



Staff Report

PLANNING DIVISION
COMMUNITY & NEIGHORHOOD DEVELOPMENT

To: Salt Lake City Planning Commission
From: Katia Pace, (801) 535-6354, katia.pace@slcgov.com
Date: February 24, 2022
Re: PLNPCM2020-00903 – Green Alley Vacation - between 1300 South and Harrison Ave and Green Street and 700 East

Alley Vacation

ADDRESSES & PARCEL NUMBER OF PROPERTIES ADJACENT TO THE ALLEY:

1. Gospel Grace Church: 662, 664, 666 E 1300 South & 1319, 1325 S Green Street (16-08-357-001, 16-08-357-002, 16-08-357-003, 16-08-357-004 16-08-357-005)
2. 1331 S Green Street (16-08-357-006)
3. 1337 S Green Street (16-08-357-007)
4. 1343 S Green Street (16-08-357-008)
5. 1347 S Green Street (16-08-357-009)
6. 1351 S Green Street (16-08-357-011)
7. 669 E Harrison Avenue (16-17-101-003)
8. UDOT (no parcel number)

MASTER PLAN: Central City Master Plan

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

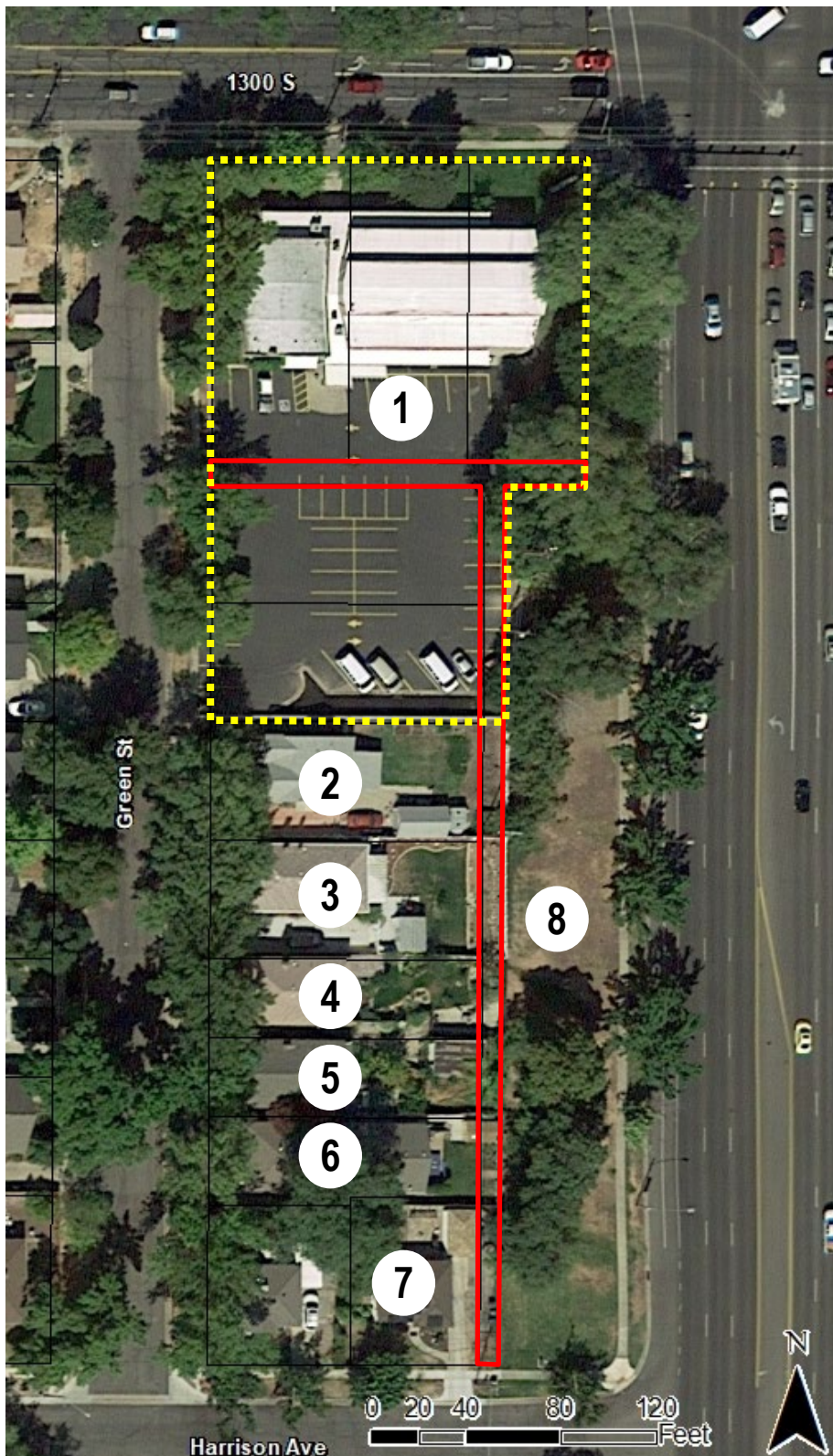
APPLICABLE LAND USE REGULATIONS: Utah State Code, Section 10-9a-204 and 10-9a-609.5, Chapters 2.58 and 14.52 of Salt Lake City Municipal Code

REQUEST: Nicholas Lumby, property owner residing at 1343 S Green Street, is requesting Salt Lake City to vacate a “T” shaped alley adjacent to her property and running between 1300 South and Harrison Avenue and Green Street and 700 East. The property abutting this alley is zoned R-1/5,000 (Single-Family Residential District). The alley exists in paper only and the abutting property owners have absorbed the alley into their properties. UDOT is an abutting property owner of the alley, it owns land in this block that was acquired when 700 East was expanded in the 1960s.

An alley vacation means that Salt Lake City vacates its interest in the alley as City property. It deeds the property back to the abutting property owners if the abutting property is zoned for low density residential use.

RECOMMENDATION: Based on the findings and analysis in this staff report, Planning Staff finds that the proposal meets the criteria for alley vacations, and therefore recommends that the Planning Commission forward a favorable recommendation to the mayor to declare the alley surplus property and for the City Council to vacate the alley with the following condition:

1. That the alley is deeded the entire 10-foot width to the west abutting property owners.



Proposed alley vacation – red line

Abutting property owners:

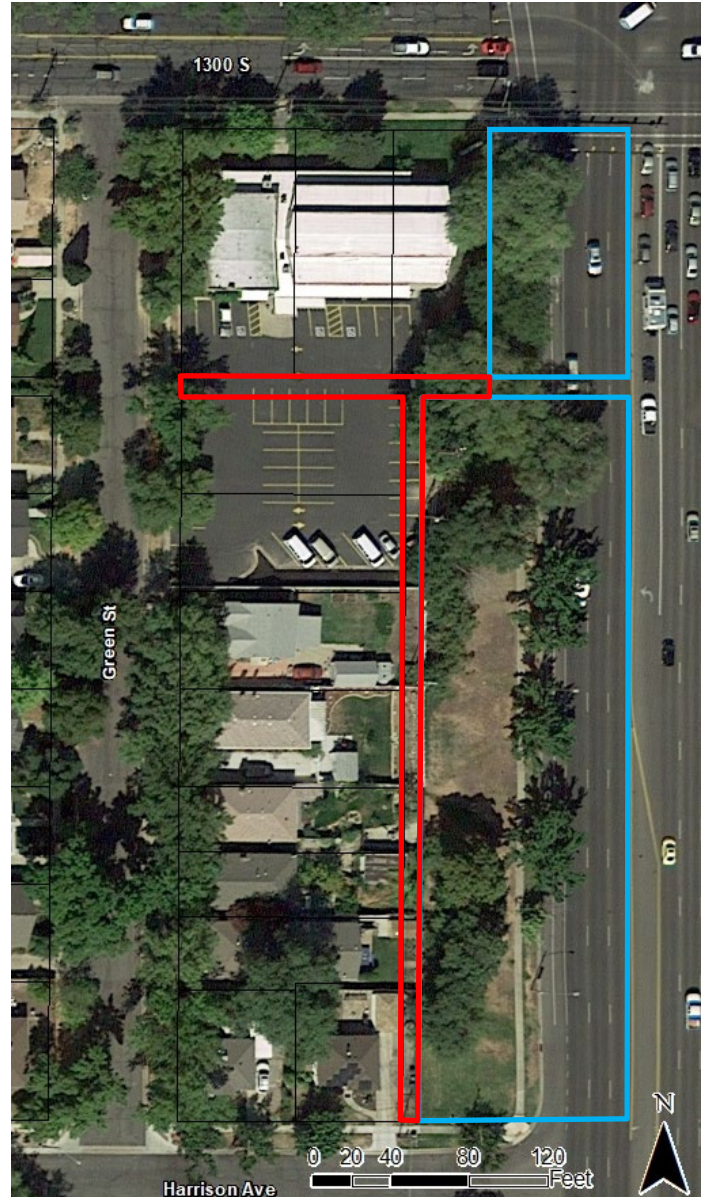
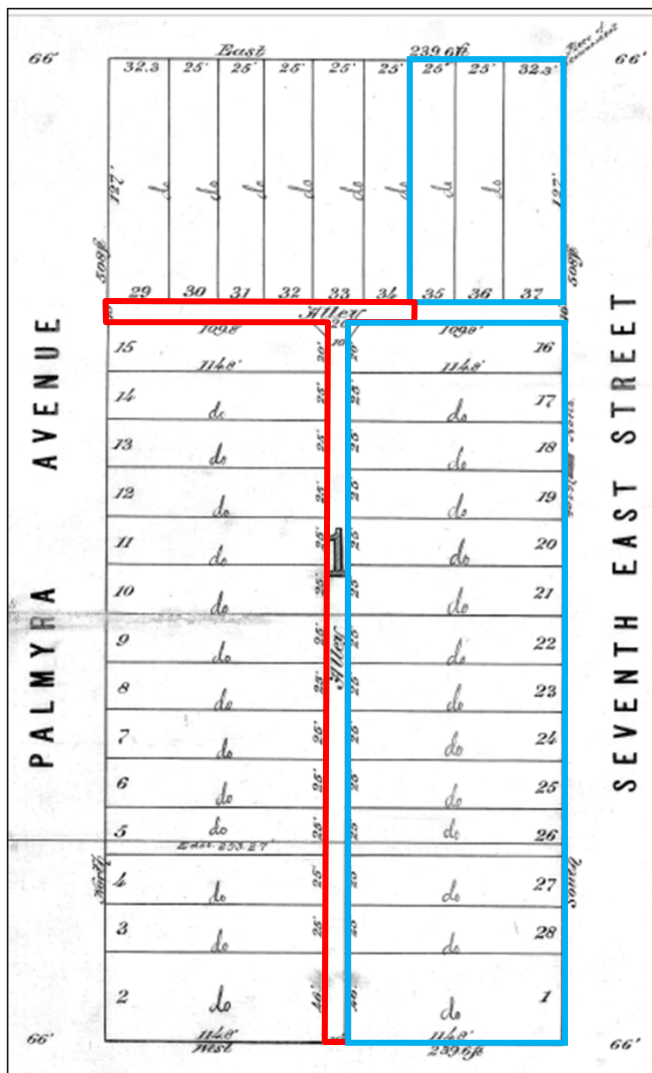
1. Gospel Grace Church (yellow dotted line):
662, 664, 666 E 1300 South & 1319, 1325 S Green Street
2. 1331 S Green Street
3. 1337 S Green Street
4. 1343 S Green Street (**Petitioner**)
5. 1347 S Green Street
6. 1351 S Green Street
7. 669 E Harrison Avenue
8. UDOT acquired land for expansion of 700 East

ATTACHMENTS:

- [A. Site Photographs](#)
- [B. Applicant Information](#)
- [C. UDOT Information](#)
- [D. Analysis of Standards](#)
- [E. Public Process and Comments](#)
- [F. Department Comments](#)

PROJECT DESCRIPTION & BACKGROUND:

This alley was plated as part of the Marion Park Subdivision in 1890. In the early 1960s, 700 East was expanded and the homes on the east of this block were demolished to give way for the road expansion. The alley was absorbed into the abutting properties to the west, but it was never vacated. The issue was discovered recently when the applicant requested a building permit for a garage on land that is part of the alley.



- Alley
- UDOT property

Marion Park Subdivision showing alley and UDOT property

The property belonging to UDOT is being proposed to become the Harrison Garden, a community garden sponsored by Wasatch Community Gardens. This group is working with SLC Engineering Department, and the plans are to have the garden started by Spring of this year.



View of the alley right of way looking from South end



Aerial view of the alley

KEY ISSUES:

The following key issues were identified:

Issue 1: Alley Vacation Request

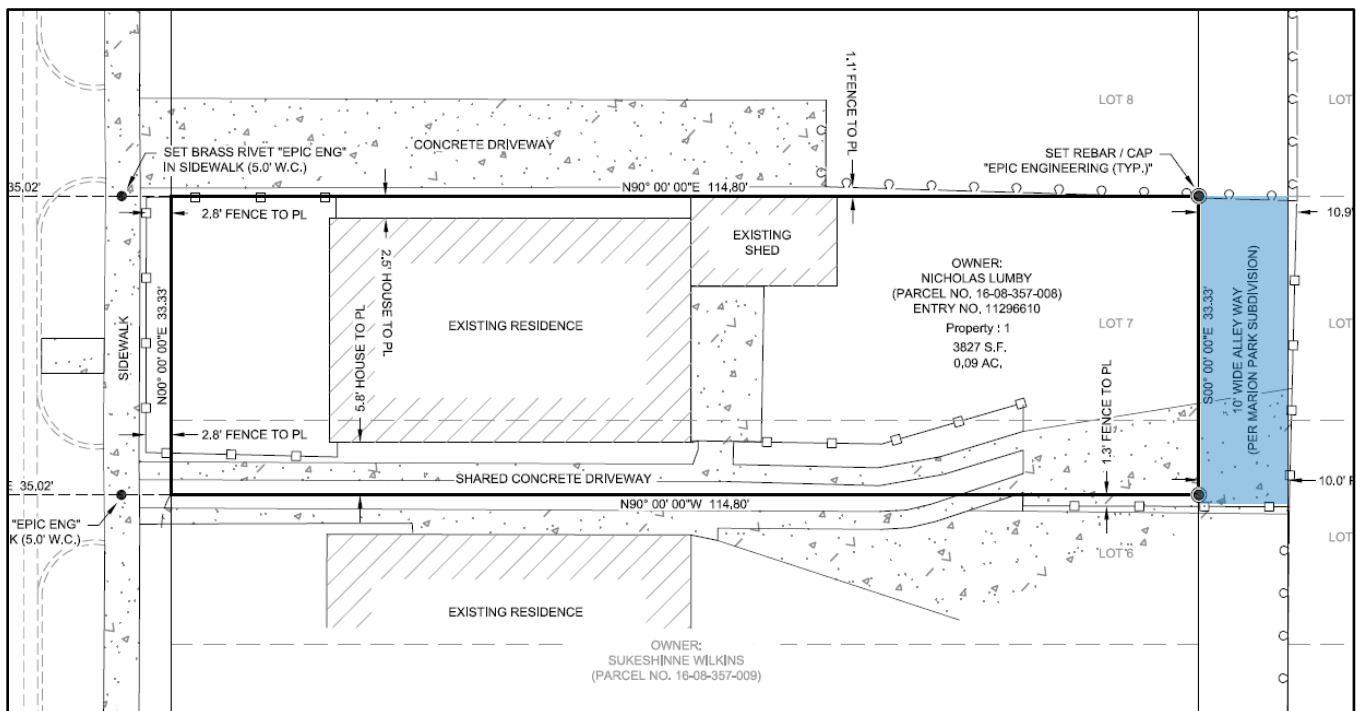
The applicant originally requested that only the portion of the alley abutting the properties between 1331 S Green Street and 669 E Harrison Avenue be vacated. However, the portion of the alley abutting the Gospel Grace Church presented a similar situation, where the alley has been absorbed into the property. The Gospel Grace Church has agreed to be included along with the proposed alley vacation.

Since the homes in the east half of the block were demolished, the alley stopped having a purpose or use. The properties on the west side of the block have absorbed the alley into their properties. Visually there is no alley.

The alley property is not useful as a public right-of-way. The request satisfies policy consideration, "Lack of Use", as required by Section 14.52.02 of the Salt Lake City Code.

Issue 2: Alley Ownership

First there was a question on the ownership of the alley, whether the alley belonged to Salt Lake City or UDOT. After staff received a drawing from UDOT (see Attachment C), it was confirmed that the alley was never part of the right-of-way acquired by UDOT and therefore the alley still belongs to Salt Lake City. Also, the applicant provided a survey of their property that shows the rear of their property as being a 10-foot alley (see Attachment B).



Survey of 1343 S Green Street showing the alley in blue



Showing zoning on the block

Issue 3: Alley Disposition

According to Section 14.54.040 of Salt Lake City Code, the City's method of disposition for a vacated alley, that abuts property zoned for low density residential use, is to split the alley in half and deed each respective half back to the abutting property owners. The Gospel Grace Church property is within the R-1/5,000 (single-family residential), therefore the alley abutting the church and the residential properties would be deeded and not sold.

Since UDOT abuts part of the alley, UDOT is eligible for their half of the alley. Staff got confirmation that UDOT is willing to give up the right to acquire its half portion of the alley except for the northeast horizontal portion of the "T" shape on the eastern portion of the alley which UDOT might be interested.

It's important that UDOT not request to acquire half of the alley because that would cause the property owners to move their fences and some accessory structures that have been in place for decades as the residential properties absorbed the entire 10 feet of alley right of way.

DISCUSSION:

The alley vacation has been reviewed against the standards for alley vacations located in Attachment D. In compliance with the applicable policies, the alley is not being used as a public alley and the vacation is supported by all the adjacent property owners. Further, City policies and the relevant Master Plan do not include any policies that would oppose the vacation of this alley.

NEXT STEPS:

Chapter 14.52 of the Salt Lake City Code regulates the disposition of City owned alleys. 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.

ATTACHMENT A: SITE PHOTOGRAPHS



Showing the rear yards and location of the alley behind the fences. North end.



Showing the rear yards and location of the alley behind the fences. South end.

ATTACHMENT B: APPLICANT INFORMATION



Alley Vacation or Closure

SALT LAKE CITY PLANNING

OFFICE USE ONLY

Received By:

Date Received:

Project #:

Project Name:

PLEASE PROVIDE THE FOLLOWING INFORMATION

Location of the Alley:

676 East 1316 South, Salt Lake City, Utah, 84105

Name of Applicant:

Nicholas Lumby + Sara Koenig

Phone:

801.556.2552

Address of Applicant:

1343 Green Street, Salt Lake City, Utah, 84105

E-mail of Applicant:

nicholas.lumby@gmail.com

Cell/Fax:

801.556.2552

Applicant's Interest in Subject Property:

☒ Owner ☐ Contractor ☐ Architect ☐ Other:

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

E-mail of Property Owner:

Phone:

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 email zoning@slcgov.com if you have any questions regarding the requirements of this application.

WHERE TO FILE THE COMPLETE APPLICATION

Apply online through the [Citizen Access Portal](#). There is a [step-by-step guide](#) to learn how to submit online.

REQUIRED FEE

Filing fee of **\$265**

Plus additional fee for required public notices will be assessed after application is submitted.

SIGNATURE

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

Signature of Owner or Agent:

Date:

12/05/2020

SUBMITTAL REQUIREMENTS

Staff Review

☐☒

Please include with the application: (please attach additional sheets electronically)

☐☒

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 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 [Section 14.52.020](#)

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

NAL

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:

Nicholas Lumby + Sara Koenig

Address of Applicant:

1343 Green Street, Salt Lake City, Utah, 84105

Date:

12/05/2020

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

See NEXT PAGE FOR SCANNED SIGNATURES OF OWNERS OF ADJACENT

Print Name

Address

Signature

Date

properties.

Print Name

Address

Signature

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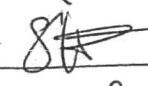
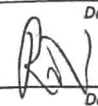
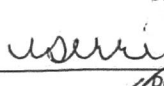
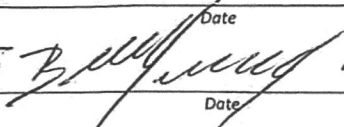

Print Name

Address

Signature

Date

Signatures of Owners of Property adjacent to Alley.

| PETITION TO VACATE OR CLOSE AN ALLEY | | | |
|---|--|--|------------|
| Name of Applicant: | NICHOLAS LUMBY + SARA KOENIG | | |
| Address of Applicant: | 1343 Green Street, Salt Lake City, UT, 84105 | | |
| Date: | 12/10/20 | | |
| 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 |
| SARA KOENIG | 1343 S. Green St. 84105 |  | 11/17/2020 |
| Print Name | Address | Signature | Date |
| Sukeshineer Wilkins | 1347 S. Green St 84105 |  | 11/17/2020 |
| Print Name | Address | Signature | Date |
| RANEE WILKINS | 1331 S. Green St 84105 |  | 11/12/20 |
| Print Name | Address | Signature | Date |
| Gerri West | 1337 Green St 84105 |  | 11/17/20 |
| Print Name | Address | Signature | Date |
| Brett Markum | 1351 Green St. 84105 |  | 11/19/20 |
| Print Name | Address | Signature | Date |
| Kelly Favero | 1337 S. Green St. 84105 |  | 11/19/20 |
| Print Name | Address | Signature | Date |
| | | | |
| Print Name | Address | Signature | Date |
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| Print Name | Address | Signature | Date |
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| Print Name | Address | Signature | Date |
| | | | |
| Print Name | Address | Signature | Date |
| | | | |

Updated 7/1/20

Salt Lake City Planning Department
451 South State Street, Room 215
Salt Lake City, Utah 84114

Re: Request to Vacate Alley

Dear Salt Lake City Council, and Salt Lake Planning Officials,

We are writing to you to request the vacation of the alley segment that runs north-south at approximately 676 East from approximately 1316 South to Harrison Avenue (1370 South). The alley measurements are approximately, 305' x 10-15'. Please refer to the attached Sidwell map (page 16-08-31) on p.4 of this document, for locations.

Reasons for this request include:

- We are the owners of the parcel **16-08-357-008-0000** immediately to the west of the alley Lot numbers N 8 1/3 FT OF LOT 6 & ALL LOT 7 BLK 1 MARION PARK – the alley vacation will clean up the ownership of the strip of vacant land that has been assumed by the property owners.
- The alley has been vacant for many years (50+). Maintenance has been taken care of the alley by the adjacent property owners.
- Vacating the alley will not affect any of the properties along the line, nor will this be detrimental to the public as it is not accessed by traffic.
- Vacating the alley could accommodate any future construction of structures by the abutting property owners including a 199 ft² storage shed currently under construction by the petitioner.

Assumptions

- It is assumed that the alley running east-west at approximately 1316 South from 661 East to 676 East has previously been vacated as the Gospel Grace Church parking lot is located there.
- It is assumed that the alley running north-south from 1300 South to 1316 South at approximately 676 East has been previously vacated as the Gospel Grace Church building is built across the potential alley location.

Four other property owners abutting the alley include:

- | | |
|---------------------------|----------------------------------|
| • <u>Rance Wilkins</u> | <u>Gerri West / Kelly Favero</u> |
| 1331 S Green Street | 1337 S Green Street |
| Salt Lake City, UT, 84105 | Salt Lake City, UT, 84105 |
| 801.360.5203 | 801.467.4179/801.326.8750 |

- Sukeshinee Wilkins
1347 S Green Street
Salt Lake City, UT, 84105
801.503.6373

Brett Markum / Sheri Hohmann
1351 S Green Street
Salt Lake City, UT, 84105
801.712.4585

*Signatures of the above are attached to the application.

Adjacent Land Use

The land uses surrounding the site include:

- East: Vacant
- West: Residential
- North: Commercial (Church), Parking Lot
- South: Residential, Road

Petitioner Details

Name: Nicholas Lumby + Sara Koenig

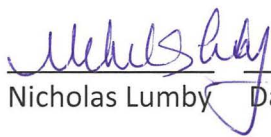
Street Address: 1343 South Green Street, Salt Lake City, UT, 84105

Parcel Number: 16-08-357-008-0000

Lot Number: N 8 1/3 FT OF LOT 6 & ALL LOT 7 BLK 1 MARION PARK.

Thank you for your consideration,

Regards,

 12/10/20

Nicholas Lumby Date

 12/10/20

Sara Koenig Date

Links:

[Vicinity Map](#)

[Sidwell Map – Alley Location](#)

[Sidwell Map – Abutting Properties](#)

[Photos](#)

[Signatures – Abutting Properties](#)

Vicinity Map - 1316 South to Harrison Avenue (1370 South)







Photos

Assumed Alley Location: North-South (676 East / 1316 S – Harrison)



Assumed Vacated Alley: East-West (661-676 East / 1316 S)



ATTACHMENT C: UDOT INFORMATION

From: [Erick Shosted](#)
To: [Pace, Katia](#)
Cc: [Charles Hill](#); [Diana Leka](#); [Michael Timothy](#)
Subject: (EXTERNAL) Re: Ownership Confirmation - 700 East (between 1300 S & Harrison Ave)
Date: Tuesday, March 16, 2021 11:18:33 AM
Attachments: [US-0140\(2\)_03_Plan.TIF](#)

Katia,

The attached ROW map shows UDOT ownership in the area you are inquiring about. The following link is the website that explains UDOT's process for disposing of real property.
<https://www.udot.utah.gov/connect/business/surplus-property/>

Thanks,

On Thu, Mar 11, 2021 at 10:47 AM Diana Leka <dleka@utah.gov> wrote:

Katia - meet Erick and Chip from the Region 2 office of UDOT. They should be able to help you through this process and request.

On Thu, Mar 11, 2021 at 10:45 AM Pace, Katia <Katia.Pace@slcgov.com> wrote:

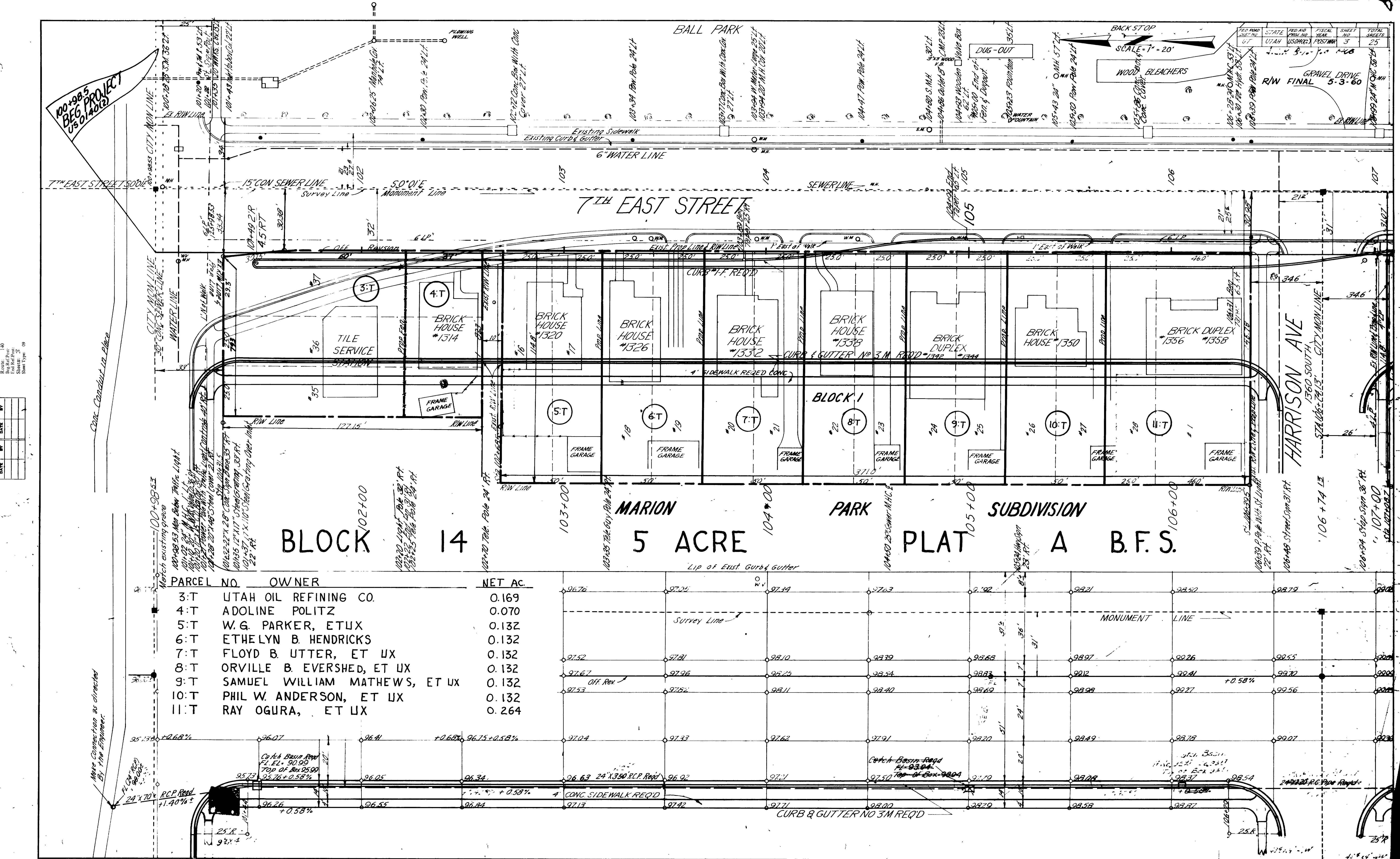
Diana,

Salt Lake City Planning Division is responding to a request to vacate an alley that runs north-south between 1300 South and Harrison Avenue (1370 South) and between Green Street and 700 East. This alley appears to be owned by UDOT. SLC Planning needs confirmation from UDOT that the alley is own by UDOT, or not. This confirmation is needed because SLC would not have the authority to vacate the alley if the property belongs to UDOT.

The request comes from the owners of the parcel 16-08-357-008-0000, or 1343 S. Green Street, a property immediately to the west of the alley. The reason for the request is that the alley was assumed to be vacated and the property owners abutting the alley have incorporated the alley into their properties.

I'm not sure who to contact at UDOT to give me this information. If you are not the person I need to contact, please let me know who that person would be. Also, it would really be helpful to know what is the process to request UDOT for the alley/property vacation and possible purchase.

I've attached some additional information, please let me know if you have any questions.



From: [Charles Hill](#)
To: [Pace, Katia](#)
Cc: [Erick Shosted](#); [Diana Leka](#); [Michael Timothy](#)
Subject: Re: FW: (EXTERNAL) Re: Ownership Confirmation - 700 East (between 1300 S & Harrison Ave)
Date: Wednesday, November 3, 2021 8:21:06 PM

Yes, we would take that from the existing fence line to the east towards SR-71. Thanks!
Chip

Charles (Chip) Mason Hill
UDOT - Region Two
Pre-Construction Engineer
Cell: 801-910-2091
Email: cmason-hill@utah.gov

On Thu, Oct 28, 2021 at 6:09 PM Pace, Katia <Katia.Pace@slcgov.com> wrote:

Chip,

I'm sending you a map of the location of the alley and I have a question for you: is UDOT's interest on the horizontal portion of the yellow 'T' on the map? I'm pretty sure that the Planning Commission and City Council will ask me that and I want to be able to give them an answer.

Thank you so much for your help.

KATIA PACE

Principal Planner

Planning Division

DEPARTMENT *of* COMMUNITY *and* NEIGHBORHOODS

SALT LAKE CITY CORPORATION

CELL 385-226-8499

Email katia.pace@slcgov.com

Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

From: Charles Hill <cmason-hill@utah.gov>
Sent: Wednesday, October 27, 2021 2:16 PM
To: Pace, Katia <Katia.Pace@slcgov.com>
Cc: Erick Shosted <eshosted@utah.gov>; Diana Leka <dleka@utah.gov>; Michael Timothy <mtimothy@utah.gov>
Subject: Re: FW: (EXTERNAL) Re: Ownership Confirmation - 700 East (between 1300 S & Harrison Ave)

Katia,

Apologies for the delay in this response. The only area that UDOT would be interested in would be the eastern portion of the T section at the north end. There is currently a study underway to provide an improved active transportation facility along 700 East and this was the only area that was concerning. Thanks and let me know what you need from my group moving forward.

Chip

Charles (Chip) Mason Hill
UDOT - Region Two

Pre-Construction Engineer

Cell: 801-910-2091
Email: cmason-hill@utah.gov

On Mon, Oct 18, 2021 at 9:41 AM Pace, Katia <Katia.Pace@slcgov.com> wrote:

Charles,

ATTACHMENT D: ANALYSIS OF STANDARDS

SPECIFIC ZONING DISTRICT PURPOSE STATEMENTS

21A.24.070 R-1/5000 Single Family Residential District

The purpose of the R-1/5,000 single-family residential district is to provide for conventional single-family residential neighborhoods on lots not less than five thousand (5,000) square feet in size. This district is appropriate in areas of the city as identified in the applicable community master plan. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

RELATED MASTER PLAN ITEMS

Central Community Master Plan, adopted 2005

The plan does not address alley vacations.

On the Liberty neighborhood planning area section of the plan under the Streets and Circulation it says:

- Improve the linear parkway along the west side of 700 East.

Plan Salt Lake, adopted 2015

GUIDING PRINCIPLE/A beautiful city that is people focused.

- Promote increased connectivity through mid-block connections.

Salt Lake City Code, Section 14.52: Disposition of City Owned Alleys

Chapter 14.52 of the Salt Lake City Code regulates the disposition of City owned alleys. When evaluating requests to 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. 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.

Section 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:

| Factor | Finding | Rationale |
|--|--|---|
| 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; | Complies - The alley property is not useful as a public right-of-way. The request satisfies one of the policy considerations as required by Section 14.52.02 of the Salt Lake City Code. | Since the homes in the east half of the block were demolished, the alley stopped having a purpose or use. The properties on the west side of the block have absorbed the alley into their properties. Visually there is no alley. |
| B. Public Safety: The existence of the alley is substantially contributing to crime, unlawful activity, unsafe conditions, public health | | The proposed vacation satisfies consideration A- Lack of Use. The alley vacation would not interfere with access to the other abutting properties. The vacated alley would be compatible with surrounding development. |

| | | |
|--|--|--|
| <p>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; or</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> | | |
|--|--|--|

Section 14.52.030B:

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 reasonable objection to the proposed disposition of the property; | Complies | <p>Staff requested input from appropriate City Departments and Divisions. Engineering opposes the proposed alley vacation for the following reasons:</p> <ul style="list-style-type: none"> • Per State code, vacating the alley will give ownership of west 1/2 of the alley to the property owners and the east 1/2 half to UDOT (on the segment #8 running parallel to 700 East). • The adjacent property owner's illegal encroachment into the alley should not be the basis for the vacation. • There should be a community benefit due to the vacation. <p>Staff addressed one of the concerns by requesting UDOT to concede its interest on their half of the alley (except on the northeast portion of the horizontal portion of the "T" shaped alley). Furthermore, the encroachment is not the reason for the alley vacation, it's the "Lack of Use" that is explained above and it satisfies the consideration for the alley vacation.</p> |
| 2. The petition meets at least one of the policy considerations stated above; | Complies | The proposed alley vacation satisfies the "Lack of Use" policy consideration of 14.52.020. See the discussion and findings on the previous page. |
| 3. Granting the petition will not deny sole access or required off street parking to any property adjacent to the alley; | Complies | The alley is not being used as an alley and has been absorbed by the abutting property owners. The property at 1351 S Green St does not have a garage, however, there is room for a parking pad on the side of the home, but there is no driveway from the street that can be used to access this potential parking space. |

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| | | The alley vacation will not deny access or required off street parking to any of the abutting property owners. |
| 4. Granting the petition will not result in any property being landlocked; | Complies | All properties have street access and will not be landlocked if the alley is vacated. |
| 5. 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; | Complies | Plan Salt Lake promotes increased connectivity through mid-block connections. However, this alley is not needed for a midblock connection. The Central City Community Master Plan calls for the linear parkway along the west side of 700 East to be improved. The proposed community garden on the property abutting the alley is an improvement to the parkway. The alley vacation will not have an impact on the proposal. |
| 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 twelve (12) months of issuance of the building permit; | Complies | There are no opposing abutting property owners. |
| 7. The petition furthers the city preference for disposing of an entire alley, rather than a small segment of it; and | Complies | The proposed alley would be disposed in its entirety. |
| 8. The alley property is not necessary for actual or potential rear access to residences or for accessory uses. | Complies | The alley is not being used as an alley and has been absorbed by the abutting property owners. The property at 1351 S Green St does not have a garage, however, there is room for a parking pad on the side of the home, but there is no driveway from the street that can be used to access this potential parking space. |

Section 14.52.040:

If the alley property abuts properties which are zoned for low density residential use, the alley will merely be vacated. For the purposes of this section, "Low Density Residential Use" shall mean properties which are zoned for single-family, duplex, or twin home residential 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.

Finding: The abutting properties are zoned R-1/5,000 (Single Family Residential), therefore the alley would simply be vacated split in half and deeded to the abutting property owners.

ATTACHMENT E: PUBLIC PROCESS AND COMMENTS

Public Notice, Meetings, Comments

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

- Notice of the project and request for comments sent to the Chair of the Liberty Wells Community Council and East Liberty Park Community Organization on April 8, 2021, to solicit comments.
- No public comments have been submitted by the Liberty Wells Community Council or the East Liberty Park Community Organization.
- Staff sent an early notification announcement of the project to all residents and property owners located within 300 feet of the project site on June 15, 2021, providing notice about the project and information on how to give public input on the project. No public comments were submitted.
- The 45-day recognized organization comment period expired on May 23, 2021.

Public Hearing Notice:

- Public hearing notice mailed: February 10, 2022
- Public hearing notice signs posted on property: February 13, 2022
- Public notice posted on City & State websites & Planning Division list serve: February 10, 2022

ATTACHMENT F: DEPARTMENT COMMENTS

CITY DEPARTMENT COMMENTS

Public Utilities (Jason Draper):

No public utility objections to the proposed vacation.

Engineering (Scott Weiler):

Engineering opposes the proposed alley vacation for the following reasons:

- Per State code, vacating the alley will give ownership of west 1/2 of the alley to the property owners and the east 1/2 half to UDOT (on the segment #8 running parallel to 700 East).
- The adjacent property owner's illegal encroachment into the alley should not be the basis for the vacation.
- There should be a community benefit due to the vacation.

Planning's response: Staff addressed one of the concerns by requesting UDOT to concede its interest on their half of the alley (except on the northeast portion of the horizontal portion of the "T" shaped alley). Furthermore, the encroachment is not the reason for the alley vacation, it's the Lack of Use.

Transportation (Michael Barry):

There are no comments from Transportation. This alley appears to no longer function as an alley.

Zoning (Alan Michelsen):

No zoning comments regarding the proposed alley vacation.

Fire (Ed Itchon):

No comments

Real Estate Services (Shellie Finan):

The properties and the church sit on are zoned residential.

UDOT

The attached ROW map shows UDOT ownership in the area you are inquiring about. The following link is the website that explains UDOT's process for disposing of real property.

<https://www.udot.utah.gov/connect/business/surplus-property/>