Request to close 5500 West Street between 300 South to about 450 South

The division of transportation review comments and recommendations are as follows:

Per our review memo January 4, 2010, we requested a written verification letter from UDOT that 300 South 5600 West access is to remain and be upgraded as needed. Also that the 5200 West roadway will need to be developed to connect to 700 South. Both Access points are needed to service the areas north of 700 South to I-80 and east of 5600 West to 4000 West Bangerter Highway.

We have proposed revisions to the Major Street Plan Map to reflect future development of 5200 West corridor to extend south to connect to 700 South and the removal of 5500 West closure proposal.

The final roadway closure will require the removal of the intersection curb returns etc. at 300 South and replacement with continuous sidewalk, curb & gutter, and a new driveway approach, located in compliance with Salt Lake City design standards, as needed to define the separation of public roadway (300 South) and private drive (closed 5500 West).

Coordinate with Michael Barry (535-7147) for removal issues pertaining to the "Street Lighting" utilities on 5500 West.

Transportation

PLNPCM2010-00085 Amendment Review – June 22, 2010

From: Walsh, Barry
Sent: Tuesday, June 22, 2010 2:36 PM
To: Pace, Katia
Cc: Young, Kevin
Subject: RE: PLNPCM2010-00085 - Remove 5500 West from Major Street Plan

Categories: Other

June 22, 2010

Katia Pace, Planning

Re: PLNPCM2010-00085 – Request to remove the proposed 5500 West Street between 300 South and 700 South from the Major Street Plan.

The division of transportation review comments and recommendations are for approval of the proposed Major Street Plan revision.

Per the Master Street Plan update revision and the request to Close 5500 West from 300 South to 450 South, we have proposed the revision to remove 5500 West as a collector roadway proposal between 300 and 700 South.

Transportation

PLNPCM2009-01389 Street Closure Review – January 4, 2010

From: Walsh, Barry
Sent: Monday, January 04, 2010 10:39 AM
To: Pace, Katia
Cc: Young, Kevin; Weiler, Scott; Itchon, Edward; Garcia, Peggy; Barry, Michael; Butcher, Larry
Subject: 5500 W closure and sub amendment.

Categories: Other

January 4, 2010

Katia Pace, Planning

Re: PLN SUB2009-01390 – Preliminary for First Park Mountain View Plat 1, 1st Amendment.
PLN PCM2009-01389 – Request to close 5500 West Street where it abuts the First Park Mountain View Plat 1 from 300 South to @ 500 South.

The division of transportation review comments and recommendations are as follows:

Per our DRT review meeting 1/21/09, we require a written verification letter from UDOT that 300 So. 5600 West access is to remain and upgraded as needed. Also that the 5200 W roadway will be developed to connect to 700 So. Both Access points are needed to service the areas north of 700 South to I-80 and east of 5600 West to 4000 West Bangerter Highway.

This issue was also noted at our 10/20/09 DRT meeting along with requirement to coordinate with Michael Barry (535-7147) for removal issues pertaining to the “Street Lighting” utilities.

The final roadway closure will require the removal of the intersection curb returns etc. at 300 south and replacement with continuous sidewalk, curb & gutter, and a new driveway approach, located in compliance with salt lake city design standards, as needed.

DRT Review

January 21, 2009

Address: 5455 West 300 South

Project Name: Street Closure-Vacating 5500 West, south of 300 South, and build a new warehouse.

Contact: Corbin Bennion 713-3000/Ray Milliner 535-7645

Date Reviewed: January 21, 2009

Zone: CG/M-1

The Development Review Team (DRT) is designed to provide PRELIMINARY review to assist in the design of the complete site plan. A complete review of the site plan will take place upon submittal of the completed site plan to the Permits Counter.

Ken Brown/Zoning:

Will need to vacate the street, combine parcels to create one parcel with one parcel number to eliminate the need for cross access, cross drainage & parking lot landscaping issues. Will need to discuss a zoning map amendment to eliminate a split zoned property. Any relocation of property lines would require subdivision approval. Proposal will need to address the parking needs for the site per 21A.44., front & corner side yard setback, rear yard setback if appropriate, etc. Further review suggested as the proposal moves forward, and permit review submitted. Avigation Easement may need to be addressed for this site.

Norm Weiss/Transportation:

Need to have internal meeting with Planning & UDOT. No access onto 5600 W.

Ted Itchon/Fire:

No issues.

Brad Stewart/Public Utilities:

There is water, sewer, and 42" storm drain installed in this R.O.W. Public Utilities and developer will have to sort out what is important to keep, and what can be abandoned. Public Utilities tries to avoid utilities outside public R.O.W. May need easements which may limit buildable area. Perhaps water, sanitary sewer, and storm drain could be re-located.

Scott Weiler/Engineering:

5500 West was just built and if the vacation is approved, the road improvements will be demolished. See SLC PU regarding the utilities. Curb & gutter and sidewalk will be required across the vacated R.O.W. at 300 South.

DRT Review

October 20, 2009

Address: 5455 West 300 South
Project Name: Bishop Central Storehouse
Contact: Dave Keesler 801 634-2732
Date Reviewed: October 20, 2009
Zone: M-1

The Development Review Team (DRT) is designed to provide PRELIMINARY review to assist in the design of the complete site plan. A complete review of the site plan will take place upon submittal of the completed site plan to the Permits Counter.

Project Description: New warehouse/office building.

Ken Brown/Zoning:

Lots 3, 4, & 5 of the First Park Mountain View Plat 1, and vacating of 5500 W. Modification of the property lines requires a subdivision process. Vacating of the street requires a street closure process. If properties are not combined, cross access, cross drainage, and parking lot landscaping would need to be addressed accordingly. Use of any abutting lot for off-site parking or maneuvering would require recording of appropriate documents. A certified address for the project needs to be obtained from the Engineering Dept. Site plan to show all public way & site development elements and shall include parkstrip, front yard setback of 15', perimeter & interior parking lot landscaping areas per 21A.48, all easements, screened refuse containers (if dumpsters are planned), parking calculations for each use, fencing locations, etc. Ground mounted utility boxes, generators, etc, shall be reviewed as a Routine & Uncontested Matter. If site grading is planned prior to permit issuance, a Site Development permit application would need to be submitted for review.

Barry Walsh/Transportation:

Need to combine lots 3, 4, & 5. Propose to close & vacate 5500 W. *Utility easement. For street lighting, contact Mike Barry. Parking calculations (255 shown), note required & provided to comply with ADA & 5% bike stalls. Provide pedestrian walk access to public way (300 S.). New driveway (300 S.) 40' max. width (passenger 24, two-way). Security fence & gate, setbacks 17.5 + passenger vehicle, 100' truck staging.

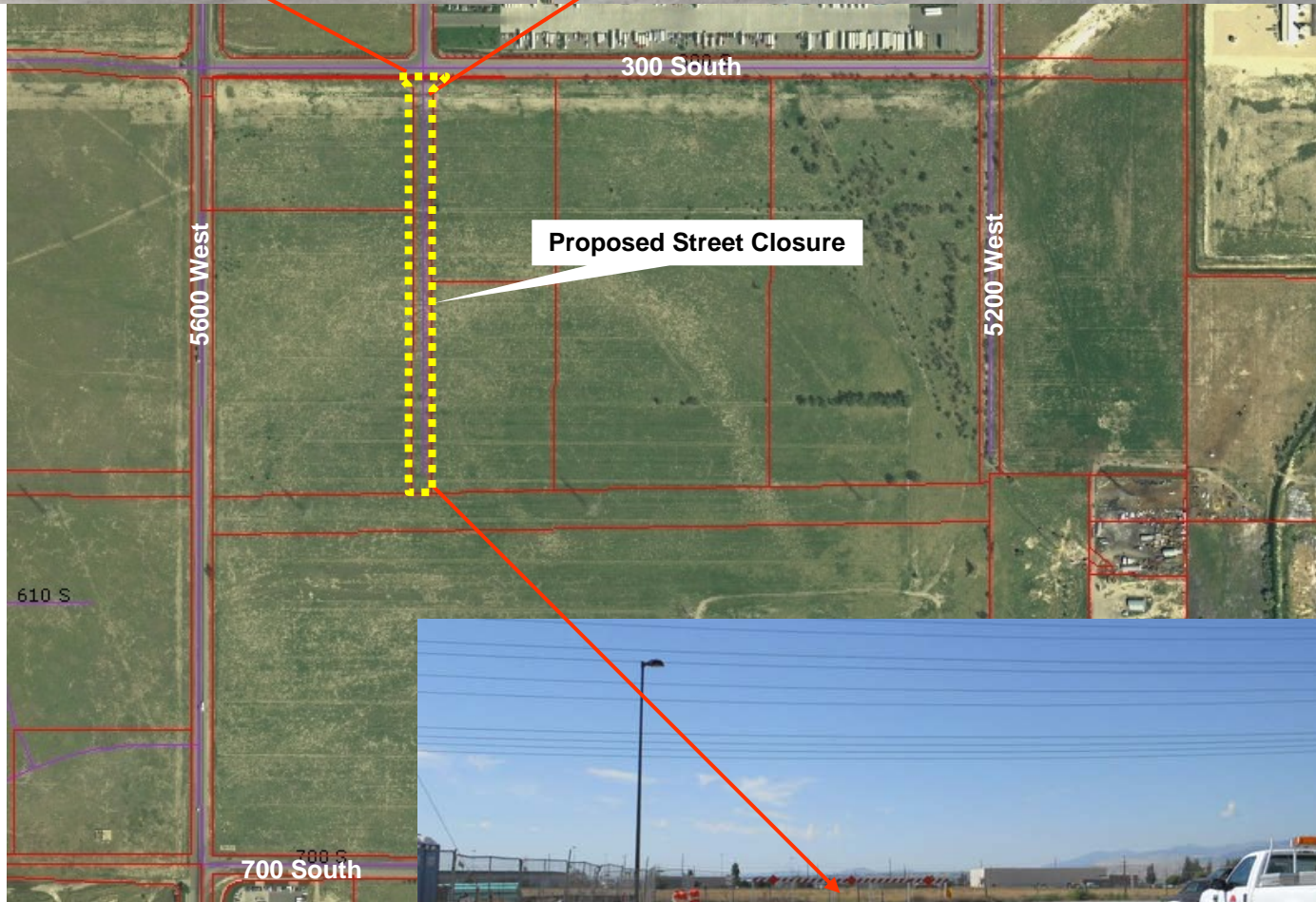
Brad Stewart/Public Utilities:

40 acres. 1st Park Sub. 549k s/f building. Site is environmentally clean. Dock high building. NOI, and SWPPP's. Detention, check outfall capacity, 0.2 cfs/acre max. discharge also share of "regional" detention. PU-1 form. With vacation of 5500 W. R.O.W., SLC PU will retain easement for water & sewer pipes with 24 hour access. Backflow prevention if multiple (emergency) water connections. Discussed backflow prevention & sand/oil separators for truck wash. Discussed drainage at re-fueling area.

Randy Drummond/Engineering:

Subdivision or condo plat required. (Amended plat to combine lot combo). Certified address required, prior to permit issuance, and after plat amendment. See Alice Montoya at 801 535-7248. Public Way Permit is required for project completion. Licensed, bonded and insured Contractor to obtain permit to install or repair required street improvements. Drive approach to be APWA std. plan 225. Site plan required. Notification to all utilities of vacation of 5500 W. required.

Attachment D
Photos



7. PLANNING COMMISSION
D) Minutes (Draft)

SALT LAKE CITY PLANNING COMMISSION MEETING

In Room 326 of the City & County Building

451 South State Street, Salt Lake City, Utah

Wednesday, August 11, 2010

Present for the Planning Commission meeting were Chair Babs De Lay and Frank Algarin, Vice Chair; Commissioners Mary Woodhead, Charlie Luke, Michael Fife, Michael Gallegos, Susie McHugh, Angela Dean Matthew Wirthlin and Kathleen Hill.

A field trip was held prior to the meeting Planning Commissioners present were: Frank Algarin, Vice Chair; and Commissioners Kathleen Hill, Michael Gallegos, Mary Woodhead, Charlie Luke and Michael Fife.

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at 5:45 p.m. Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time. Planning staff members present at the meeting were: Wilford Sommerkorn, Planning Director; Nick Norris, Planning Manager; Casey Stewart; Senior Planner, Ray Milliner: Principal Planner; Mike Maloy, Principal Planner; Wayne Mills, Senior Planner; Katia Pace Associate Planner; Paul Nielson, City Attorney; and Angela Hasenberg, Senior Secretary.

[5:46:12 PM](#)

Motion

Commissioner Woodhead made the motion to amend the agenda to bring item number 4, 5500 West Street Amendment to item number 1

Commissioner Luke seconded the motion.

Commissioners Luke, Fife, Gallegos, Dean, Wirthlin, Hill Algarin and Hill all voted "aye", the motion passed unanimously.

[5:48:44 PM](#)

Public Hearing

5500 West Street Amendment – A request by Paul Anderson for various approvals which would allow the combination of property on both sides of 5500 West Street between 300 South and 700 South, in order to develop the property for a warehouse use. The subject street is located between the CG General Commercial and M-1 Light Manufacturing zoning districts in Council District 2, represented by Van Turner. (Staff contact: Katia Pace at 801-535-6354 or katia.pace@slcgov.com)

- a. **PLNPCM2009-01389 5500 West Street Closure** – A request to close 5500 West Street between 300 South to about 490 South.
- b. **PLNPCM2010-00085 Major Street Plan Amendment** – A request to amend the Major Street Plan and remove 5500 West Street, between 300 South and 700 South, as a collector street from the Major Street Plan map.

Chair De Lay recognized Katia Pace as staff representative.

Ms Pace stated that this was a request for a street closure on 5500 West the street was built, the applicant, the LDS Church they were requesting the street closure for the Bishop's Storehouse project. The purpose was to keep the location safe and limit public access.

Ms Pace presented a PowerPoint presentation that indicated the property lines between the LDS Church property and Rocky Mountain Power.

The applicant planned to maintain the street in existence, but make it a private road with gates to limit public access.

The applicant is working with Rocky Mountain Power to provide access to their corridor.

Ms. Pace stated that the Transportation Department requested that their Transportation Master Plan be amended because 5500 West was designated as a collector street, and prior to street closure, the Planning Commission and the City Council would need to decide if the Master Plan would need to be amended. The Transportation department is open to the change due to the fact that 5600 W. was to be a major arterial street, but traffic that was anticipated to be on that road will be diverted to another corridor. Therefore, 5500 W. was not required to be maintained as a collector street.

Ms. Pace stated that staff recommended approval of the master plan amendment and street closure, and that 5500 W., from 300 S to approximately 490 S. be closed and declared surplus property.

[5:53:28 PM](#)

Public Comments:

None

[5:53:33 PM](#)

Close of Public Hearing

[5:53:48 PM](#)

Questions from the Commissioners:

Land Use attorney Paul Nielson clarified that the action would be to forward a recommendation to the City Council on closing the street. The City Council would not declare surplus property.

[5:54:04 PM](#)

Motion

Motion: Commissioner Wirthlin made the motion that in regard to PLNPCM2009-01389 5500 West Street Closure recommends that based on the information presented and findings in the staff report the Planning Commission forward a positive recommendation to the City Council to close the 5500 West Street between 300 to approximately 490 South subject to conditions of approval 1-4 and page one of the staff report and regarding PLNPCM2009-00358 Major Street Plan Amendment moved that the Planning Commission forward a favorable recommendation to City Council to amend Major Street Plan or remove 5500 West Street between 3rd and 700 South as a collector street.

Commissioner Algarin seconded the motion.

Commissioners Luke, Fife, Gallegos, Dean, Wirthlin, Hill Algarin and Hill all voted "aye", the motion passed unanimously.

8. ORIGINAL PETITIONS
A) Petition PLNPCM2009-01389

Remarks:

Also see PLNSUB2009-01390

Petition No: **PLNPCM2009-01389**

By: **Paul Anderson**

Street Closure

Date Filed: December 8, 2009

Address: **345 South 5500 West**



Street Closure

OFFICE USE ONLY
 Petition No.: PLNPCM2009-01389
 Date Received: 12/8/09
 Reviewed By: Thomas Ivins

345 S. 5500 W.

SALT LAKE CITY PLANNING

Address of Subject Property: 5500 S. 300 E. SLL, UT

mattk@greatbasinengineering.com

Project Name: BISHOP'S CENTRAL STOREHOUSE

Name of Applicant: PAUL ANDERSON

Phone: (801) 394-4515

Address of Applicant: 5746 S. 1475 E. - SUITE 200 Ogden, UT 84415

PCA@greatbasinengineering.com

E-mail Address of Applicant: PAUL@gbenorth.com

Cell/Fax: (801) 392-7544

Applicant's Interest in Subject Property: DEVELOPMENT OF PROPERTY

Name of Property Owner: GARY STRINGHAM

Phone: (801) 204-4047

E-mail Address of Property Owner: STRINGHAMGM@LDSCHURCH.ORG

Cell/Fax: F: (801) 204-1335

County Tax ("Sidwell #"): 326001

Zoning: COMMERCIAL

Existing Property Use: STREET & VACANT LOT

Proposed Property Use: DISTRIBUTION FACILITY

Please include with the application:

- ✓ 1. A letter explaining why you are requesting this street closure. Please include a statement explaining why the street closure is consistent with proposed public policy. If applicant is not a property owner adjacent to the street, please include the applicant's interest in the request.
- ✓ 2. The cost of first class postage for each address within 450 ft. is due at time of application. Please do not provide postage stamps.
- ✓ 3. The name, address and signatures of all abutting property owners who support the petition. You may use the sample petition accompanying this application or provide your own. Please note that the property owners must sign, not the occupants who rent.
- ✓ 4. A property ownership map (known as a Sidwell map) showing the area of the proposed street closure. On the map please:
 - a. Highlight the subject section of street.
 - b. Indicate with a list of the property owners and write their name on the Sidwell map identifying the property they own.
- 5. Filing fee of \$332.22 due at time of application.

Notice: Additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information submitted as part of the application may be copied and made public including professional architectural or engineering drawings which will be made available to decision makers, public and any interested party.

If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Buzz Center (535-7700) prior to submitting the petition.

County tax parcel ("Sidwell") maps are available at:
 Salt Lake County Recorder
 2001 South State Street, Room N1600
 Salt Lake City, UT 84190-1051
 Telephone: (801) 468-3391

Submit your completed application to:
 Salt Lake City Buzz Center
 451 South State Street Rm 215
 PO Box 5490
 Salt Lake City, UT 84114

Signature of Property

Owner or Representative: [Signature]

(Title)

Date: 12/8/09

Please Answer the Following Questions. Use an Additional Sheet if Necessary.

Please describe your proposed construction:

The owner plans to construct an approximately 600,000 square foot storehouse facility. In connection with this building a semi vehicle maintenance facility will also be built. The site will be fenced off for security and will utilize guard shack at all secure entrances. An employee & visitor parking lot will be located to the North west of the main building with accesses prior to a guard shack. No through traffic will be allowed across the site, excepting semis.

Specifically describe how your proposal meets the standards for approval as stated in Section 21A.52 of the Zoning Ordinance:

Section 21A.52 has been reviewed. The following indicates compliance with the mentioned zoning ordinance:

- 21A.52.040: All required information is included with this application. It is understood that further information may be required. It will be submitted upon request.
- 21A.52.050: Both required applications are included.
- 21A.52.060: The proposed facility complies with all general standards, including "A" through "G"
- 21A.52.070: ANY restrictions imposed will be adhered too.
- 21A.52.090: Further general conditions are understood.
- 21A.52.100: CERTAIN special exception conditions may be imposed and all items constructed will be approved.

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

PHYSICAL FACILITIES DEPARTMENT
50 E. North Temple St. Rm. 1205
Salt Lake City, Utah 84150-6320
Phone: 1-801-240-3840
Facsimile: 1-801-240-2913

December 3, 2009

Salt Lake City Planning Department
451 S. State Street, Suite 406
Salt Lake City, UT 84111

Re: Vacation of 5500 W, South of 300 South

To whom it may concern:

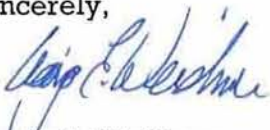
On or about June 3, 2009 The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation Sole and/or a related entity ("Church") purchased property owned and developed by FR/CAL FIRST PARK SLC, LLC, located at 5600 W and 300 S. On July 29, 2008 the prior owner recorded the "First Park Mountain View Plat 1", dedicating 5500 W south of 300 S as a public street.

The Church purchased approximately 144 acres including property contiguous to 5500 W, South of 300 South. The street as it exists dead ends at the south property line, ending with a temporary turnaround.

The Church hereby requests the vacation (Street Closure) of 5500 West Street, South from 300 South to the South line of First Park Mountain View Plat 1 in order to facilitate the building of a warehouse, office building, and parking lots. The street closure will enable the Church to maximize the use of the land adjacent to both sides of the road without having to cross public property. It will also enable the Church to meet setback requirements as provided in the applicable building code.

The Church will assume ownership of the improvements in the road as they exist with exception of the storm drain system which will be in a 30' wide public utility easement and remain the property of Salt Lake City. The Church understands its requirement to pay fair market value for the proposed vacated road.

Sincerely,



Craig E. Weidmer
Real Estate Project Manager

8. ORIGINAL PETITIONS
B) Petition PLNPCM2010-00085

Remarks:

Petition No: **PLNPCM2010-00085**

By: **Paul C. Anderson**

Master Plan Amendment

Date Filed: February 25, 2010

Address: **395 South 5500 West**



Master Plan Amendment

OFFICE USE ONLY
 Petition No. PLN/PCM2010-00085
 Date Received: 2/25/10
 Reviewed By: _____

SALT LAKE CITY PLANNING

Address of Subject Property: 395 SOUTH 5500 WEST SALT LAKE CITY, UT

Project Name: BISHOP CENTRAL STOREHOUSE

Name of Applicant: PAUL C. ANDERSON Phone: (801) 394-4515

Address of Applicant: 5746 S. 1475 E. Ogden, UT 84403

E-mail Address of Applicant: PCA@greatbasinengineering.com Cell/Fax: (801) 392-7544

Applicant's Interest in Subject Property: SURVEYOR & CIVIL ENGINEER FOR OWNER.

Name of Property Owner: GARY STRINGHAM Phone: 801-240-4047

E-mail Address of Property Owner: STRINGHAMGMC@LDSCHURCH.ORG Cell/Fax: 801-240-1335

Street Vacate

Please include with the application:

1. A statement declaring the purpose for the amendment and the exact language. Include proposed boundaries, master plan area, and / or zoning district changes.
2. Declare why the present master plan requires amending.
3. A copy of the Sidwell Map(s) that cover for the subject area and list of affected properties Sidwell Numbers.
4. Depending on the request, the names and addresses of all property owners within 450 feet of the subject property. The address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing label. Please include yourself and the appropriate Community Council Chair(s). Address labels are available at the address listed below. **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
5. If applicable, a signed, notarized statement of consent from property owner authorizing applicant to act as agent.
6. **Filing fee of \$830.55, plus \$110.74 for each acre over one acre and the cost of first class postage is due at time of application.**

Applications must be reviewed prior to submission. Please call 535-7700 for an appointment to review your application.

Notice: Additional information may be required by the project planner to ensure adequate information is provided for staff analysis.

All information submitted as part of the application may be copied and made public including professional architectural or engineering drawings which will be made available to decision makers, public and any interested party.

County tax parcel ("Sidwell") maps and names of property owners are available at:

Salt Lake County Recorder
2001 South State Street, Room N1600
Salt Lake City, UT 84190-1051
Telephone: (801) 468-3391

File the complete application at:

Salt Lake City Buzz Center
451 South State Street, Room 215,
Salt Lake City, UT 84111

Signature of Property Owner _____

Or authorized agent

1. General Description of the proposed Master Plan Amendment:

It is proposed that the right of way of 5500 West Street from 300 South Street to the North easement line of a 130 foot Rocky Mountain Power Parcel be vacated and added to the parcel to the East of the right of way. The main reason for this is to increase security of the proposed facility that is to be built to the East of the right of way and restrict public traffic.

2. A statement declaring the purpose for the amendment and the exact language. Include proposed boundaries, master plan area, and / or zoning district changes:

Presently the Church of Jesus Christ of Latter-day Saints owns the large majority of the property between 5600 West to 5200 West and 300 South to 700 South. The purpose of the amendment is to eliminate the right of way for 5500 West Street as the owner does not desire to have their parcels separated by a roadway. The attached sheets indicate the boundaries of the vacation.

3. Declare why the present master plan requires amending:

Currently the city's master plan shows a future thoroughfare running north to south along 5500 West Street. To restrict public traffic from using the current 5500 West Street, which currently dead-ends, and to increase the security of a proposed facility that is to be built to the East of the right of way, the owner sees fit to amend the current master plan.

It is important to indicate that while the closing of 5500 West Street may seem restricting to the future flow of the neighborhood, it will not be of much of an inconvenience as there is currently a main thoroughfare one block to the West and another planned for construction in the future along 5200 West Street. Due to the type and benefit that this facility brings to the Salt Lake City area, we feel it is in the city's best interests to allow the amendment.