



# Staff Report

PLANNING DIVISION

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

**To:** Salt Lake City Planning Commission  
**From:** Michael McNamee, Principal Planner  
[michael.mcnamee@slcgov.com](mailto:michael.mcnamee@slcgov.com) or 801-535-7226  
**Date:** August 23, 2023  
**Re:** PLNPCM2023-00408, 1515-1550 S 300 W Alley Vacation

## Alley Vacation

**PROPERTY ADDRESS: The alleys abut 7 individual properties as follows:**

**300 West:** 1518, 1528, 1540, and 1546

**West Andrew Avenue:** 325 and 333

**West Van Buren Avenue:** 352

**MASTER PLAN: Central Community**

**ZONING DISTRICT: CG (General Commercial District)**

### REQUEST:

This is a request from Jarod Hall, representing the property owner of the seven properties that abut two public alleys which run between 300 West, Andrew Avenue, and Van Buren Avenue, to vacate the alleys. One of the subject alleys runs north to south, while the other runs east to west. The north-south alley is 16'6" wide and approximately 148'7" long. It runs between Andrew Avenue and the east-west alley. The east-west alley is 16'6" wide and approximately 298'8" long. It runs from 300 West to the east side property line of 352 West Van Buren Avenue. The intent of the request is to incorporate the alleys into the adjacent properties. The applicant is also proposing a multi-family development that, as proposed, could only be constructed if the alleys were vacated and the surrounding parcels were consolidated with the alley property.

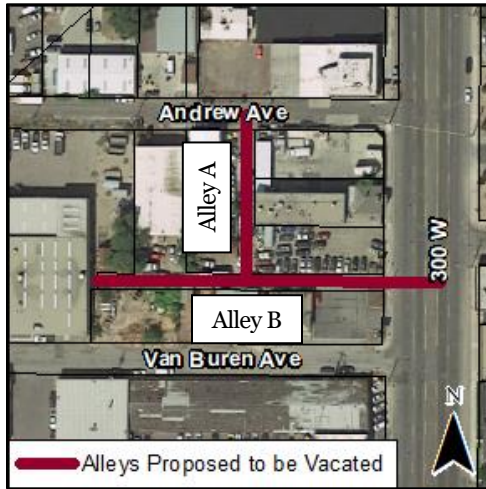
### RECOMMENDATION:

Based on the information and findings listed in the staff report, it is the Planning Staff's opinion that the requests generally meet the applicable standards of approval and therefore recommends the Planning Commission approve the request, with conditions.

### ATTACHMENTS:

- A. [ATTACHMENT A: Vicinity Map](#)
- B. [ATTACHMENT B: Photos](#)
- C. [ATTACHMENT C: Application & Petition](#)
- D. [ATTACHMENT D: Notice of Public Alleys](#)
- E. [ATTACHMENT E: Analysis of Standards](#)
- F. [ATTACHMENT F: Public Process and Comments](#)
- G. [ATTACHMENT G: City Department Review](#)

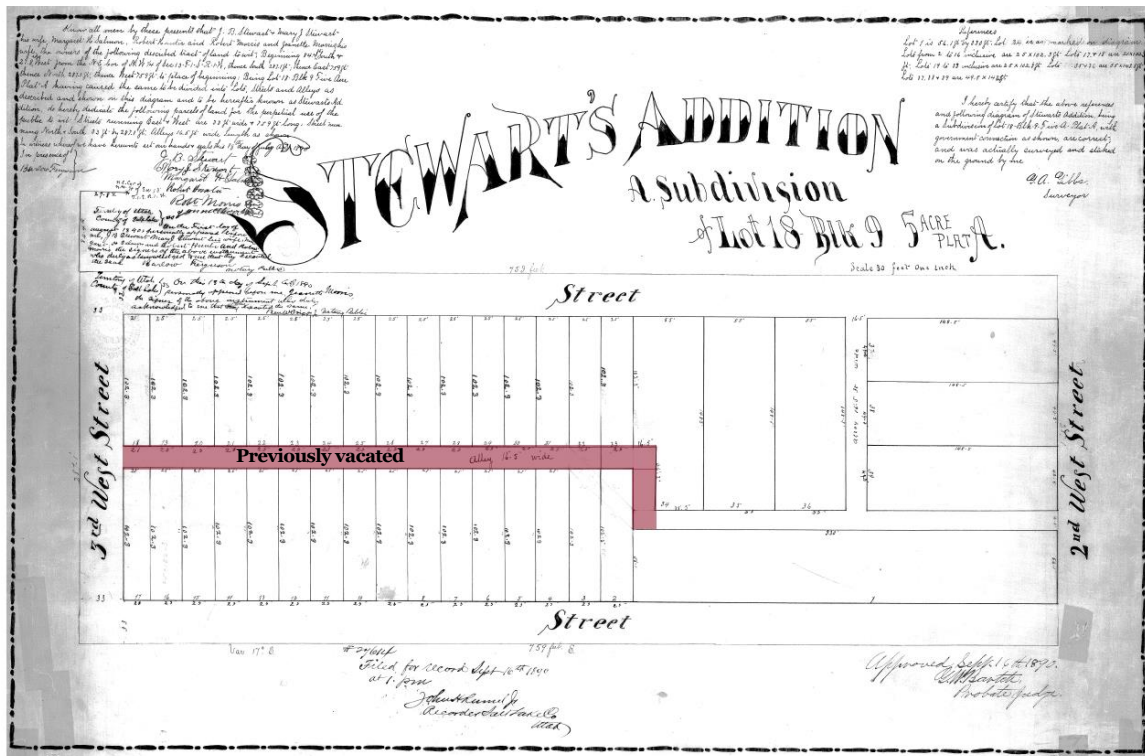
## PROJECT DESCRIPTION



Jarod Hall, representing the owner of 1518, 1528, 1540, and 1546 S 300 W; 325 and 333 W Andrew Ave; and 352 W Van Buren Ave, submitted this petition. These seven properties are the only parcels that abut the subject alley, so the alley vacation petition only included one signature – that of the singular owner. The request is to vacate two public alleys, one which runs north to south and is 16-feet-6-inches-wide and 148-feet-7-inches long, and another which runs east to west and is 16-feet-6-inches-wide and 298-feet-8-inches-long. The north-south alley, referred to from this point as “Alley A,” runs between Andrew Avenue and the east-west alley, and the east-west alley, which will be referred to as “Alley B,” runs from 300 West to the east side property line of 352 W Van Buren Avenue.

### History of the Alleys

The alleys were dedicated to the city as part of the Stewart’s Addition subdivision in 1890. When it was first dedicated to the city, Alley B was longer, making a turn to the north for about 60 feet from its current western terminus and then turning and continuing west through the remainder of the block to 400 West. 400 West between Andrew and Van Buren was ultimately closed along with a small portion of Alley B in 1974 ([Ordinance 98 of 1974](#)). A longer portion of Alley B was closed in September 1997 as [Ordinance 56 of 1997](#). According to [minutes from the public hearing](#) where the alley vacation was discussed, the closed portion of the alley had been encroached upon by a neighboring business for about 40 years leading up to the closure. The City Council ultimately determined the alley was no longer necessary for public use.



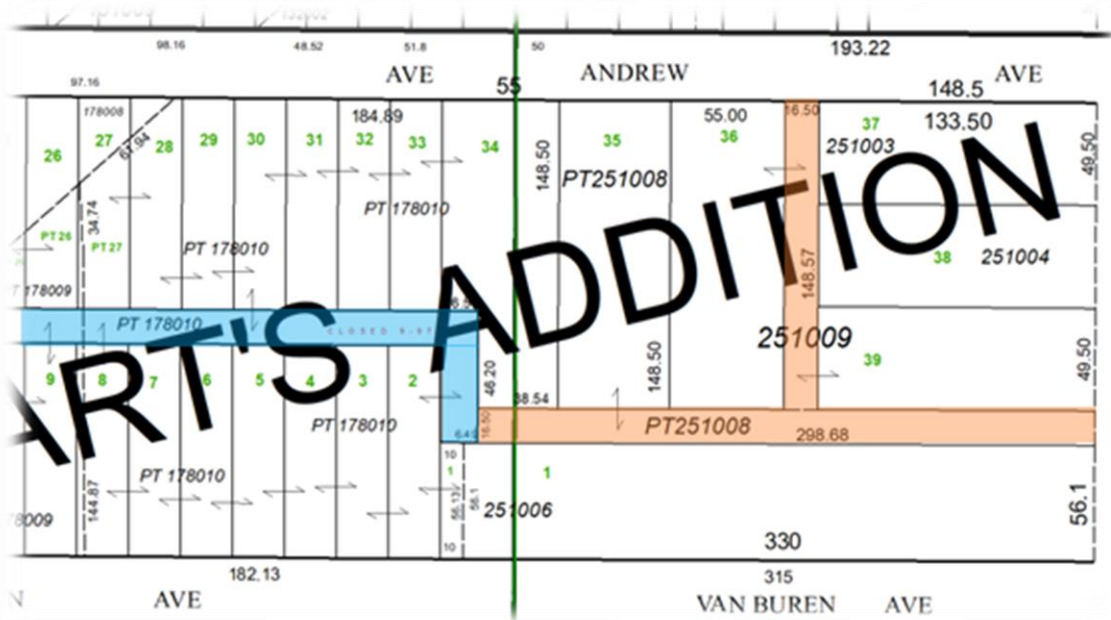
Original subdivision plat, recorded September 1890

## 2022 Quiet Title Claim

Alley A and the portion of Alley B proposed to be closed in this application were the subject of a quiet title lawsuit in 2022. A court issued a judgment granting title to the applicant, but as the City was not named or served with the lawsuit, the judgment is not binding on the City. Nevertheless, once this judgment was recorded with Salt Lake County, the alleys are mistakenly identified by the County as belonging to the applicant. To clarify that the alleys remain City property unless and until the City Council grants this alley vacation application (and to create a mechanism for the alleys to be conveyed to the City in the event this application is denied in whole or in part), the signed Notice of Public Alleys included as Attachment D was required of the applicant. It is being held in escrow by the City Attorney's Office pending a decision on the application by the City Council.

## Current Use of the Alleys

The portion of Alley B that is subject to this application is gravel and passable, except for to the west of the "T" intersection with Alley A. This portion has been fenced off so that it is not publicly accessible and the pavement has deteriorated to the point that it is likely no longer passable. Alley A is paved and appears to be used primarily as parking area for an abutting tow & auto body shop business at 325 W Andrew Ave, and is also fenced off, further obstructing access to the western portion of Alley B. As part of the applicant's plans for redevelopment of this site, the existing development would be demolished, potentially providing an opportunity to return Alley A to public use. The applicant is not currently proposing to do this, however, and is instead asking to close both alleys so that a new development can cover the land underneath the alleys.

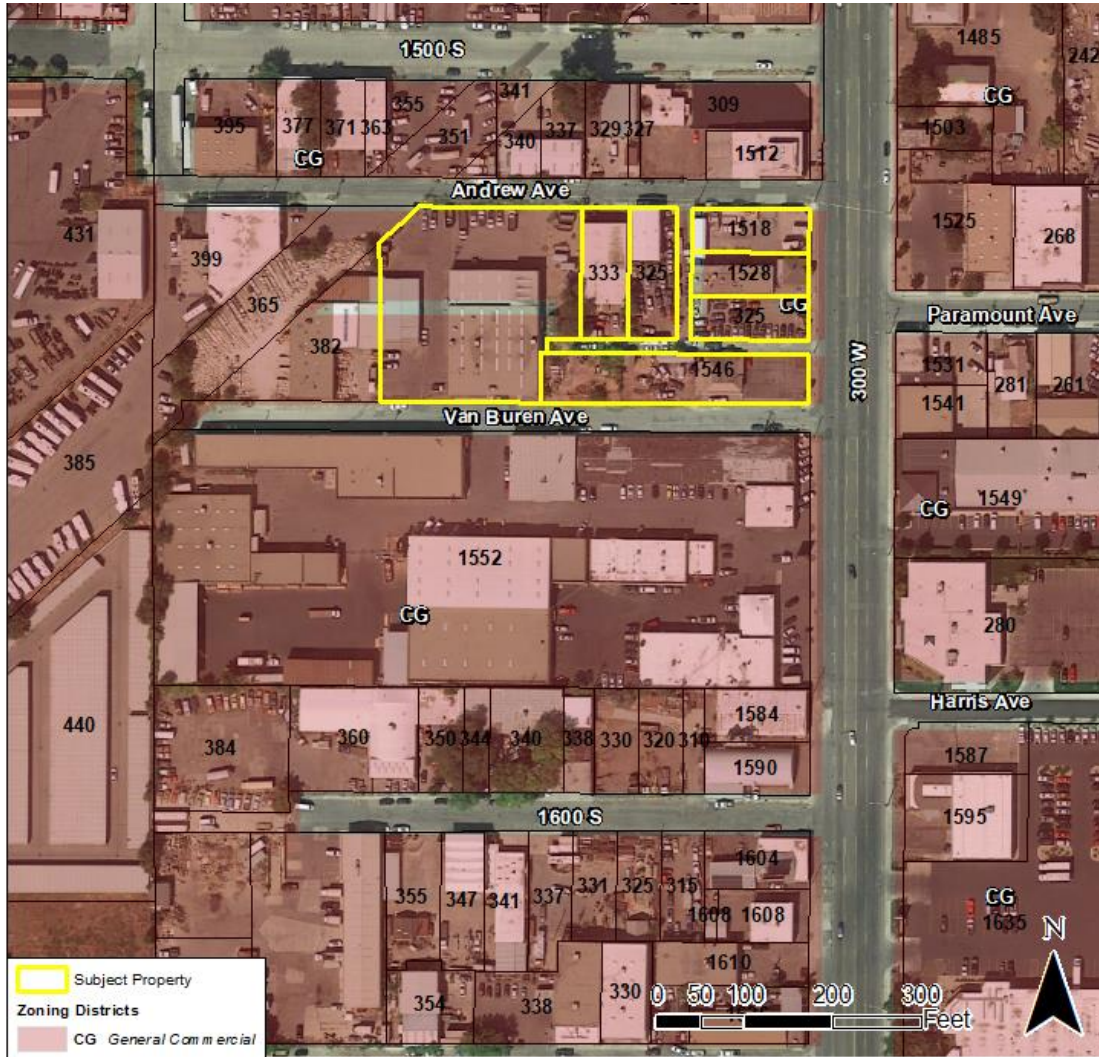


*Subdivision plat dated April 2023 showing subject alleys (highlighted in orange), surrounding properties, and closed portion of Alley B (highlighted in blue – continues off page)*



## PROPOSED REDEVELOPMENT

The applicant is proposing to redevelop the property surrounding the alleys and is asking to vacate the alleys so that the property underneath can be incorporated into the new development. The development is not subject to the alley vacation request but is discussed in this section for reference. The applicant currently has Design Review and Planned Development applications with Planning which will be brought to the Planning Commission at a later date. The applicant's client owns an assemblage of property surrounding the alleys as shown below:



Building plans have not been finalized by the applicant, but their preliminary drawings show a multi-family development that would cover most of the site with a single building. The outside dimensions of their property assemblage measure roughly 475 feet by 215 feet (note that the property is an irregular shape and the north and west sides are slightly shorter), and the applicant is proposing a building that would largely follow those dimensions but with a 10-foot setback on each side as required by the CG zone, which this property is located in. Vacating both alleys would be necessary for the redevelopment to be accomplished as currently proposed.

## APPROVAL PROCESS AND COMMISSION AUTHORITY

Alley Vacation requests must fulfill one of four policy considerations found in [section 14.52.020 of City Code](#): Lack of Use, Public Safety, Urban Design, or Community Purpose. Requests are also reviewed against the factors found in [14.52.030.B](#). Staff's analysis of the policy considerations and factors can be found in Attachment E – Analysis of Standards.

The Planning Commission will make a recommendation to approve or deny the application to the City Council. Alley Vacation requests are ultimately up to the City Council's discretion and are not controlled by any one standard. If the Alley Vacation is approved, the City would convey half of the alley to the abutting property owners on each side. Any required easement would be established with the Salt Lake County Recorder's office.

## KEY CONSIDERATIONS

The key considerations and concerns below have been identified through the analysis of the project, neighbor & community input, and department reviews:

1. Property Owner Consent
2. Policy Considerations
3. General Plan Considerations
4. Nature of the Alley
5. Future Public Use of the Alley

### Consideration 1: Property Owner Consent

[Section 14.52.030.A.1 of City Code](#) specifies that “the petition must bear the signatures of no less than seventy-five percent (75%) of the neighbors owning property which abuts the subject alley property.” The seven properties which abut the subject alleys are all under the same ownership, so only one signature was required.

### Consideration 2: Policy Considerations

The fenced-off, deteriorated portion of the east-west alley satisfies policy consideration A) Lack of Use outlined in section 14.52.020. The north-south alley and eastern portion of the east-west alley are both improved and accessible so they do not satisfy consideration A. Based on comments received from the Police Department and Sustainability Division, closure of these portions could satisfy policy consideration B) Public Safety; however, this wasn't identified as a concern by the applicant. This is outlined in [Attachment E – Analysis of Standards](#).

### Consideration 3: General Plan Considerations

The [Central Community Master Plan](#) places these alleys within the People's Freeway neighborhood planning area. The plan does not address Alley Vacations within this planning area, nor does it set preservation of alley rights of way as a priority (p.7). However, regarding mid-block walkways, Policy TRANS-4.4 recommends “obtaining easements where feasible for pedestrian corridors for interior mid-block access” (p.17). [Plan Salt Lake](#) initiative 8.8 echoes this sentiment, recommending “increased connectivity through mid-block connections” (p.31).

Alley B would likely not be a good candidate for a mid-block connection, but Alley A could break up the block, especially if it were combined with a private right-of-way that created a pedestrian walkway which fully connected Andrew and Van Buren Avenues. It could also be vacated in exchange for a new private right-of-way located in a position that broke up the block more evenly and provided a mid-block connection between Andrew and Van Buren.

#### Consideration 4: Nature of the Alley

After inspecting the alley in person, Alley B is mostly gravel and is partially accessible to the public. There is a portion of the alley which has been fenced off so that it is not publicly accessible and the pavement has deteriorated to the point that it is likely no longer passable. It appears that this portion of the alley is used for outdoor storage and parking. A curb cut from 300 West provides vehicular access to Alley B from a public street, and Alley A is accessible via Andrew Avenue (see [Attachment B – Photos](#)). Alley A is currently used as parking for an adjacent business, and is fenced off, so the alley is not publicly accessible at this time.



*Approximate location of fenced-off portion of Alley B highlighted in blue*

#### Consideration 5: Future Public Use of the Alley

An issue that often comes up with Alley Vacation proposals is future beneficial uses for the public. This could include trails for active transportation, access to garages or accessory dwelling units (ADU), or public services and utilities.

While the public is currently able to use a portion of Alley B, the preservation of the alley would not implement good urban design, which is further discussed in Attachment E.

Alley A is paved and up until recently was accessible to the public. A gate was installed at some point between 2019 and 2023, which blocks what would otherwise be open access from Andrew Avenue. This alley has the greatest potential to be returned to the public for public use. As discussed in Attachment E, this alley could help to break up the block, which is very long at about 759 feet. The alley could provide a connection between Andrew and Van Buren Avenues if it were continued from its southern terminus to Van Buren. The other option would be to replace the alley with a private right-of-way that provided a mid-block connection in a new location. This could potentially be achieved if the City were to require the creation of a private right-of-way through a development agreement.

## **STAFF RECOMMENDATION**

It is Planning Staff's opinion that the vacation of Alley B meets factors A and C in 14.52.020, Lack of Use and Urban Design, respectively, and therefore recommends the Planning Commission forward a positive recommendation for the vacation of Alley B to the City Council.

The vacation of Alley A does not meet any of the factors for consideration in 14.52.020 as currently proposed. However, if the vacation of Alley A resulted in the development of a private right-of-way that provided a mid-block connection factor C, Urban Design would be applicable. Therefore, Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council with the following condition:

1. A development agreement must be secured ensuring that a mid-block connection will be created between Andrew and Van Buren Avenues in exchange for vacating the alley. A public access easement must also be secured ensuring public access to the private right-of-way.
2. The applicant shall not purport to convey the property encompassing any portion of the alleys until at least 60 days after a final decision by the City Council on the petition.

## **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 from 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 regarding alley vacations and closures.



# ATTACHMENT A: Vicinity Map

## Vicinity Map



Salt Lake City Planning Division 7/12/2023

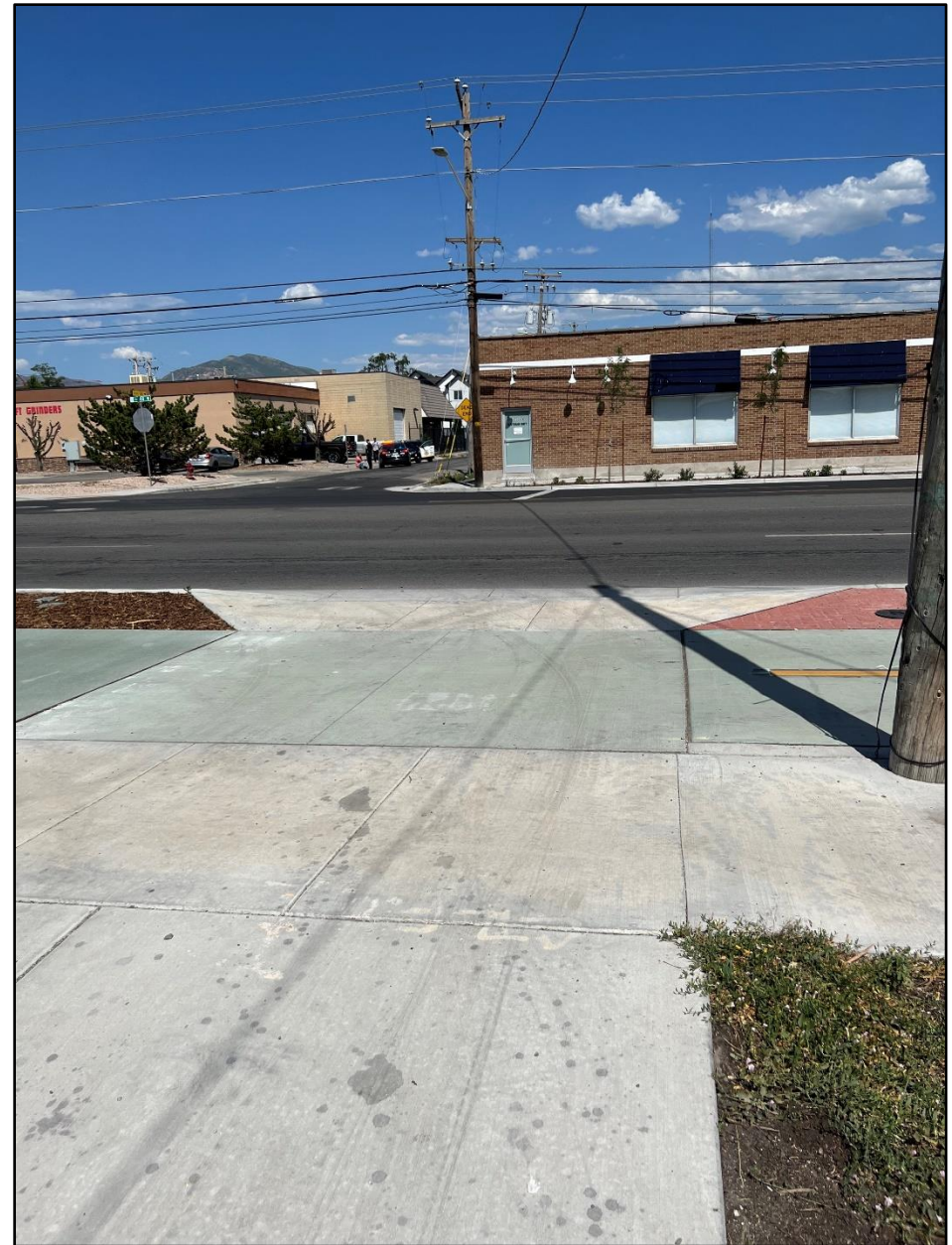


# **ATTACHMENT B: Photos**

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*Publicly accessible portion of Alley B*



*Curb cut onto 300 West from Alley B*





*Fenced-off portion of Alley B*



*Alley A as viewed from Andrew Avenue*



# **ATTACHMENT C: Application & Petition**

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## Alley Closure Application

Alley Closure Letter

RE:

1518, 1528, 1546 S 300 W  
325, 333 W Andrew Ave  
352-370 W Van Buren  
Salt Lake City, UT

Parcel Numbers:

15-13-251-003-0000  
15-13-251-004-0000  
15-13-251-009-0000  
15-13-251-006-0000  
15-13-251-008-0000  
15-13-178-010-0000

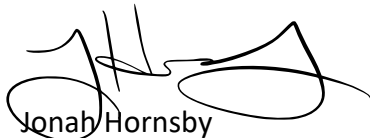
To Whom it may concern;

On behalf of the Salt Lake Property Trust dated 3/3/2022 I am submitting this application to vacate the alleyway outlined in this application. The alleyway area abuts several parcels all owned by the same entity. A quiet title action was completed on or around and the county updated the plat maps on or around 12/30/2022 reflecting the new property boundaries.

It was brought to our attention that the city desires that we take this through an alley vacation process to formalize.

The intent of the property owner us to redevelop the properties into a multifamily building.

Thank you



Jonah Hornsby

801-580-4945  
1075 E Hollywood Ave  
Salt Lake City, UT

Demonstration of appropriateness of vacating alley way

14.52.020: POLICY CONSIDERATIONS

1. 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;

**Response: the alley areas have been fenced and used by the adjacent property owners for many years. The alleyways do not provide access to another property or road that cannot be accessed easier by utilizing public roads.**

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

**Response: The alleyways and neighboring parcels have been recently occupied by people experiencing homelessness and have had to be cleaned several times. Human waste, needles, trash and other items that are a threat to human health and safety have been found on numerous occasions. The civil enforcement division has previously threatened fines against the property owner for the presence of encampments and the current owner has been forced to employ a security company to police the areas.**

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

**Response: This is apparent based on the existing conditions of the buildings and the alley ways.**

4. 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.

**N/A**



**The petition for vacation complies will items 2-8 below. The applicant has not obtained approvals from other relevant city departments as of yet.**

**14.52.030: FACTORS CONSIDERED:**

1. All other relevant City departments have no objection to the proposal;
2. The petition meets at least one of the policy considerations stated above;
3. The vacation will not deny access or parking to any adjacent property;
4. The vacation will not result in any property being landlocked;
5. The vacation will not result in a use of the alley property which is otherwise contrary to the policies and goals of the City;
6. No abutting property owner intends to build a garage requiring access from the alley;
7. The petition is for an entire alley, rather than a small segment of it; and
8. The alley is not necessary for actual or potential rear access to residences or for accessory use.

**In reference to item 2 of the application: Map and legal description**

**Subject Parcels Legal Descriptions**

<b>BOUNDARY DESCRIPTION</b>
PARCEL 1: LOT 35, STEWART'S ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.
PARCEL 2: LOTS 37 AND 38, STEWART'S ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.
LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT THE NORTHEAST CORNER OF LOT 37, STEWARTS ADDITION, A SUBDIVISION OF PART OF BLOCK 9, FIVE ACRE PLAT "A", BIG FIELD SURVEY, AND RUNNING THENCE SOUTH 0°01'06" EAST 99.0 FEET; THENCE WEST 15.0 FEET; THENCE NORTH 0°01'06" WEST 99.0 FEET; THENCE EAST 15.0 FEET TO THE POINT OF BEGINNING.
PARCEL 3: BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, STEWART'S ADDITION, A SUBDIVISION OF LOT 18, IN BLOCK 9, FIVE ACRE PLAT "A", BIG FIELD SURVEY, AND RUNNING THENCE NORTH 56.1 FEET; THENCE WEST 320 FEET; THENCE SOUTH 56.1 FEET; THENCE EAST 320 FEET TO THE PLACE OF BEGINNING.
LESS AND EXCEPTING THEREFROM: BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, STEWART'S ADDITION, A SUBDIVISION OF PART OF BLOCK 9, FIVE ACRE PLAT "A", BIG FIELD SURVEY, AND RUNNING THENCE WEST 15.0 FEET; THENCE NORTH 00°01'06" WEST 56.1 FEET; THENCE EAST 15.0 FEET; THENCE SOUTH 00°01'06" EAST 56.1 FEET TO THE POINT OF BEGINNING.
PARCEL 4: LOTS 36 AND 39, STEWARTS ADDITION, A SUBDIVISION OF LOT 18, BLOCK 9, FIVE ACRE PLAT "A", BIG FIELD SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.
LESS THE FOLLOWING PORTION: BEGINNING AT THE NORTHEAST CORNER OF LOT 39, STEWART'S ADDITION, A SUBDIVISION OF PART OF BLOCK 9, FIVE ACRE PLAT "A", BIG FIELD SURVEY, AND RUNNING THENCE SOUTH 0°01'06" EAST 49.5 FEET; THENCE WEST 15.0 FEET; THENCE NORTH 0°01'06" WEST 49.5 FEET; THENCE EAST 15.0 FEET TO THE POINT OF BEGINNING.

**In reference to item 3 of the application:** Description of the alleyway

BEGINNING AT THE NORTHWEST CORNER OF LOT 37, STEWART'S ADDITION, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK C, PAGE 51 OF PLATS, AND RUNNING THENCE SOUTH 00°01'00" WEST 148.57 FEET TO THE SOUTHWEST CORNER OF LOT 39 OF SAID SUBDIVISION; THENCE SOUTH 89°53'26" EAST 148.59 FEET TO THE SOUTHEAST CORNER OF SAID LOT 39; THENCE SOUTH 00°01'02" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF 300 WEST STREET A DISTANCE OF 16.50 FEET TO THE NORTHEAST CORNER OF LOT 1 OF SAID SUBDIVISION; THENCE NORTH 89°53'26" WEST ALONG THE NORTH LINE OF SAID LOT 31 A DISTANCE OF 313.68 FEET; THENCE NORTH 00°00'54" EAST 16.50 FEET TO THE SOUTH LINE OF LOT 34 OF SAID SUBDIVISION; THENCE SOUTH 89°53'26" EAST 148.59 FEET TO THE SOUTHEAST CORNER OF LOT 36 OF SAID SUBDIVISION; THENCE NORTH 00°01'00" EAST 148.57 FEET TO THE NORTHEAST CORNER OF SAID LOT 36; THENCE SOUTH 89°53'29" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF ANDREW AVENUE A DISTANCE OF 16.50 FEET TO THE POINT OF BEGINNING.

CONTAINS 7627 SQUARE FEET, MORE OR LESS.

**In reference to item 4 of the application:** Adjacent property owners.

The Salt Lake Property Trust is the only adjacent property owner.



# PLANNING PROCESS // ALLEY VACATION OR CLOSURE

## ABOUT THE APPLICATION

Thank you for your interest in submitting an Alley Vacation or Closure application. The following packet will provide general information to get started on your project and guide you through the application process from start to finish. The package is broken down into three sections: Information about the application, a visual diagram of the application process, and the application form.

**We highly encourage you to work with our Planning staff prior to submitting an application.** For questions regarding any of the information listed in this packet or to set up a pre-submittal meeting please contact us at [zoning@slcgov.com](mailto:zoning@slcgov.com) or give us a call at 801.535.7757.



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[ZONING@SLCGOV.COM](mailto:ZONING@SLCGOV.COM)  
TEL 801-535-7757





### 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, when an alley is shown on a plat as a public right of way, it means the City is the owner. 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 AN ALLEY VACATION OR CLOSURE

#### 14.52.020: POLICY CONSIDERATIONS

The City will not consider disposing of its interest in an alley, in whole or in part, unless it receives a petition in writing which demonstrates that the disposition satisfies at least one of the following policy considerations:

- A. Lack Of Use: The City's legal interest in the property appears of record or is reflected on an applicable plat; however, it is evident from an on site inspection that the alley does not physically exist or has been materially blocked in a way that renders it unusable as a public right-of-way;
- B. Public Safety: The existence of the alley is substantially contributing to crime, unlawful activity, unsafe conditions, public health problems, or blight in the surrounding area;
- C. Urban Design: The continuation of the alley does not serve as a positive urban design element;
- D. Community Purpose: The petitioners are proposing to restrict the general public from use of the alley in favor of a community use, such as a neighborhood play area or garden.

#### 14.52.030: FACTORS CONSIDERED:

1. All other relevant City departments have no objection to the proposal;
2. The petition meets at least one of the policy considerations stated above;
3. The vacation will not deny access or parking to any adjacent property;
4. The vacation will not result in any property being landlocked;
5. The vacation will not result in a use of the alley property which is otherwise contrary to the policies and goals of the City;
6. No abutting property owner intends to build a garage requiring access from the alley;
7. The petition is for an entire alley, rather than a small segment of it; and
8. The alley is not necessary for actual or potential rear access to residences or for accessory use.



### CONSULTATION

If you have questions regarding the Alley Vacation or Closure regulations or process, please contact the Salt Lake City Planning Counter staff at [zoning@slcgov.com](mailto:zoning@slcgov.com) or give us a call at 801-535-7757. If you would like to discuss your development plan in more detail, you can request a pre-submittal meeting with Planning staff by contacting the Planning Counter.

**Pre-submittal meetings are held on Thursdays in 30 minute slots between 1:30 and 3:30 pm.**



# PROCESS TIMELINE

## TIME FRAME

🕒 6 - 12 MONTHS

- APPLICANT
- STAFF



### APPLICATION RECEIVED

Application submitted and pre-screened to ensure submittal requirements are met and fees are paid.

### PLANNER ASSIGNED

Application reviewed by Planner to ensure complete documentation (if incomplete, the applicant will be provided a list of missing info to submit).



### PUBLIC NOTICE

Public notices sent to nearby neighbors, property owners and Community Councils (when required by ordinance). Application routed to City Departments for review.

### APPLICATION MODIFICATIONS

Modifications based on public input & City Department review comments (if needed, applicant must submit updates). Minor issues will be conditions of approval.



### TRANSMITTAL OF COMMUNITY AND NEIGHBORHOODS (CAN)

Commission minute approval and public record are assembled by staff. After review, the package is transmitted to City Council.

### PLANNING COMMISSION

Public hearing scheduled and held, notices sent, staff report produced and commission recommendation made.



### CITY COUNCIL PROCESS

City Council holds a briefing with staff during work session. Public hearing and action follows. Timeline determined by City Council office.

[www.slc.gov/council](http://www.slc.gov/council)

**DISCLAIMER:** APPLICATION TIME FRAMES MAY VARY DEPENDING ON CURRENT WORKLOAD AND COMPLEXITY OF APPLICATIONS. INCOMPLETE OR MISSING INFORMATION ON DRAWINGS AND APPLICATION FORMS WILL DELAY THE PROCESS.

# ALLEY VACATION OR CLOSURE

## IMPORTANT INFORMATION



### CONSULTATION

Available prior to submitting an application. For questions regarding the requirements, email us at [zoning@slcgov.com](mailto:zoning@slcgov.com).



### SUBMISSION

Submit your application online through the [Citizen Access Portal](#). Learn how to submit online by following the [step-by-step guide](#).



### REQUIRED FEES

- **\$285** filing fee.
- Additional required notice fees will be assessed after application is received.

## APPLICANT INFORMATION

PROJECT NAME (OPTIONAL)

LOCATION OF ALLEY

REQUEST

NAME OF APPLICANT

PHONE

MAILING ADDRESS

EMAIL

APPLICANT'S INTEREST IN PROPERTY (*\*owner's consent required*)

Owner  Architect\*  Contractor\*  Other\*

IF OTHER, PLEASE LIST

NAME OF PROPERTY OWNER (*if different from applicant*)

PHONE

MAILING ADDRESS

EMAIL

## OFFICE USE

CASE NUMBER

RECEIVED BY

DATE RECEIVED

**DISCLAIMER:** 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.

**ACKNOWLEDGMENT OF RESPONSIBILITY**

1. This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application will be processed under the name provided below.
2. By signing the application, I am acknowledging that I have read and understood the instructions provided for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that the documents provided are considered public records and may be made available to the public.
3. I understand that my application will not be processed until the application is deemed complete by the assigned planner from the Planning Division. I acknowledge that a complete application includes all of the required submittal requirements and provided documents comply with all applicable requirements for the specific applications. I understand that the Planning Division will provide, in writing, a list of deficiencies that must be satisfied for this application to be complete and it is the responsibility of the applicant to provide the missing or corrected information. I will keep myself informed of the deadlines for submission of material and the progress of this application.
4. I understand that a staff report will be made available for my review prior to any public hearings or public meetings. This report will be on file and available at the Planning Division and posted on the Division website when it has been finalized.

NAME OF APPLICANT

EMAIL

MAILING ADDRESS

PHONE

APPLICATION TYPE

SIGNATURE

DATE

**LEGAL PROPERTY OWNER CONSENT**

If the applicant is not the legal owner of the property, a consent from property owner must be provided. Properties with a single fee title owner may show consent by filling out the information below or by providing an affidavit.

**Affirmation of sufficient interest:** I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

LEGAL DESCRIPTION OF SUBJECT PROPERTY

NAME OF OWNER

EMAIL

MAILING ADDRESS

SIGNATURE

DATE

1. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
2. If a joint venture or partnership is the fee owner, attach copy of agreement authorizing action on behalf of the joint venture or partnership.
3. If a Home Owner's Association is the applicant then the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CC&Rs.

**DISCLAIMER:** BE ADVISED THAT KNOWINGLY MAKING A FALSE, WRITTEN STATEMENT TO A GOVERNMENT ENTITY IS A CRIME UNDER UTAH CODE CHAPTER 76-8, PART 5. SALT LAKE CITY WILL REFER FOR PROSECUTION ANY KNOWINGLY FALSE REPRESENTATIONS MADE PERTAINING TO THE APPLICANT'S INTEREST IN THE PROPERTY THAT IS THE SUBJECT OF THIS APPLICATION.

# SUBMITTAL REQUIREMENTS

Please provide the following information with your application. Confirm that you have included each of the requirements listed below by adding a check mark for each item.

CHECK

STAFF

## REQUIREMENTS ([14.52.030.A](#))

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

- The letter must include a discussion about the policy considerations and factors outlined in [page 2](#).

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

- Petition must include the signatures of no less than 75% 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.

## RECOMMENDED

**A Parcel map showing the area of the proposed alley vacation or closure:**

- Highlight the area of the proposed alley vacation or closure.
- Indicate with colored dot the property owners who support the petition.
- Submit a digital (PDF) copy of the map.

**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.

**INCOMPLETE INFORMATION WILL NOT BE ACCEPTED**

INITIALS

**DISCLAIMER:** 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 FOR ALLEY VACATION OR CLOSURE



## APPLICANT INFORMATION

NAME OF APPLICANT

DATE

ADDRESS OF APPLICANT

**DISCLAIMER:** 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.

.....

<b>The Salt Lake Property Trust</b>	<b>1518 S 300 W, Salt Lake City UT</b>		
-------------------------------------	--------------------------------------------	--	--

PRINT NAME	ADDRESS	SIGNATURE	DATE
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<b>The Salt Lake Property Trust</b>	<b>1528 S 300 W, Salt Lake City UT</b>		
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PRINT NAME	ADDRESS	SIGNATURE	DATE
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<b>The Salt Lake Property Trust</b>	<b>1546 S 300 W, Salt Lake City UT</b>		
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PRINT NAME	ADDRESS	SIGNATURE	DATE
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<b>The Salt Lake Property Trust</b>	<b>325 W Andrew Ave Salt Lake City UT</b>		
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PRINT NAME	ADDRESS	SIGNATURE	DATE
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<b>The Salt Lake Property Trust</b>	<b>333 W Andrew Ave Salt Lake City UT</b>		
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PRINT NAME	ADDRESS	SIGNATURE	DATE
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<b>The Salt Lake Property Trust</b>	<b>352-370 W Van Buren Ave, Salt Lake City UT</b>		
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PRINT NAME	ADDRESS	SIGNATURE	DATE
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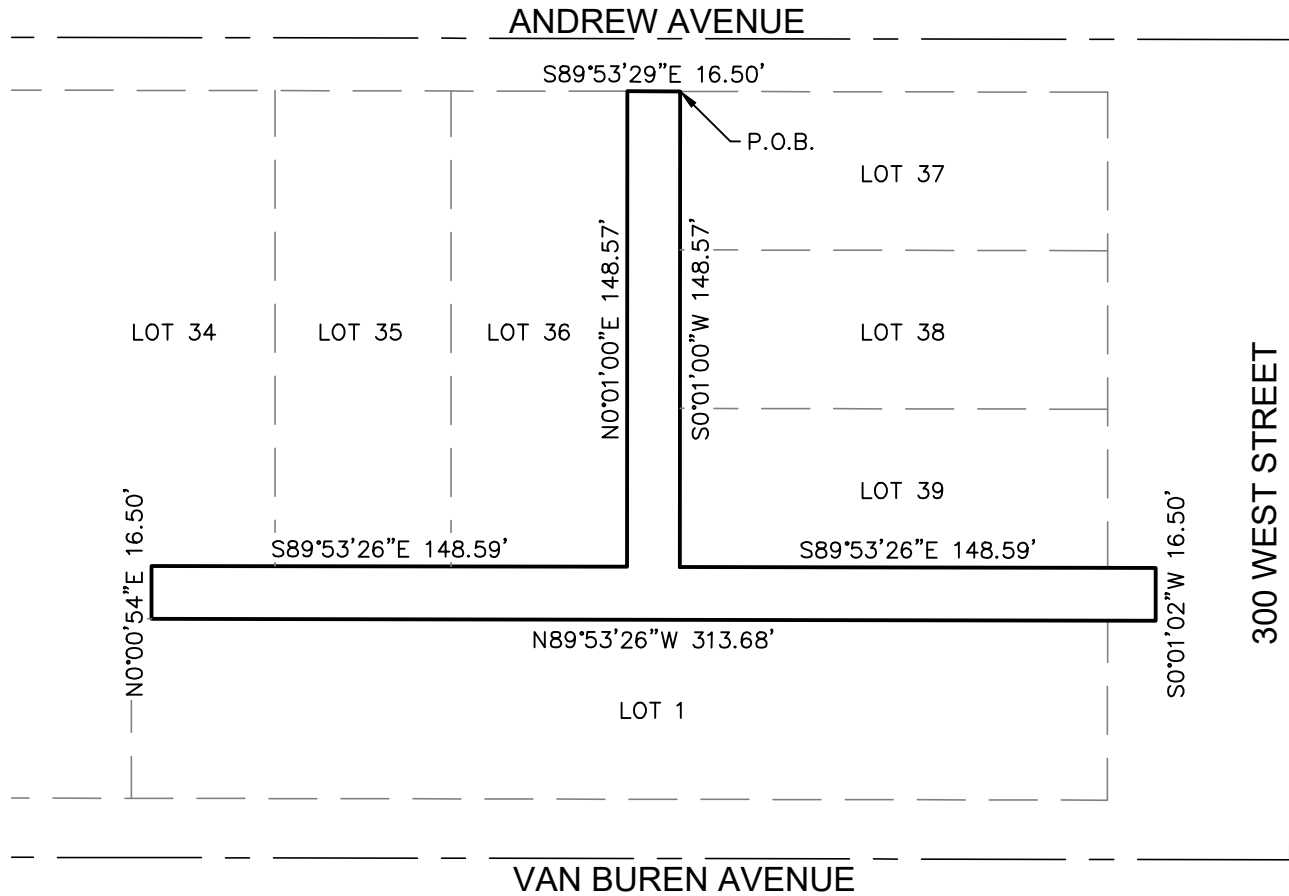
PRINT NAME	ADDRESS	SIGNATURE	DATE
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PRINT NAME	ADDRESS	SIGNATURE	DATE
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# ALLEYWAY VACATION EXHIBIT



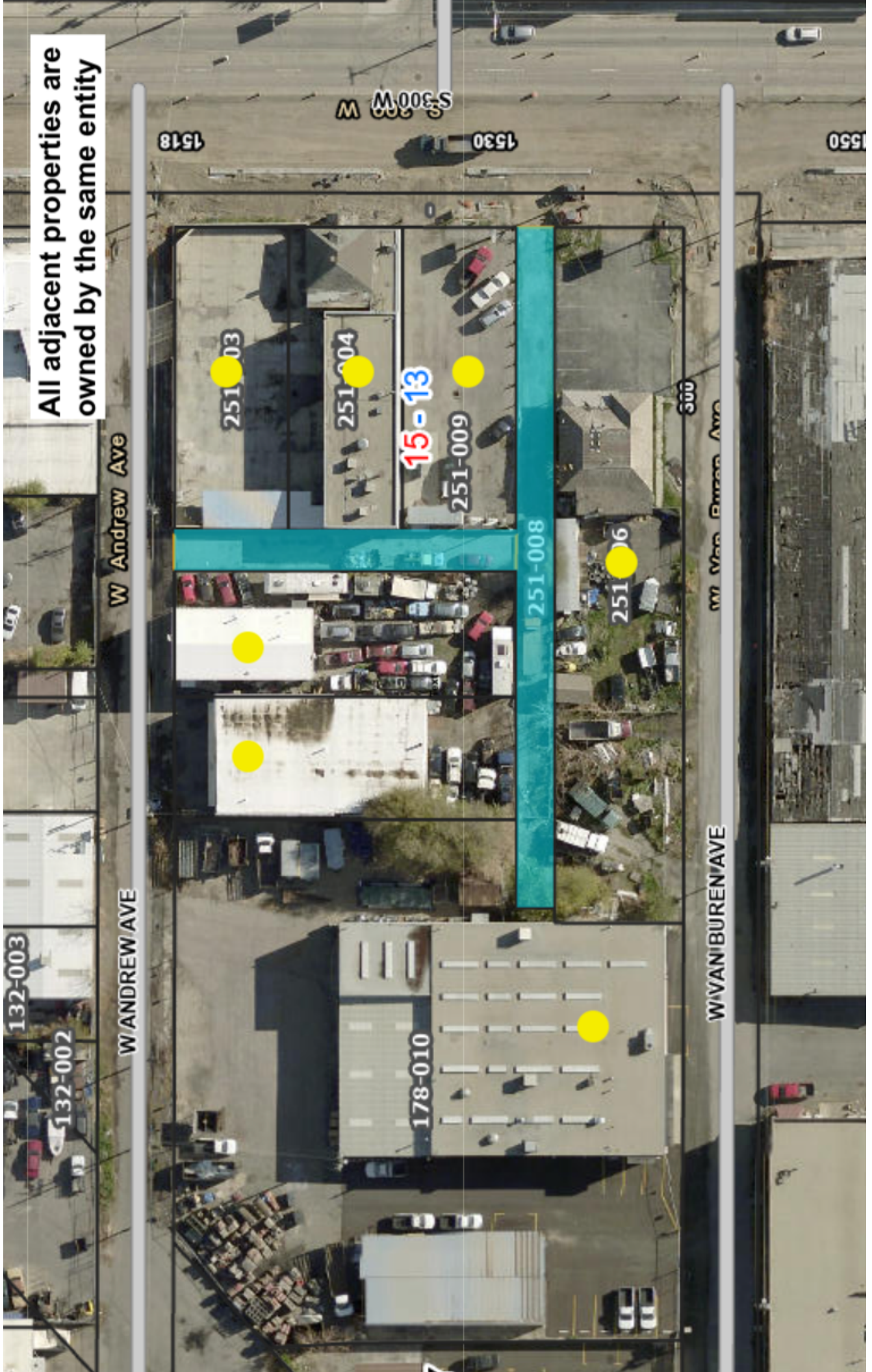
SCALE 1" = 60'



**WILDING**  
ENGINEERING

14751 SOUTH HERITAGE CREEK WAY  
BLUFFDALE, UTAH 84065  
801.553.5112  
WWW.WILDINGENGINEERING.COM

All adjacent properties are owned by the same entity



OWNERS AFFIDAVIT

I(we), Riley Rogers, am(are) the rightful owner(s) of

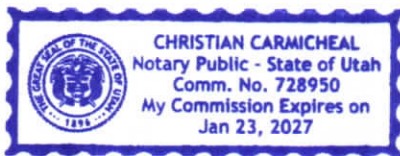
property located at 325 W & 333 W Andrew Ave, 1518 S, 1528 S & 1546 S 300 W and 352-370 W Van Buren Ave, Salt Lake City UT involved in the application to vacate the alleyways. I(we) agree to Jonah Hornsby acting as my agent in the submittal of the application on my(our) behalf and I(we) acknowledge my(our) understanding that I(we) will be bound by all conditions specified in any approval of this Planning & Zoning application that is before the City of Salt Lake. The foregoing statements and answers herein contained and the statements and answers contained in the attached plans and exhibits, to the best of my(our) knowledge and belief are true and correct.

[Signature] The Salt Lake Property Trust (signature of property owner)

Dated this 25 day of May, 2023 State of Utah )  
County of Salt Lake )

On the 25 day of May, 2023, personally appeared before me Riley Rogers the signer(s) of the above instrument, who duly subscribed and swore before me that they executed the same.

NOTARY PUBLIC [Signature]  
Residing in Salt Lake County, Utah Commission expires: Jan 23, 2027





# **ATTACHMENT D: Notice of Public Alleys**

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WHEN RECORDED RETURN TO:

Salt Lake City Corporation  
Attn: City Attorney's Office  
451 S. State Street  
P.O Box 145478  
Salt Lake City, Utah 84101

Parcel No. 15132510080000

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**NOTICE OF PUBLIC ALLEYS**

THIS NOTICE OF PUBLIC ALLEYS (this "Notice") is made and entered into by and between SALT LAKE CITY CORPORATION, a political subdivision of the State of Utah ("City") and Utah Fiduciaries, LLC, a Utah limited liability company, as Trustee of the Salt Lake Property Trust dated March 3, 2022 ("Trust").

**RECITALS**

A. On or about May 12, 2022, Zooms Enterprises L.L.C, a Utah limited liability company, and IJDM Enterprises, LLC, a Utah limited liability company (collectively "Prior Owners") commenced an action, Court File No. 220902870, by filing a Complaint to quiet title to certain property located near 333 West Andrew Avenue in Salt Lake City, Utah, comprising approximately .169 acres of land as legally described on Exhibit A attached hereto (hereinafter the "Property").

B. The Complaint did not name the City as a defendant to the action, nor was the City served with the Complaint.

C. By Order and Judgment signed on August 30, 2022, a copy of which is attached hereto as Exhibit B, Judge Keith Kelley of the Third Judicial District entered an order quieting title to the Property in the Trust.

D. The Property is comprised of certain dedicated public alleys according to the subdivision plat Stewart's Addition, which was recorded on September 16, 1890 in Book C, Page 51 of Plats in the Office of the Salt Lake County Recorder. The public alleys have not been vacated pursuant to Utah Code Section 10-9a-609.5.

E. In order to avoid further litigation and in connection with redevelopment of adjacent property owned by the Trust, the parties desire to clarify the impact of the August 30, 2022, Order and Judgment relative to the City's interest in the Property and enter into the foregoing agreement.

**AGREEMENT**

For good and valuable consideration, therefore, the receipt and sufficiency of which are hereby acknowledged, and in reliance on the foregoing recitals, the parties agree as follows:

1. **Incorporations of Recitals.** The parties hereby incorporate the foregoing recitals into this Notice.

2. **Order and Judgment Inapplicable to the City.** The parties and their successors in interest hereby acknowledge and agree that the August 30, 2022, Order and Judgment quieting title to the Property is of no force and effect as against the City and the nature of the Property as dedicated public alleys is undisturbed.

3. **Vacation Petition.** Pursuant to Salt Lake City Code Chapter 14.52 the Trust has applied to vacate the alleys that comprise the Property. Pending a decision on the petition by the Salt Lake City Council, the City will hold this Notice in escrow. In the event that the vacation petition is granted and after the Trust complies with any terms or conditions of such approval, then the City shall record an instrument vacating the alleys pursuant to the terms of Chapter 14.52. In the event that the petition is denied, or denied in part, or the Trust fails to comply with the terms or conditions of approval of the vacation petition, the City may record this Notice which shall effect an immediate quit claim conveyance of the Property by the Trust to the City.

4. **Sole Party in Interest.** The Trust hereby acknowledges and agrees that it is the sole successor in interest to the Prior Owners.

5. **Notice Runs with the Land.** The parties acknowledge and agree that the terms and obligations of this Notice run with the land.

6. **Representation Regarding Ethical Standards for City Officers and Employees and Former City Officers and Employees.** The Trust represents that it has not: (1) provided an illegal gift or payoff to a City officer or employee or former City officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, or brokerage or contingent fee, other than bona fide employees or bona fide commercial selling agencies for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code; or (4) knowingly influenced, and hereby promises that it will not knowingly influence, a City officer or employee or former City officer or employee to breach any of the ethical standards set forth in City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code.

7. **Government Records Access and Management Act.** City is subject to the requirements of the Government Records Access and Management Act, Chapter 2, Title 63G, Utah Code Annotated or its successor ("GRAMA"). This Notice and all materials submitted by the Trust pursuant to this Notice are subject to disclosure unless such materials are exempt from disclosure pursuant to GRAMA. The burden of claiming an exemption from disclosure shall rest solely with the Trust. Any materials for which the Trust claims a privilege from disclosure shall be submitted marked as "Business Confidential" and accompanied by a concise statement of reasons supporting the Trust's claim of business confidentiality. City will make reasonable efforts to notify the Trust of any requests made for disclosure of documents submitted under a

claim of business confidentiality. The Trust may, at its sole expense, take any appropriate actions to prevent disclosure of such material. The Trust specifically waives any claims against City related to disclosure of any materials required by GRAMA.

[signatures on the following pages]

EFFECTIVE as of the \_\_\_\_ day of \_\_\_\_\_, 2023.

**CITY:**  
SALT LAKE CITY CORPORATION, a Utah  
municipal corporation

\_\_\_\_\_  
Erin Mendenhall, Mayor

APPROVED AS TO FORM:  
Salt Lake City Attorney's Office

\_\_\_\_\_  
Katherine D. Pasker, Senior City Attorney

ATTEST:  
Salt Lake City Recorder's Office

\_\_\_\_\_  
City Recorder

STATE OF UTAH                                    )  
                                                          :SS  
COUNTY OF SALT LAKE                    )

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2023, by Erin Mendenhall, Mayor of Salt Lake City Corporation, a political subdivision of the State of Utah.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public



TRUST:

Utah Fiduciaries, LLC, a Utah limited liability company, as Trustee of the Salt Lake Property Trust dated March 3, 2022

By: [Signature]  
Name: Jeffrey S. Bregus  
Its: Trustee  
Date: 8/15/23

STATE OF UTAH )  
 )  
COUNTY OF Salt Lake )

This instrument was acknowledged before me this 15 day of August, 2023, by Jeffrey S. Bregus (who personally appeared and proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument) as the Manager of Utah Fiduciaries, LLC, a Utah limited liability company, as Trustee of the Salt Lake Property Trust dated March 3, 2022, and acknowledged that he executed the same on behalf of the limited liability company as trustee.

WITNESS my hand and official seal.

[Signature]  
Notary Public



EXHIBIT A

Legal Description of the Property

BEGINNING AT THE NORTHWEST CORNER OF LOT 37, STEWART'S ADDITION, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK C, PAGE 51 OF PLATS, AND RUNNING THENCE SOUTH  $00^{\circ}01'00''$  WEST 148.57 FEET TO THE SOUTHWEST CORNER OF LOT 39 OF SAID SUBDIVISION; THENCE SOUTH  $89^{\circ}53'26''$  EAST 148.59 FEET TO THE SOUTHEAST CORNER OF SAID LOT 39; THENCE SOUTH  $00^{\circ}01'02''$  WEST ALONG THE WEST RIGHT-OF-WAY LINE OF 300 WEST STREET A DISTANCE OF 16.50 FEET TO THE NORTHEAST CORNER OF LOT 1 OF SAID SUBDIVISION; THENCE NORTH  $89^{\circ}53'26''$  WEST ALONG THE NORTH LINE OF SAID LOT 31 A DISTANCE OF 313.68 FEET; THENCE NORTH  $00^{\circ}00'54''$  EAST 16.50 FEET TO THE SOUTH LINE OF LOT 34 OF SAID SUBDIVISION; THENCE SOUTH  $89^{\circ}53'26''$  EAST 148.59 FEET TO THE SOUTHEAST CORNER OF LOT 36 OF SAID SUBDIVISION; THENCE NORTH  $00^{\circ}01'00''$  EAST 148.57 FEET TO THE NORTHEAST CORNER OF SAID LOT 36; THENCE SOUTH  $89^{\circ}53'29''$  EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF ANDREW AVENUE A DISTANCE OF 16.50 FEET TO THE POINT OF BEGINNING. CONTAINS 7627 SQUARE FEET, MORE OR LESS.

EXHIBIT B

[Order and Judgment attached]

# 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	Discussion	Finding
<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><b>A. Lack of Use:</b> 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>B. Public Safety:</b> 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><b>C. Urban Design:</b> The continuation of the alley does not serve as a positive urban design element.</p> <p><b>D. Community Purpose:</b> 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>Alley A is paved and was accessible to the public until recently, based on historical photos. At some point between 2019 and 2023 a gate was added blocking access to the alley, and it is being used for parking for an adjacent business. However, the applicant owns the adjacent property and is proposing to remove the existing structures, which would also bring an end to the use of the alley for parking. There is a potential for this alley to be brought back into public use while breaking up the block and contributing to an overall redevelopment that is more sensitive to human scale. This would be particularly true if the City were to secure an easement that extended Alley A via a private right-of-way from its southern terminus to Van Buren Avenue, which would create a continuous path between Andrew and Van Buren. Alternatively, the City could require that Alley A be replaced with a private right-of-way located elsewhere on the block that provided a mid-block connection between Andrew and Van Buren Avenues. This could be a more desirable outcome if the City required that the new right-of-way be placed in a location that broke up the block more evenly than Alley A currently does. Alley A is located about 133 feet to the west of 300 West, but the overall length of the block is 759 feet. The halfway point of the block would be about 380 feet to the west of 300 West, while the midpoint of the applicant’s property assemblage, which is about 475 feet wide in total, is about 237 feet to the west of 300 West. A mid-block connection at any point between 237 and 380 feet west of 300 West would help to break up the block more evenly while still breaking up the applicant’s property into portions that are usable. With the condition that the alley be replaced with a full mid-block connection, the vacation of Alley A is consistent with policy consideration C, <b>Urban Design</b>.</p> <p>The proposed vacation of Alley B is consistent with policy considerations A, <b>Lack of Use</b>, and C, <b>Urban Design</b>.</p> <p>The proposed vacation of Alley B to the west of the “T” intersection with the Alley A is consistent with policy consideration A, <b>Lack of Use</b>. The alley dead-ends at the east-side property line of 352 W Van Buren Avenue,</p>	<p><b>Alley A: Complies with Conditions</b></p> <p><b>Alley B: Complies</b></p>

	<p>which is not using it for access. The original purpose of the alley was to create a rear connection to properties on Andrew and Van Buren that allowed access to 300 and 400 Wests. This segment of Alley B is not providing rear access to any property and no longer connects to the main segment of the alley, since it was vacated in 1997. It appears that the alley has not been used as a public right of way for several years and significant encroachments now make it impassable to vehicles and pedestrians. Establishing the public way under existing conditions would require substantial effort and resources with limited payoff. The alley runs parallel to and only about 55 feet to the north of Van Buren Avenue. The Sustainability division did not identify any issues with trash collection, and in fact supported the alley vacation on the basis that it might limit illegal dumping on the site.</p> <p>The vacation of Alley B to the east of the “T” intersection with the Alley A is consistent with policy consideration C, <b>Urban Design</b>. Alley B breaks up the block in a way that does not serve a necessary purpose, and segregates the southeast corner of the applicant’s property into a long, narrow portion that would be challenging to redevelop. If the eastern portion of Alley B were not vacated, the applicant would be left with a portion of their property that was only about 55 feet wide, but at least 148’6” long, which would be challenging to develop and would most likely not result in ideal urban design.</p>	
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**14.52.030.B: 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	Discussion	Finding
<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>Staff requested input from pertinent City Departments and Divisions. None have raised objections to the alley vacation (see <a href="#">Attachment G – City Department Review</a>).</p>	<p><b>Complies</b></p>
<p>2. The petition meets at least one of the policy considerations stated above;</p>	<p>Alley B meets policy consideration C, <b>Urban Design</b>, with the proposed condition of the City Council requiring a development agreement to establish a midblock connection via a private right-of-way.</p> <p>Alley B meets policy consideration A, <b>Lack of Use</b>. This segment of Alley B is not providing rear access to any property and no longer connects to the main segment of the alley, since it was vacated in 1997. After an in-person inspection of the alley and reviewing historical aerial photographs, it appears that the right of way was publicly accessible until about 2018, at which point it began being used for outdoor storage. A gate was added at some point between 2019 and 2021. The gravel appears to be unmaintained and has deteriorated to the point that the alley is likely not suitable for vehicular access.</p> <p>Alley B also complies with policy consideration C, <b>Urban Design</b>. It breaks up the block in a way that is not conducive to redevelopment of the site and is a superfluous access given that it duplicates and is only 55 feet to the north of Van Buren Avenue.</p>	<p><b>Alley A: Complies with Conditions</b></p> <p><b>Alley B: Complies</b></p>
<p>3. The petition must not deny sole access or required off-street parking to any adjacent property;</p>	<p>None of the abutting properties use the subject alley for required off-street parking.</p>	<p><b>Complies</b></p>
<p>4. The petition will not result in any property being landlocked;</p>	<p>All lots abutting the subject alley have access to a public street. No property would be landlocked as a result of this Alley Vacation request.</p>	<p><b>Complies</b></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>Vacating Alley B will not create or result in any use that is contrary to City policies. Alley B was originally designed to provide rear access to properties on Andrew and Van Buren Avenues between 300 and 400 West. However, most of the original extent of the alley has already been closed, along with the portion of 400 West between Andrew and Van Buren. Vacating the Alley A could result in an action that is contrary to goals in the Central Community Master Plan and Plan Salt Lake, unless the conditions specified in this report are met.</p> <p>Policy TRANS-4.4 of the <a href="#">Central Community Master Plan</a> recommends “obtaining easements where feasible for pedestrian corridors for interior mid-block access. (p.17). <a href="#">Plan Salt Lake</a> initiative 8.8 echoes this sentiment, recommending “increased connectivity through mid-block connections” (p.31). Alley B would likely not be a good candidate for a mid-block connection, as it is only about 55 feet north of Van Buren Avenue and no longer connects to 400 West as it was originally designed to. However, Alley A could break up the block, especially if it were combined with a private right-of-way that created a pedestrian walkway which fully connected Andrew and Van Buren Avenues. Alternatively, Alley A could be vacated and replaced with a new private right-of-way. The length of the block between 300 West and 400 West is 759 feet, and there are currently no pedestrian connections between Andrew and Van Buren except for along 300 West. Alley A or its replacement could provide an additional connection between the two Avenues. It would also break up any future potential development of the surrounding property, contributing to a better sense of pedestrian scale and greater walkability.</p>	<p><b>Alley A: Complies with Conditions</b></p> <p><b>Alley B: Complies</b></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>The abutting property is owned by the applicant, who has not indicated that they wish to build a garage requiring access from either alley. Additionally, as of the publishing date of this report, the Building Services Division has not received any building permit application to construct a garage that would use the existing public right of way for access.</p>	<p><b>Complies</b></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>The applicant has requested to vacate the entire remaining length of the east-west alley and the entire length of the north-south alley. No alley segments would remain if the vacation were approved as proposed.</p>	<p><b>Complies</b></p>
<p>8. The alley is not necessary for actual or potential rear access to residences or for accessory uses.</p>	<p>None of the properties abutting the subject alley use it for rear access.</p>	<p><b>Complies</b></p>

# ATTACHMENT F: Public Process and Comments

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The following attachment lists the public meetings that have been held and other public input opportunities related to the proposed project. All written comments that were received throughout this process are included in this attachment.

- Notice of the Alley Vacation request was sent to the Ballpark Community Council Chairs on June 14, 2023, with a link to the online open house webpage.
  - The community council did not ask staff or the applicant to attend one of their meetings or provide written comment.
- An early notification announcement was sent to all residents and owners of property within 300 feet of the subject alley on June 9, 2023, with information about the online open house webpage and how to provide public comment.
- As of the date of this report, Planning Staff has not received any public comments regarding this request.
- Notice of the public hearing for the proposal included:
  - Public hearing notice mailed on August 9, 2023
  - Public notice posted on City and State websites and Planning Division listserv on August 9, 2023

# ATTACHMENT G: City Department Review

This proposal was reviewed by the following departments. Any requirement identified by a City Department is required to be complied with.

## **Engineering:**

No objections were raised. Redline document was received and comments were addressed by applicant.

## **Building:**

Redline document was received and comments were addressed by applicant.

## **Fire:**

No comments related to the alley vacation based on the proposed designs for a new structure covering the area where the alley was located.

## **Sustainability:**

The Waste and Recycling Division in the Sustainability Department does not have any operational concerns and generally supports vacating this alley as a measure to prevent any illegal dumping activity that may occur.

## **Transportation:**

Approval recommended. No Transportation issues.

## **Public Utilities:**

There is a water meter on 300 West in the vicinity of the east-west running alley. This water meter must remain in the public right-of-way and meet SLCDPU meter placement requirements. These requirements have been provided in these comments. Please address if the water meter will be impacted by the alley vacation.

Water meters must be located a minimum of 3 feet outside of proposed drive approaches, sidewalks, or drivable surfaces. Meters must be located in the public right-of-way. If this clearance is not attainable for the entire vault, the lid must meet these requirements and vault location/orientation will be reviewed for acceptability.

## **Real Estate Services:**

No objections or issues.

## **Economic Development:**

Economic Development fully supports the proposed alley vacations with no additional comment.

## **City Attorney:**

I have no comments on the merits of the application. However, before the matter is heard by the Planning Commission the applicant and his predecessors in interest (identified in the attached) must sign and notarize the attached agreement.



**Police:**

My only concern is the maintenance of the alley and not allowing public thoroughfare where camps might pop up.