SALT LAKE CITY COUNCIL STAFF REPORT

DATE: March 2, 2010

SUBJECT: Petition No. PLNPCM2009-00434 – A petition by Jefferson

Street Partners requesting that Salt Lake City close and abandon 330 feet of Jefferson Street (approximately 140 West) running

north from 800 South.

STAFF REPORT BY: Jennifer Bruno, Deputy Director

AFFECTED COUNCIL DISTRICTS: District 4

ADMINISTRATIVE DEPT: Community and Economic Development Department

AND CONTACT PERSON: Kevin LoPiccolo, Planning Division

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

Public Hearing

The Council's public hearing on this issue is March 2, 2010. The Council may wish to Close the Public Hearing and defer action to March 9th, or vote on the petition at the conclusion of the public hearing.

POTENTIAL MOTIONS:

- 1. ["I move that the Council"] Close the Public Hearing.
- 2. ["I move that the Council"] Close the Public Hearing and refer action to March 9th.
- **3.** ["I move that the Council"] Adopt an ordinance closing Jefferson Street, running North from 800 South.
- **2.** ["I move that the Council"] Not adopt an ordinance closing Jefferson Street, running North from 800 South.

KEY ELEMENTS:

- A. Key points from the Administration's transmittal are as follows:
 - 1. The requested street closure would be incorporated into the Mark Miller auto dealership, currently located on either side of the subject street closure.
 - 2. The street extends northward approximately 330 feet from 800 South.
 - 3. On August 14, 1990, the Salt Lake City Council adopted Ordinance #73 (included in the Administration's transmittal), which closed Jefferson Street in the interior of the block between 700 and 800 South, West Temple and 200 West.
 - i. The applicant was recently advised by First American Title Company that a deed conveying the property from Salt Lake City to the petitioner at the time was never recorded for this portion of Jefferson Street.
 - ii. In reading the ordinance from 1990, it appears that this deed should have been recorded for the entire length of Jefferson Street between 700 and 800 South.

- iii. The application would like to acquire the land in what is remaining of Jefferson Street and eliminate this potential title problem
- 4. The petitioner owns all properties adjacent to the subject street closure. The uses of the surrounding property are exclusively the Mark Miller auto dealership.
- 5. The site is zoned Downtown Support (D-2).
- 6. The subject property is located approximately ½ block from the 900 South TRAX Station (200 West between 800 and 900 South).
- 7. The subject property to be closed is approximately 330 feet long and approximately 20 feet wide, 6,600 square feet (approximately .15 acres). Property Management has determined that fair market value for the property is approximately \$3.67 per square foot (approximately \$25,000 total), which the applicant will be required to pay prior to disposition of the property.
- 8. The Planning Commission Staff report notes the following findings in relation to this petition:
 - i. The closure of Jefferson street is consistent with the City's policies, since the applicant owns all of the land adjacent to Jefferson Street, and the street is no longer needed to supply access to properties or utilities. As such, the closure of this section of Jefferson Street will have no significant impacts on the public in general.
 - ii. The planning staff indicates that by closing this portion of the road, a better definition of property line and ownership will be maintained.
 - iii. In addition, planning staff notes the following elements that outweigh alternatives to closing the street:
 - 1. Closing and selling the property could eliminate nuisance activitiy (loitering, vehicle abandonment);
 - 2. Closing and selling the property will provide the applicant with means for a better development;
 - 3. The closure of this street has no negative impact on property access.
- B. The surrounding land uses are all Downtown Support (D-2). Further South on Jefferson Street (between 800 and 900 South) is a section zoned RMF-45, that includes an RDA-funded townhouse development.
- C. The petitioner has already developed a significant portion of the property (Mark Miller Toyota dealership). The subject portion of Jefferson street now ends at a new building just constructed. Therefore, continuing Jefferson Street north to 700 South would not be possible unless a portion of the building was demolished, and the City purchased the required property from the petitioner.
- D. All necessary City departments and divisions reviewed the proposal and recommended approval of the street and alley closures subject to City standards and specific requirements.
- E. The Administration's transmittal notes that Street Closure and surplus property requests do not require input from a Community Council, although notice was mailed to all property owners within a 450 foot radius, as well as the Chair of the Central City Community Council. An e-mail notice was also sent to all those listed on the Planning Division list-serve.
- F. On July 8, 2009 the Planning Commission held a public hearing on the petition. The Commission passed a motion to forward a positive recommendation to the City Council to

- approved the proposed street closure, subject to the typical conditions applied in the street closure ordinance, including fair market value payment and compliance with City Code 2.58 (governing disposition of City owned real property).
- G. An ordinance has been prepared by the City Attorney's office and includes the conditions of approval identified by the Planning Commission. The City Recorder is instructed not to record the ordinance until the conditions have been met and certified by the Planning Director and the City Property Manager.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR ADMINISTRATION:

- A. The subject portion of property is located in the West Temple Gateway Redevelopment Area. The City Council, acting as the Board of Directors of the Redevelopment Agency (RDA) has spent the last several years acquiring and developing property along the 200 West TRAX corridor (specifically around the TRAX Station at 850 South 200 West) with the intention of developing the street in a pedestrian-friendly, transit-oriented manner. In 2007, the RDA Board voted to trade land owned by the agency at 747 South 200 West (south of Angelina's Corner, to the north west of the subject property) to the petitioner, for land on the corner of 200 West and 900 South (closer to the TRAX Station as well as other agency-owned parcels). At the time board members voiced concern about the development of the 200 West frontage, and encouraged the petitioner to develop the property in a pedestrian friendly way. The Council may wish to discuss the development pattern of this block in the context of other RDA investments being made in the area.
- B. Council Staff has asked the Attorney's Office to review the ordinance previously adopted by the Council in 1990 to determine if it has any bearing on the petition before the Council currently. The Attorney's Office has not responded in time for the printing of this staff report, but an answer will be made available in time for the work session on February 2nd.
- C. The Council's Street Closure policy (see Master Plan and Policy Consideration item E below) does not specifically reference the Council's stated desire to increase the number of midblock connecting streets and walkways in and around Downtown. *The Council may wish to consider amending the Council's Street Closure Policy to include this policy goal.*

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. The Central Community Future Land Use map (2005), identifies the subject property of the development as Central Business District Support.
 - a. The subject property is in the "Downtown Neighborhood Planning Area" within the Central Community. This Planning Area references the Downtown Master Plan (1995, see next bullet point) and Urban Design Element as the planning/policy documents for the area.
 - b. Relevant Commercial Land Use Policies/Goals outlined in the plan include the following:
 - i. Increase multiple land use activities within a dense urban area following the guidelines established in the Downtown Master Plan and in the City Council's Downtown Economic Development Policy.
 - ii. Encourage commercial projects in and near light rail corridors to support transit oriented development.
 - iii. Encourage the reuse of existing commercial buildings when appropriate to support transit oriented development.

- iv. Encourage the reduction of outdoor storage areas on commercial and industrial establishments and promote urban design methods for screening such land uses.
- B. The Downtown Master Plan (1995) has as a stated goal to establish a mid-block walkway system in and around downtown to encourage pedestrian activity and promote walkability.
- C. The purpose of the Downtown Support District (D-2), is to accommodate commercial uses and associated activities that relate to and support the Central Business District, but do not require a location within the CBD. This zoning classification permits automobile dealerships as a conditional use. Development can also be less intensive than that of the Central Business District.
- D. The City's Transportation Master Plan (adopted 2006) identifies this street as a "local" street, providing access to and from abutting property. No other purpose is identified in this plan.
- E. 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.
- F. 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.
- G. The City's Strategic Plan and the Futures Commission Report contain statements that support creating attractive conditions for business expansion including retention and attraction of large and small businesses, but not at the expense of minimizing environmental stewardship or neighborhood vitality. The documents express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting.

CHRONOLOGY:

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

• April 16, 2009

Petition submitted to planning

July 8, 2009 Planning Commission public hearing
 August 12, 2009 Planning Commission Minutes ratified
 August 14, 2009 Ordinance received from Attorney's Office
 December 2009 Transmittal received in Council Office

cc: David Everitt, Ed Rutan, Lynn Pace, Paul Neilson, Orion Goff, Larry Butcher, Rick Graham, Jeff Neirmeyer, Tim Harpst, Max Peterson, Frank Gray, Mary De La Mare-Schaefer, Wilf Sommerkorn, Pat Comarell, Kevin LoPiccolo, Karen Hale, Sylvia Richards, Quin Card, Nick Tarbet, Janice Jardine

File Location: Community and Economic Development Dept., Planning Division, Street Closures, Jefferson Street Partners, Jefferson Street (running north from 800 South, between West Temple and 200 West)

SALT' LAKE; GHIY CORPORATION

FRANK B. GRAY DIRECTOR

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT OFFICE OF THE DIRECTOR

RALPH BECKER MAYDR

MARY DE LA MARE-SCHAEFER

DEPUTY DIRECTOR

ROBERT FARRINGTON, JR. DEPUTY DIRECTOR

CITY COUNCIL TRANSMITTAL

David Everitt, Chief of Staff

Date Received: NOV 4, 2000

Date Sent to City Council: MN 5,

TO:

Salt Lake City Council

Carlton Christensen, Chair

DATE:

October 12, 2009

SCANNED BY: A.C.

DATE: 11/4/09

FROM:

Frank Gray, Community & Economic

Development Department Director

RE:

Petition PLNPCM2009-00434: Jefferson Street Partners requesting that Salt Lake

City close and abandon 330 feet of Jefferson Street (approximately 140 West)

running north from 800 South, and declare it surplus property

STAFF CONTACTS:

Kevin LoPiccolo, Planning Program Supervisor, at (801) 535-6003

or kevin.lopiccolo@slcgov.com

RECOMMENDATION:

That the City Council hold a briefing and schedule a Public

Hearing

DOCUMENT TYPE:

Ordinance

BUDGET IMPACT:

Property Management has proposed a dollar value of \$3.67 per

square foot, which the applicant agrees to pay.

DISCUSSION:

Issue Origin: Jefferson Partners is requesting Salt Lake City close the remaining 330 feet of Jefferson Street (approximately 140 West) running north from 800 South and declare it surplus property. The applicant is requesting the additional land so the property can be incorporated and used as part of the Mark Miller auto dealership.

On August 14, 1990, the Salt Lake City Council adopted Ordinance No. 73, (Attachment B) which closed Jefferson Street in the interior of the block between 700 and 800 South West TC

Temple and 200 West.

451 SOUTH STATE STREET, ROOM 404

P.O. BOX 145486, SALT LAKE CITY, UTAH 84114-5486 TELEPHONE: 801-535-6230 FAX: 801-535-6005

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NOV 04

RECYCLED PAPER

The applicant was advised by First American Title Insurance Company that there has never been a Deed recorded whereby Salt Lake City conveyed its interest in this portion of Jefferson Street that runs approximately 330 feet north of 800 South that was closed by Ordinance No. 73. The applicant would like to acquire the land contained in what is still Jefferson Street and eliminate any potential title problem that may exist regarding the part of Jefferson Street that was closed by Ordinance No. 73.

The City Council has the authority to close public streets. The disposition of City-owned real property is an administrative function under the authority of the Mayor and requires that the Planning Commission declare the subject property surplus.

Analysis: The closure of Jefferson Street is consistent with City's polices, since the applicant owns all of the land adjacent to Jefferson Street and Jefferson Street is no longer needed to supply access or utilities to any of the land previously served by the street.

The proposal was reviewed by all applicable City departments and divisions. There were no issues raised by the City that would prevent the proposal from proceeding. The applicant must comply with all City requirements.

Master Plan Considerations:

Central Community Master Plan, adopted in 2005

The plan identifies the geographic location of the downtown and describes the city's downtown as the "central place" for the Wasatch Front. There is no language on street closures in this area.

Salt Lake City Transportation Master Plan or Major Street Plan, adopted in 2006
The subject street is identified as a "local" street in the Transportation Master Plan. 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 at low speed.

PUBLIC PROCESS:

Street closures and surplus property requests do not require input from a Community Council.

On June 23, 2009, notice regarding the related Planning Commission hearing was mailed to all property owners within a 450 foot radius of the subject property and to the chair of the Central City Community Council, meeting the fourteen (14) day minimum notification requirement. A notice was also sent to all those listed on the Planning Division list-serve and the agenda was posted on the Division's website. No new comments from the public or from abutting property owners were received as of the date of the Planning Commission hearing.

The Planning Commission held a public hearing on July 8, 2009. At the meeting, the Planning Commission passed a motion to transmit a positive recommendation to the City Council to approve the proposed closure of Jefferson Street, declare it surplus property, and sell the property

to the applicant at a value determined by the Property Management Division. The vote was unanimous in favor of closing the street with the following conditions:

- 1. Prior to City Council consideration the applicant will work with the City Property Management Division to obtain a compensation price for the subject property.
- 2. Compliance with City Code 2.58 which regulates the disposition of City owned real property.

RELEVANT ORDINANCES:

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

Section 2.58 – Sale of Real Property – Notice and Hearing

A decision to close a street is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. The standards were evaluated in the Planning Commission staff report and considered by the Planning Commission. Discussion and findings for these standards are found on pages 4-5 of the staff report. (Attachment 6).

TABLE OF CONTENTS

- 1. Chronology
- 2. Ordinance
- 3. Notice of City Council Hearing
- 4. Mailing Labels
- 5. Planning Commission Agenda for June 10, 2009
- 6. Staff Report for the June 10, 2009 Commission meeting
- 7. Planning Commission minutes from June 10, 2009
- 8. Original Petition

PROJECT CHRONOLGY

•	April 16, 2009	Petition delivered to Planning
•	April 30, 2009	Petition assigned
•	May 12, 2009	Request Department Comments
•	June 23, 2009	Notice for July 8, 2009 Planning Commission
•	July 8, 2009	Planning Commission Hearing
•	July 8, 2009	Ordinance requested from City Attorney
•	August 14, 2009	Attorney Office provides Ordinance
•	August 12, 2009	Planning Commission Minutes ratified

SALT LAKE CITY ORDINANCE

No. of 200

(Closing and abandoning a portion of Jefferson Street)

An ordinance closing and declaring as surplus property a portion of Jefferson Street at 800 South Street pursuant to Petition No. PLNPCM2009-00434.

WHEREAS, the Salt Lake City Planning Commission ("Planning Commission") held a public hearing on July 8, 2009 to consider a request made by Jefferson Partners, LLC (Petition No. PLNPCM2009-00434) to close a portion of Jefferson Street northward from its intersection with 800 South Street and declare same as surplus property; and

WHEREAS, at its July 8, 2009 hearing, the Planning Commission voted in favor of forwarding a positive recommendation on said petition to the Salt Lake City Council ("City Council"); 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 closure of the portion of the street and declaring same to be surplus will not be adverse to the general public's interest; and

WHEREAS, the title to the closed portion of the street shall remain with the City until sale for fair market value or its equivalent.

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

SECTION 1. <u>Closing and Abandoning Street</u>. A portion of Jefferson Street northward from its intersection with 800 South Street, which is the subject of Petition No. PLNPCM2009-00434, and which is more particularly described on Exhibit "A" attached hereto, and the same hereby is, closed and abandoned and declared no longer needed or available for use as a street.

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

SECTION 3. Conditions. This street closure is conditioned upon the following:

- a. 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
- b. 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

SECTION 4. <u>Effective Date</u>. 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, as certified by the Salt Lake City Property Manager.

SECTION 5. <u>Time</u>. 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	s day of
, 2009.			

	CHAIRPERSON			
ATTEST:				
CHIEF DEPUTY CITY RECORD	ĒR			
Transmitted to Mayor on		·		
Mayor's Action:	Approved.	Vetoed.		
	MAYOR			
CHIEF DEPUTY CITY RECORDS	ĒR			
(SEAL)		Sent Leng Only Attorney's Order		
Bill No of 2009. Published:		PAN C. NIESON, SP. CITY ATORNEY		

 $HB_ATTY - \#9427 - v1-Ordinance_closing_a_portion_of_Jefferson_Street$

EXHIBIT A

The legal description of Jefferson Street is as follows:

BEGINNING 72.5 feet West (South 89°57'29" West as surveyed) of the Southeast Corner of Lot 3, Block 14, Plat "A," Salt Lake City Survey, and running thence North 20 rods (North 0°00'55" West 333.08 feet as surveyed); thence West 20 feet (South 89°57'23" West as surveyed); thence South 20 rods (South 0°00'55" East 333.08 as surveyed); thence East 20 feet (North 89°57'29" East as surveyed) to the POINT OF BEGINNING.

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition PLNPCM2009-00434, a request by Jefferson Partners, applicant, to close 330 feet of Jefferson Street (approximately 140 West) running north from 800 South, and declare it surplus property.

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 & County Building 451 South State Street Salt Lake City, Utah

If you have any questions relating to this proposal or would like to review the file, please call Kevin LoPiccolo at (801) 535-6003 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at kevin.lopiccolo@slcgov.com

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please call (801) 535-7757; TDD (801) 535-6021.

[15-12-254-001-0000] JUAREZ, ALFREDO H & PATRICIA H; JT 3088 S ALPINE MEADOWS DR WEST VALLEY, UT 84120-1638

[15-12-231-022-0000] CAR MIL LLC 8270 GREENSBORO DR #950 MCLEAN, VA 22102-

[15-12-231-022-0000] MARK MILLER TOYOTA 717 S WEST TEMPLE ST Salt Lake City, Utah 84101

[15-12-208-007-0000] **DAVINCI HOMES** 205 W 700 S #101 Salt Lake City, Utah 84101

[15-12-208-007-0000] COLDSWEEP SOLUTIONS INC 205 W 700 S #101 Salt Lake City, Utah 84101

[15-12-254-002-0000] 800 SOUTH GUEST HOUSE 165 W 800 S Salt Lake City, Utah 84101

[15-12-210-002-0000] Residents 208 W 800 S Salt Lake City, Utah 84101-2907

[15-12-211-029-0000] Residents 160 W 800 S Salt Lake City, Utah 84101-2905

[15-12-254-018-0000] Residents 802 S JEFFERSON ST Salt Lake City, Utah 84101-2910

[15-12-254-023-0000] Residents 820 S JEFFERSON ST Salt Lake City, Utah 84101-2910

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[15-12-254-037-0000] JUAREZ, ALFREDO H & PATRICIA H; JT 3088 S ALPINE MEADOWS DR WEST VALLEY, UT 84120-1638

[15-12-231-026-0000] KEN GARFF NISSAN OF SALT LAKE 777 S WEST TEMPLE ST Salt Lake City, Utah 84101

[15-12-230-038-0000] SATURN OF SALT LAKE INC 770 S WEST TEMPLE ST Salt Lake City, Utah 84101

[15-12-209-009-0000] LAMAR TRANSIT OF SALT LAKE CITY 754 S 200 W Salt Lake City, Utah 84101

[15-12-208-007-0000] GRAPE IVY TOWNHOMES, LLC 205 W 700 S #101 Salt Lake City, Utah 84101

[15-12-208-007-0000] Residents 710 S 200 W Salt Lake City, Utah 84101-2707

[15-12-211-023-0000] Residents 766 S JEFFERSON ST Salt Lake City, Utah 84101-2719

[15-12-254-002-0000] Residents 167 W 800 S Salt Lake City, Utah 84101-2906

[15-12-254-019-0000] Residents 806 S JEFFERSON ST Salt Lake City, Utah 84101-2910

[15-12-276-002-0000] Residents 125 W 800 S Salt Lake City, Utah 84101-2904

[15-12-276-003-0000] CAMPBELL, DARCY S 4566 S BRIANS WY WEST VALLEY, UT 84119-5605

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[15-12-208-007-0000] OVERLAND CONSTRUCTION CORP 205 W 700 S #101 Salt Lake City, Utah 84101

[15-12-276-035-0000] 7 ELEVEN STORE #26282B 111 W 800 S Salt Lake City, Utah 84101

[15-12-276-001-0000] TACOS AND TORTAS GUADALAJARA CHILIN 143 W 800 S #5 C&D Salt Lake City, Utah 84101

[15-12-209-009-0000] Residents 758 S 200 W Salt Lake City, Utah 84101

[15-12-211-026-0000] Residents 176 W 800 S Salt Lake City, Utah 84101-2905

[15-12-254-004-0000] Residents 821 S 200 W Salt Lake City, Utah 84101-2902

[15-12-254-022-0000] Residents 814 S JEFFERSON ST Salt Lake City, Utah 84101-2910

[15-12-276-002-0000] Residents 127 W 800 S Salt Lake City, Utah 84101-2904

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[15-12-212-019-0000] ANGELINA'S CORNER LLC 925 S 200 W #A SALT LAKE CITY, UT 84101-2936 [15-12-212-020-0000] ANGELINA'S CORNER LLC 925 S 200 W #A SALT LAKE CITY, UT 84101-2936 [15-12-212-023-0000] ANGELINA'S CORNER LLC 925 S 200 W #A SALT LAKE CITY, UT 84101-2936

[15-12-212-024-0000] ANGELINA'S CORNER LLC 925 S 200 W #A SALT LAKE CITY, UT 84101-2936 [15-12-212-032-0000] ANGELINA'S CORNER LLC 925 S 200 W #A SALT LAKE CITY, UT 84101-2936 [15-12-276-006-0000] AM PROPERTIES, LLC 4646 W 5215 S SALT LAKE CITY, UT 84118-5735

[15-12-276-002-0000] ROCK ENTERPRISES LLC 331 S 600 E SALT LAKE CITY, UT 84102-4014 [15-12-212-025-0000] WAYMENT, MATTHEW 171 W 700 S #307 SALT LAKE CITY, UT 84101-2763 [15-12-211-027-0000] GILLIES, SHIRLEY A; LIFE ET AL 166 W 800 S SALT LAKE CITY, UT 84101-2905

[15-12-253-029-0000] SNT ENTERPRISES LC 231 W 800 S #A SALT LAKE CITY, UT 84101-2907 [15-12-276-005-0000] FEDERER, FREDERICK C 48 W BROADWAY ST #2008 SALT LAKE CITY, UT 84101-2004 [15-12-211-042-0000] JEFFERSON PARTNERS LLC 3113 E CARRIGAN CANYON DR SALT LAKE CITY, UT 84109-1476

[15-12-211-023-0000] JEFFERSON PARTNERS LLC 3113 E CARRIGAN CANYON DR SALT LAKE CITY, UT 84109-1476 [15-12-211-029-0000]
JEFFERSON PARTNERS LLC
3113 E CARRIGAN CANYON DR
SALT ŁAKE CITY, UT 84109-1476

[15-12-211-024-0000] THOMAS PARTNERS LLC 3113 E CARRIGAN CANYON DR SALT LAKE CITY, UT 84109-1476

[15-12-211-030-0000] THOMAS PARTNERS LLC 3113 E CARRIGAN CANYON DR SALT LAKE CITY, UT 84109-1476 [15-12-230-038-0000] THOMAS PARTNERS LLC 3113 E CARRIGAN CANYON DR SALT LAKE CITY, UT 84109-1476 [15-12-254-021-0000] KESLER, STEPHEN J & MORGAN K; JT 812 S JEFFERSON ST SALT LAKE CITY, UT 84101-2910

[15-12-276-004-0000] BASSETT, DALLIN G & NELSON, RYANN C; JT 813 S JEFFERSON ST SALT LAKE CITY, UT 84101-2910 [15-12-231-026-0000] GARFF-WARNER NISSAN OF SLC, LLC 405 S MAIN ST #1200 SALT LAKE CITY, UT 84111-3407 [15-12-209-009-0000] PINE ISLAND PROPERTIES LLC 3010 E MIDDLETON WY SALT LAKE CITY, UT 84124-3025

[15-12-276-001-0000] MORAIS, ARTHUR & KARLA; JT PO BOX 333 SALT LAKE CITY, UT 84110-0333 [15-12-254-002-0000] MORAIS, ARTHUR & KARLA; JT PO BOX 333 SALT LAKE CITY, UT 84110-0333

[15-12-254-018-0000] MORAIS, ARTHUR & KARLA; JT PO BOX 333 SALT LAKE CITY, UT 84110-0333

[15-12-277-020-0000] UNIVERSITY OF UTAH 875 S WESTTEMPLE ST SALT LAKE CITY, UT 84101-2954 [15-12-254-019-0000] FOWKES, JESSE G 387 N 300 W SANTAQUIN, UT 84655 [15-12-212-022-0000] WARNER, JOHN H, JR & LINDA M; TRS (W F TRUST) 2048 N CHETTRO TRAIL ST GEORGE, UT 84770

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[15-12-254-038-0000] FEDERER, CHARLES R; TR 4597 E LINKS PKWY CENTENNIAL, CO 80122-3723

[15-12-276-024-0000] WILLIAMS, SUMMER 1360 E SIESTA DR COTTONWOOD HTS, UT 84093-6142

[15-12-208-007-0000] CHILDREN'S MIRACLE NETWORK 4525 S 2300 E HOLLADAY, UT 84117-4433

[15-12-254-023-0000] AM PROPERTIES, LLC 4646 W 5215 S KEARNS, UT 84118-5735

[15-12-212-006-0000] GORNIK, EDWARD J & HOLLY L; JT 725 S 200 W #308 SALT LAKE CITY, UT 84101-2708

[15-12-212-030-0000] LYMAN, KARI N 725 S 200 W #404 SALT LAKE CITY, UT 84101-2708

[15-12-212-028-0000] WATKINS, JOSHUA & SANJA; JT 725 S 200 W #402 SALT ŁAKE CITY, UT 84101-2708

[15-12-210-002-0000] SALT LAKE COMMUNITY ACTION PROGRAM, INC 764 S 200 W SALT LAKE CITY, UT 84101-2708

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[15-12-209-010-0000] GW ASSOCIATES, LLC 750 S 200 W SALT LAKE CITY, UT 84101-2708

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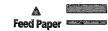
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WEST VALLEY, UT 84120-1638

[15-12-276-003-0000] CAMPBELL, DARCY S 4566 S BRIANS WY WEST VALLEY, UT 84119-5605

[15-12-231-022-0000] CAR MIL LLC 8270 GREENSBORO DR #950 MCLEAN, VA 22102[15-12-231-026-0000] KEN GARFF NISSAN OF SALT LAKE 777 S WEST TEMPLE ST Salt Lake City, Utah 84101 [15-12-254-001-0000] PATRICIA'S HAIR SALON 181 W 800 S Salt Lake City, Utah 84101

[15-12-231-022-0000] MARK MILLER TOYOTA 717 S WEST TEMPLE ST Salt Lake City, Utah 84101 [15-12-230-038-0000] SATURN OF SALT LAKE INC 770 S WEST TEMPLE ST Salt Lake City, Utah 84101 [15-12-208-007-0000]
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205 W 700 S #101
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[15-12-208-007-0000]
DAVINCI HOMES
205 W 700 S #101
Salt Lake City, Utah 84101

[15-12-209-009-0000] LAMAR TRANSIT OF SALT LAKE CITY 754 S 200 W Salt Lake City, Utah 84101 [15-12-276-035-0000] 7 ELEVEN STORE #26282B 111 W 800 S Salt Lake City, Utah 84101

[15-12-208-007-0000] COLDSWEEP SOLUTIONS INC 205 W 700 S #101 Salt Lake City, Utah 84101 [15-12-208-007-0000] GRAPE IVY TOWNHOMES, LLC 205 W 700 S #101 Salt Lake City, Utah 84101 [15-12-276-001-0000]
TACOS AND TORTAS GUADALAJARA CHILIN
143 W 800 S #5 C&D
Salt Lake City, Utah 84101

[15-12-254-002-0000] 800 SOUTH GUEST HOUSE 165 W 800 S Salt Lake City, Utah 84101 [15-12-208-007-0000] Residents 710 S 200 W Salt Lake City, Utah 84101-2707 [15-12-209-009-0000] Residents 758 S 200 W Salt Lake City, Utah 84101

[15-12-210-002-0000] Residents 208 W 800 S Salt Lake City, Utah 84101-2907 [15-12-211-023-0000] Residents 766 S JEFFERSON ST Salt Lake City, Utah 84101-2719 [15-12-211-026-0000] Residents 176 W 800 S Salt Lake City, Utah 84101-2905

[15-12-211-029-0000] Residents 160 W 800 S Salt Lake City, Utah 84101-2905 [15-12-254-002-0000] Residents 167 W 800 S Salt Lake City, Utah 84101-2906 [15-12-254-004-0000] Residents 821 S 200 W Salt Lake City, Utah 84101-2902

[15-12-254-018-0000] Residents 802 S JEFFERSON ST Salt Lake City, Utah 84101-2910 [15-12-254-019-0000] Residents 806 S JEFFERSON ST Salt Lake City, Utah 84101-2910 [15-12-254-022-0000] Residents 814 S JEFFERSON ST Salt Lake City, Utah 84101-2910

[15-12-254-023-0000] Residents 820 S JEFFERSON ST Salt Lake City, Utah 84101-2910 [15-12-276-002-0000] Residents 125 W 800 S Salt Lake City, Utah 84101-2904 [15-12-276-002-0000] Residents 127 W 800 S Salt Lake City, Utah 84101-2904



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[15-12-212-024-0000] ANGELINA'S CORNER LLC 925 S 200 W #A SALT LAKE CITY, UT 84101-2936 [15-12-212-032-0000] ANGELINA'S CORNER LLC 925 S 200 W #A SALT LAKE CITY, UT 84101-2936 [15-12-276-006-0000] AM PROPERTIES, LLC 4646 W 5215 S SALT LAKE CITY, UT 84118-5735

[15-12-276-002-0000] ROCK ENTERPRISES LLC 331 S 600 E SALT LAKE CITY, UT 84102-4014 [15-12-212-025-0000] WAYMENT, MATTHEW 171 W 700 S #307 SALT LAKE CITY, UT 84101-2763 [15-12-211-027-0000] GILLIES, SHIRLEY A; LIFE ET AL 166 W 800 S SALT LAKE CITY, UT 84101-2905

[15-12-253-029-0000] SNT ENTERPRISES LC 231 W 800 S #A SALT LAKE CITY, UT 84101-2907 [15-12-276-005-0000] FEDERER, FREDERICK C 48 W BROADWAY ST #2008 SALT LAKE CITY, UT 84101-2004 [15-12-211-042-0000] JEFFERSON PARTNERS LLC 3113 E CARRIGAN CANYON DR SALT LAKE CITY, UT 84109-1476

[15-12-211-023-0000] JEFFERSON PARTNERS LLC 3113 E CARRIGAN CANYON DR SALT LAKE CITY, UT 84109-1476 [15-12-211-029-0000] JEFFERSON PARTNERS LLC 3113 E CARRIGAN CANYON DR SALT LAKE CITY, UT 84109-1476 [15-12-211-024-0000] THOMAS PARTNERS LLC 3113 E CARRIGAN CANYON DR SALT LAKE CITY, UT 84109-1476

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[15-12-276-004-0000] BASSETT, DALLIN G & NELSON, RYANN C; JT 813 S JEFFERSON ST SALT LAKE CITY, UT 84101-2910 [15-12-231-026-0000] GARFF-WARNER NISSAN OF SLC, LLC 405 S MAIN ST #1200 SALT LAKE CITY, UT 84111-3407 [15-12-209-009-0000] PINE ISLAND PROPERTIES LLC 3010 E MIDDLETON WY SALT LAKE CITY, UT 84124-3025

[15-12-276-001-0000] MORAIS, ARTHUR & KARLA; JT PO BOX 333 SALT LAKE CITY, UT 84110-0333 [15-12-254-002-0000] MORAIS, ARTHUR & KARLA; JT PO BOX 333 SALT LAKE CITY, UT 84110-0333 [15-12-254-018-0000] MORAIS, ARTHUR & KARLA; JT PO BOX 333 SALT LAKE CITY, UT 84110-0333

[15-12-277-020-0000] UNIVERSITY OF UTAH 875 S WESTTEMPLE ST SALT LAKE CITY, UT 84101-2954 [15-12-254-019-0000] FOWKES, JESSE G 387 N 300 W SANTAQUIN, UT 84655 [15-12-212-022-0000] WARNER, JOHN H, JR & LINDA M; TRS (W F TRUST) 2048 N CHETTRO TRAIL ST GEORGE, UT 84770



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I. Fill out registration card and indicate if you wish to speak and which agenda item you will address.

2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing

3. In order to be considerate of everyone attending the meeting, public comments are limited to two (2) minutes per person, per item. A spokesperson who has already been asked by a group to summarize their concerns will be allowed five (5) minutes to speak. Written comments are welcome and will be provided to the Planning Commission in advance of the meeting if they are submitted to the Planning Division prior to noon the day before the meeting. Written comments should be sent to:

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4. Speakers will be called by the Chair.

5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.

 Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.

7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.

8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.

9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.

10. The Salt Lake City Corporation complies will 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 Office at 535-7757; TDD 535-6220.

OLC, UT 84114

SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA

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

Wednesday, July 8, 2009 at 5:45 p.m.

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

Approval of Minutes from Wednesday, June 24, 2009

Report of the Chair and Vice Chair

Report of the Director

Public Hearings

- 1. Petition PLNPCM2009-00203; Diamond Parking Conditional Use—a request by Chris Furstenau, Furst Construction on behalf of Diamond Parking, to amend and expand conditional use 410-07-31 for an existing commercial parking lot located at approximately 1925 West North Temple Street. The purpose of the request is to allow construction of a new private vehicular driveway to be located at approximately 1969 West North Temple Street. The new driveway will become the primary entrance into the existing commercial parking lot, which is owned and operated by Diamond Parking. The zoning designation for the property is CC Corridor Commercial District and CG General Commercial District. The property is located in City Council District Two, represented by Van Turner (Staff contact: Michael Maloy at 801.535.7118 or michael.maloy@slcgov.com).
- 2. Petition PLNPCM2009-00434; Jefferson Street Closure—a request by Jefferson Partners LLC that the remaining portion of Jefferson Street north of 800 South, east of 200 West, be declared surplus by the City, closed, and sold to the applicant. The purpose of the request is to incorporate the remaining portion of this street into the Mark Miller auto dealership. The property is located in City Council District Four, represented by Luke Garrott (Staff contact; Kevin LoPiccolo at 801.535.6003 or kevin.lopiccolo@slcgov.com).
- 3. Petition PLNPCM2009-00171; Citywide Historic Preservation Plan adoption—a request by the Historic Landmark Commission to consider recommendation of the Citywide Historic Preservation Plan to the City Council. This is a city-wide project (Staff contact: Robin Zeigler at 801. 535.7758 or robin.zeigler@slcgov.com).
- 4. Petition PLNPCM2009-00161; City of the Seven Gates—a request by Brylan Schultz, on behalf of City of the Seven Gate, for conditional use approval for an art studio, a community center, and a caretaker's quarters at approximately 2904 West 500 South. The subject property is in the M-2 (Heavy Manufacturing) Zoning District and in Council District Two, represented by Van Turner (Staff contact: Nick Britton at 801.535.6107 or nick.britton@slcgov.com).

Briefing

5. Petitions PLNPCM2009-00170 and PLNPCM2009-00483; Euclid Small Area Plan—Staff is seeking feedback from the Planning Commission regarding options for future land use and zoning amendments for a portion of the Euclid Small Area Plan (Staff contact: Nick Britton at 801.535.6107 or nick.britton@slcgov.com).

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.

6. Staff Report for July 8, 2009 Commission Meeting

PLANNING COMMISSION STAFF REPORT

Petition PLNPCM2009-00434 Jefferson Street Partial Street Closure North of 800 South (Approx. 140 West) July 8, 2009



Planning and Zoning Division Department of Community & Economic Development

Applicant:

Jefferson Partners LLC

Staff:

Kevin LoPiccolo, Planning 535-6003 kevin.lopiccolo@slcgov.com

Tax ID:

15-12-230-043, 15-12-230-038 15-12-211-023,024,029,030,042

Surrounding Zoning:

D-2 (Downtown Support)

Council District:

Council District #4, Councilmember Luke Garrott

Surrounding Land Uses:

Mark Miller Auto Dealership

Applicable Land Use Regulations:

Salt Lake City Code:

Chapter 2.58 City Owned Real Property

Utah Code:

Section 10-8-8

Master Plans:

Central Community Master Plan

Notification

Notice mailed on June 23, 2009 Signs posted on June 25, 2009 Agenda posted on website/newspaper June 23, 2009

Attachments:

- A. Map of Proposed Street Closure
- B. 1990 Ordinance(Jefferson St)
- C. Department/Division Comments
- D. Applicant's Letter

REQUEST

Jefferson Partners is requesting Salt Lake City close the remaining 330 feet of Jefferson Street (approximately 140 West) running north from 800 South and declare it surplus property.

The applicant is requesting the additional land so the property can be incorporated and used as part of the Mark Miller auto dealership.

PUBLIC NOTICE

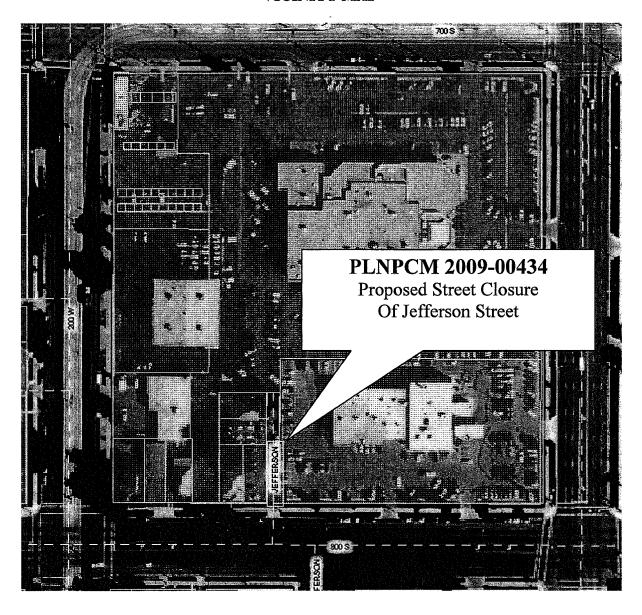
Notice was mailed to all property owners within four hundred and fifty feet (450') radius of the subject property on June 23, 2009, fourteen (14) days prior to the scheduled public hearing. An announcement was also sent to all those on the City's Listserve and was posted on the City's website.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission declare the property surplus and transmit a favorable recommendation to the City Council to close the subject street and recommend to the Mayor to sell the property to the applicant at a value determined by the Property Management Division.

- 1. All requirements and comments outlined in this staff report and attached as Exhibit C shall be met.
- 2. Prior to City Council consideration the applicant will work with the City Property Management Division to obtain a compensation price for the subject property.
- 3. Compliance with City Code 2.58 which regulates the disposition of City owned real property.

VICINITY MAP



PROJECT HISTORY/DESCRIPTION

On August 14, 1990, the Salt Lake City Council adopted Ordinance No. 73, (Attachment B) which closed Jefferson Street in the interior of the block between 700 and 800 South, West Temple and 200 West.

The applicant was advised by First American Title Insurance Company that there has never been a Deed recorded whereby Salt Lake City conveyed its interest in this portion of Jefferson Street that runs approximately 330 feet north of 800 South that was closed by Ordinance No. 73. The applicant would like to acquire the land contained in what is still Jefferson Street and eliminate any potential title problem that may exist regarding the part of Jefferson Street that was closed by Ordinance No. 73.

The closure of Jefferson Street is consistent with City's polices, since the applicant owns all of the land adjacent to Jefferson Street and Jefferson Street is no longer needed to supply access or utilities to any of the land previously served by the street.

COMMENTS

City Department/Division Comments:

The application material was routed to applicable Departments on May 12, 2009, for a request to close the remaining portion of Jefferson Street. Comments received from pertinent City Departments and Divisions are found on Attachment C of this staff report. Comments that have been received by Planning are summarized below.

<u>Property Management</u> – The City must receive consideration for the street closure, but such would reflect the City's claim of only prescriptive rights on this portion of Jefferson Street and would be adjusted to reflect any utility easement which may be retained by the City as part of the closure.

Public Comments

Planning Staff has not received any public inquires regarding this application request to close the remaining portion of Jefferson Street.

STAFF ANALYSIS AND FINDINGS

Master Plan Discussion:

Central Community Master Plan, adopted in 2005

The plan identifies the geographic location of the downtown and describes the city's downtown as the "central place" for the Wasatch Front. There is no language on street closures in this area.

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

The subject street is identified as a "local" street in the Transportation Master Plan. 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 at low speed.

Street Closure Guidelines:

Salt Lake City Council Policy and Guidelines for Street Closures

The Planning Commission will need to review the street closure request and make findings based on the following guidelines:

1. It is the policy of the City Council to close public streets and sell the underlying property. The Council does not close streets when the action would deny all access to other property.

Analysis: The portion of street proposed no longer is needed to supply access or utilities to any of the land that was previously served by Jefferson Street.

Finding: Closing the subject street will not deny access to the adjacent properties. The underlying property would be sold at a value determined and the property would 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 a 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: The Salt Lake City Transportation Master Plan identifies Jefferson Street as a local street.

Finding: The closure of this section of Jefferson Street will have no significant impacts on the public in general nor adjacent landowners since all of the surrounding property is owned by the applicant.

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

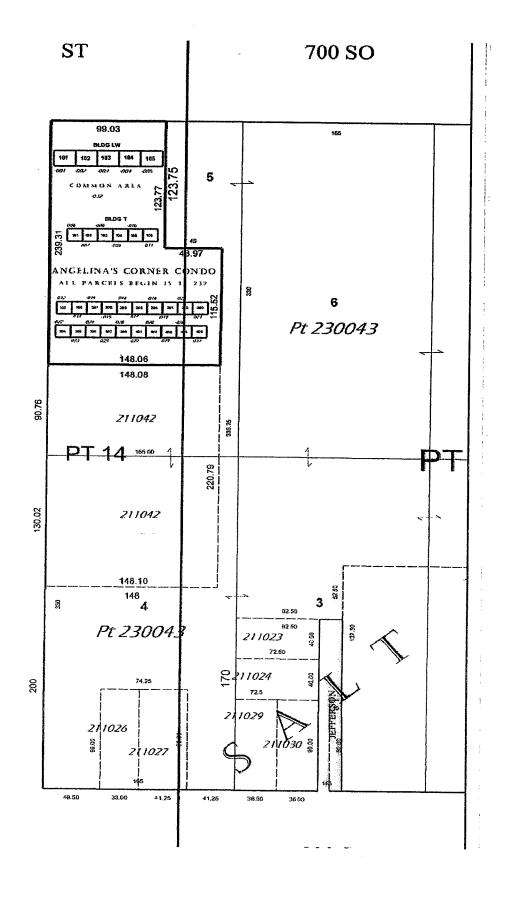
Analysis: By closing this portion of the road a better definition of the property should be maintained.

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

1. The Salt Lake City Transportation Master Plan does not identify this street and there are no plans to extend or otherwise improve it;

- 2. Closing and selling the surplus property could eliminate nuisance activity i.e. suspicious loitering and vehicle abandonment;
- 3. Closing and selling the surplus property will provide the applicant with the means for a better development;
- 4. The closure of this street has no negative impact on property access.
- 5. The applicant is the only abutting property owner.

Attachment A
Map of Proposed Street Closure



Attachment B 1990 Jefferson Street Closure Ordinance

		de.	31 101 91	5174 04:79 PH		
	STATE OF UTAH,	HOFE ?	KATIE L RECORDER, SALT L SL CITY RECORDE	AKE COUNTY, UTAH		
	City and County of Salt Lake,		REC BY: KARHA BL			
	I, Christine R. Meeker	, City Recorder	of Salt Lake City, U	tah, do hereby		
	certify that the attached document is a full, true and correct copy of					
	closing Jefferson Street in the interi	or of the block be	tween 700 and 80	00 South and		
3 1	West Temple and 200 West					
1				,,		
Tente			,	2 4 .4 4 4 4 4 4 4 4 4		
				,		
	passed by City Council/Executive Action of Salt I	ake City, Utah, Augu	st 14,	19. <i>90</i>		
	as appears of record in my office.					
	IN WITNESS WHEREOF, I have hereunto s	et my hand and affix	ed the corporate sea	l of said City,		
	this 29	ay ofJuly ,		19.91.		
		tine R. Meck 1991 19		City Recorder		

SALT LAKE CITY ORDINANCE
No. 73 of 1990
(Closing Jefferson Street in the interior of the block between 700 and 800 South and West Temple and 200 West Pursuant to Petition No. 400-823-90)

AN ORDINANCE CLOSING JEFFERSON STREET IN THE INTERIOR OF THE BLOCK BETWEEN 700 AND 800 SOUTH AND WEST TEMPLE AND 200 WEST IN SALT LAKE CITY, UTAH.

WHEREAS, the City Council of Salt Lake City, Utah, finds after public hearing that the City's interest in the public street described below is not necessary for use by the public as a street and that closure of said street will not be adverse to the general public's interests nor will title to the closed street transfer without subsequent documentation.

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

SECTION 1. That the public street known as Jefferson Street which is more particularly described below, be, and the same hereby is, closed and declared no longer to be needed or available for use as a public right-of-way and the title thereto shall remain with the City until it is sold for fair market value which may be received by the City in the form of completed curb, gutter, sidewalk, landscaping or other public capital improvements to be installed on Blocks 14 and 15 as determined by the City Planning Director.

JEFFERSON STREET

parties.

Beginning at the South East corner of Lot 4, Block 14, Salt Lake City Survey Plat A; thence East 72.5 feet more or less to the Western edge of Jefferson Street, thence North along the Western edge of Jefferson Street 170 feet more or less to the point of beginning; thence North 80.0 feet; thence East 10.0 feet; thence North 40.0 feet; thence West 10.0 feet; thence North 40.0 feet; thence East 20.0 feet (the width of Jefferson Street right-of-way); thence South 160.0 feet; thence West 20.0 feet to the point of beginning. Contains 0.07 acres.

SECTION 2. RESERVATIONS AND DISCLAIMERS. The above closure is expressly made SUBJECT TO all existing rights-of-way and easements of all public utilities of any kind and every description now located on and under or over the confines of the above-described 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; and all of them. Said closure is SUBJECT TO any existing rights-of-way or easements of private third

effective on the date of its first publication. The City
Recorder is instructed to not publish this ordinance until and
unless the mayor shall certify that the Petitioner has provided
appropriate guarantees for payment of the cost of Jefferson
Street in a form acceptable to the City Attorney. Further, the
Mayor must certify that petitioner has acquired all of the
frontage to Jefferson Street which is being closed by this
Grdinance. In the event the conditions are not met within a year

THE RESERVE OF THE PROPERTY OF

this ordinance shall be void and of no effect and the City Recorder is instructed not to publish it.

Passed by the City Council 14th day of August	of Salt Lake City, Utah, this
	alan Hardman
ATTEST:	CHAIRPERSON ATTEMPT OF THE PROPERTY OF THE PRO
CITY RECORDER	3y — f
Transmitted to Mayor on	
Mayor's Action: 8/14/90 A	pproved Vetoed.
	MAYOR Palmer A. S. Pauli
ATTEST:	
CHTY RECORDER MAINLAND	
BRB:ap	
Bill No. 73 of 1990	
Published: May 9, 1991	

	•	OFFIE .	31 JULY 91	04:29 PH		
	STATE OF UTAH,	(III)	RECORDER, SALT LA SL CITY RECORDER	- DIXON AKE COUNTY, DYAH		
5	City and County of Salt Lake,		REC BY: KARHA BLA	NCHARD , DEPUTY		
	I,	, City Recorder	of Salt Lake City, Ut	ah, do hereby		
	certify that the attached document is a full, true and correct copy of oridence no. 73 of 1990					
	closing Jefferson Street in the interior of the block between 700 and 800 South and					
	West Temple and 200 West		******************			
		• • • • • • • • • • • • • • • • • • • •	• • • • • • • • • • • • • • • • • • • •			
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	passed by City Council/Executive Action of Salt Lake City, Utah,					
	as appears of record in my office.					
	IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City,					
	this 29	y of July ,	•••••	19. <i>91</i> .		
	Published May 9	ine R. Meek 1991 19.	Deputy (City Recorder		

Attachment C Department/Division Comments

Trans portation

From:

Walsh, Barry

Sent:

Thursday, May 14, 2009 11:22 AM

To:

LoPiccolo, Kevin

Cc:

Young, Kevin; Smith, Craig; Stewart, Brad; Itchon, Edward; Spencer, John; Butcher, Larry

Subject:

Pet PLNPCM2009-00434 Jefferson st closure

Follow Up Flag: Flag Status:

Follow up Flagged

Categories:

Program/Policy

May 14, 2009

Kevin LoPiccolo, Planning

Re: petition PLNPCM2009-00434 to close the remaining portion of Jefferson Street between 700 and 800 South.

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

We recommend approval subject to the removal of the existing drive access on 800 South as per current development review plans proposals and in keeping with past closure approval for Petition 400-724 letter dated 5/11/1989.

Sincerely,

Barry Walsh

Cc

Kevin Young, P.E. Craig Smith, Engineering Brad Stewart, Public Utilities Ted Itchon, Fire John Spencer, Property Management Larry Butcher, permits

File

Property Management

From:

Williams, Matthew

Sent:

Thursday, May 21, 2009 2:48 PM

To:

LoPiccolo, Kevin

Cc:

Spencer, John; Lucas, Duran

Subject:

Petition PLNPCM 2009-00434 - closure of remaining portion of Jefferson St...

Importance:

High

Follow Up Flag: Flag Status:

Follow up Flagged

Categories:

Confidential

Property Management has no concerns regarding the petition to close the remaining portion of Jefferson Street. Property Management notes that the City must receive consideration for the closure, but such would reflect the City's claim of only prescriptive rights in this portion of Jefferson and would be adjusted to also reflect any utility easements which may be retained by the City as part of the closure.

Matt Williams Salt Lake City Corporation Real Property Agent 801-535-6447

Permits office

From:

Hardman, Alan

Sent:

Friday, May 15, 2009 9:55 AM

To: Cc: LoPiccolo, Kevin Butcher, Larry

Subject:

PLNPCM2009-00434 Jefferson street closure

Follow Up Flag: Flag Status:

Follow up Flagged

Categories:

Program/Policy

Hi, Kevin,

Our office has no zoning issues with the street closure. I posted this comment in Accela.

Alan

Tire Dept

From:

Ellis, Martha

Sent:

Friday, June 19, 2009 1:46 PM

To: Cc: LoPiccolo, Kevin Shannon, Tom

Subject:

RE: Jefferson Street Closure

Categories:

Other

I have viewed this site and do not see an issue with the request from the Fire Department's perspective. ME

Division Chief Martha Ellis Salt Lake City Fire Marshal 305 E. 200 South SLC, UT 84111 801-550-0127 martha.ellis@slcgov.com

From: LoPiccolo, Kevin

Sent: Thursday, June 18, 2009 11:19 AM

To: Ellis, Martha

Subject: RE: Jefferson Street Closure

Chief, the application request will be heard by the Planning Commission on July 8, 2009. The Commission will only make a recommendation on this matter and the City Council will approve or deny the request at their meeting.

Do you have any comments regarding the street closure? If so, email them to me.

Thanks,

Kevin LoPiccolo Planning Program Supervisor

From: Ellis, Martha

Sent: Thursday, June 11, 2009 2:36 PM

To: LoPiccolo, Kevin

Subject: Jefferson Street Closure

Kevin, Just wondering if a determination has been made regarding the Jefferson Street closure. Could you let me know what the status is on that request.

Division Chief Martha Ellis Salt Lake City Fire Marshal 305 E. 200 South SLC, UT 84111 801-550-0127 martha.ellis@slcgov.com

Attachment D Applicant's Street Closure Letter

Attached to Street Closure Application Regarding Jefferson Street

The names, addresses, telephone numbers, fax numbers, and email addresses for 1. the Applicants are as follows:

Jefferson Partners LLC, a Utah Limited Liability Company, and Thomas Partners LLC, a **Utah Limited Liability Company**

c/o Mark Miller (Manager) 730 South West Temple Salt Lake City, UT 84101 801-560-0595 Telephone: Fax:

801-487-7790

Email: markmiller@markmiller.com c/o Charles L. Maak (Attorney) Parr Brown Gee & Loveless 185 South State Street, Suite 800

Salt Lake City, UT 84111

801-532-7840 Telephone:

Fax: 801-532-7750

Email:

cmaak@parrbrown.com

- 2. The property owners are the same as the Applicants.
- The Applicants own all of the property that surrounds and is adjacent to Jefferson 3. Street. The County Tax Numbers (i.e., the "Sidwell Numbers") for the property owned by the Applicants are as follows:

15-12-230-043-0000 15-12-230-038-0000 15-12-211-024-0000 15-12-211-030-0000 15-12-211-029-0000 15-12-211-023-0000 15-12-211-042-0000

- The property owned by the Applicants (which surrounds Jefferson Street) is 4. currently used as the new, relocated "Mark Miller Toyota" automobile dealership and as a Saturn automobile dealership. After Jefferson Street has been vacated as a City street and the land within it sold and deeded to the Applicants, Applicants plan to incorporate the Jefferson Street land into and use it as part of the existing automobile dealerships.
- Accompanying this Application is a "Sidwell Map" that shows Jefferson Street 5. and surrounding land. On the Sidwell Map the location of Jefferson Street has been highlighted in yellow. Note that the highlighted area extends farther into the City block than the Sidwell Map shows Jefferson Street to extend. See Paragraphs 7 and 8 below for an explanation of this.

6. Also accompanying this Application is a Survey (done by Bush & Gudgell, Inc., identified as File No. 48035, and certified on January 28, 2009 by Randy D. Smith, a Professional Land Surveyor) that shows: (a) All of the land owned by the Applicants (the boundaries of which have been highlighted in red); (b) The location of Jefferson Street (highlighted in yellow); and (c) A legal description of Jefferson Street. The legal description of Jefferson Street is as follows:

BEGINNING 72.5 feet West (South 89°57'29" West as surveyed) of the Southeast Corner of Lot 3, Block 14, Plat "A," Salt Lake City Survey, and running thence North 20 rods (North 0°00'55" West 333.08 feet as surveyed); thence West 20 feet (South 89°57'23" West as surveyed); thence South 20 rods (South 0°00'55" East 333.08 as surveyed); thence East 20 feet (North 89°57'29" East as surveyed) to the POINT OF BEGINNING.

- 7. On August 14, 1990, the Salt Lake City Council adopted Ordinance No. 73, which closed a portion of Jefferson Street located within the interior of the City block bounded by 700 South, 800 South, West Temple, and 200 West Streets. That Ordinance was recorded in the office of the Salt Lake County Recorder on July 31, 1991, as Entry No. 5105174 in Book 6341 at Page 2649. A copy of the recorded Ordinance accompanies this Application.
- 8. Applicants have been advised by First American Title Insurance Company (which is the Title Company that has assisted the Applicants in connection with their purchase of a number of parcels within the subject City block) that there has never been a Deed recorded whereby Salt Lake City conveys its interest in that part of Jefferson Street that was closed by Ordinance No. 73. Consequently, it is possible that the City may still have or may make some claim to that part of Jefferson Street. The Applicants would like this Street Closure Application to apply to all of Jefferson Street located within the subject City block, request that the City close and vacate the entirety of Jefferson Street including the part that was vacated by the City via Ordinance No. 73, and request that the City then sell and convey to the Applicants all of the land now or formerly contained within Jefferson Street. This approach, in addition to allowing the Applicants to acquire the land contained in what is still Jefferson Street, should eliminate the title problem that may now exist regarding the part of Jefferson Street that was closed by Ordinance No. 73.
- 9. The legal description of Jefferson Street set forth at the end of Paragraph 6 above includes both what is still considered Jefferson Street and the part of Jefferson Street that was closed and vacated in 1990.
- 10. Prior to the filing of this Application, the Applicants were advised by Salt Lake City officials that if Jefferson Street is closed, the City will be willing to sell Jefferson Street to the Applicants for 25% of the fair market value of the land within Jefferson Street. (In these discussions no differentiation was made between the land still considered to be part of Jefferson Street and the land contained in the part that was vacated in 1990. Presumably a lower purchase price would be indicated for the part vacated in 1990, since there is a question regarding who

now owns that part.) This arrangement is acceptable to the Applicants. When the City sells and conveys the Jefferson Street land, the Applicants prefer that it be sold and conveyed only to Jefferson Partners LLC, rather than part being sold and conveyed to each of the Applicants. (Thomas Partners LLC is a wholly-owned subsidiary of Jefferson Partners LLC.)

- 11. The closure of Jefferson Street is consistent with public policy and with the City's policies, since the Applicants own all of the land adjacent to Jefferson Street and since Jefferson Street is no longer needed to supply access or utilities to any of the land previously served by the street.
- 12. The Applicants shall immediately pay to the City, when they learn of the amount, the cost of first class postage for mailing to the address of each owner who owns property within 450 feet of Jefferson Street.

IN WITNESS WHEREOF, Applicants have signed this Street Closure Application on the day of April, 2009.

By

JEFFERSON PARTNERS LLC, a Utah Limited Liability Company

Mark Miller, Manager

THOMAS PARTNERS LLC, a Utah Limited

Liability Company

Mark Miller, Manager

SALT LAKE CITY PLANNING COMMISSION MEETING

In Room 326 of the City & County Building 451 South State Street, Salt Lake City, Utah Wednesday, July 8, 2009

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

A field trip was held prior to the meeting. Planning Commissioners present were: Vice Chair Susie McHugh; Commissioners Tim Chambless, Michael fife, Michael Gallegos, and Matthew Wirthlin. Staff members present were: Michael Maloy, Kevin LoPiccolo, Nick Britton, Ana Valdemoros, and Cheri Coffey.

A roll is being kept of all who attended the Planning Commission Meeting. Acting Chair McHugh called the meeting 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; Pat Comarell, Assistant Planning Director; Cheri Coffey, Programs Manager; Paul Neilson, City Attorney; Nick Norris, Senior Planner; Michael Maloy, Principal Planner, Kevin LoPiccolo, Planning Programs Supervisor; Robin Zeigler, Historic Preservation Planner; Nick Britton, Senior Planner; Ana Valdemoros, Associate Planner; and Tami Hansen, Planning Commission Secretary.

<u>5:59:39 PM</u> **Petition PLNPCM2009-00434; Jefferson Street Closure**—a request by Jefferson Partners LLC that the remaining portion of Jefferson Street north of 800 South, east of 200 West, be declared surplus by the City, closed, and sold to the applicant. The purpose of the request is to incorporate the remaining portion of this street into the Mark Miller auto dealership. The property is located in City Council District Four, represented by Luke Garrott. View: <u>Staff Report</u>

Acting Chair McHugh recognized Kevin LoPiccolo as staff representative.

Mr. LoPiccolo stated that back in 1990 ordinance number 73 essentially abandoned or closed Jefferson Street. Through title work with Mark Miller, First American Title discovered that there was a portion of 330 feet which was not closed as part of that process. He stated that Mr. Miller was resubmitting this application to clean up any title concerns.

6:03:45 PM Public Hearing

Acting Chair McHugh opened the public hearing portion of the petition. She noted that there was no one present to speak to the petition and closed the public hearing.

6:04:03 PM Motion

Commissioner Fife made a motion regarding Petition PLNPCM2009-00434, that the Planning Commission transmit a favorable recommendation to the City Council to close the subject street, and recommend to the Mayor to sell the property to the applicant at a value determined by the Property Management Division, subject to the following conditions:

- 1. All requirements and comments outlined in this staff report and attached as Exhibit C in the staff report shall be met.
- 2. Prior to City Council consideration the applicant will work with the City Property Management Division to obtain a compensation price for the subject property.
- 3. Compliance with City Code 2.58 which regulates the disposition of City owned real property.

Commissioner De Lay seconded the motion.

Commissioners De Lay, Hill, Fife, Gallegos, Dean, Chambless, Muir, and Wirthlin voted, "Aye". The motion passed unanimously.



Street Closure

OFFICE USE ONLY

Petition No.:PLNPCM2609-00434

Date Received: 13 APR 2009

Reviewed By:

-+=R

Address of Subject Property: "Jefferson Street," runn bounded by 200 West, 700 South, West Temple,	
Project Name: Mark Miller Toyota Dealership	
Name of Applicant: See attached sheets.	Phone: See attached sheets.
Address of Applicant: See attached sheets.	
E-mail Address of Applicant: See attached sheets.	Cell/Fax: See attached sheets.
Applicant's Interest in Subject Property: Owner of all land surrounding & adjacent	to Jefferson Street.
Name of Property Owner: See attached sheets.	Phone: See attached sheets.
E-mail Address of Property Owner: See attached sheets.	Cell/Fax: See attached sheets.
County Tax ("Sidwell #"): See attached sheets.	Zoning: D-2
Existing Property Use:	Proposed Property Use:
See attached sheets. Please include with the application:	See attached sheets.

- 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. Bease 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 names 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	Submit your completed application to: Salt Lake City Buzz Center
2001 South State Street, Room N1600	PO Box 145471
Salt Lake City, UT 84190-1051	451 South State Street Rm 215
Telephone: (801) 468-3391	Salt Lake City, UT 84114

Signature of Property

Owner or Representative: See attached sheets. Date: See attached sheets.

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Petition No: PLNPCM2009-00434

By: Mark Miller Toyota Dealership

Street Closure

Date Filed: 04/13/2009

Address: Jefferson Street from 800 South into block

bounded by 200 West, 700 South, West Temple and 800 South