

PLANNING COMMISSION STAFF REPORT



Planning Division
Department of Community &
Economic Development

Park Street Alley Vacation 2549 to 2635 South Park Street Petition PLNPCM2011-00664 Date April 11, 2012

Applicant: Margaret Thornton

Staff: Anna Anglin
(801) 535-6050
anna.anglin@slcgov.com

Current Zone:
R-1/5,000 (Single Family Residential)

Master Plan Designation:
Sugar House Master Plan: Low Density
Residential
(5-10 dwelling units per acre)

Council District:
Council District 7 – Soren Simonsen

Community Council:
Sugar House- Christopher Thomas

Alley Dimensions:
740 ft long by 17 ft wide

Legal Description:
Alley right-of-way

Current Use:
Dirt top alleyway

Applicable Land Use Regulations:

- Section: 14.52.020 Policy Considerations For Closure, Vacation Or Abandonment Of City Owned Alleys.
- Section: 14.52.040 Method of Disposition.

Attachments:

- A. Proposed portion of Alley to Vacate, Plat, and Proposed Legal Description
- B. Public and Community Council Comments
- C. Department/Division Comments
- D. Application
- E. Site Photographs

Request

Margaret Thornton on behalf of the residences between 2549 South and 2635 South Park Street is requesting to partially vacate the alley adjacent to their properties. The alley runs north to south and abuts a total of 17 properties and is located in an R-1/5000 (Single Family Residential) zoning district.

Recommendation

Based upon the analysis and findings identified in this report, Planning Staff finds that the proposal does not meet the criteria for alley vacations, and therefore recommends that the Planning Commission forward a negative recommendation to the City Council to partially vacate and close the portion of the alley as proposed.

Vicinity Map



Salt Lake City
Community and Economic Development Dept.
Planning Division



Background

Project Description

The applicant, Margaret Thornton, property owner of 2591 South Park Street, is requesting the vacation of the alleyway which runs to the east side and adjacent to the properties between 2549 and 2635 South Park Street. According to the applicant, the existence of the alley is contributing to unlawful activity and blight in the surrounding area because the alley is rarely used, making it an ideal spot for criminal activity. The alley lacks use because all the property owners facing Park Street have access to their required off-street parking on Park Street. The property owners of 2555 South Park Street, 2565 South Park Street, 562 East Stratford, and 2628 South 600 East did not sign the petition for alley vacation. (See illustration)

The alley runs north to south and is accessed from Stratford Avenue at the north end, and connects to another public alleyway at the south end. The alley is approximately 740 feet long and 17 feet wide. The portion of the alley proposed to be vacated is located at the northern end approximately 100 Feet into the alleyway beginning at the northern property line of address 2561 South Park Street, and extends south 500 feet ending at the southern property line at 2613 South Park Street for a total area of 8,500 square feet in size. The portion of the alley proposed to be vacated is adjacent to ten parcels facing Park street (see Attachment A).

The alley is currently used to access two garages. The purpose for the alley's partial vacation request is to keep the access open for the required off-street parking to the properties at 562 East Stratford at the northern end of the alleyway, and 2628 South 600

East at the southern end of the alleyway. In addition, the property owner at 2555 South Park Street is using the alley for access to their RV parking. The proposed partial alley vacation would continue to provide access to the existing garages and to the existing RV parking.

Public Notice, Meetings and Comments

The following is a list of public meetings that have been held related to the proposed project:

- Community Council held on January 7, 2012. Comments and notes can be found in attachment B.

Notice of the public hearing for the proposal includes:

- Public hearing notice posted in newspaper on 4/28/2012.
- Public hearing notice mailed on 4/28/2012.
- Public hearing notice posted on property on 4/28/2012.
- Public hearing notice posted on City and State websites on 4/28/2012.
- Public hearing notice emailed to the Planning Division listserve on 4/28/2012.

- The property owner of 2628 South 600 East is against the closure of the alleyway. She uses the alley to access the rear of her yard and is worried about the utility lines parallel to the alleyway. She stated that the alley did have a problem with criminal activity a few years ago, but the activity has since vanished. (See the attorney's letter in attachment B)
- The project site is located within the Sugar House Community Council area. A Community Council meeting was held on January 7, 2012 at the alley site to discuss the proposed vacation. The Sugar House Community Council made a determination to support the vacation of the alley, although a few members opposed it. Review Attachment B for the notes from the meeting.

Department Comments

The proposal was reviewed by all applicable City Departments and Divisions. The review comments have been attached to this report. (See attachment C)

Analysis

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.

Potential Motions

The motion recommended by the Planning Division is located on the cover page of this staff report. The recommendation is based on the analysis contained in this report. Below is a potential motion that may be used in cases where the Planning Commission's decision is not consistent with staff recommendation:

Based upon the analysis and findings identified in this report, the Planning Commission finds that the proposal meets the criteria for alley vacations, and therefore recommends a positive recommendation to the City Council to partially vacate and close the portion of the alley as proposed base on the following standards:

Section 14.52.030: Processing Petitions:

1. All relevant city departments and divisions have no reasonable objection to the proposed disposition of the property;
2. The petition meets at least one of the policy considerations found in section 14.52.020
3. Granting the petition will not deny sole access or required off street parking to any property adjacent to the alley;
4. Granting the petition will not result in any property being landlocked;
5. Granting the petition will not result in a use of the alley property which is otherwise contrary to the policies of the city.
6. No opposing abutting property owner intends to build a garage requiring access from the property, or has made application for a building permit,
7. The petition furthers the city preference for disposing of an entire alley; and
8. The alley property is not necessary for actual or potential rear access to residences or for accessory uses.

The Planning Commission must also make a recommendation to the Mayor regarding the disposition of the property. If the Commission recommends that the alley property be declared surplus, the property should be disposed of according to Section 2.58 City-Owned Real Property of the Salt Lake City Code.

The City Council has final decision authority with respect to alley vacations and closures. A recommendation from the Planning Commission to vacate an alley requires an analysis and positive determination of the following considerations:

Salt Lake City Code, Section 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 onsite 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;**

Analysis: Currently the alleyway clearly exists as a public right-of-way and does not have any obstructions to deem it unusable. The alley is currently used by the property owners at 562 East Stratford and 2628 South 600 East to access their garages and the rear of their properties, and the property owner at 2555 South Park Street is using the alley for access to their RV parking.

Finding: The proposed partial alley vacation does not meet this standard.

- B. Public Safety: The existence of the alley is substantially contributing to crime, unlawful activity, unsafe conditions, public health problems, or blight in the surrounding area;**

Analysis: According to the applicant, the existence of the alley is substantially contributing to crime, unlawful activity and unsafe conditions, public health problems, and blight in the surrounding area because the alley is rarely used, making it an ideal spot for criminal activity. The alley lacks use because all the property owners on the west side of the alley have access to parking off of Park Street. The police Department forwarded a recommendation to close the alleyway due to some history of criminal activity (see Attachment C for details). The property owner of 2628 South 600 East stated there was a time when a lot of criminal activity took place, but the crime issues were cleared up years ago. A copy of Ms. Fisher's attorney's letter is in attachment B.

Two of the properties on the east side of the alley are accessed only by the alleyway and are deep lots, making it nearly impossible for emergency vehicles to reach some of the buildings on the properties without the alleyway. If the alley is closed, it would result in existing accessory structures being located further than 150 feet from a public right-of-way, which is a requirement of the code stated in the fire review.

Finding: The proposed partial alley vacation partially meets this standard.

- C. Urban Design: The continuation of the alley does not serve as a positive urban design element;**

Analysis: The alleyway provides options for people to access the rear of their properties and could potentially prevent garages from having a visual impact on the streetscape of Park Street. This is a positive urban design element and one that could potentially contribute to the character of the neighborhood.

Finding: The proposed partial alley vacation does not meet this standard.

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. (Ord. 24-02 § 1, 2002)

Analysis: The Petitioners are proposing to incorporate the alleyway as part of their property by fully landscaping their portion of the alley and incorporating the alley into their existing yards if the alley is vacated.

Finding: The proposed partial alley vacation does not meet this standard.

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:

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;

Analysis: Staff requested input and received comments from the following City Departments and Divisions: Transportation, Building Services, Engineering, Public Utilities, Property Management, Fire, and Police. While some City Departments and Divisions support the alley vacation, others raised some concern.

The city surveyor pointed out the property owners at 562 East Stratford and at 2628 South 600 East did not sign the petition and if the alley were to be vacated, there would be no access to the back of either property. This poses a problem because of how deep both lots are. Another factor the City Surveyor brought up is the alley when vacated, would not be evenly divided because the properties to the west (562 East Stratford, and 2628 South 600 East), are not on the same plat as the alley. The City Surveyor stated the alley would be divided so the parcels along Park Street (to the west) would receive sixteen feet of the alleyway, and the parcels to the east would receive one foot of the alley way.

In addition, the fire code requires that all structures have fire department access within 150 feet (Fire Code 503.1.1). The alley currently provides emergency access to the deep lots. If the alley were vacated, the emergency access would be eliminated and the properties could not be served at the same level as they are now. Any existing structure in the rear of the property would not meet the fire departments requirement. The police department supports the closure of the alley due to a history of criminal activity in the area. (See Attachment C for all departmental notes)

Finding: The proposed partial alley vacation does not meet this standard because of the loss of emergency access.

2. The petition meets at least one of the policy considerations stated above;

Analysis: The proposed alley vacation partially satisfies the “public safety” policy consideration. If the alley were to be vacated, then potentially it could give peace of mind and a sense of security to the property owners adjacent to the alley. If there was a need to reach portions of the parcels to the east of the property because of fire or other disaster, without the alley it would delay or even make these parcels inaccessible to emergency vehicles.

Finding: The petition partially meets one of the policy considerations stated in Section 14.52.020 of the Salt Lake City Code. While there is some public safety benefit, vacating the alley creates a new potential public safety issue with fire, and this standard is not met.

3. The petition must not deny sole access or required off-street parking to any adjacent property;

Analysis: It has been the City’s policy not to close an alley if it would deny a property owner access to their lot. The full closure of the alleyway would deny two parcels access to their required off-street parking. In addition, the property owner at 2555 South Park Street is using the alley for access to their RV parking. However, the petition is proposing to partially vacate the alleyway, leaving enough alley open for the properties at 2555 South Park Street, 562 East Stratford, and 2628 South 600 East to continue accessing their off street parking and RV parking.

Finding: Vacating the alley partially as proposed, would allow access to required off-street parking to the property owners adjacent to the alley. The petition meets this standard.

4. The petition will not result in any property being landlocked;

Analysis: Should the alley be partially vacated, it would not leave any parcels landlocked. All of the parcels along the alleyway would either have access by other alleys or by a public street.

Finding: The proposed partial alley vacation would not create landlocked parcels and the petition meets this standard.

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;

Analysis: The alley has not been designated for a future trail in the Open Space Master Plan. The land use of adjacent properties is “Low Density Residential” and is consistent with the Future Land Use Map of the Sugar House Master Plan.

Finding: The proposed partial alley vacation complies with this standard.

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;

Analysis: The alley accesses two existing garages on adjacent properties on the north and south end of the alleyway. The property owners of 2555 South Park Street, 2565 South Park Street, 562 East Stratford, and 2628 South 600 East did not sign the petition for alley vacation and it is unknown if these abutting properties owners intend to apply for a building permit to build garages with access from the alleyway. A review of the Accela system showed that no permits have been applied for.

Finding: The proposed partial alley vacation complies with this standard.

7. The petition furthers the City preference for disposing of an entire alley, rather than a small segment of it; and

Analysis: The applicant is proposing that only a portion of the alley be vacated in order to maintain access to the adjacent properties at 562 East Stratford and at 2628 South 600 East. As previously stated, the alley accesses these two parcels off-street parking and the applicant is proposing only a partial alley vacation to ensure the alley vacation would not interfere with their off-street parking access.

Finding: This proposal will dispose of the middle portion of the alley as previously defined, which is not consistent with the City's preference for disposing the entire alley and therefore the proposed alley vacation does not comply with this standard.

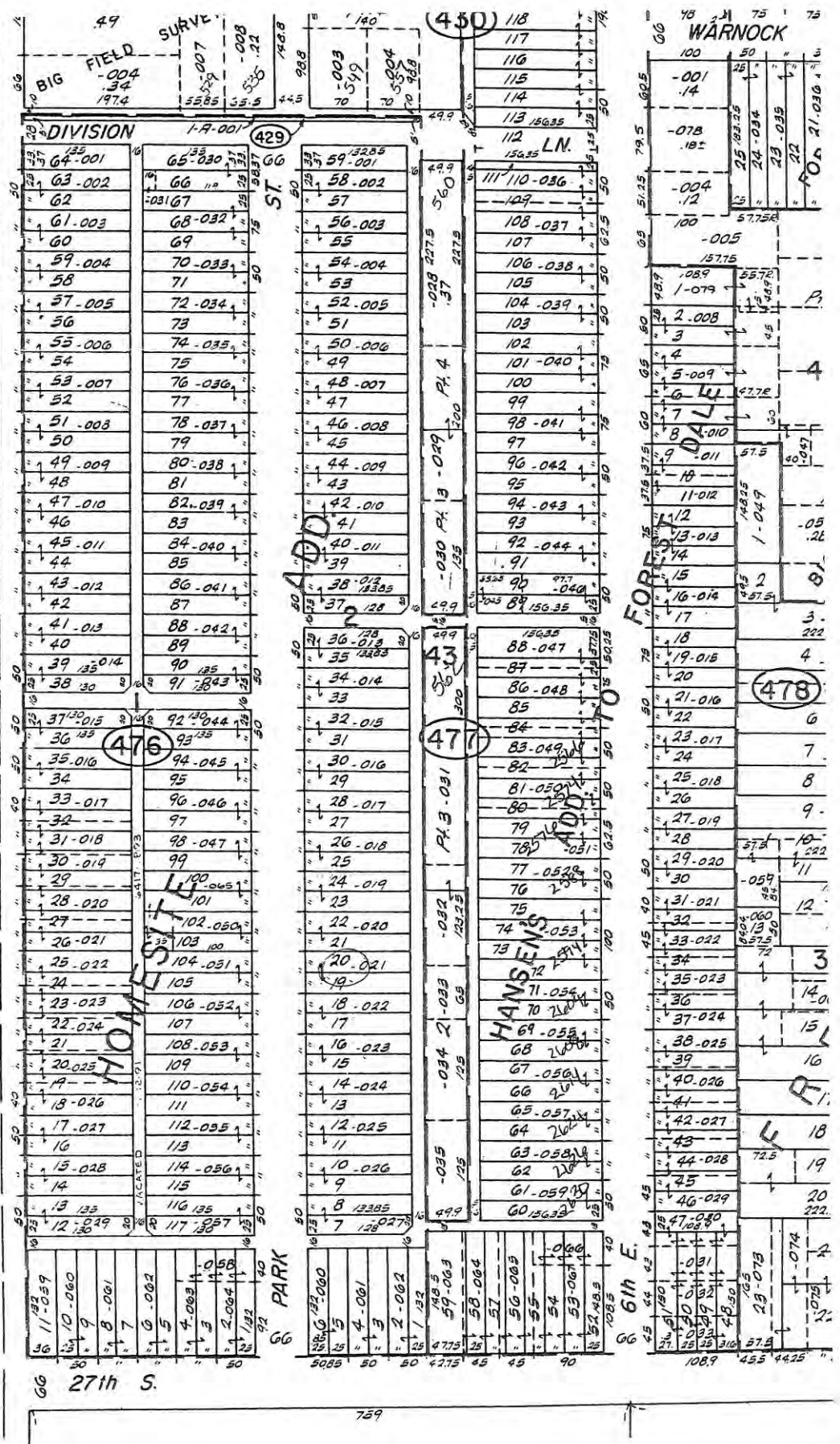
8. The alley is not necessary for actual or potential rear access to residences or for accessory uses.

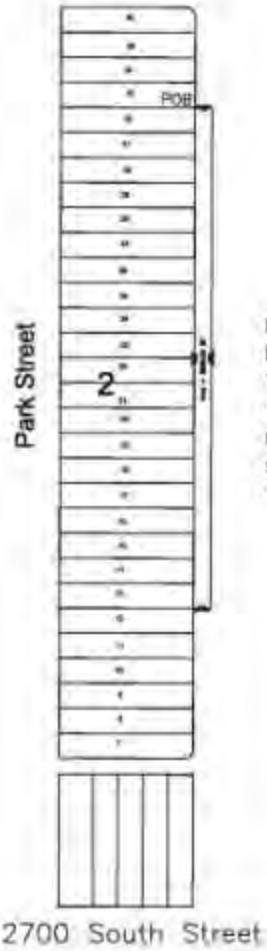
Analysis: As previously stated, the alley accesses two off street parking areas on adjacent properties to the east. A partial alley vacation would allow these two properties to continue accessing their off street parking. The current zoning adjacent to the alleyway is limited to single family homes and accessory buildings. Due to the size of the lots to the east of the alleyway, the potential for more development in the future is greater by subdividing the lots if the alley access was kept open. Closing the alleyway would limit any future development.

Finding: The portion of the alley that is being proposed for partial vacation may still be necessary for actual or potential rear access to the residences to the east of the alley and does not meet this standard.

Attachment A
Proposed Portion of Alley to Vacate, Plat, and Proposed Legal
Description

16-19-41





Homesite Addition
 Being a Subdivision of part
 of Block 43, Ten Acre Plat A

Part of the Alley in Block 2,
 Homesite Addition

Beginning at the Northeast corner of Lot 32, Block 2 of Homesite Addition a Subdivision being part of Block 43, Ten Acre Plat A, located in the Southeast ¼ of Section 19, Township 1 South, Range 1 East, Salt Lake Base and Meridian. Thence S89°49'00"E 17.00 feet to the east side of an existing alley; thence S00°11'00"W 500.00 feet along said alley right-of-way; thence N89°49'00"W 17.00 feet to the Southeast corner of lot 13 of said subdivision; thence N00°11'00"E along the west side of said alley right-of way for 500.00 feet to the point of beginning, containing 8,500.00 Square feet more or less.



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Attachment B
Community Council and Public Comments

January 22, 2012

To: Salt Lake City Planning Commission
FROM: Judi Short, Land Use Chair
Sugar House Community Council
RE: Alley Vacation 2591 Park Street



Sugar House
Community Council

A subcommittee of the Sugar House Land Use and Zoning Committee took a field trip on January 7, 2012 to review this proposal. I won't repeat all the details as summarized for you by the letter from Scott Kisling, a member of our committee. After reviewing the configuration of this neighborhood, and the subject alley, we mused about what the purpose might have been for such an unusual configuration back when the land was first platted. Scott does a good job of describing it, as I am sure the staff report will as well. It bothers us that the owner of Parcel 1619477073 is opposed to the change, and the owner of Parcel 1619477031 is in favor, provided he can have access to his garage.

After careful review of the confusing layout of the parcels involved, our group agreed to approve the alley vacation, subject to the following conditions:

1. The lot lines, of all affected properties, including the alley which would be vacated, should be drawn up. This should be done by a surveyor, or someone familiar with the rules and regulations regarding the required size of driveways, turning radius, etc. to be sure that what is agreed upon meets Salt Lake City Zoning Code. Each property owner adjacent to any portion of the alley needs to sign an agreement indicating their approval of the change.
2. All applicable city departments (Transportation, Police, and Fire, at a minimum) must also review and approve the design.
3. If conditions one and two are met, then the City Planning Director, Wilf Sommerkorn, may approve the document and forward the request to the City Council for final approval.

This is a very difficult parcel. If the two parcels at the north and south of the alley, respectively, could be subdivided into three lots, and a new home built on the resultant parcel of approximately 45 x 200 feet, this might provide more activity on the alley and be a deterrent to crime. However, the condition of the alley is abysmal, and the parcel might not be very attractive to someone to do that. To close this alley takes away any future thought of having accessory dwelling units in this area. The north and south parcels are both large enough to accommodate an accessory dwelling unit on each parcel, with access from the alley.

If the above agreement cannot be reached, then perhaps Scott Kisling's idea of putting a gate across the alley near the midpoint, is the best solution. That would prevent the alley from becoming a thoroughfare for crime.

:SUGAR HOUSE:SH Land Use Subcommittee Proposals:Park St Alley Vacation:Letter from LUZ to PC
re Park Street Alley Vacation

Dissenting Sugar House Community Council Land Use & Zoning Report
Alley Vacation Request
2591 S. Park Street, Salt Lake City, 84106

Attendees:

Dorothy Deien, Petitioner
Anna Anglin, Salt Lake City Corporation
Judy Short, Sugar House Community Council Land Use & Zoning Committee
Amy Barry, Sugar House Community Council Land Use & Zoning Committee
Scott Kisling, Sugar House Community Council Land Use & Zoning Committee
Sandy Walsh, Sugar House Community Council Trustee, Nibley
Barry Walsh, resident

On Saturday January 7, 2012 three members of the Sugar House Community Council Land Use and Zoning Committee, a SHCC Nibley Neighborhood Trustee and Salt Lake City Planner Anna Anglin met with the owner of the property at 2591 S. Park Street who has partitioned the City to vacate the roughly 700 foot long alley behind her property. Notably absent were the two property owners who abut the alley on the east side. Our group made no attempt to contact those two owners.

Stated reasons for the alley vacation request were the long history of alleged drug trafficking, prostitution, animal abandonment (a python snake in a cage) and dumping of building products that has occurred in the alley. While it is true that building products appear to have been dumped in the alley we saw no signs of graffiti or other indications of illegal activity during our visit. There have been no reports of crime on this section of Park Street or along this section of the alley in the past six months.

Please bear with me, because this is a very unusual property issue that is difficult to explain, much less understand.

Findings:

The group walked the alley from one end to the other and found that at both ends the alley under consideration for vacation terminated *at another alley!* The alley at the north end is shown on the County Assessor's map as Stratford Avenue, but it's right of way is approximately 20 feet – nowhere near the width of a typical Salt Lake City street.

Looking east from the alley requested to be vacated, there is another alley, apparently already vacated, on the other side of a narrow strip of private property. Two property owners live in that roughly 45 foot by 700 foot strip surrounded by alleys on all sides. Parcel 1619477073, 0.49 acres, is located on about 400 feet of the 45 foot wide parcel, on the south end. Parcel 1619477031, 0.34 acres, is located on about 300 feet of the parcel on the north end.

The owner of parcel 1619477073 on the south end reportedly does not want the alley vacated. This owner is reportedly elderly and very likely does not want to fight the 15 property owners to the west of her property. The owner of parcel 1619477031 on the

Dissenting Sugar House Community Council Land Use & Zoning Report
Alley Vacation Request
2591 S. Park Street, Salt Lake City, 84106

north end reportedly has no issue with the City vacating the alley as long as he can access his detached garage from the alley. That homeowner (or a previous one) has extended his fence to the east into the already vacated alley to take advantage of the additional land on which he likely now pays property taxes. The homeowner on the south end, on parcel 1619477073 has not moved her fence or in any other way taken advantage of her property windfall.

Impact on property owners:

The fifteen property owners along Park Street who have signed the petition for the City to vacate the alley would gain approximately 10 feet of depth to their property at no cost (though their property taxes would be expected to increase to reflect the larger parcel), increasing the acreage of each .12 acre property by at least 8%.

It is easy to see why the owner of parcel 1619477073 would not want the alley vacated:

1. It is her only public access to her property, save for the southwest corner, which is accessed by an alley apparently vacated – and certainly of decreased width – before it reaches her property. Alleys to the east and south of her property appear to have been previously vacated.
2. She has likely been paying property taxes on the alleys to the east and south that appear to have been vacated, but has not enjoyed the benefits of the additional property.
3. Emergency equipment would have limited access to her property; they could reach the southwest corner of her property with a truck, but could go no further. A second responder would have to park behind the first, since there is no room to pass on the still publicly owned portion of the alley to the southwest of her house.
4. With no public access to her property she, or some future owner, will be unable to subdevelop the northern end of her 400 foot deep property. Her house takes up the entire width of the strip between the two alleys, so no driveway could be built back to a second building.
I mention this because a similar situation was addressed in a completely different way just one block north. There, three parcels share the 45 foot wide strip; 1619477028, 1619477029 and 1619477030. The middle parcel contains an attractive house that faces south, with a detached garage behind it. Access to the middle property is by way of the apparently public alley to the east of the parcels. The alley to the west of these parcels is vacated and overgrown.

So, while the fifteen property owners would gain roughly ten feet of depth to their lot, a not inconsiderable amount when parcels are typically 0.12 acre in size, the two lots on the other side of the alley which are .49 and .34 acres in size yet have less public

Dissenting Sugar House Community Council Land Use & Zoning Report
Alley Vacation Request
2591 S. Park Street, Salt Lake City, 84106

frontage will become less accessible and in one case completely landlocked, and will suffer increased property taxes besides.

Our system of government is intended to protect the minority from pure majority rule. In this case, where 15 adjacent property owners want the alley vacated, one doesn't care, and one

Recommendation:

Rather than vacate the alley – a permanent decision – a gate should be placed across the alley where the two narrow parcels meet. A gate would make escape much more difficult for people considering illegal activity yet would maintain public access to the two properties in the narrow strip. A gate would also allow a second means of access by emergency vehicles to both properties. Consideration should be given to making the gate difficult for pedestrians to pass through, since it is in no way a hardship for pedestrians to walk along the public streets instead of the alley; it is the exact same distance.

If for whatever reason illegal activity along the public alley does not decrease, further action could be taken. Property owners would at worst be in the same situation as they are now, and the option of vacating the alley at some future date would still be available. Vacating the alley now, though, would obviate any other option.

DEAN B. ELLIS, ATTORNEY
P.O. Box 45
RIVERTON, UTAH 84065
801-965-8605

March 8, 2012

Anna Anglin
Principal Planner
Salt Lake City
P.O. Box 145471
SLC, UT 84145-5471

RE: Alley at 560 E and 2600 S

Dear Anna:

I am including herewith a copy of the letter we sent last year. It has also come to my attention that the utility companies have access to their supply lines via the alley. Mrs. Fisher strongly opposes any action to close the alley forcing the utility companies to use her property to maintain their lines in the area.

Please send me notice of the public hearing(s) on this matter.

Very sincerely,



Dean B. Ellis
ATTORNEY AT LAW

DEAN B. ELLIS, ATTORNEY
P.O. BOX 45
RIVERTON, UTAH 84065
801-965-8605

July 7, 2011

Salt Lake City
Community and Economic Development
Planning Division
451 S State St
SLC, UT 84111

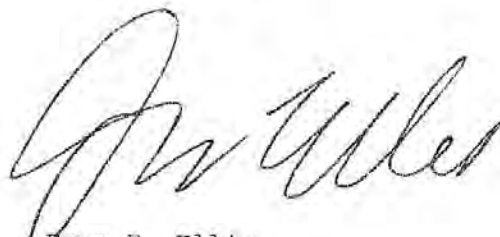
RE: Alley at 560 E and 2600 S

Dear Sir/Madam:

I represent Judith A. Fisher who lives at 2628 S 600 E. She has recently heard from a neighbor who is seeking to have the alley on the West side of Mrs. Fisher's home vacated.

Mrs. Fisher opposes this action. She requires the use of the alley for access to the Northern portion of her property. To make sure she is notified of any official action, she has recorded a notice of interest on the alley. I have enclosed a copy for your review. If a petition for vacation of the alley is presented to the city, please let me know.

Very sincerely,



Dean B. Ellis
ATTORNEY AT LAW

Attachment C
Department/Division Comments



Work Flow History Report
2591 Park
PLNPCM2011-00664

| Date | Task/Inspection | Status/Result | Action By | Comments |
|------------|-----------------------|---------------|----------------|--|
| 11/10/2011 | Staff Assignment | Assigned | Paterson, Joel | |
| 11/16/2011 | Staff Assignment | Routed | Anglin, Anna | |
| 11/16/2011 | Transportation Review | Complete | Walsh, Barry | Per the transportation field review for proposed closure of a north south alley way, all abutting properties have vehicular access to the public way fronting Park Street except two, the properties abutting the east side of the alley. The property at 562 East Stratford abutting the north portion of the alley that want to maintain an access easement to their rear yard by way of part of the alley. And the property to the south end of the alley that also wants to maintain an easement to access their rear yard. Per discussions with the Applicant there are no conflicts with the properties involved with the proposed access easements. The remainder of the abutting properties wish to physically close thru traffic (vehicular and pedestrian) access to their rear yards. |
| 11/17/2011 | Building Review | Complete | Butcher, Larry | My only comment would be to note if any properties were losing legal access to their parking. |
| 11/17/2011 | Public Utility Review | Complete | Staker, Justin | The alley in question is not used for any public water, sewer, or storm drain lines, nor are there any plans to make use the alley for such. We have no objection to the proposal to close the subject alley. |
| 11/17/2011 | Zoning Review | Complete | Anglin, Anna | |
| 11/29/2011 | Engineering Review | Complete | Weiler, Scott | Assuming all of the abutting property owners are in favor of the proposed alley closure, Engineering has no objection. The SLC Surveyor (Vicky Ostradicky) will need to review the legal description of the area to be closed. Please provide the description to her as soon as possible. |

| | | | | |
|------------|--------------------------|------------------------|----------------|---|
| 12/13/2011 | Planning Dept Review | Additional Information | Anglin, Anna | <p>Obtained comments from city surveyor: Be aware that the original alley was 16 feet wide, but because of excess in the block, the Alley is 17 feet. In the application I realized that the applicant is offering to buy half of the Alley. In this case they are entitled to 16 feet Alley and 1 foot should go to east side owners or the City can sell all 17 feet.</p> <p>Victoria Ostradicky City Surveyor Salt Lake City Engineering</p> <p>Property Managemnet comments: Typically in an alley vacation, the County Plat divides the alley into half with each going to the abutting owner according to the width of their lot. Are the abutting property owners aware of this? If not, I would suggest every property owner be notified, they only will get half of the ownership of the alley and there will be no conveyance deed going from the City to each property owner. Also, is it the intent the north and south ends be gated, or some other barrier preventing vehicular thoroughfare? Otherwise, I don't understand how this will eliminate the problem. Other than those comments, Property Management has not objections or concerns.</p> <p>John Spencer Property Management</p> |
| 1/9/2012 | Community Council Review | Complete | Anglin, Anna | 1/7/12- met with community council members and several other local community members and discussed the alleyway at the location. They had several comments that they will email to me. waiting on the emails before I finish the staff report. |
| 2/24/2012 | Fire Code Review | Complete | Itchon, Edward | all structures shall have fire department access within 150 feet as required in International Fire Code 503.1.1 |
| 2/28/2012 | Planning Dept Review | In Progress | Anglin, Anna | |
| 2/28/2012 | Staff Review and Report | Management Review | Anglin, Anna | |
| 3/8/2012 | Police Review | Complete | Anglin, Anna | <p>Michelle Ross from th Police Department stated that there is not a record showing any of these cases occurring in the alleyway.</p> <p>Here is the requested information for proposed alley closure</p> <p>Cases between 2549 - 2635 S Park Street for Jan 2011 to March 1, 2012</p> <p>ASLT AGG-NON FAMILY ID WEAPON 1 BURG-FORCED ENTRY RESIDENCE 1 DRUG-MARIJUANA POSSESS 1 ESCAPE-WARRANTS ALL IN STATE 3 FRAUD-ILLEG USE CREDIT CARDS 1 LARC-FRM MOTOR VEH (PROWL) 1 LIQUOR-POSSESS ILLEGALLY 1 PUB ORD-AMBULANCE SICK CALLS 1 PUB ORD-CITIZEN ASSIST 1 PUB ORD-POLICE ASSISTANCE 1 PUB PEACE-HARASSING COMMUNICAT 1 TRAF-HIT AND RUN 2 Grand Total 15</p> |

Attachment D
Application and Property Owners Signatures



Alley Vacation or Closure

OFFICE USE ONLY
 Petition No. PLNPCM2011-00664
 Date Received: Nov. 8, 2011
 Reviewed By: MOL-tay

SALT LAKE CITY PLANNING

Address of Subject Property: Alley - Park St from 2591 S. to 2599 S. 2011

Project Name: Alley Closure

Name of Applicant: Margaret Thornton Phone: (801) 507-6699

Address of Applicant: 2591 Park Street SLC, UT 84106

E-mail Address of Applicant: margaret.thornton@imail.org Cell/Fax:

Applicant's Interest in Subject Property: Neighborhood Safety

Name of Property Owner: same Phone:

E-mail Address of Property Owner: same Cell/Fax:

County Tax ("Sidwell #"): 16-7-2-17-0-0-0 Zoning:

Existing Property Use: _____ Proposed Property Use: _____

Please include with the application:

1. A response to the questions on the back of this form. If the applicant does not own property adjacent to the alley, please include the applicant's interest in the request.
2. The name, address and Sidwell number of all property owners on the block must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair. **Payment in the amount to cover first class postage for each address for two mailings is due at time of application.**
3. The name, address and signatures of all owners of property abutting the subject alley 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 occupants who rent) and the petition must include the signatures of no less than 80 percent of the abutting property owners.**
4. A property ownership map (known as a Sidwell map) showing the area of the subject alley. On the map, please:
 - a. Highlight the subject alley.
 - b. Indicate with a colored circle or dot, the property owners who support the petition.
5. A legal description of the subject alley may be required.
6. **If applicable, a signed, notarized statement of consent from property owner authorizing applicant to act as an agent.**
7. **Filing fee of \$221.48 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 and names of property owners are available at:

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

File the complete application at:

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

Feb 2008

Signature of Property Owner Brony D. Ward
 Or authorized agent

November 7, 2011

Salt Lake City Planning Division
City and County Building, Room 406
451 South State Street
Salt Lake City, UT 84111

Please accept this application and petition for an alley vacation and partial closure of the alleyway behind our homes. Over the years we have had problems with garbage and rats. It seems some of our neighbors use this area to dump rubbish rather than dispose of it properly.

We also have problems with crime. Criminals can come in the front of our homes and yards and leave out the back or the reverse. The police must patrol both Park Street and the back alley. We feel this is difficult to do in an emergency. We feel the closure of our alley would help the neighborhood. We are not asking for a closure of the entire alleyway as Stephanie Gire @ 562 East Stratford Avenue and Judy Fisher @ 560 East 2620 South need alley access to their properties.

Sincerely,

A handwritten signature in cursive script that reads "Margaret Thornton". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Margaret Thornton

Petition to Vacate or Close an Alley

Petitioner: Margaret Thornton
 Address: 2591 Park Street
 Date: 6/29/11

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 | George Elliott | Address | 2621 South Park St 84106 | Signature | [Signature] | Date | 6/29/11 |
| Print Name | Jon Carbeck | Address | 2603 Park St 84106 | Signature | [Signature] | Date | 6-29-11 |
| Print Name | Kristy Probst | Address | 2631 So Park St | Signature | [Signature] | Date | 6-29-11 |
| Print Name | DARLENE OSTERMAN | Address | 2655 So Park St | Signature | [Signature] | Date | 6-29-11 |
| Print Name | Jim Coles | Address | 2597 Park St. | Signature | [Signature] | Date | 6/29/11 |
| Print Name | Margaret Thornton | Address | 2591 Park Street | Signature | [Signature] | Date | 6/29/11 |
| Print Name | BRECON SOPHSEN | Address | 2585 Park Street | Signature | [Signature] | Date | 6/29/11 |
| Print Name | Corin Wilson | Address | 2575 Park Street | Signature | [Signature] | Date | 6/29/11 |
| Print Name | Roxanne Turner | Address | 2561 Park St. | Signature | [Signature] | Date | 6/29/11 |
| Print Name | Dennis Hansen | Address | 2549 Park St (2609 S. Park St) 2 cut | Signature | [Signature] | Date | 8-2-11 |
| Print Name | Judy Rich | Address | 4239 Jupiter Dr | Signature | [Signature] | Date | 9/25/11 |
| Print Name | Robert Demko | Address | 2579 S. Park St | Signature | [Signature] | Date | 9/24/11 |
| Print Name | TYLER HENNINGER | Address | 2613 PARK ST. | Signature | [Signature] | Date | 9/25/11 |

Attachment E Photographs



View of alleyway and garage from 560 East 2620South



View of garage from 562 East Stratford