



Staff Report

PLANNING DIVISION
DEPARTMENT OF COMMUNITY & NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Anna Anglin, Principal Planner, 801-535-6050, anna.anglin@slcgov.com

Date: June 12, 2019

Re: PLNPCM2018-00468 – Fern Subdivision Alley Vacation – Between 1019 East and 1059 East Logan Avenue

ALLEY VACATION

PROPERTY ADDRESSES: The alley abuts nineteen (19) individual properties as follows:

1. 1019 East Logan Ave. (Petitioner's Property)
- 2-9. Logan Ave- 1025; 1029; 1033; 1039; 1041; 1049; 153; and 1059
- 10-12. 1595; 1597; & 1615 S 1000 East
- 13-19. Wood Ave – 1020; 1026; 1032; 1034; 1044; 105 and 1056.

MASTER PLAN: Central Community Master Plan

ZONING DISTRICT: R-1/5000 – Single-Family Residential

REQUEST: Kathleen Bratcher, a property owner residing at 1019 East Logan Ave. has initiated a petition to vacate an alley known as the Fern Subdivision Alley to the west and north of her property. The alley runs north along the western portion of the applicant's property line for approximately 126'. Then runs 336' east to the western edge of 1053 E. Logan Avenue. Then runs south between 1053 E. and 1059 E. Logan Ave. 126'. The alley is recorded on the Fern Subdivision and is adjacent to 1059 E Logan Avenue and property to the north that is not part of this subdivision or any other subdivision.

The Planning Commission's role in this application is to provide a recommendation to the City Council for the alley vacation request. The City Council will make the final decision on this application.

RECOMMENDATIONS: Based on the findings and analysis in this staff report, Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council for the Fern Subdivision Alley Vacation.

ATTACHMENTS:

- A. [Subdivision Plat](#)
- B. [Photos](#)
- C. [Project Narrative & Petition](#)
- D. [Existing Conditions & Zoning](#)
- E. [Analysis of Standards](#)
- F. [Public Process and Comments](#)
- G. [Department Review Comments](#)

PROJECT DESCRIPTION:

The Fern Subdivision alley is highlighted on the aerial photo below in green. The alley is located north of Logan Ave, and south of Wood Ave. at approximately 1600 South and between 1000 East and 1100 East just north of the Sugar House area. The alley runs north to south along the western portion of the applicant’s property line and is about ten feet wide and 126’ long. The portion of the alley that abuts the north property line of the applicant’s property runs 336’ east to west to 1059 E. Logan Avenue and is approximately seven feet wide. The alley right-of-way then follows north to south between 1053 E. and 1059 E. Logan Ave. and is 126’ long and ten feet wide (10’). The alley is recorded on the Fern Subdivision and is adjacent to property on the north that is not part of the subdivision or any other subdivision.

The applicant’s reason for the request is due to a portion of the alley functioning as their driveway and off-street parking. They were prompted to apply for the alley vacation after receiving notice from the Salt Lake City Real Estate Services Division on April 20, 2018 that their driveway was half a portion of a public alleyway. There is no physical evidence of the alleys existence only what is on the subdivision plat recorded in 1906. The applicant’s narrative as well as the petition bearing the signature of abutting property owners are included in [Attachment C](#) of this report. The small alley indicated on the aerial photo below that appears to run east-west between 1595 and 1597 South 1000 East was vacated February 8, 2000 and is not part of this application request.



KEY CONSIDERATIONS:

The key considerations listed below have been identified through the analysis of the project, neighbor and community input, and department review comments.

Consideration 1: Property Owner Consent

Section 14.52.030 A.1 specifies “The petition must bear the signatures of no less than eighty percent (80%) of the neighbors owning property which abuts the subject alley property.” There is a total of nineteen (19) properties that abut the alley and seventeen (17) property owners signed the petition. The property owners residing at 1025 and 1033 E Logan Avenue did not sign the petition in support of vacating the alley but have not submitted or voiced any concerns to staff. In total, 89% of abutting property owners have signed the petition in support of the vacation making this ordinance requirement met.

This item is also addressed in [Attachment C: Project Narrative & Petition](#) and in [Attachment E: Analysis of Standards](#).

Consideration 2: Creation/History of the Alley and Disposition if Vacated

The alley is recorded on the Fern Subdivision plat and the City lists it as a public alleyway and recognizes it as City property. The Fern Subdivision was recorded as a plat in 1906. The parcels that are part of the Fern subdivision are 1597 and 1615 S 1000 East and the eight properties that are in-between the two north/south arms of the alley from 1019 thru 1053 East Logan Ave. The parcels to the north adjacent to the alley and the property at 1059 East Logan Avenue all fall outside of the recorded Fern subdivision plat.

According to the Salt Lake City Attorney’s Office, alleys that are dedicated as part of a subdivision must be conveyed to owners within that subdivision if they are vacated. Case law in the Utah courts have supported this position. This means the property owners adjacent to the alley on Wood Avenue and the property at 1059 East Logan Avenue would not get a portion of the alley when it is vacated.

Any encroachments into the alley by neighboring properties outside of the subdivision will need to be negotiated with the property owners within the subdivision to split the alley property between them or to convey it to the other party in whole or in part. This would be a private transaction outside of the purview of the City.

Consideration 3: Condition of the Alley

Approximately half of the western arm of the alley which is closest to Logan Ave (southern half) up to the existing fence has been used as the applicant’s driveway for many years. There are also mature trees and telephone poles in this portion of the alley. At the fence line, the alley has been incorporated into the neighboring property at 1595 S 1000 East, who is also a part of the Fern Subdivision plat. It appears that the neighbor at 1615 S 1000 East shares the drive approach with 1019 E Logan Ave to access their off-street parking as well. The curb cut is concrete and meets City standards. Both driveways are dirt and covered in wood chips. The alley appears to be used as the driveway for 1019 E Logan Ave. However, when the alley is vacated the western arm will be split between 1615 S. 1000 East and 1019 E Logan Ave. and between 1019 E Logan Ave. and 1597 S 1000 East for the northern portion of the alley.

The eastern arm of the alley that runs between 1053 and 1059 East Logan Avenue has been used as the driveway for 1053 East Logan Avenue and could potentially have some of their detached garage encroaching into the alleyway. A portion of the 1059 East Logan Ave. house appears to be encroaching into the alley as well. This will all need to be surveyed to find out where the structures are in proximity to the property lines. Both the western and eastern arms of the alley are partially utilized as driveways and have some encroachments into them. In addition, Public Utilities stated there is a sewer lateral for 1059 E Logan Ave. that goes through the alley and would either require that portion of the alley to be vacated in favor of 1059 E. or an easement needs to be recorded.

The northern portion of the alley has been incorporated into the adjacent neighbors' yards and outdoor living areas. There are existing fences and accessory structures that are encroaching into the alley by most adjacent properties. It appears that the garages at 1025 E Logan Ave and 1050 E Wood Ave. may encroach into the alley way. There is no remaining visible or physical evidence of the alley's existence. (See attachment B)

The applicant originally requested that just the portion of the alley adjacent to their property be vacated. But after reviewing the application and receiving feedback from the City Surveyor, along with planning staff visiting the location where the alley is located, we prompted the applicant to include the entire alley to be vacated do to the number of encroachments. Vacating the entire alley is also in keeping with the considerations when vacating an alley.

Consideration 4: Future Public Uses for the Alley

One issue that comes up with proposals to vacate alleys are questions about the alley serving other potentially beneficial uses in the area. These elements could include trails for instance to help facilitate alternative transportation and as a positive urban design element.

The Fern Subdivision is in the *Central Community Master Plan*. The future land use map designates this area as Low Density Residential. The area is identified as the *East Central South Neighborhood* and calls out to preserve and protect the existing low-density residential uses.

The alley runs east/west along the long axis of the block. Both Logan Avenue and Wood Avenue have existing sidewalks on both sides of the street to facilitate east/west pedestrian traffic and there is no public right of way that connects Wood Ave to Logan Ave. midblock. As such, this alley is not necessary to create an alternative trail to connect 1000 E and 1100 E or Logan Ave to Wood Ave. Due to the width, the alley would not meet city engineering standards for full vehicular access and, as such, would only be considered for pedestrian or trail access, if it existed.

The alley runs through an established residential area that is made up of single-family homes. There is no anticipated change to this composition identified in the Central Community Master Plan and the area is unlikely to change significantly over time. The alley is no longer in physical existence and the Master Plan supports the continuation of low-density residential uses for the area.

DISCUSSION:

The petition has been reviewed against the City's policy considerations for alley closures located in Chapter 14.52.020 as well as the analysis factors found in 14.52.030.B. The closure of the alley meets

all the analysis factors for an alley vacation. The alley is currently used as the adjacent property owners back yards and have fences along with some accessory structures encroaching into it. The closure is supported by most adjacent property owners. City policies and the relevant Master Plan do not include any policies that would oppose the closure of this alley. As such, staff is recommending that the Planning Commission transmit a positive recommendation to the City Council for the alley vacation for the following reasons:

1. The majority of the adjacent property owners have signed the petition and support the closure of the alley.
2. It is beneficial for the surrounding property owners because most of them have fences and accessory buildings that would have to be moved or removed due to the alley encroachments if the alley were to remain in place.
3. The alley does not physically exist and is incorporated into the private property of the adjacent neighbors.
4. The Master Plan does not oppose to the closure of the alley.

NEXT STEPS:

Chapter 14.52 of the Salt Lake City Code regulates the disposition of City owned alleys. When evaluating requests to close or vacate public alleys, the City considers whether or not the continued use of the property as a public alley is in the City's best interest. Noticed public hearings are held before both the Planning Commission and City Council to consider the potential adverse impacts created by a proposal. Once the Planning Commission has reviewed the request, their recommendation is forwarded to the City Council for consideration. The City Council has final decision authority with respect to alley vacations and closures.

ATTACHMENT B: PHOTOS

Alleyway looking South at 1019 E Logan



Alley looking north at 1019 E Logan Ave.



Alleyway in between 1053 and 1059 E. Logan Ave.



Northern arm of alley running along the property lines between 1019 E and 1053 E Logan Ave. Adjacent to the properties north facing Wood Ave.

(Facing east)



(Facing west)



Facing North at 1053 E Logan



ATTACHMENT C: PROJECT NARRATIVE & PETITION

On the following pages are the project narrative and the petition signed by 17 of the required 19 owners of property abutting the alley requesting the closure of the Fern Subdivision Alley. There were two adjacent property owners (at 1025 and 1033 E Logan Avenue) that did not sign the petition. These individuals have not voiced any opposition to the closure however.

Olga Pinney
Real Property Agent, SLC Corp
451 South State Street, Rm 425
Salt Lake City, UT 84114-5640

May 20, 2018

Re: Salt Lake City Right-of-Way (Alley) Encroachment
Parcel #16-17-253-019

Dear Ms. Pinney and SLC Corp Office of Real Estate,

My name is Kathleen Bratcher. My husband, Richard Kerr, and I own the home on 1019 East Logan Ave. We are sending this letter explaining why we are requesting an alley closure. This request is being made in response to a letter we received on May 05, 2018, from the office of Olga Pinney.

We purchased this property August 1999 and have been using the half-an-alley next to our home as off-street parking. One of our neighbors who grew up in this neighborhood, Sylvia Rimmach, told us in the sixty years that she has lived in this neighborhood, that she has witnessed all residents of this home use the same half-an-alley as an off-street parking space. I understand now that we were unknowingly encroaching on an alley and are wanting to remedy the situation as soon as possible. We had no ill intent.

When I use the term, "half-an-alley," it is because the north side of the through-alley is already closed. The alley has not been a usable piece of through traffic for at least sixty years. Richard and I are in an agreement with all our surrounding neighbors and are willing to split the property within the Salt Lake City's existing guidelines.

I have included the signed, "Petition to Vacate the Alley," along with the outlined and dotted Sidewell map.

We, (our neighbors, and Richard and I) would like to replace the aged fence at some point. The new fence will reflect the new property lines, as defined by the office of Salt Lake City, Real Estate Services.

Please feel free to contact me, Kathleen Bratcher at (801) 879-6924 if you have any questions or concerns. Again, we look forward to resolving this situation.

Thank you for your consideration in this matter.



Kathleen Bratcher
1019 East Logan Ave
Salt Lake City, UT 84105

Anna Anglin
Planning Counter
451 South State Street, Rm 215
Salt Lake City, UT 84114-5640

May 15, 2019

Re: Salt Lake City Right-of-Way (Alley) Encroachment
Parcel #16-17-253-019
Case number PLNPCM2018-00468

Dear Ms. Anna Anglin and SLC Corp Planning Counter,

My name is Kathleen Bratcher. My husband, Richard Kerr, and I own the home on 1019 East Logan Ave. We are sending this letter explaining why we are requesting an alley closure. This request is being made in response to a letter we received on May 05, 2018, from the office of Olga Plnney.

We submitted an Alley Vacation or Closure Application last year, dated May 03, 2018, with the required signatures of our neighbors along the Logan Ave alley. In August 2018, we received an email from Anna Anglin requesting more information, which I collected and submitted in person to Ms. Anglin. Once it was approved, our neighbors and I received a postcard from the Salt Lake Planning Division notifying and inviting stakeholders to the monthly open house, scheduled on Oct. 18, 2018.

I attended the open house, as did one of my neighbors, Joshua B. Lenart, who lives on the next street north of us, on Wood Ave. He was concerned that he would have to demolish his garage if his property line was moved. At the meeting, Angela suggested we have the entire length of the Logan Ave alley surveyed from 1000 East to 1100 East by the same engineering firm who did our initial survey, when we submitted the original application for closure. In talking to the firm, it was made very clear that the cost of such survey is considerably difficult and cost prohibitive. We still need a way to illustrate that there are long-standing structures that were built over sixty years ago, assuming without the knowledge of Salt Lake City Corp.

We purchased this property August 1999 and have been using the half-an-alley next to our home as off-street parking. One of our neighbors who grew up in this neighborhood, Sylvia Rimmach, told us in the sixty years that she has lived in this neighborhood, that she has witnessed all of residents of this home use the same half-an-alley as an off-street parking space. I understand now that we were unknowingly encroaching on an alley and are wanting to remedy the situation. We had no ill intent.

When I use the term, "half-an-alley," it is because the north side of the through-alley is already closed. And has been for at least sixty years. Richard and I are in an agreement with all our surrounding neighbors and are willing to split the property within the Salt Lake City's existing guidelines.

We, (our neighbors, and Richard and I) would like to replace the aged fence at some point. The new fence will reflect the new property lines, as defined by the office of Salt Lake City, Real Estate Services. Please feel free to contact me, Kathleen Bratcher at (801) 879-6924 if you have any questions or concerns. Again, we look forward to resolving this situation.

Thank you for your consideration in this matter.

Signature on File

Kathleen Bratcher
1019 East Logan Ave
Salt Lake City, UT 84105

PETITION TO VACATE OR CLOSE AN ALLEY

Name of Applicant:
 Kathleen A. Bratcher
 Address of Applicant:
 1019 East Logan Ave Parcel #16-17-253-019
 Date: 05 / 03 / 2018

As an owner of property adjacent to the alley, I agree to the proposed vacation or closure. I understand that if my property is a commercial business or a rental property with more than three (3) dwelling units, I will be required to pay fair market value for my half of the alley.

ABUTTING PROPERTY OWNERS
 → COORD OF DOTS ON SIDEWALK MAP.

Print Name	Address	Signature	Date
ROGER CROFT	1615 S 1000 EAST	Roger Croft	5-3-18
Mark Rimmach	1597 S. 1000 E.	Mark Rimmach	5/5/18
Paula Carl	1020 E. Wood Ave	Paula Carl	May 22, 2018
Tim Pine	1049 Logan Ave.	Tim Pine	May 22, 2018
Alan Bluhm	1053 Logan Ave	Alan Bluhm	May 22, 2018
Joseph Aszmann	1059 Logan Ave	Joe Aszmann	5/22/2018
RICHARD KERR	1019 E. LOGAN AVE	Richard Kerr	5.22.18
Jennifer Kaiser	1029 E Logan Ave	Jennifer Kaiser	5/22/18
JAMES WAINES	1043 E. LOGAN AVE	James Waines	5/23/2018
Rod Rambo	1069 LOGAN	Rod Rambo	8/27/2018
John Connor Batten	1033 Logan Ave	John Connor Batten	5/27/2018

Updated 7/1/17

PETITION TO VACATE OR CLOSE AN ALLEY

Name of Applicant: KATHLEEN BRATNER & RICHARD KERR
 Address of Applicant: 1019 E. LOGAN AVE. SE. 84105
 Date: 8-10-18

As an owner of property adjacent to the alley, I agree to the proposed vacation or closure. I understand that if my property is a commercial business or a rental property with more than three (3) dwelling units, I will be required to pay fair market value for my half of the alley.

Print Name	Address	Signature	Date
Rebecca Harper	1593 S 1000 E	<i>[Signature]</i>	8-10-18

Print Name	Address	Signature	Date
	1032 E.	<i>[Signature]</i>	801-232-9120
		Ellie Hirshberg	9/20

Print Name	Address	Signature	Date
Olivia Miller	1056 E Wood Ave	<i>[Signature]</i>	8/10/18
IN TOWN ON 20th (WILL TEXT)		ASHLEY BERNHISEL	801-718-1137
			1060 E.

Print Name	Address	Signature	Date
Susan Anderson	1589 S 1000 E	<i>[Signature]</i>	8/10/18

Print Name	Address	Signature	Date
Tanner S. Lemat	1026 E Wood Ave	<i>[Signature]</i>	8/12/18

Print Name	Address	Signature	Date
Brian Neimyer	1044 E Wood Ave	<i>[Signature]</i>	8-26-18

Print Name	Address	Signature	Date
Michael Higgins	1050 E Wood Ave.	<i>[Signature]</i>	9-27-18

Print Name	Address	Signature	Date
Benata Hoffman	1066 Wood Ave.	<i>[Signature]</i>	9-1-18

Print Name	Address	Signature	Date
KATE HAR	1034 Wood Ave	<i>[Signature]</i>	9.11.18

Print Name	Address	Signature	Date
Ellie Hirshberg	1032 WOOD Ave	<i>[Signature]</i>	9.11.18

Print Name	Address	Signature	Date
Ashlie Bernhisel	1060 Wood Ave.	<i>[Signature]</i>	09/30/18

Updated 7/1/17

JACQUELINE M. BISKUPSKI
Mayor



DEPARTMENT of COMMUNITY
and NEIGHBORHOODS
HOUSING AND NEIGHBORHOOD
DEVELOPMENT
REAL ESTATE SERVICES

April 30, 2018

Richard Kerr and Kathleen Bratcher
1019 E Logan Ave.
Salt Lake City, UT 84106

Re: Salt Lake City Right-of-Way (Alley) Encroachment
Parcel #16-17-253-019

Dear Mr. Kerr & Mrs. Bratcher:

This letter is written in regards to the property located at 1019 East Logan Avenue. It has come to our attention that an encroachment into the public right-of-way (alley) exist at the above referenced property. Inasmuch as you do not have a contract for the private use of public property, public way encroachments are regulated, licensed and only allowed by written agreement, we are seeking your cooperation to resolve this issue.

Until this is resolved, your encroachments are considered illegal per city ordinance §18.32.125 and further action will be taken by the City if not resolved immediately. If you have any questions regarding this notice please contact the Salt Lake City Real Estate Services at your earliest convenience so we may assist you.

Sincerely,

Olga Pinney

Real Property Agent
Salt Lake City Corporation
Real Estate Services
(801) 535-7184
Olga.pinney@slcgov.com

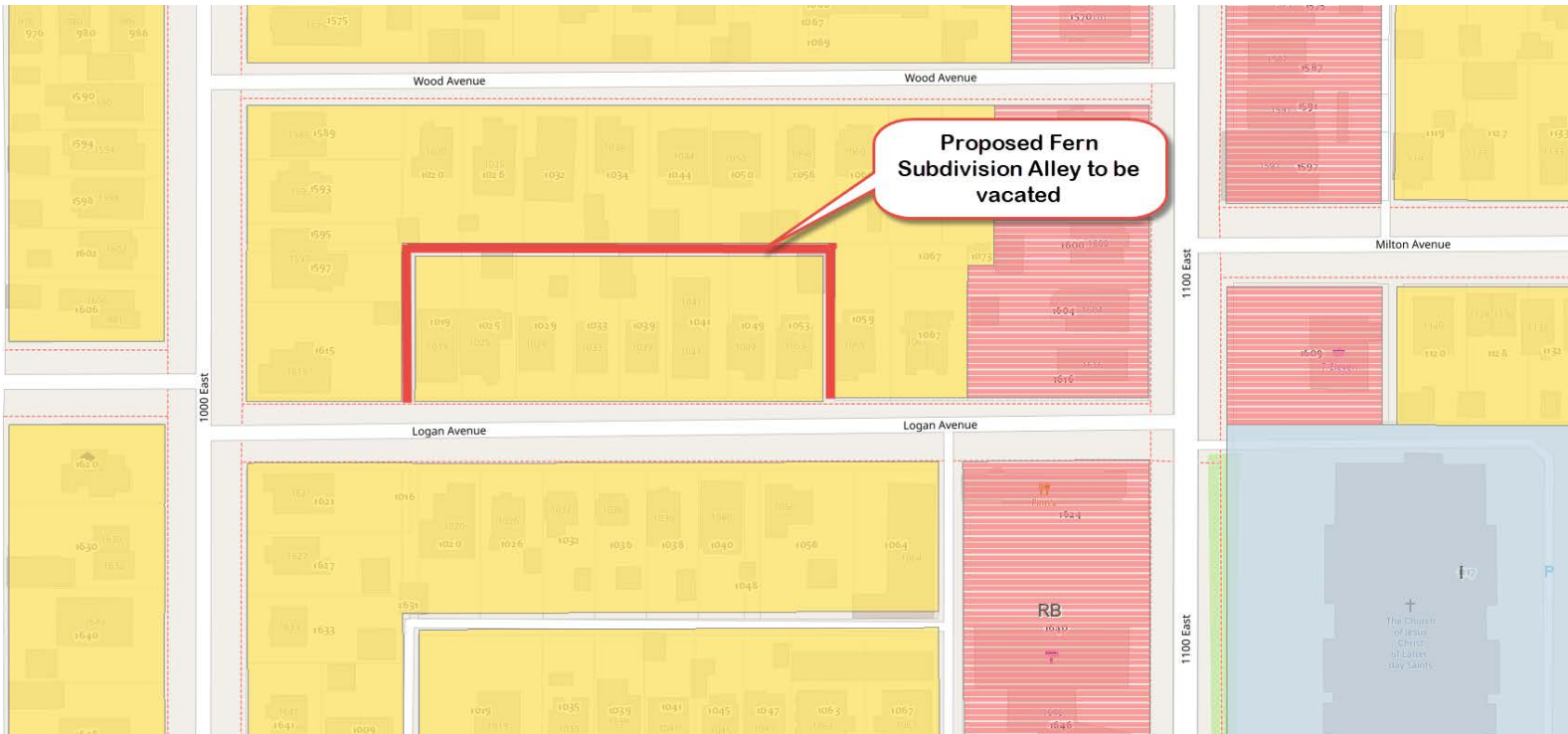
Enclosure(s)

ATTACHMENT D: EXISTING CONDITIONS & ZONING

ADJACENT LAND USE

The property lies within a residential area. All properties that are adjacent to the alley and in the immediate vicinity to the west of 1000 East are zoned R-1/5000 – Single Family Residential. To the east of the alleyway, the zoning becomes RB – Residential Business and is dominated by retail uses and development. This is shown on the zoning map below.

None of the property owners have indicated a need to access their rear yard via the alley.



ATTACHMENT E: ANALYSIS OF STANDARDS

14.52.020: Policy Considerations for Closure, VACATION or Abandonment of City Owned Alleys: *The City will not consider disposing of its interest in an alley, in whole or in part, unless it receives a petition in writing which demonstrates that the disposition satisfies at least one of the following policy considerations:*

- A. Lack of Use: The City's legal interest in the property appears of record or is reflected on an applicable plat; however, it is evident from an on-site inspection that the alley does not physically exist or has been materially blocked in a way that renders it unusable as a public right-of-way.*
- B. Public Safety: The existence of the alley is substantially contributing to crime, unlawful activity or unsafe conditions, public health problems, or blight in the surrounding area.*
- C. Urban Design: The continuation of the alley does not serve as a positive urban design element.*
- D. Community Purpose: The Petitioners are proposing to restrict the general public from use of the alley in favor of a community use, such as a neighborhood play area or garden.*

Discussion:

The application leans toward **Policy Consideration A – Lack of use** as the main driving factor for the alley vacation request. There is no visible evidence of an alley at this location. There are trees, fences, and other structures where the alley is described to be and is now used as part of the adjacent neighbor's backyard areas.

Staff routed this petition to the Salt Lake City Engineering Department (SLCPD) for comments and it was recommended the entire alley be vacated. The original application was to vacate only the portion of the alley adjacent to the applicant's property. But due to the alley no longer being functional, it is recommended the entire alley be vacated.

Finding: The alley meets the requirements to be fully vacated due to lack of use. It is evident that the alley has not functioned as one for many years now and there is no need to preserve a right-of-way. All property owners access their off-street parking from the street and the alley itself has been incorporated as a portion for the adjacent property's backyard.

Salt Lake City Code, Section 14.52.030B: Processing Petitions – Public Hearing and Recommendation from the Planning Commission.

Upon receipt of a complete petition, a public hearing shall be scheduled before the Planning Commission to consider the proposed disposition of the City owned alley property. Following the conclusion of the public hearing, the Planning Commission shall make a report and recommendation to the City Council on the proposed disposition of the subject alley property. A positive recommendation should include an analysis of the following factors:

Factor	Finding	Rationale
<p>1. The City Police Department, Fire Department, Transportation Division, and all other relevant City Departments and Divisions have no objection to the proposed disposition of the property;</p>	<p>Complies with conditions</p>	<p>Staff requested input from pertinent City Departments and Divisions. Comments were received from Public Utilities, Transportation and Engineering. The Salt Lake City Surveyor noted that there is no functioning alley in existence at this location and the entire alley should be vacated and incorporated into the adjacent properties. However, a legal description written by a licensed surveyor for the entire alleyway is required when application is submitted with the City's Real Estate Service group. In addition, the sewer lateral for 1059 E Logan Ave which is in the alley right-of-way will need to be addressed through an agreed easement or ownership will need to be conveyed to them. (See attachment G).</p>
<p>2. The petition meets at least one of the policy considerations stated above;</p>	<p>Complies</p>	<p>The proposed alley closure satisfies the Lack of Use policy considerations of 14.52.020 for the petition to be processed. See the discussion and findings in the previous section of this report for more details.</p>
<p>3. The petition must not deny sole access or required off-street parking to any adjacent property;</p>	<p>Complies</p>	<p>None of the properties that abut the alley appear to use it for access to their off-street parking or access to their property, aside from 1019 E Logan Ave; 1615 S 1000 East, and 1053 E Logan Ave. As such, none will be denied vehicle access due to the closure of the alley.</p>
<p>4. The petition will not result in any property being landlocked;</p>	<p>Complies</p>	<p>No properties would be rendered landlocked by this proposal.</p>
<p>5. The disposition of the alley property will not result in a use which is otherwise contrary to the policies of the City, including applicable master plans and other adopted statements of policy which address, but which are not limited to, mid-block walkways, pedestrian paths, trails, and alternative transportation uses;</p>	<p>Complies</p>	<p>The petitioner is requesting closure of the alleyway to come into compliance with the City Real Estate Service group. The method of disposition for low density residential areas is to vacate the alley to properties adjacent to it that are within the same recorded subdivision. The neighbors to the north are not in the same subdivision. The alley in its entirety would be given to the houses facing Logan Street and 1615 S 1000 E and 1597 S 1000 East and then incorporated into their backyard as they are currently being used. The applicant and</p>

		property owner at 1615 S 1000 East will need to come to an agreement and address the current off-street parking arrangement through ownership or easement.
6. No opposing abutting property owner intends to build a garage requiring access from the property, or has made application for a building permit, or if such a permit has been issued, construction has been completed within 12 months of issuance of the building permit;	Complies	No abutting property owners have opposed the alley vacation. No applications for a permit have been made.
7. The petition furthers the City preference for disposing of an entire alley, rather than a small segment of it; and	Complies	The applicant initially requested a partial closure to the alley that is in adjacent to their west property lines. However, the City Engineering Division stated that since there is no physical evidence of the alley's existence, it should be entirely vacated to reflect the current physical use of the land. The application was changed to complete vacation of the alley.
8. The alley is not necessary for actual or potential rear access to residences or for accessory uses.	Complies	The alley has ceased to be used for functional access to the back of properties and no property owners have indicated that the access is necessary for that purpose. The exception is for the applicant's property at 1019 E Logan Ave, 1615 S 1000 East, and 1053 E Logan Ave.
NOTES:		

ATTACHMENT F: PUBLIC PROCESS AND COMMENTS

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

- Notice of the project and request for comments sent to the Chair of the Sugar House Community Council on July 18, 2018 in order to solicit comments.
- Staff did not receive any comments from the Sugar House Community Council
- Staff held an open house on October 18, 2018 and sent notice to all residences and property owners within 300' of the alley. There was one concern raised at the open house by the property owner at 1026 E Wood Ave. He wasn't sure if his accessory building was in the alley right-of-way (see attached)
- The 45-day recognized organization comment period expired on August 16, 2018

Notice of the public hearing for the proposal included:

- Public hearing notice mailed on: May 31, 2019,
- Public hearing notice sign posted on the property: May 31, 2019
- Public notice posted on City and State websites & Planning Division list serve: June 1, 2019

**OPEN HOUSE
PUBLIC COMMENT FORM**

October 18, 2018



Planning and Zoning Division
Department of Community and Economic
Development

Logan Street Alley Vacation-PLNPCM2018-00468

Name: JOSHUA LEMERT

Address: 1026 E. WOOD AVE
SLC, UT 84105
Zip Code

Phone: ~~XXXXXXXXXX~~ E-mail: ~~XXXXXXXXXX~~

Comments: _____

~~My~~ MY CONCERN IS
THAT THE EXISTING FENCE LINE IS
RECOGNIZED ONCE THE ALLEY
IS VACATED SO THAT WOOD AVE
RESIDENTS ARE NOT IN JEOPARDY OF
LOSING LAND UNDER EXISTING INFRASTRUCTURE
(e.g. GARAGES, SHEDS, ETC)

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at anna.anglin@slcgov.com or via mail at the following address: Anna Anglin, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480.

Thank you

ATTACHMENT G: DEPARTMENT REVIEW COMMENTS

The proposed alley closure request was sent out for internal review. The following comments were received:

Engineering – Public Way Assets (Victoria Ostradicky)

This alleyway is not passable by either a car or by walking. Looking at the aerial view of the alley, it seems to me that almost everybody is encroaching into the alley. So, to clear it, why don't we close the whole alley. If we don't, because it is encroachment into public way, we would have to send everybody a letter telling them that they are encroaching into public right of way. This would create a lot of work for the property management and also make some people upset. People who don't agree with a vacation, they would have to think twice, if they are encroaching. Also, if this will go through, they need the legal description written by a licensed surveyor. The one included in the document wouldn't do.

Public Utilities (Jason Draper)

No utility issues with the proposed alley vacation around 1019 E Logan. If the entire alley is vacated, there is a sewer lateral for 1059 E Logan that goes through the alley and would either require that portion of the alley to be vacated in favor of 1059 or an easement needs to be recorded.

Transportation (Michael Barry)

Transportation does not object to closing the alley.

Fire Code (Ted Itchon)

The property has fire department access from Logan Ave and the closure would not be a hardship.