



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission

From: Aaron Barlow, AICP, Principal Planner, 385-386-2764, aaron.barlow@slcgov.com

Date: November 23, 2020

Re: PLNPCM2020-00572 – Learned Avenue Alley Vacation

ALLEY VACATION

PROPERTY ADDRESSES: The alley abuts five individual properties as follows:

North Temple: 1025 W North Temple

Learned Avenue: 1022, 1028, 1030, and 1032 W Learned Ave

MASTER PLAN: North Temple Boulevard Plan; Northwest Master Plan

ZONING DISTRICT: TSA-SP-T – Special Purpose Transit Station Transition Area

COUNCIL DISTRICT: District 2, Andrew Johnston

REQUEST: A request from Jarod Hall of Di'velept Design, representing the owner of surrounding properties, Riley Rogers, to vacate the public alley adjacent to the rear property line of 1025 West North Temple that runs mid-block from east to west.

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 with the following conditions:

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.
2. The applicant works with City Council and relevant City departments on an agreement that addresses the displacement of the four existing single-family houses.

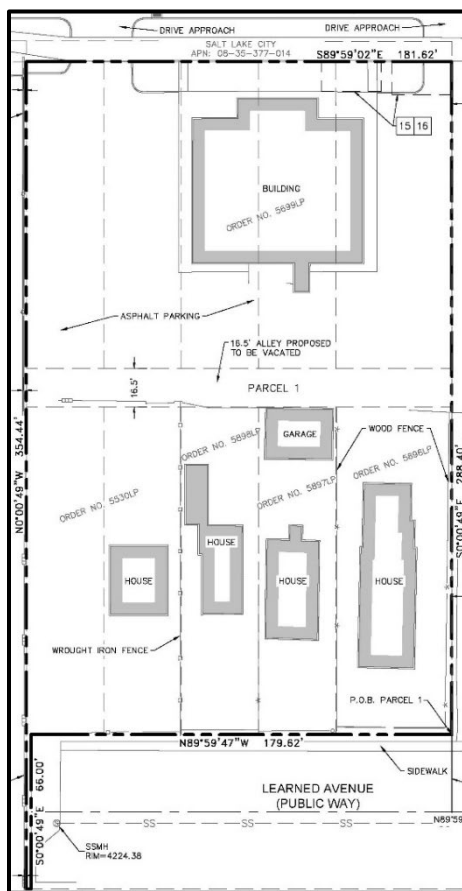
ATTACHMENTS:

- A. Vicinity Map
- B. Photos
- C. Request & Project Narrative
- D. Existing Conditions & Zoning
- E. Analysis of Standards
- F. Public Process and Comments
- G. Department Review Comments
- H. Potential Motions

PROJECT DESCRIPTION:

Jarod Hall of Di'velept Design, as a representative of Riley Rogers (the owner of surrounding property) has initiated a petition to vacate a 180-foot long section of alley in order to consolidate the properties the alley immediately abuts. The 16.5-foot wide alley currently functions as an extension of the parking lot for the restaurant north of the alley (located at 1025 West North Temple). Residents of the adjacent single-family houses also use the alley's painted parking stalls.

When the application was submitted, all adjacent property owners supported the vacation and signed the petition (included with attachment C). However, as of the date of this staff report, the applicant now owns all properties adjacent to the subject alley. If the petition is approved, the applicant plans to consolidate the lots adjacent to the alley and construct a multi-family residential structure. The proposed project will still need to meet relevant zoning requirements and will be reviewed as a separate petition.



Survey of Alley

From time to time, Salt Lake City receives request to vacate public rights of way. There is a difference between a vacation and a closure. A vacation is when the city is vacating all rights to the right-of-way. A closure is when the right-of-way is closed to one public use but retains other public uses. While requests to close alleys happen occasionally, vacations are the most common type of these requests. Chapter 14.52 of the Salt Lake City Code identifies policies that should be considered in the decision and outlines a procedure for the disposition of City owned alley. Alley Vacations require City Council approval. The Planning Commission's role in the Alley vacation process is to provide a recommendation to the City Council based on the relevant standards found in Chapter 14.52.

KEY CONSIDERATIONS:

The key issues 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." When the application was submitted, all adjacent property owners signed the petition in support of vacating the alley. Currently, all adjacent properties are owned by the applicant, Riley Rogers. The original application and petition are included with Attachment C: Applicant Letter and Information.

Consideration 2: Policy Considerations

The alley vacation satisfies the policy considerations of A) Lack of Use, B) Public Safety, and C) Urban Design outlined in Section 14.52.020. This is outlined in Attachment E: Analysis of Standards.

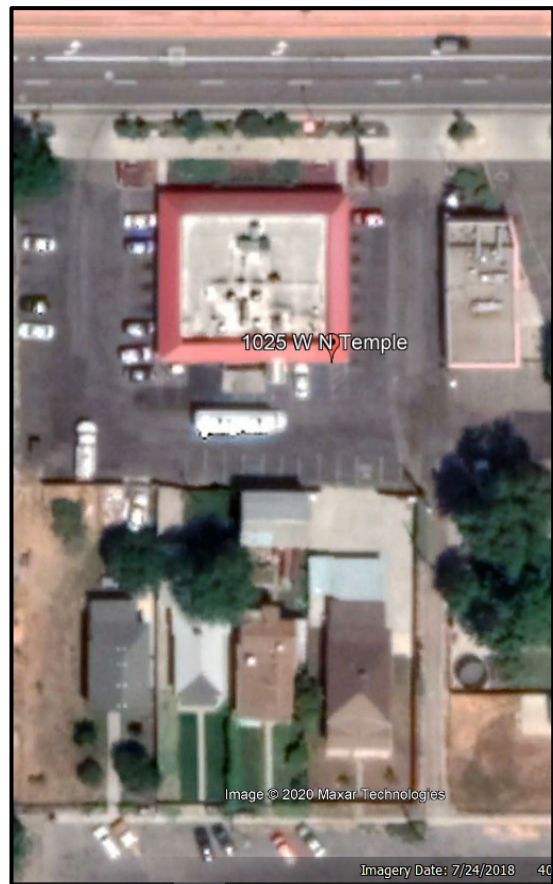
Consideration 3: Nature of the Alley

Since at least July 2018 (based on the aerial photo to the right), the alley has been used as part of the parking lot for the restaurant at 1025 W North Temple and as parking for the adjacent single-family houses. While the alley appears to be used by the public as parking, there is no signage or other indications that clearly demarcate public property. Additionally, the alley ends at the property to the west and does not seem to serve any other purpose than parking for adjacent properties.

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. For instance, alleys often serve as mid-block walkways for pedestrians as a positive urban design element. This alley runs east/west, intersecting with the adjacent north/south alley at its east-most point and dead ending at the west. As such, this alley does not connect any street to another, thus not significantly improving pedestrian accessibility.

There is the potential for the subject alley to serve as vehicle access for any new development but doing so would clog up the adjacent north/south alley with vehicular traffic. By vacating the alley, vehicle traffic can be moved to Learned Avenue, allowing pedestrians to be prioritized on North Temple and on the adjacent north-south alley.



7/24/2018 Aerial

Consideration 5: City Housing Goals and Housing Displacement

The applicant has requested this alley vacation to redevelop the abutting properties into a medium-high-density, multi-family residential building – as called for by the *North Temple Boulevard Master Plan*, the City’s long-term housing goals, and the underlying TSA zoning district. The North Temple Boulevard plan speaks to increasing density in the 800 West Station Area (pg. 63). The subject alley is located within the transition area. The Master plan encourages an increase in residential density in both the core and transition portions of transit station areas. The applicant has indicated that failure to vacate the alley would increase rents and reduce density of any new development on the block (see Attachment C: Applicant Letter and Information).

However, the subject alley abuts four existing single-family houses. Redeveloping the block and demolishing the existing single-family houses will displace their current residents. The applicant has not made any indication that an affordable housing component will be incorporated into the proposed project. Recent housing-related conversations with City Council members have indicated that alleviating displacement of existing housing is a priority of the city.

Growing SLC, the City’s 2018-2022 Housing Master Plan, established guiding principals for the City Council when appropriating funds for housing development. Vacating an alley (even when the vacated alley is to be sold to the applicant) should be considered an appropriation of City resources. As such, principal 6 recommends that the City Council “create a net increase in affordable housing while...*avoiding displacement* of existing affordable housing.” Staff recommends that if the alley is vacated, the developer mitigates the housing displacement by including an affordable housing component into the future development.

DISCUSSION:

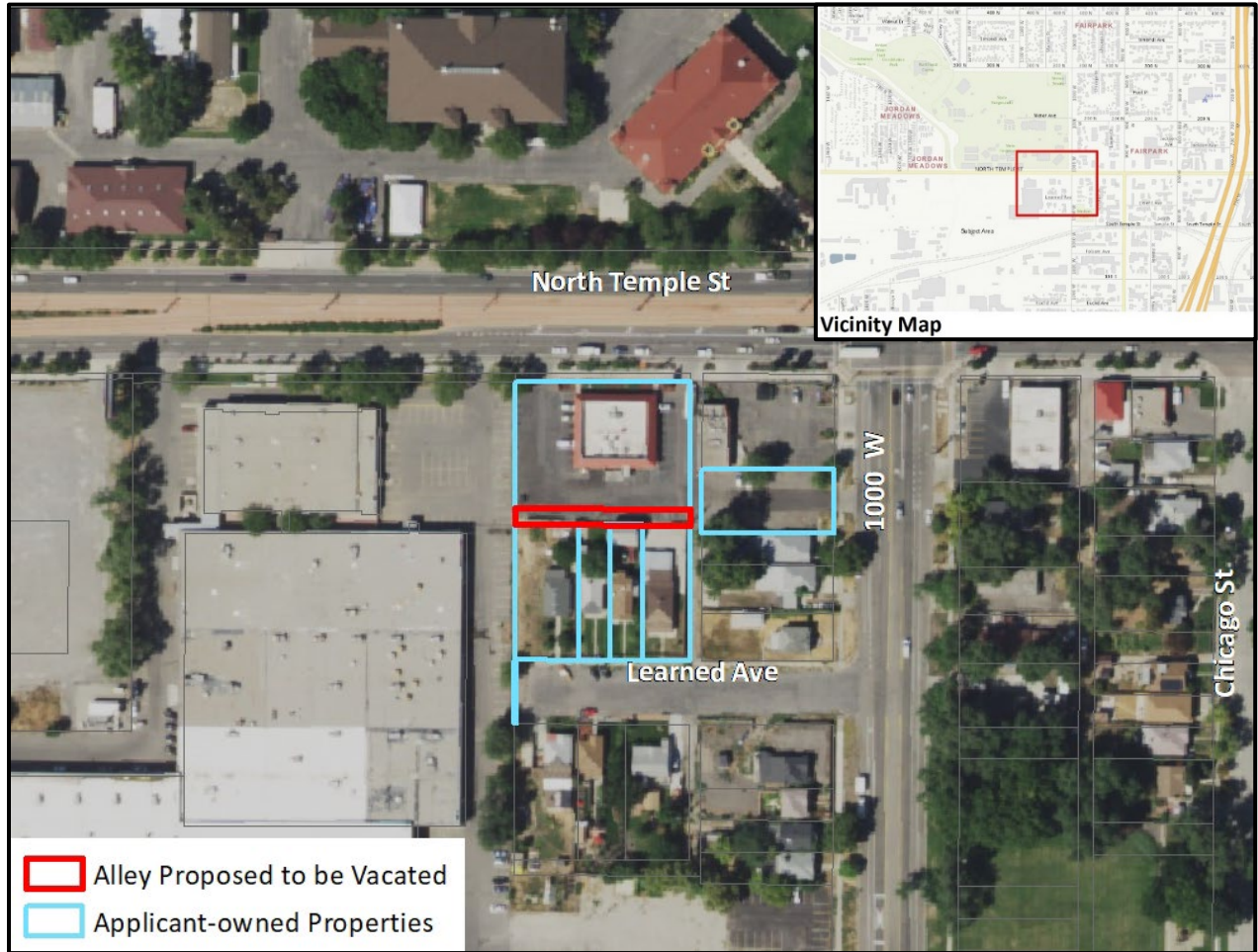
The alley vacation request has been reviewed against the standards for alley vacations in Attachment E. In compliance with the applicable policies, vacating the alley aligns with the City's urban design goals and the vacation is supported by all adjacent property owners. While the *North Temple Boulevard Master Plan* does not speak specifically to alley closures – or about the block in question, the proposed alley vacation and subsequent development fulfill the goals of the Master Plan by promoting increased density and promoting pedestrian traffic along North Temple.

Housing displacement has been a highly discussed topic by the City Council during recent meetings. Removing the adjacent single-family houses to accommodate new development is in line with the *North Temple Boulevard Plan*; however, housing displacement should be considered as part of this request since vacating the alley could be considered an appropriation of City resources. With a positive recommendation, the Planning Commission should recommend the applicant work with the City Council to address displacing the residents of the existing single-family houses and to incorporate an affordable housing component into the proposed project.

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 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 A: LOCATION MAP



ATTACHMENT B: PHOTOS



View from the alley's east end, looking west



View of the alley looking southwest



The property located at 1022 W Learned Avenue currently uses the alley and parking lot as its primary entrance. This is not the applicant's long-term plan since he plans to consolidate the lots, demolish the existing structures and then construct a new multi-family building on the consolidated parcels. The property abuts the adjacent north/south alley, pictured on the following page.



1022 W Learned Avenue abuts the adjacent north/south alley (shown here). If the east/west subject alley is vacated, parking egress for the property could be moved to the east property line (which follows the fence on the right side of the alley).



Rear view of the restaurant at 1025 W North Temple

ATTACHMENT C: APPLICANT LETTER & INFORMATION

On the following pages are the application and project narrative provided by the applicant. The application includes the initial petition, a survey of the alley and preliminary plans of the proposed multi-family structure.



Alley Vacation or Closure

OFFICE USE ONLY

Received By:	Date Received:	Project #:
Project Name:		

PLEASE PROVIDE THE FOLLOWING INFORMATION

Location of the Alley:
The East-West Alley between North Temple and Learned. Starts at 1050 W

Name of Applicant: Jarod Hall	Phone: [REDACTED]
Address of Applicant: 454 N 600 W, SLC, UT 84116	
E-mail of Applicant: [REDACTED]	Cell/Fax:

Applicant's Interest in Subject Property:

Owner Contractor Architect Other:

Name of Property Owner abutting the alley (if different from applicant):
Riley Rogers

E-mail of Property Owner: [REDACTED]	Phone: [REDACTED]
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Please note that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

AVAILABLE CONSULTATION

Planners are available for consultation prior to submitting this application. Please call (801) 535-7700 if you have any questions regarding the requirements of this application.

WHERE TO FILE THE COMPLETE APPLICATION

<i>Mailing Address:</i> Planning Counter PO Box 145471 Salt Lake City, UT 84114	<i>In Person:</i> Planning Counter 451 South State Street, Room 215 Telephone: (801) 535-7700
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REQUIRED FEE

- Filing fee of \$265
- Plus additional fee for required public notices

SIGNATURE

If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Signature of Owner or Agent:	Date:

SUBMITTAL REQUIREMENTS

Staff Review

Please include with the application: (please attach additional sheet)

1. A letter explaining why you are requesting this alley vacation or closure.

2. A Sidwell map showing the area of the proposed alley vacation or closure. On the map please:

a. Highlight the area of the proposed alley vacation or closure.

b. Indicate with colored dot the property owners who support the petition.

c. Submit one paper copy and a digital (PDF) copy of the map.

3. A written description with measurements of the proposed alley vacation or closure.

- A final legal description prepared by a licensed engineer will be required later.

4. The name, address and signatures of all abutting property owners who support the petition.

- Petition must include the signatures of no less than 80% of the abutting property owners.
- Signatures should be from the property owners and not from the property renters.
- You may use the form attached to this application or provide your own form with signatures.

WHAT IS AN ALLEY VACATION OR CLOSURE?

As part of the subdivision process, early developers were required to create alleys which were then deeded to the City. They were used for coal delivery, garbage pickup and other services. They also allowed access to garages. Today, the City is officially the owner of these alleys. In situations where it can be demonstrated that there is an over-riding public purpose for vacating the alley, the City may relinquish its property interest in the alley.

When an alley is next to or abuts a single family or duplex residential property, the City vacates the alley, divides it in half, and the property is conveyed to the abutting property owners. If an alley is next to or abuts a non-residential, or multifamily residential (3 or more dwelling units) property, the City may close the alley and then sell the land at fair market value to the abutting property owners.

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

JH _____ 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:

Jarod Hall

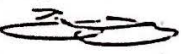


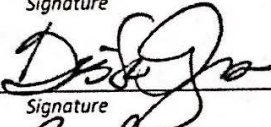
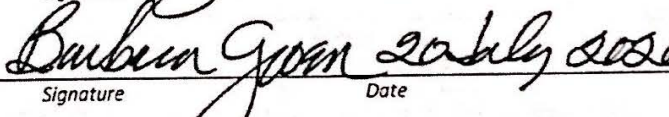
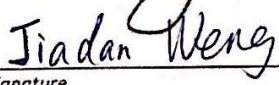
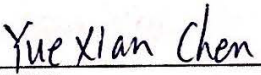
Address of Applicant:

454 N 600 W, SLC, UT 84116

Date:

7-20-20

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
Riley Rogers	1025 W North Temple		7-20-20
Riley Rogers	1032 W Learned Ave		7-20-20
Riley Rogers	1030 W Learned Ave		7-20-20
Dirk A Groen	1028 W Learned Ave		7.20.20
Barbara J Groen	1028 W Learned Ave		20 July 2020
Jiadan Weng	1022 W Learned Ave		7/23/20
Yuxian Chen	1022 W Learned Ave		07/23/20

Updated 7/1/20



di'velept design LLC
454 N 600 W
SLC, UT 84116
801-680-4485
howdy@divelept.com

02 Nov., 2020

RE: Alley Vacation at 1025 W North Temple

Mr Barlow

We are requesting the vacation of the East-West Alley that is located between North Temple and Learned street at approximately 1050 West. As most people in the city are aware the cost of housing has increased dramatically relative to wages in recent years. We feel strongly that the primary driver of the has been the lack of housing built. We are proposing a new apartment housing development on this site. The East-West alley that is midway through the site doesn't serve any purpose for the development and would primarily serve to reduce unit and parking count and increase construction cost. Thus increasing the rents required to pay for the development. As one of the stated goals of the city is to increase housing affordability it seems that vacating this alley to allow for increased housing supply aligns with the city's stated goals.

We feel this alley should be considered for vacation because it

1. Is not going to be of use to the adjacent property owners. All of the abutting property is owned by the same entity and this small deadend alley will be absorbed into a single property.
2. If the alley were to remain it would become surrounded by large buildings. Likely all active use of the alley would end and it could become a magnet for for crime.
3. Because this alley doesn't connect to the East or West it doesn't serve any larger Urban design goals of the city.

In the process of planning the proposed development we have had a DRT meeting and mentioned the disposal of the alley and there were no objections from the departments represented there. There won't be any access cut off to adjacent properties and no properties will become landlocked.

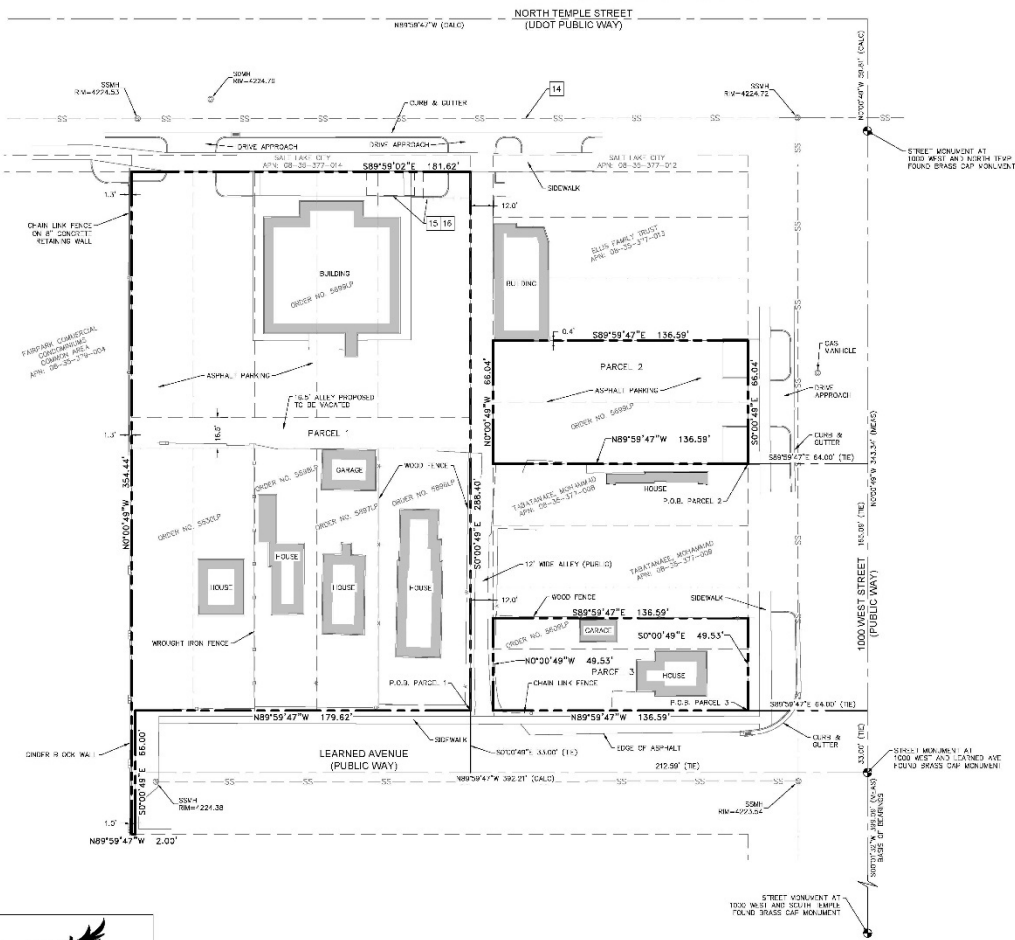
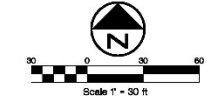
Sincerely,

A handwritten signature in black ink, appearing to read "Jarod Hall", written over a light blue horizontal line.

Jarod Hall, AIA
Manager
di'velept design LLC

LEARNED APARTMENTS PROPERTY

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 35,
TOWNSHIP 1 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
ALSO LOCATED IN BLOCK 56, PLAT "C", SALT LAKE CITY SURVEY
RECORD OF SURVEY



GENERAL NOTES

- 01 OTHER DOCUMENTS USED IN THE PREPARATION OF THIS SURVEY
 1. COMPANION TO THE INSURANCE ISSUED BY WESTCOAST AND THE INSURANCE COMPANY DATED NOVEMBER 28, 2015 AS ORDER NO. 58958P
 2. COMPANION TO THE INSURANCE ISSUED BY WESTCOAST AND THE INSURANCE COMPANY DATED MAY 1, 2016 AS ORDER NO. 58959P
 3. COMPANION TO THE INSURANCE ISSUED BY WESTCOAST AND THE INSURANCE COMPANY DATED MAY 1, 2016 AS ORDER NO. 58959P
 4. COMPANION TO THE INSURANCE ISSUED BY WESTCOAST AND THE INSURANCE COMPANY DATED MAY 1, 2016 AS ORDER NO. 58959P
 5. COMPANION TO THE INSURANCE ISSUED BY WESTCOAST AND THE INSURANCE COMPANY DATED MAY 1, 2016 AS ORDER NO. 58959P
 6. COMPANION TO THE INSURANCE ISSUED BY WESTCOAST AND THE INSURANCE COMPANY DATED NOVEMBER 29, 2015 AS ORDER NO. 58958P
 7. BOTHWELL AND MCCONAUGHY SUBDIVISION, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY SURVEYOR AS PLAT NO. 2016-018 (10)
 8. RECORD OF SURVEY PERFORMED BY PAUL JOHNSON, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY SURVEYOR AS FILE NO. 2016-108 (10)
 9. OTHER DOCUMENTS AS SHOWN ON THIS MAP
- 02 NO WORK FRONTIERS SURVEYED ABOVE SHOWN WERE CONTACTED OR STRUCTURES THAT WOULD BE CALLED THE POSSIBILITY OF AN EXISTING LAMENUM OR SUBSTANDARD ON THE PROPERTY OR BEING UNDER THE TITLE SUBJECT TO RESURVEYING. ALL UTILITY RECORDS FOR RECORDED EASEMENTS AND OTHER RECORDED ENCUMBRANCES THAT WOULD AFFECT THE PROPERTY AND THAT MAY OR MAY NOT BE SHOWN ON THIS SITE TO BE SURVEYED AND SHOWN ON THIS MAP. WE REFERRED TO SCHEDULE A, PART 2 OF THE TITLE REPORT TO OBTAIN THE INFORMATION.
- 03 ENCUMBRANCES AND RIGHTS IN REMEDIATION IN SECTION 1 OF THE ABOVE-RECORDED TITLE REPORTS HAVE BEEN ADDRESSED AS FOLLOWS:
 - 08ER NO. 58958P
 - 1-13 NOT ADDRESSED BY THIS SURVEY
 - 14 FARMER'S HOME-PLANNING AGREEMENT BY AND BETWEEN THE SALT LAKE COUNTY COMMISSIONER OF UTAH AND SALT LAKE CITY COMMISSIONER AND THE TOWNS AND CONGRESS COVENANT THEREIN, RECORDED JULY 23, 1995, AS ENTRY NO. 144709, BOOK 7300, PAGE 308.
 - 15 FARMER'S HOME-PLANNING AGREEMENT BY AND BETWEEN THE SALT LAKE COUNTY COMMISSIONER OF UTAH AND SALT LAKE CITY COMMISSIONER AND THE TOWNS AND CONGRESS COVENANT THEREIN, AS DESCRIBED IN THE ANNOTED FINAL AGREEMENT OF CONVEYANCE, RECORDED FEBRUARY 15, 2011, AS ENTRY NO. 113439, BOOK 5008, PAGE 4871.
 - 16 RECONSTRUCTION AND THE FINAL CONTRACTS, AS CONTAINED IN THE ANNOTED FINAL AGREEMENT OF CONVEYANCE, RECORDED FEBRUARY 15, 2011, AS ENTRY NO. 113439, BOOK 5008, PAGE 4871.
 - 17-21 NOT ADDRESSED BY THIS SURVEY
- 08ER NO. 58958P
 - 1-15 NOT ADDRESSED BY THIS SURVEY
 - 1-16 NOT ADDRESSED BY THIS SURVEY
 - 1-17 NOT ADDRESSED BY THIS SURVEY
 - 1-18 NOT ADDRESSED BY THIS SURVEY
 - 1-19 NOT ADDRESSED BY THIS SURVEY
 - 1-20 NOT ADDRESSED BY THIS SURVEY
 - 1-21 NOT ADDRESSED BY THIS SURVEY

NARRATIVE OF BOUNDARY

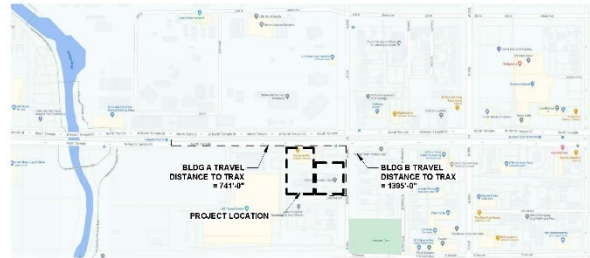
THE PURPOSE OF THIS SURVEY WAS TO LOCATE AND MONUMENT ON THE GROUND THE SURVEYED PROPERTY AS SHOWN HEREON AS TO BE DEVELOPED. A PORTION OF THE PUBLIC RIGHT-OF-WAY OF THE BLOCK WAS PREPARED BASED UPON RECORDS AND MEASURED DISTANCES BETWEEN MONUMENTS IN THIS MAP.

LEGEND

- TO ROAD OR HIGHWAY
- EXISTING ELEVATION LINE
- FOUND REBAR AND CAP
- SET 3/8" REBAR CAP (20" WIND-UP)
- WELDING ENVELOPE
- ADJACENT PROPERTY / ROCK LINE

AS-SURVEYED DESCRIPTIONS

- PARCEL 1**
- A TRACT OF LAND BEING SITUATE IN BLOCK 56, PLAT "C", SALT LAKE CITY SURVEY, HAVING A BASE OF BEARINGS OF BEARINGS BEING NORTH 00°00'00" WEST BETWEEN THE VIGNONETS TOWNSHIP MARKING THE INTERSECTIONS OF LEARNED AVENUE AND SOUTH TEMPLE STREET ALONG 1000 WEST STREET, BEING COMPRISED OF LOTS 10 THROUGH 14, AND A PORTION OF THE ALLEYS CONTIGUOUS WITH ABOVE RETEVELED LOTS 10 THROUGH 14, AS SHOWN ON BOTHWELL AND MCCONAUGHY SUBDIVISION, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY SURVEYOR SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- BEINGING AT THE SOUTHWEST CORNER OF LOT 15, SECTION 35, TOWNSHIP 1 NORTH, RANGE 1 WEST, BEINGING AT THE INTERSECTION OF 1000 WEST STREET AND LEARNED AVENUE, BEINGING A DISTANCE OF 213.50 FEET AND NORTH 00°00'49" WEST 33.00 FEET FROM THE MONUMENT AT THE INTERSECTION OF 1000 WEST STREET AND SOUTH TEMPLE STREET, BEINGING NORTH 89°59'47" WEST 200.00 FEET, BEINGING SOUTH 10°00'49" EAST 46.00 FEET, BEINGING NORTH 89°59'47" WEST 200.00 FEET, BEINGING SOUTH 10°00'49" EAST 46.00 FEET, BEINGING SOUTH 89°59'47" WEST 178.62 FEET, BEINGING SOUTH 10°00'49" EAST 286.10 FEET TO THE POINT OF BEGINNING.
- CONTAINS 622.6 SQUARE FEET OR 1.06 ACRES, MORE OR LESS.
- PARCEL 2**
- A TRACT OF LAND BEING SITUATE IN BLOCK 56, PLAT "C", SALT LAKE CITY SURVEY, HAVING A BASE OF BEARINGS OF BEARINGS BEING NORTH 00°00'00" WEST BETWEEN THE VIGNONETS TOWNSHIP MARKING THE INTERSECTIONS OF LEARNED AVENUE AND SOUTH TEMPLE STREET ALONG 1000 WEST STREET, BEING COMPRISED OF LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 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ZONING ANALYSIS

ZONE: TSA-SPT - SPECIAL PURPOSE TRANSIT STATION

SETBACKS	
FRONT SETBACK	0'
MIN. H. TEMPLE	2'
SIDE SETBACK	0'
REAR SETBACK	0'
MAX BLDG HEIGHT	60' + ONE STORY WITH TSA SCORE

BUILDING A	
PARKING	
1 PER STUDIO AND ONE	137
2 PER 2-BED	36
	173
TIMES 5 FOR TSA	85.5
TIMES 5 FOR P/MT	31 REQUIRED 180 PROVIDED
PER 21A.44.000 B.7	

DENSITY
187 UNITS/1.2 ACRES = 139 UNITS PER ACRES

BUILDING B	
PARKING	
1 PER STUDIO AND ONE	84
2 PER 2-BED	45
	129
TIMES 5 FOR TSA	62
TIMES 5 FOR P/MT	31 REQUIRED 92 PROVIDED
PER 21A.44.000 B.7	

DENSITY
104 UNITS/0.62 ACRES = 168 UNITS PER ACRES

TSA SHEET INDEX

TS40	TSA COVER
TS41	BLDG A SITE PLANS
TS42	BLDG A FLOOR PLANS
TS43	BLDG A ELEVATIONS
TS43.1	BLDG A ELEVATION CALCULATIONS
TS44	BLDG A BUILDING SECTION
TS45	BLDG B SITE PLAN
TS46	BLDG B FLOOR PLAN
TS47	BLDG B ELEVATIONS
TS47.1	BLDG B ELEVATION CALCULATIONS
TS48	BLDG B BUILDING SECTIONS
11	Grand Total: 11

Lusso Apartments

No. Date Description

DATE PLOTTED:

FILE: The Learned Property Trust

PROJECT: 4026 NORTH TEMPLE

SALT LAKE CITY, UT 84116

DATE: 29-23

USER: JCH

TYPE: SCHEMATIC DESIGN

SCALE: DD MONTH YYYY

DATE PLOTTED: 10-24-2023

SCALE: 1/8" = 1'-0"

DATE PLOTTED:

TSA COVER

DATE PLOTTED:

TSA0

10/27/2023 9:14:54 PM

DATE PLOTTED:

DATE PLOTTED:

ATTACHMENT D: EXISTING CONDITIONS & ZONING

ADJACENT LAND USE

The alley sits between commercial and single-family residential uses. All properties that are adjacent to the alley and in the immediate vicinity are zoned TSA-SP-T – Special Purpose Transit Station Transition Area.

There is one property on Learned Avenue (1022 W) that uses the existing alley to access required parking. The property abuts the adjacent north/south alley, so parking access can be moved by the applicant to avoid blocking the property's required parking. The applicant owns all properties adjacent to the alley (including the 1022 W Learned Avenue). He plans to consolidate the lots, demolish the existing structures and construct a new multi-family building if the vacation is approved.

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>	Complies	<p>The proposed alley closure is consistent with policy considerations A) Lack of Use, B) Public Safety and C) Urban Design. Functionally, this is not a public right-of-way. On initial inspection, it is not completely apparent that there is even a public alley at this location. The alley has been used as an extension of the Panda Buffet parking lot for several years. Historical aerial photos show the alley functioning as parking and a loading area for the restaurant. Because the alley is not serving a public use, vacating it would meet policy Consideration A, Lack of Use. Unlit at night, the parking lot has the potential to be unsafe for pedestrians after the restaurant’s operating hours. Vacating the alley and redeveloping the block would also address policy consideration B, Public Safety.</p> <p>If this proposal is approved, the applicant plans to consolidate the lots adjacent to the alley, demolish the existing buildings and construct a multi-family structure with ground floor commercial facing North Temple. Vacating the alley and consolidating the lots would also allow the applicant to push vehicular access from the alley to Learned Avenue, leaving the adjacent north/south alley available to pedestrian traffic. The applicant’s plan for the alley and adjacent lots is in line with policies laid out in the <i>North Temple Boulevard Master Plan</i>, specifically Policies 2 (mix of uses) and 4 (residential density) for the 800 West Station Area. Keeping the alley as-is would limit the future development’s density and increase vehicle traffic in the alley. Vacating the alley contributes to the City’s Urban Design goals, fulfilling policy consideration C, Urban Design.</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
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;	Complies	Staff requested input from pertinent City Departments and Divisions. Comments were received from Transportation Public Utilities and Zoning which indicate no objections to the requested closure.
2. The petition meets at least one of the policy considerations stated above;	Complies	The proposed alley closure satisfies the Urban Design & Public Safety policy considerations of 14.52.020. See the discussion and findings on the previous page.
3. The petition must not deny sole access or required off-street parking to any adjacent property;	Complies	The occupants of 1022 W Learned Avenue currently uses the subject alley to access the property’s required parking in the rear. Vacating the alley would block the existing point of egress for the property. However, the property also abuts the adjacent north/south alley potentially allowing the applicant to move the lot’s parking egress to the east property line that abuts the north/south alley right-of-way.
4. The petition will not result in any property being landlocked;	Complies	No properties would be rendered landlocked by this proposal.
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;	Mixed	<p>The applicant is requesting this alley vacation to allow consolidation of the lots it abuts for the construction of a multi-family residential building with some commercial uses along North Temple. The <i>North Temple Boulevard Master Plan</i> calls for additional density (Policy #4, 800 West Station Area Plan, pg. 63) and for a greater mix of uses (Policy #2, 800 West Station Area Plan, pg. 59) in this area.</p> <p>While the proposal may meet some goals of the North Temple Boulevard Plan, <i>Growing SLC</i>, the City’s 5-year housing plan, requires City Council to avoid displacement of existing housing. Removing them would displace the current residents and the existing units. Requiring the applicant to establish some</p>

<p>5. (continued)</p>		<p>affordable units in the proposed development could alleviate some of the potential displacement. This should be included as a condition of approval with the Planning Commission's recommendation.</p>
<p>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;</p>	<p>Complies</p>	<p>There are no plans by the applicant (owner of all abutting properties) to construct a garage for any of the single-family houses or for the restaurant.</p>
<p>7. The petition furthers the City preference for disposing of an entire alley, rather than a small segment of it; and</p>	<p>Complies</p>	<p>The applicant is requesting closure of the entire east/west alley. The adjacent north/south alley will remain intact.</p>
<p>8. The alley is not necessary for actual or potential rear access to residences or for accessory uses.</p>	<p>Complies</p>	<p>As discussed under item 3, 1022 W Learned avenue currently uses the subject east/west alley for required parking egress. However, the lot also abuts the adjacent north/south alley and parking egress can be moved to the lot's east property line.</p>

ATTACHMENT F: PUBLIC PROCESS AND COMMENTS

Public Notice, Meetings, Comments

The following is a list of public input opportunities related to the proposed alley vacation:

- Notice of the project and request for comments was sent to the Fairpark and Poplar Grove Community Council Chairs on September 14, 2020, in order to solicit comments.
- Staff sent an early notification announcement of the project to all residents and property owners living within 300 feet of the project site on September 15, 2020 providing notice about the online open house for the project and information on how to give public input.
- An online open house for the proposed alley vacation was posted on the Planning Division's website on September 14, 2020.
- The 45-day recognized organization comment period expired on October 30, 2020.

Notice of the public hearing for the proposal included:

- Public hearing notice mailed: November 19, 2020
- Public hearing notice sign posted near the subject alley: November 23, 2020
- Public notice posted on City and State websites & Planning Division listserv: November 19, 2020

Public Input:

Neither the Fairpark nor the Poplar Grove Community Council Chairs asked staff to present the proposed alley vacation at their meetings. Staff received one public comment email expressing support for the proposal, which is attached.

Barlow, Aaron

From: Kyle Deans [REDACTED]
Sent: Wednesday, October 21, 2020 3:59 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Learned Avenue

Follow Up Flag: Follow up
Flag Status: Completed

I fully support the Alley Vacation requested by the surrounding property owner. More mixed use development on N. Temple will make the corridor much more vibrant and it can become a critical neighborhood. The growth and vitality of Salt Lake City in General and it's proximity to Trax is essential to growth as well. It appears that by vacating the alley that they property owner will be able to develop a much better overall development.

Kyle R Deans
SLC Resident

ATTACHMENT G: DEPARTMENT REVIEW COMMENTS

The following comments from other reviewing departments were submitted in relation to the proposal:

Public Utilities – Jason Draper

Public Utilities has no objection to this portion of the alley being vacated

Engineering – Scott Weiler

From Matt Cassel: I would not be opposed to this vacation as long as they provide an additional affordable housing unit.

Transportation – Michael Barry

No objections to the proposal.

Fire – Douglas Bateman

No comments

Zoning – Greg Mikolash

No zoning related issues associated with this proposed alley vacation.

Building – Greg Mikolash