



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: Christopher Lee (801.535.7706)
Date: June 12, 2014
Re: PLNPCM2014-00141 762 S. Post Street Alley Vacation

Alley Vacation

PROPERTY ADDRESS: 762 S. Post Street
PARCEL ID: 15-11-204-022
MASTER PLAN: West Salt Lake
ZONING DISTRICT: R-1/5000

REQUEST: The petitioner, Ryan McFarland of Salt Lake City Corporation is requesting an alley vacation along the southern edge of the parcel at 762 S. Post Street in order to create better access to the rear of fire station #6 which sits on the two parcels directly south of the alley. The Planning Commission is required to transmit a recommendation to the City Council for alley closure requests.

RECOMMENDATION: Based on the information in this staff report, Planning Staff recommends that the Planning Commission approve the application as proposed subject to compliance with all applicable regulations.

ATTACHMENTS:

- A. Vicinity Map
- B. Site Plan
- C. Additional applicant Information
- D. Analysis of Standards
- E. Public Process and Comments
- F. Department Review Comments
- G. Motions

PROJECT DESCRIPTION:

Salt Lake City Corporation owns the parcel at 762 S. Post Street due to a conveyance via a special warranty deed by the Salt Lake City Firemen's Relief Association, INC on February, 14, 2014. Additionally, Salt Lake City Corporation owns both of the parcels upon which fire station #6 is constructed (948 W. 800 S. and 952 W. 800 S.). With the recent acquisition of 762 S. Post, it is the objective of this proposed alley vacation to eliminate the alley between the parcels with the eventual goal of combining all three parcels into one and eliminating the house on 762 S. Post to provide more space for the activities at the fire station.

KEY ISSUES:

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

1. The only three parcels that would be affected by the proposed alley vacation are owned by Salt Lake City Corp.
2. The alley vacation is proposed with the end goal in mind of consolidating the three parcels into one and then demolishing the house at 762 S. Post Street to provide more space for fire station #6 to carry out all its' duties in the best possible manner.

NEXT STEPS:

The applicant will be required to obtain all necessary permits to complete the vacation.

ATTACHMENT A: VICINITY MAP



ATTACHMENT B: SITE PLAN



ATTACHMENT C: ADDITIONAL APPLICANT INFORMATION

Applicant Request Letter:

Request for an Alley Vacation

March 3, 2014

Alley location:

The reason for this Alley Vacation request is to create more space that will allow for better access to the Fire Station. The Fire Station is located on two parcels 15-11-204-027 and 15-11-204-026, these two parcels are the abutting property to the South of this alley. Salt Lake City Fireman's Relief Association purchased the property located to the North of the alley, parcel 15-11-204-022. The home that is located on parcel 15-11-204-022, and will be demolished. The three parcels and the alley will be combined into one parcel creating a bigger space for the Fire Station.

Sincerely,

Property Management

Holly Draney

Legal Description of the Subject Alley:

Legal Description of an Alley at Block 5 Seventh South Subdivision

Beginning at the Northeast Corner of Lot 26, Block 5, of Seventh South Subdivision, the Subdivision also being part of the Official Survey of Plat "C", Plat 2, Salt Lake City Survey; thence West 135.0 feet along the north line of lots 26 thru 30 of said block and subdivision to a vacated alley; thence North 10.0 feet to the Southwest Corner of Lot 31 of said block and subdivision; thence East 135.0 feet along the south line of Lot 31 to the Southeast Corner of Lot 31 of said block and subdivision; thence South 10.0 feet to the point of beginning, containing 1,350.0 square feet more or less.

ATTACHMENT D: ANALYSIS OF STANDARDS

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 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 positive recommendation from the Planning Commission 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 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 subject alley is proposed to be vacated in order to serve a community purpose. Closure of the alley will enable a lot consolidation of three parcels which will allow fire station #6 sufficient space to maneuver vehicles safely and easily and serve the public more effectively.

Additionally, the alley is paved over and effectively only serves as a gated access point for both 762. S. Post and the fire station #6.

Finding: The proposed alley vacation serves a community purpose by allowing for Fire Station #6 to function more efficiently.

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;**

Discussion: Staff requested input from pertinent City Departments and Divisions. Comments were received from the Transportation Division, Building Services, Engineering, and Public Utilities. There were no objections to the proposed alley vacation.

Finding: The appropriate City Departments and Divisions have reviewed this request and have no objections to the proposed disposition of the property.

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

Discussion: The proposed alley vacation satisfies the “Community Purpose” policy considerations (see the discussion and findings above).

Finding: The petition meets at least one of the policy considerations stated in Section 14.52.020 of the Salt Lake City Code.

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

Discussion: Vacation of the subject alley will not deny sole access to the property or access to required off-street parking to the property at 762 S. Post Street.

Finding: Closing the alley will not deny access or required off-street parking to any owner of property adjacent to the alley.

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

Discussion: Should the alley be vacated, none of the three impacted parcels would be landlocked; 762 S. Post would still have access from Post Street and both of the fire station #6 parcels would have access from 800 S. as well as Post Street.

Finding: The proposed alley closure would not create any landlocked parcels.

- 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;**

Discussion: The disposition of the alley property will not result in a use which is otherwise contrary to the policies of the City seeing as it does not access any parcels besides those at fire station #6 and 762 Post. It could never be used as a mid-block walkway, path, or trail because the alley dead ends at the property line. The property directly west contains a single family home that the City would have to acquire to construct a trail. Given the short distance from

800 South, it is not practical to construct a trail utilizing this small section of alley.

Finding: The proposed alley vacation meets 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;**

Discussion: None of the abutting property owners currently have a permit or are anticipating construction of a garage.

Finding: The proposed alley vacation meets this standard.

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

Discussion: The entire alley would be vacated.

Finding: The proposal meets this standard.

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

Discussion: All of the properties that abut the alley are owned by the City. The existing home to the north will be demolished and the property incorporated into the fire station.

Finding: The proposed alley vacation meets this standard.

ATTACHMENT E: PUBLIC PROCESS AND COMMENTS

PUBLIC PROCESS AND INPUT

Notice of the Planning Commission Public Hearing

- Public hearing notice mailed on June 12, 2014.
- Public hearing notice posted on property on June 12, 2014.

Community Council

The project is located in the Poplar Grove Community Council boundaries and they discussed this alley vacation after receiving notice from Staff. The only comment that was submitted came from the Chair of that Council:

The Poplar Grove Community Council has discussed the proposed alley closure behind Fire Station #6. We have no concerns regarding this proposal.

Sincerely,
Andrew Johnston
Chair- Poplar Grove Community Council
poplargrovecouncil@gmail.com

ATTACHMENT F: DEPARTMENT REVIEW COMMENTS

Zoning:

No zoning issues with the alley vacation. However, a subdivision plat amendment may be required for the three lots and the vacated alley in the existing residential Seventh South Subdivision.

Transportation:

“The proposal to combine the three parcels and the 10'x135' alley parcel into one lot shows no impact the existing public transportation corridors of Post Street or 800 South. And does not impact access to abutting properties.”

Public Utilities:

“No objections to the proposed alley closure. The legal description is correct, per Vicky”.

Sustainability:

“No issues.”

Building:

No comment.

Fire:

No comment.

ATTACHMENT G: MOTIONS

Consistent with Staff Recommendation:

Based on the findings listed in the staff report, testimony and plans presented, I move that the Planning Commission transmit a favorable recommendation to the City Council relating to this request to vacate the alley, located adjacent to the southern edge of the parcel at 762 S. Post Street subject to the conditions of approval.

Not Consistent with Staff Recommendation:

Based on the testimony, plans presented and the following findings, I move that the Planning Commission transmit a negative recommendation to the City Council relating to this request to vacate the alley, located adjacent to the southern edge of the parcel at 762 S. Post Street.