



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: David J. Gellner, AICP, Principal Planner, 801-535-6107, david.gellner@slcgov.com
Date: October 12, 2016
Re: PLNPCM2016-00520 - Darling/Lincoln Elementary South Alley Vacation

ALLEY VACATION

PROPERTY ADDRESSES: The alley abuts fifteen (15) individual properties as follows:

200 East: 1113 South 200 East (petitioner's property – west end of alley)

Hampton Avenue: 213, 217, 221, 225, 231, 235, 239, 245, 249, 257, 259, 265 and, 269 East Hampton Avenue

Salt Lake City School District Property (Lincoln Elementary School): 1085 South Roberta (abuts entire north side of the alley)

MASTER PLAN: Central Community Master Plan

ZONING DISTRICT: R-1/5000 – Single-Family Residential (School is zoned PL – Public Lands)

REQUEST: Logan Darling, an abutting property owner has submitted a request to vacate the alley that runs in an east/west direction between 200 East and 269 East, south of the Lincoln Elementary School and behind the homes that front onto Hampton Avenue. The proposal is to vacate the City's ownership interest in the previously closed alley and incorporate the land into the neighboring residential properties along the alley. The Planning Commission is required to transmit recommendation to the City Council for alley vacation requests.

RECOMMENDATION: Based on the findings and analysis in this staff report, Planning Staff recommends that the Planning Commission transmit a positive recommendation to the City Council for the alley vacation.

The following motion is provided in support of the recommendation:

Based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission transmit a positive recommendation for the alley closure to the City Council with the following condition:

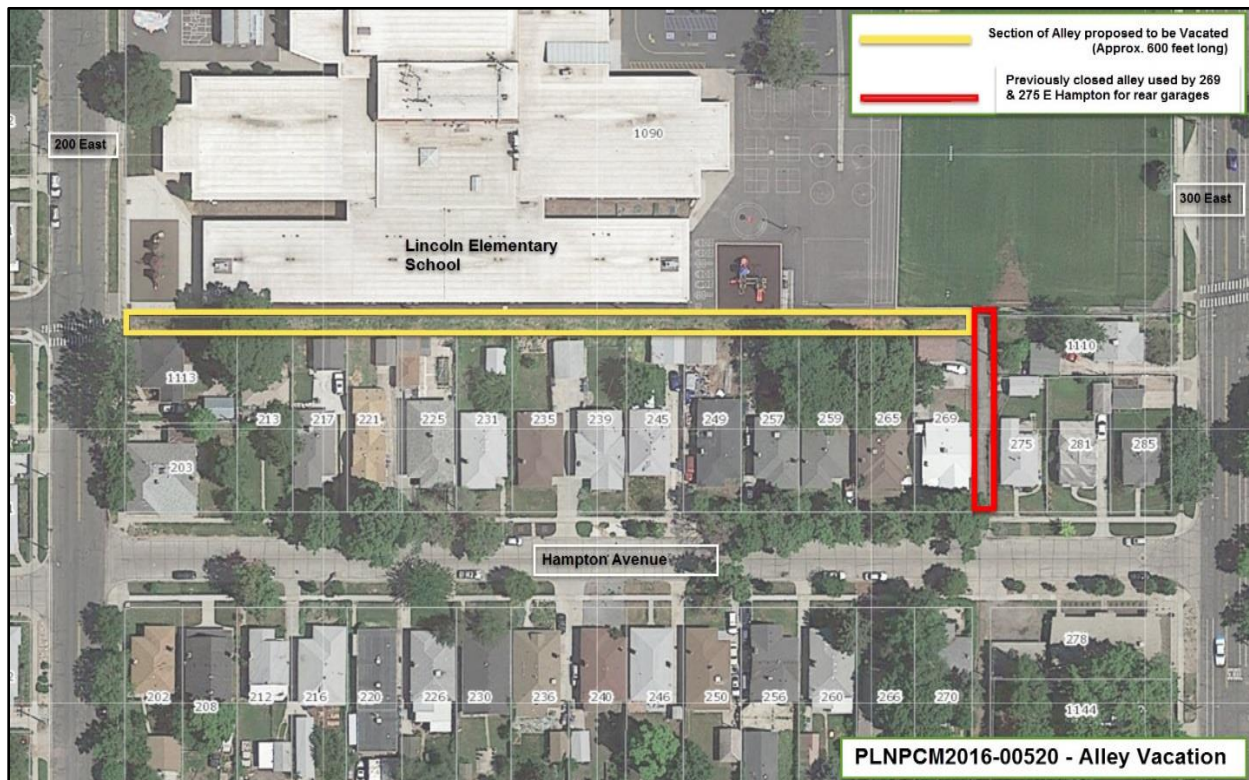
1. The proposed method of disposition of the alley property shall be consistent with the method of disposition outlined in Section 14.52.040 – Method of Disposition and Chapter 2.58 City Owned Real Property of the Salt Lake City Ordinance.

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Photos](#)
- C. [Petition and Applicant Information](#)
- D. [Existing Conditions & Zoning](#)
- E. [Analysis of Standards](#)
- F. [Public Process and Comments](#)
- G. [Department Review Comments](#)
- H. [Potential Motions](#)

PROJECT DESCRIPTION:

Logan Darling, an adjacent property owner has initiated a petition to vacate an approximately 600-foot long section of alley located between 200 East and approximately 269 East, south of the Lincoln Elementary School and behind the homes on Hampton Avenue. The alley was previously closed by City Council action in 1983 but the property was not vacated and ownership was retained by the City at that time. This is further outlined in the Key Issues section of this report. This proposal is to vacate the alley and incorporate the land into the neighboring residential properties along the south side of the alley. The applicant has cited that many of the homes on Hampton have zero setback to the alley, making access to electrical boxes on his home and accessory structures on other properties difficult.



KEY ISSUES:

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

Issue 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.” Two abutting property owners to the alley did not sign the petition in support of vacating the alley.

One of those, Joe Gallegos, the property owner residing at 231 E. Hampton has verbally voiced opposition to the alley vacation to Staff at the Open House held on September 15, 2016. He cited possible access to an old alley-facing garage and the lack of a front driveway as reasons for his opposition. Staff has not received written opposition to the vacation from Mr. Gallegos as of the date of this report. The other property owner that did not sign the petition resides at 265 E. Hampton Avenue. That property owner has not submitted or voiced any concerns to staff. Including the SLC School District whose property abuts the entire north side of the alley, 87% of abutting property owners have signed the petition and support the vacation.

This item is also addressed in Attachment C: Applicant Letter and Information and in Attachment E: Analysis of Standards.

Issue 2: Policy Considerations and Previous Petition to Vacate

The alley vacation satisfies the policy considerations of A) Lack of Use and B) Public Safety outlined in Section 14.52.020. The alley exists as a “No Man’s Land” between the school property and the back of the homes and is largely overgrown, creating a blighted area beside the school yard and possibly serving as a nuisance area for illegal or undesirable activities. This is outlined in Attachment E: Analysis of Standards

The SLC School District submitted a petition in 2015 to have the alley vacated and for the property to become part of the school property in order to eliminate the blighted alley from bordering on the school yard for safety and aesthetic reasons. This petition was closed after it was determined that the property cannot be conveyed to the School District as the alley was dedicated as part of the University Heights Second Addition subdivision and the school lies in a different adjacent subdivision. The School District is supportive of the request. They are currently in the process of building a replacement school on the site. When the new Lincoln Elementary School is sufficiently completed and occupiable, the existing school building will be demolished and a larger segment of the usable school yard fields will border on what is now the unused alley. These factors further bolster the need for the vacation in consideration of the policy considerations.

Issue 3: Closure of the Alley per 1983 Action of Council

As mentioned previously, the alley was closed by City Council action in 1983 via Ordinance #12 of 1983. The original request at that time was for the closure and vacation of the alley. The City Council closed the alley but the action expressly retained the City’s ownership in the alley. In discussion with Public Utilities and based on records from that time, the reason behind the City retaining ownership at the time had to do with the then future location of the Jefferson Storm Drain project that was being planned. That issue is no longer a consideration as the storm drain project was built elsewhere. Public Utilities has no objections to the vacation and have expressed interest in the burden of maintaining the property being transferred to the adjacent property owners. They do have a small storm drain easement that they would transfer with the ownership of the property.

Issue 4: Nature of the Alley

The alley does not run through the full length of the block between 200 East and 300 East. Typically alleys bisect the long access of the block in most older residential neighborhoods of the city. This alley runs east to west from 200 East until a point approximately between the residences located at 269 E Hampton and 275 E Hampton and then turns abruptly south and runs for 150 feet until it exits onto Hampton Avenue. This small north/south segment of the alley was also previously closed and has a gate but provides necessary access to rear garages and parking for 269 and 275 E Hampton. This north/south segment is not part of this vacation request.

The east/west segment of the alley is closed at the 200 East end by an unlocked gate that can be easily opened. The alley currently is impassible and is overgrown with weeds and small trees, attesting to the fact that it has not been used for a very long period time. In addition, some illegal dumping of concrete and other debris has taken place over the years, further impeding the alley. Toward the 269 East Hampton end, there is at least one fence that is built across the alley with the yard of the homeowner encroaching into the alley and incorporating that space into their property. This encroachment further curtails traffic through the alley. Whether or not the alley was fully or even partially paved at one time is unclear. For all intents and purposes, field investigation showed that the alley is unpaved for the majority of its length.

Issue 5: 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 in order to help facilitate alternative transportation and as a positive urban design element. This particular alley runs east/west along the long axis of the block but does not provide a full length connection and is rather an "L" shape. Hampton Avenue has an existing sidewalk on both sides of the street to facilitate east/west pedestrian traffic. As such, this alley is not necessary to create an alternative trail and access in the area. Another beneficial use that alleys can serve is to improve access to rear Accessory Dwelling Units (ADUs). However, ADUs are required to be within 1/2 mile of a fixed transit stop such as a light rail or TRAX stop. This neighborhood would be outside of that distance and the proposed ADU Ordinance changes would also preclude ADUs in this area. Finally, the alley runs through an established residential area that is made 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.

DISCUSSION:

The alley closure has been reviewed against the standards for alley closures located in Attachment E. In compliance with the applicable policies, the alley is not being used for public purposes and the closure is supported by the majority of adjacent property owners. Further, City policies and the relevant Master Plan do not include any policies that would oppose the closure of this alley.

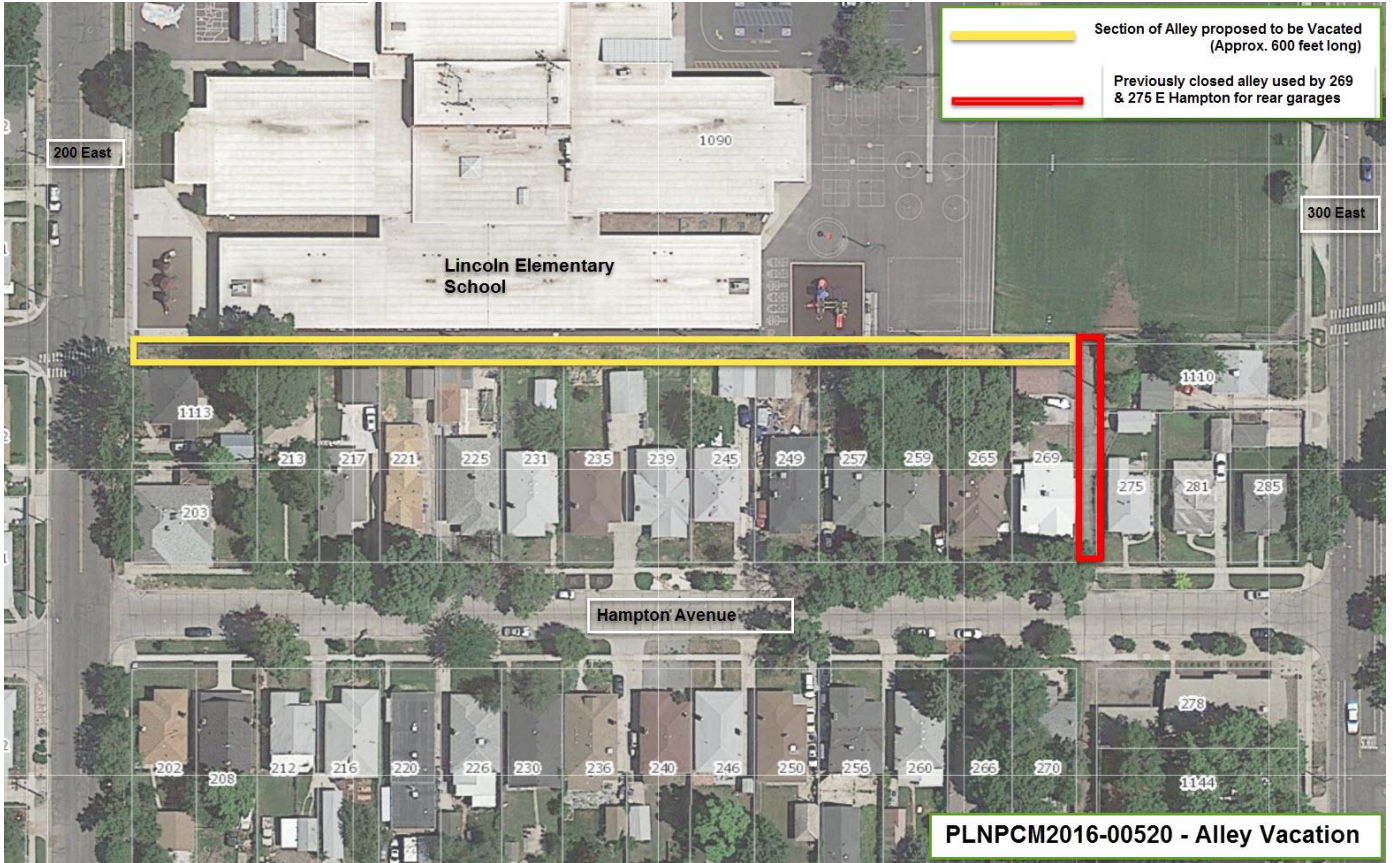
NEXT STEPS:

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.

Note:

As previously mentioned, the property would have to be fully conveyed to the adjacent property owners rather than the SLC School District as the alley was dedicated as part of a different subdivision than the school property.

ATTACHMENT A: VICINITY MAP



ATTACHMENT B: PHOTOS



Connection of the alley to 200 East and the existing gate. The petitioner owns the pictured dwelling that borders the south side of the alley.



Gate at the north/south segment of alley where it intersects Hampton Avenue. This closed drive is used by the adjacent residences for access to rear garages. It is not part of the vacation but is shown for reference purposes.



Typical alley conditions behind the homes that front on Hampton Avenue



Typical condition of the alley behind the homes that front on Hampton Avenue. Numerous accessory structures have zero setback to the alley.



Encroachment into the alley behind the property located at 269 East Hampton Avenue.



These photos show a gated off strip of land south of the existing school that runs parallel to the alley.



*Garage located behind
231 E. Hampton Avenue.*



*Front of the home at 231
East Hampton – house
on left.*

ATTACHMENT C: PETITION AND INFORMATION

February 1, 2016

To Whom It May Concern:

The alley south of Lincoln Elementary School has become overgrown with weeds and filled with trash and graffiti. As well, several homeowners adjacent to the alley have zero setback from the alley and are unable to reach electrical boxes and maintain that side of their home.

The homeowners adjacent to the alley have signed the attached petition to vacate the alley with the intent of conveying the property to those owners. We all feel that giving the land back to the homeowners will result in a safer and better maintained community.

Thank you for your consideration,

Logan Darling

15024

ALLEY LEGAL DESCRIPTION

A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL IS ALSO SITUATE IN JACKSON SQUARE SUBDIVISION RECORDED AS ENTRY NO. 255499 IN BOOK F AT PAGE 21. THE BOUNDARIES OF WHICH ARE DESCRIBED AS FOLLOWS:

THE ALLEY STARTS AT THE NORTHWEST CORNER OF LOT 120 OF SAID JACKSON SQUARE SUBDIVISION, AND RUNNING THENCE N.00°01'52"E. 13.00 FEET TO THE NORTHERLY BOUNDARY LINE OF SAID JACKSON SQUARE SUBDIVISION; THENCE ALONG THE NORTHERLY BOUNDARY LINE OF SAID SUBDIVISION N.89°57'26"E. 523.22 FEET TO THE NORTHWEST CORNER OF LOT 105 OF SAID JACKSON SQUARE SUBDIVISION; THENCE S.00°03'25"W. 13.00 FEET ALONG THE WESTERLY LOT LINE OF SAID LOT 105; THENCE S.89°57'26"W. 523.21 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 6,802 SQUARE FEET OR 0.156 ACRE IN AREA, MORE OR LESS.



This map is not intended to represent actual physical properties. In order to establish exact physical boundaries a survey of the property may be necessary.

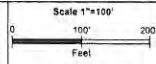


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E 1/2 SW 1/4 Sec 07 T1S R1E
 SALT LAKE COUNTY, UTAH

4/11/2013



16-07-32

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111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132

WHAT THE CITY CONSIDERS BEFORE VACATING OR CLOSING AN ALLEY

1. The City police department, fire department, transportation division, and all other relevant City departments have no reasonable objection to the proposed disposition of the property;
2. Granting the petition will not deny sole access or required off-street parking to any property adjacent to the alley;
3. Granting the petition will not result in any property being landlocked;
4. Granting the petition will not result in a use of the alley property 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;
5. 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;
6. The petition furthers the City preference for disposing of an entire alley, rather than a small segment of it; and
7. The alley property is not necessary for actual or potential rear access to residences or for accessory uses.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

PETITION TO VACATE OR CLOSE AN ALLEY

Name of Applicant:

LOGAN DARLING

Address of Applicant:

1113 S 200 E, SLC UT 84111

Date:

6-22-16

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

Tom T. ANGELOS

217 Hampton Ave



4/25/16

Print Name

Address

Signature

Date

Print Name

Address

Signature

Date

Print Name

Address

Signature

Date

Print Name

Address

Signature

Date

Print Name

Address

Signature

Date

WHAT THE CITY CONSIDERS BEFORE VACATING OR CLOSING AN ALLEY

- 1. The City police department, fire department, transportation division, and all other relevant City departments have no reasonable objection to the proposed disposition of the property;
- 2. Granting the petition will not deny sole access or required off-street parking to any property adjacent to the alley;
- 3. Granting the petition will not result in any property being landlocked;
- 4. Granting the petition will not result in a use of the alley property 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;
- 5. 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;
- 6. The petition furthers the City preference for disposing of an entire alley, rather than a small segment of it; and
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PETITION TO VACATE OR CLOSE AN ALLEY

Name of Applicant: _____

Address of Applicant: _____

Date: _____

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
JASON GROGNEWOLD	237 E HAMPTON AVE.		7/7/14

Print Name	Address	Signature	Date

Print Name	Address	Signature	Date

Print Name	Address	Signature	Date

Print Name	Address	Signature	Date

Darren Campo 269 E Hampton Av. S.H. Ct. Darren Campo. 04-16-2015
Print Name Address Signature Date

Steven Cumilia 221 E Hampton Ave Steve Cumilia 4-16-2016
Print Name Address Signature Date

DARRIN BROOKS 221 HAMPTON AVE [Signature] 4.16.2016
Print Name Address Signature Date

MATT MOORE 235 HAMPTON AVE Matt Moore 28 JUN 2016
Print Name Address Signature Date

ng. z. j. 225 E Hampton ng. z. j. 28/6/2016
Print Name Address Signature Date

Print Name Address Signature Date

PETITION TO VACATE OR CLOSE AN ALLEY

Name of Applicant:

Salt Lake City School District

Address of Applicant:

440 EAST 100 South

Date:

10-22-15

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
Victor J. Gomez	2135 East 1100 S.	<i>Victor J. Gomez</i>	8/10/15
John B. Wilson	317 Hampton Ave	<i>John B. Wilson</i>	8/10/15
Jeff Castillo	371 E Hampton Ave	<i>Jeff Castillo</i>	8/10/15
Steve Gumbert	249 E Hampton Ave	<i>Steve Gumbert</i>	8/10/15
LOGAN DARLING	1113 S 200 E	<i>Logan Darling</i>	8/24/15
RICHARD OLSON	259 HAMPTON	<i>Richard Olson</i>	8/24/15
KEVIN STANSON	239 E. HAMPTON AVE	<i>Kevin Stanson</i>	9/21/15
ED HARRACH	257 E HAMPTON AVE.	<i>Ed Harrach</i>	8/21/15
Tsering Uramo	245 Hampton Ave	<i>Tsering Uramo</i>	9/22/15
Salt Lake City School Dist.	1100 S. 300 E	<i>Paul</i>	10/3/15
Lincoln Elementary School	1090 So Roberts	<i>Paul</i>	10/3/15

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 are zoned R-1/5000 – Single Family Residential.

Only one property has a rear garage that appears to have been accessed off the alley at one point in time. This property is located at 231 E. Hampton Avenue. The property owner, Joe Gallegos has expressed verbal opposition to the alley vacation to staff citing access to the garage and possible impact on the value of his property as he lacks a front driveway at this time. In consultation with the Attorney's Office, staff asserts that since the alley was closed by the City in 1983, and the property was purchased after that time by the current owner, there was no access to the rear garage at the time the property was purchased. While the current owner may have assumed access existed when he purchased the property, that access was not existent. This issue is further mentioned in the Key Issues section of this report and in Attachment E: Analysis of Standards.

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:*

Factor	Finding	Rationale
<p>14.52.020: 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:</p> <p>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.</p> <p>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.</p> <p>C. Urban Design: The continuation of the alley does not serve as a positive urban design element.</p> <p>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.</p>	<p>Complies</p>	<p>The proposed alley closure is consistent with policy consideration A, Lack of Use. The alley has not been used for vehicular traffic for many years as it was closed to vehicle access by City Council in 1983. The alley exists as a “No Man’s Land” between the existing elementary school and the back of the homes on Hampton Avenue. The property was not vacated at that time in consideration of a future storm drain project that was being planned. It is no longer needed for that project purpose and has become a maintenance issue for the City.</p> <p>The alley closure is consistent with policy consideration B, Public Safety. It exists as a blighted and overgrown area adjacent to the existing Lincoln Elementary School, possibly serving as a nuisance area for illegal or undesirable activities. The School District is currently in the process of building a new school on the site. When that is sufficiently completed and occupiable, the existing school building will be demolished and a larger segment of the usable school yard will border on what is now the unused alley. This further supports the policy consideration of Public Safety related to vacating the alley.</p> <p>Alleyways can serve as positive urban design elements in some areas. For example, in some residential areas they may facilitate off-street parking and access to rear garages. However, this alley does not serve such purpose as it was previously closed and those functions have been relocated to the street frontage.</p>

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</p>	<p>Staff requested input from pertinent City Departments and Divisions. Comments were received Public Utilities, Zoning, Transportation and Engineering. All comments were supportive of the alley vacation or did not indicate an objection to the request. Individual comments are included in Attachment G: Department Review Comments.</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 and Public Safety policy considerations of 14.52.020. See the discussion and findings on the previous page 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 will be denied vehicle access due to the closure of the alley. While one homeowner has voiced opposition due to his existing alley garage, field investigation showed that off-street parking could be located off Hampton Avenue in front of his property instead.</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 in order to allow the homeowners to clean up the space and expand their own yards.</p> <p>Traditional alley uses such as garbage pickup, coal delivery and parking having been eliminated or moved to the street in the front of the residences in many established areas of the city. With this change, many alleys have become overgrown and present both fire and public safety hazards. This alley is an example of that. That condition has been exacerbated by the previous closure of</p>

		the alley while the City retained ownership. The alley has since become overgrown and a potential safety concern and area of blight within the neighborhood.
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	One abutting property owner has indicated opposition to the vacation due to an old rear garage that was accessed from the alley at one time. The alley however was closed at the time this property was purchased by the current owner, so no access existed at that time. No applications for a permit have been made. This is also addressed in Attachment D: Existing Conditions and Zoning
7. The petition furthers the City preference for disposing of an entire alley, rather than a small segment of it; and	Complies	The applicant is requesting closure of the entire alley located within the block.
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 is no longer necessary for that purpose.

NOTES:

ATTACHMENT F: PUBLIC PROCESS AND COMMENTS

PUBLIC PROCESS AND INPUT

- This proposal falls within the overlap area of the Central City and Liberty Wells Community Council areas. As such, information about the project was sent to both Recognized Organizations to request their review.
- Information about the petition was sent to the Chairs both Community Councils on July 12, 2016 asking for their comments and informing them of an Open House to be held on August 18, 2016 to solicit public comments.
- Staff subsequently found out additional information about the 1983 closure and asked the CC Chairs to stop any formal review and sent a cancellation of the Open House for August.
- Upon additional investigation by staff of previous actions and consultation with the Attorney's Office, it was decided to move the application forward through the process as the alley had been previously closed but not vacated.
- Information about the petition was re-sent to the Chairs both Community Councils on August 8, 2016 asking for their comments and informing them of an Open House to be held on September 15, 2016 to solicit comments. The full 45-day period allowed for comments by Recognized Organizations was restarted due to staff asking for the original review period to be halted.
- No formal comments in relation to the proposal were submitted by either Community Council.
- A public Open House was held on September 15, 2016.
- Public hearing notice mailed September 29, 2016
- Public hearing notice posted on City and State websites on September 29, 2016
- Public hearing notice emailed to the Planning Division list serve on September 29, 2016
- Public hearing notice posted on the property on September 30, 2016

ATTACHMENT G: DEPARTMENT REVIEW COMMENTS

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

Zoning (Greg Mikolash)

There are no zoning related issues associated with the proposed vacation.

Engineering (Scott Weiler)

No objections to the proposed alley vacation.

Transportation (Scott Vaterlaus)

No issues with the proposal.

Public Utilities (Jason Draper and Karryn Greenleaf)

Public utilities has no issues with the proposed alley vacation. We have an easement reservation for storm drainage that can move with the ownership of the property. We, however, do not have any plans to use the alley and have no objection to the vacation.

This is one of those alleys that we send our crews to clean and we would be glad to have someone else have ownership of the property in order to maintain it.

ATTACHMENT H: POTENTIAL MOTIONS

Staff Recommendation:

Based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission transmit a positive recommendation for the alley vacation to the City Council with the following conditions:

The proposed method of disposition of the alley property shall be consistent with the method of disposition outlined in Section 14.52.040 – Method of Disposition and Chapter 2.58 City Owned Real Property of the Salt Lake City Ordinance.

Not Consistent with Staff Recommendation:

Based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission transmit a negative recommendation for the alley vacation to the City Council due to the proposal not complying with the following standards:

(The Planning Commission shall make findings on the applicable standards and specifically state which standard or standards are not being complied with. Please see Attachment E for applicable standards.)