



MOTION SHEET

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer, Policy Analyst

DATE: October 15, 2019

**RE: ALLEY CLOSURE: BETWEEN 800 WEST AND JEREMY STREET
AND BETEEN FAYETTE AVENUE AND DALTON AVENUE
PLNPCM2018-00666**

MOTION 1 – (close and defer action)

I move that the Council close the public hearing and defer action to a future Council meeting.

MOTION 2 – (continue the public hearing)

I move that the Council continue the public hearing to a future Council meeting.





COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer
Policy Analyst

DATE: October 15, 2019

**RE: Alley Closure: Between 800 West And Jeremy Street
And Between Fayette Avenue And Dalton Avenue
PLNPCM2018-00666**

Item Schedule:

Briefing: September 3, 2019

Set Date: September 3, 2019

Public Hearing: October 15, 2019

Potential Action: November 12, 2019

BRIEFING SUMMARY

At the September 3, 2019 public hearing, Council Members discussed the Salt Lake City Police Department report of crime not linked to the alley; potential for area residents to request alley maintenance was also mentioned; and that the Planning Commission's unanimous negative recommendation may factor into the decision for some Council Members.

The applicants addressed the Council by outlining illicit activity in the alley including loitering, drug use, people sleeping and a stolen vehicle that was diamondtiled. Trash and drug paraphernalia were said to have been found in the alley.

Addressing Council concerns about a dead end being created at an intersecting alley (shown in blue in the image below), the applicants said area residents plan to submit an application to close it if the Council closes the subject alley.

ISSUE AT-A-GLANCE

The Council will be briefed about a proposal to vacate an alley known as Mead Avenue. The subject alley is approximately 350 feet long and runs east/west between 800 West and Jeremy Street and between Fayette and Dalton Avenues as shown in the image below. Although referred to as Mead Avenue, the City recognizes it as an alley rather than a street.



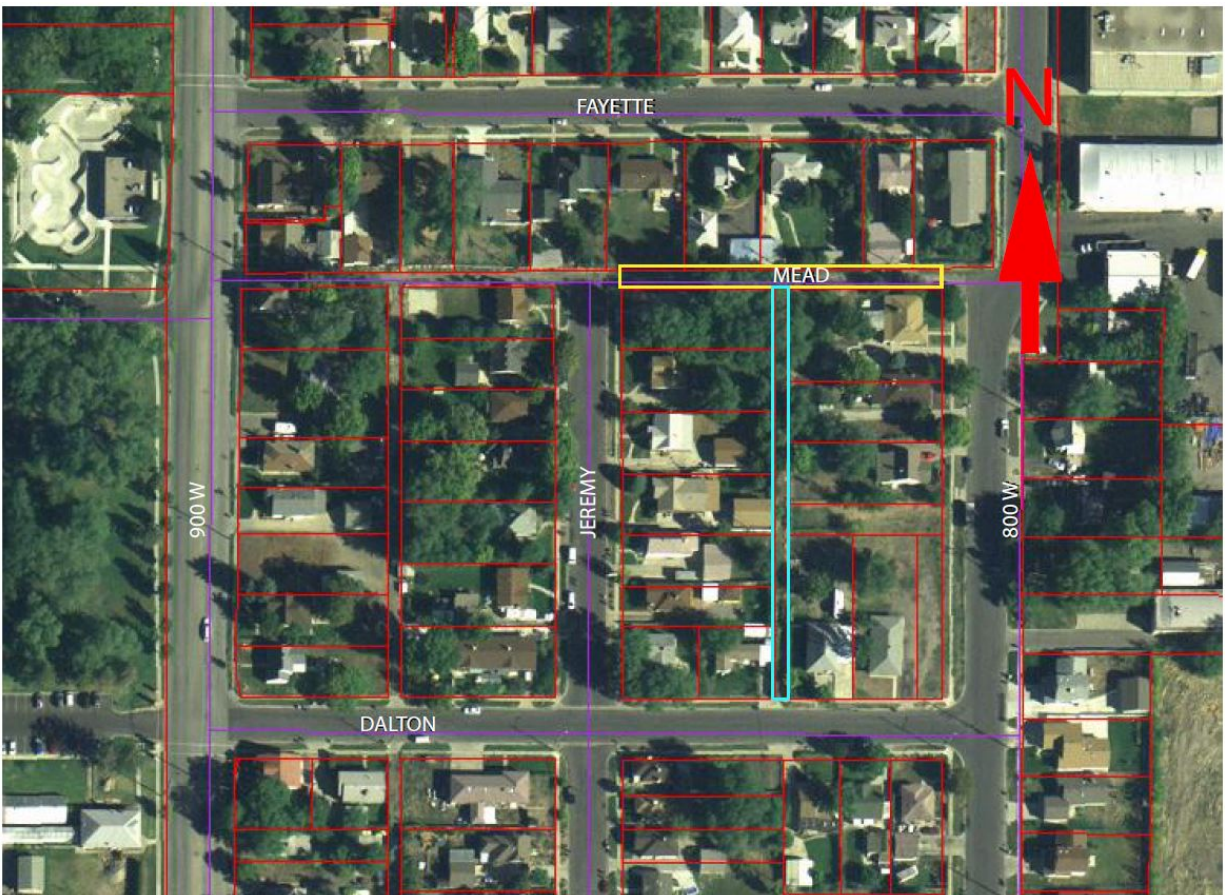
The alley continues west of Jeremy Street to 900 West, but that portion of the alley is not included in this application. The subject alley is intersected at its mid-point by a north/south alley. A dead end would be created for that alley if the application is approved by the Council.

The applicant cited crime and blight creating a public nuisance as reasoning to close the alley. A report from the Salt Lake City Police Department did not indicate this alley is particularly problematic or contributes to increased crime and other public safety issues in the area.

This proposed alley vacation was reviewed by the Planning Commission at its November 28, 2018 meeting. The Commission voted unanimously to forward a negative recommendation to the City Council for the following reasons:

- The alley physically exists and is passable.
- Reports from the Salt Lake City Police Department did not provide significant evidence the alley is problematic or that it contributes to crime or other public safety issues in the area.
- Closure of this alley segment would render an intersecting north/south alley into a dead end making it less functional.
- There may be future uses for the alley, such as potential accessory structure access, that have not been fully explored at this point.

Because the Planning Commission forwarded a negative recommendation on the proposed alley vacation, no ordinance is included in the Administration's transmittal. If the Council approves the vacation an ordinance will be drafted by the City Attorney's Office.



Aerial view of the subject alley highlighted in yellow. Under the proposal a dead end would be created on the intersecting alley highlighted in blue.

Goal of the briefing: To review the proposed alley closure, address questions Council Members may have and prepare for a public hearing.

POLICY QUESTION

1. Does the Council agree with the Planning Commission's negative recommendation on this alley closure request?
2. The Council may wish to ask Planning staff whether alternative uses for the alley, such as potential accessory structure access or connectors to link neighborhoods, are being considered.
3. The Council may wish to further evaluate whether this petition satisfies the "Public Safety" policy consideration for the vacation of City Owned Alleys. Information provided in the transmittal:
 - a. The applicant identified public safety as criterion for closing the alley, however, the Salt Lake City Police Department review did not find the alley contributed to neighborhood crime.
 - b. In addition to items the Police Department may have reviewed, the applicant also cited additional traffic in the alleyway causing safety concerns, the poor condition of the pavement contributing to drivers crashing into fences, general perception of the abutting property owners, etc.
 - c. The Council may wish to ask how Administrative staff determines criteria for alley closure applications are met.
4. The Council may wish to discuss the impact of closing the subject east/west alley, since it will create a dead end on the intersecting north/south alley.

ADDITIONAL INFORMATION

Alley vacation requests receive three phases of review, as outlined in City Code section 14.52.030 (see page 6 below): "Those phases include an administrative determination of completeness; a public hearing, including a recommendation from the Planning Commission; and a public hearing before the City Council.

The Planning Commission staff report provided information relating to the following four aspects of this alley vacation. A short description of each issue is provided below for reference. Please see pages 14 - 16 of the Administration's transmittal for full analysis of these issues.

1. Property Owner Consent

Signatures supporting an alley closure is required from a minimum 75% of adjacent property owners. Six of the seven owners of property abutting the alley (86%) signed a petition supporting the alley vacation. The seventh property owner has not expressed concerns with the alley vacation to City staff as of the writing of this report.

2. Creation/History of the Alley and Disposition if Vacated

The subject alley was originally dedicated as part of the Albert Place subdivision, but the applicant's side of the alley is in the neighboring Muscatine Place subdivision. According to the City Attorney's Office, alleys dedicated as part of a subdivision must be conveyed to property owners in that subdivision if they are vacated. This opinion is supported by case law in the Utah courts. According to Planning staff, the requestor is more interested in the alley being vacated than in who owns the vacated property. If vacated, abutting property owners could negotiate dividing the alley property,

but that would be a private transaction not involving the City.

3. Condition of the Alley

Planning staff visited the subject alley and drove between 800 West and Jeremy Street. The alley is paved and appears to be used. The pavement surface is reportedly in rather rough condition, but is passable in a passenger vehicle.

The north/south alley segment located between Dalton and Mead Avenues which would be dead ended appears to be more overgrown than the subject alley and does not appear to be paved. It is unknown to what extent that alley is used.

4. Future Public Uses for the Alley

The subject alley is located in an established residential neighborhood comprised of single-family homes. No changes to this neighborhood composition are anticipated or identified in the Westside Master Plan. The Council may wish to consider potential future uses of the alley as well as the fact it physically exists and is usable.

Attachment E of the Administration's transmittal (pages 24 - 26) is an analysis of factors City Code requires the Planning Commission to consider for alley vacations (Salt Lake City Code Section 14.52.030 B). In addition to the information above, the other factors are summarized below. For the complete analysis, please refer to the transmittal.

- **City Code required analysis:** 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.

Finding: *Does not comply.* The applicant cited public safety as the driving factor for requesting this alley vacation. This includes suspicious people and activities in the area. The alley reportedly serves as a location for illegal dumping of trash and other illegal activity. The Salt Lake City Police Department noted there is a fair amount of police activity in the area, but did not find significant evidence the alley contributes to crime in the area.

- **City Code required analysis:** The petition meets at least one of the policy considerations for closure, vacation or abandonment of City owned alleys (Lack of Use, Public Safety, Urban Design, Community Purpose).

Finding: *Complies.* Planning staff determined the proposed alley closure satisfies the Public Safety policy consideration for the petition to be processed.

- **City Code required analysis:** The petition must not deny sole access or required off-street parking to any adjacent property.

Finding: *Complies.* No properties abutting the alley appear to use it for off-street parking or access to their property.

- **City Code required analysis:** The petition will not result in any property being landlocked.

Finding: *Complies.* No abutting properties will be landlocked by this proposal.

- **City Code required analysis:** 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.

Finding: *Complies.* The petitioner's request is to close the alley to eliminate a perceived community nuisance and condition that helps perpetuate crime in the neighborhood and contributes to blight. Alley

uses including garbage collection, coal delivery and parking have been eliminated or moved to the street in front of homes. The alley may be redundant and not needed at this point.

While there may be potential future uses of the alley, these are not included in policy or documents and closing the alley will not result in a use contrary to any City policy.

- **City Code required analysis:** No adjoining 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.

Finding: *Complies.* No adjoining property owners opposed the alley vacation. No applications for a permit have been submitted.

- **City Code required analysis:** The petition furthers the City preference for disposing of an entire alley, rather than a small segment of it.

Finding: *Complies.* The alley runs between 800 West and 900 West, but is bisected by Jeremy Street, so is effectively two separate alleys. As such, the proposed alley vacation would dispose of an entire alley rather than a segment of it.

- **City Code required analysis:** The alley property is not necessary for actual or potential rear access to residences or for accessory uses.

Finding: *Complies.* The subject alley is no longer used for access to the back of properties and no adjoining property owners indicated access is necessary for that purpose. It should be noted potential access to an ADU was not a factor in Planning staff's finding as they are not included in policy.

PUBLIC PROCESS

The Glendale Community Council was notified of this petition September 4, 2018.

Planning staff sent early notification announcement of the project September 5, 2018 to all residents and property owners within 300 feet of the project.

The 45 day comment period for recognized organizations ended October 22, 2018. The Glendale Community Council Chair provided a statement of support for the alley vacation.

A notice of the Planning Commission public hearing was posted November 15, 2018 to City and State websites and the Planning Division list serve. A Planning Commission public hearing notice sign with project information was posted at the property on this date.

The Planning Commission reviewed the application and held a public hearing on the proposed alley vacation. Two adjacent property owners spoke at the hearing. One was supportive of the closure and one expressed concern about problems in the alley getting worse if there is not a plan for the alley and funds to maintain it. The Planning Commission voted to send a negative recommendation to the City Council.

ALLEY DISPOSITION PROCESS

In order for the City to dispose of its interest in an alley, it must be demonstrated at least one of the following criteria is satisfied:

Lack of Use-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.

Public Safety-existence of the alley substantially contributes to crime, unlawful activity or unsafe conditions, public health problems, or blight in the surrounding area.

Urban Design-Continuation of the alley does not serve as a positive urban design element.

Community Purpose-Petitioners propose to restrict the general public from use of the alley in favor of a community use, such as a neighborhood play area or garden.

Planning staff determined the proposed alley closure meets the public safety criteria. For details on the discussion and findings, refer to Attachment E (page 24) of the Administration's transmittal.

The process for closing or vacating a City-owned alley is outlined in Section 14.52 *Salt Lake City Code*.

14.52.010: DISPOSITION OF CITY'S PROPERTY INTEREST IN ALLEYS:

The city supports the legal disposition of Salt Lake City's real property interests, in whole or in part, with regard to city owned alleys, subject to the substantive and procedural requirements set forth herein.

14.52.020: POLICY CONSIDERATIONS FOR CLOSURE, VACATION OR ABANDONMENT OF CITY OWNED ALLEYS:

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

- A. **Lack Of Use:** The city's legal interest in the property appears of record or is reflected on an applicable plat; however, it is evident from an 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;
- 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;
or
- 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. (Ord. 24-02 § 1, 2002)

14.52.030: PROCESSING PETITIONS:

There will be three (3) phases for processing petitions to dispose of city owned alleys under this section. Those phases include an administrative determination of completeness; a public hearing, including a recommendation from the Planning Commission; and a public hearing before the City Council.

- A. **Administrative Determination Of Completeness:** The city administration will determine whether or not the petition is complete according to the following requirements:
 - 1. 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;
 - 2. The petition must identify which policy considerations discussed above support the petition;
 - 3. The petition must affirm that written notice has been given to all owners of property located in the block or blocks within which the subject alley property is located;

4. A signed statement that the applicant has met with and explained the proposal to the appropriate community organization entitled to receive notice pursuant to title 2, chapter 2.60 of this code; and
 5. The appropriate city processing fee shown on the Salt Lake City consolidated fee schedule has been paid.
- B. Public Hearing and Recommendation From The Planning Commission: Upon receipt of a complete petition, a public hearing shall be scheduled before the planning commission to consider the proposed disposition of the city owned alley property. Following the conclusion of the public hearing, the planning commission shall make a report and recommendation to the city council on the proposed disposition of the subject alley property. A positive recommendation should include an analysis of the following factors:
1. The city police department, fire department, transportation division, and all other relevant city departments and divisions have no reasonable objection to the proposed disposition of the property;
 2. The petition meets at least one of the policy considerations stated above;
 3. Granting the petition will not deny sole access or required off street parking to any property adjacent to the alley;
 4. Granting the petition will not result in any property being landlocked;
 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;
 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;
 7. The petition furthers the city preference for disposing of an entire alley, rather than a small segment of it; and
 8. The alley property is not necessary for actual or potential rear access to residences or for accessory uses.
- C. Public Hearing Before The City Council: Upon receipt of the report and recommendation from the planning commission, the city council will consider the proposed petition for disposition of the subject alley property. After a public hearing to consider the matter, the city council will make a decision on the proposed petition based upon the factors identified above. (Ord. 58-13, 2013; Ord. 24-11, 2011)

14.52.040: METHOD OF DISPOSITION:

If the city council grants the petition, the city owned alley property will be disposed of as follows:

- A. Low Density Residential Areas: 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.

B. High Density Residential Properties And Other Nonresidential Properties: If the alley abuts properties which are zoned for high density residential use or other nonresidential uses, the alley will be closed and abandoned, subject to payment to the city of the fair market value of that alley property, based upon the value added to the abutting properties.

C. Mixed Zoning: If an alley abuts both low density residential properties and either high density residential properties or nonresidential properties, those portions which abut the low density residential properties shall be vacated, and the remainder shall be closed, abandoned and sold for fair market value. (Ord. 24-02 § 1, 2002)

14.52.050: PETITION FOR REVIEW:

Any party aggrieved by the decision of the city council as to the disposition of city owned alley property may file a petition for review of that decision within thirty (30) days after the city council's decision becomes final, in the 3rd district court.



CITY COUNCIL TRANSMITTAL


Patrick Leary, Chief of Staff

Date Received: January 8, 2019
Date sent to Council: January 10, 2019

TO: Salt Lake City Council
Charlie Luke, Chair

DATE: January 8, 2019

FROM: Mike Reberg, Community & Neighborhoods Director

SUBJECT: PLNPCM2018-00666 – Mead Avenue Alley Vacation

STAFF CONTACT: David J. Gellner, AICP, Principal Planner, david.gellner@slcgov.com
(801) 535-6107

DOCUMENT TYPE: Information Only

RECOMMENDATION: That the City Council follow the recommendations of the Planning Commission to deny the Mead Avenue alley vacation request. Since the Planning Commission recommended denial of the petition, an ordinance has not been provided. If the City Council approves the alley vacation, staff will work with Real Estate Services on the disposition of the property and an ordinance will be requested from the Attorney's Office for City Council approval.

BUDGET IMPACT: None.

BACKGROUND/DISCUSSION:

James Keifert, a property owner residing at 1006 South 800 West has initiated a petition to vacate a 350-foot alley known as Mead Avenue to the north of his property. The alley is referenced as Mead Avenue but the City recognizes it as an alley rather than a street. The alley proposed to be vacated is located between 800 West and Jeremy Street. The aerial photograph below shows Mead Avenue in context of the surrounding area. For additional information regarding the proposal and history of the alley please refer to the **Planning Commission Staff Report found in Exhibit 3.B.**



The petition bears the signatures of over 80% of the property owners as required by Ordinance. Planning Staff reviewed the petition according to the policy considerations and analysis factors found in Chapter 14.52, Disposition of City Owned Alleys, and recommended the Planning Commission forward a recommendation of denial to the City Council for the following reasons:

1. The alley physically exists and is passable.
2. Reports from the SLCPD did not provide significant evidence that the alley is problematic or that it contributes to crime or other public safety issues in the area.
3. Closure of this segment of alley will render an intersecting north/south alley into a dead end making it less functional.
4. There may be potential future uses for the alley that have not been fully explored at this point in time.

PUBLIC PROCESS:

- Information about this petition was sent to the Chair of the Glendale Community Council (GCC) on September 4, 2018 asking for their comments.
- The GCC chose to not have the applicant or Staff attend a regular meeting to explain the proposal however, the GCC provided the following comment to Staff:

This seems like a great idea to close the alley based on the information that has been provided. I think that these types of community generated ideas/solutions are essential to our community's success. You can put the GCC's stamp of approval on this project.

- Staff sent an early notification announcement of the project to all residents and property owners living within 300 feet of the project site providing notice about the proposal and information on how to give public input on the project on September 5, 2018.

A Planning Commission Public Hearing was held on November 28, 2018. The Commission reviewed the petitions during a public hearing and voted to forward a negative recommendation to the City Council, consistent with the recommendation of Planning Staff for the reasons noted above.

EXHIBITS:

1. Project Chronology
2. Notice of City Council Hearing
3. Planning Commission (PC) Record
 - A. Original Notice and Postmark
 - B. Planning Commission Staff Report of November 28, 2018
 - C. PC Agenda and Minutes of November 28, 2018
4. Original Petition
5. Mailing List

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- 4. Original Petition**
- 5. Mailing List**

1. Project Chronology

PROJECT CHRONOLOGY

PETITION: PLNPCM2018-00642 – Mead Avenue Alley Vacation

August 24, 2018	Petition for the alley vacation received by the Planning Division
August 27, 2018	Petition assigned to David Gellner, Principal Planner, for staff analysis and processing.
September 4, 2018	Information about the project was sent to the Chair of the Glendale Community Council in order to solicit public comments and start the 45-day Recognized Organization input and comment period.
September 5, 2018	Staff sent an early notification announcement of the project to all residents and property owners living within 300 feet of the project site providing notice about the proposal and information on how to give public input on the project.
October 22, 2018	<p>The 45-day comment period for Recognized Organizations ended. The GCC Chair provided the following comment to staff:</p> <p><i>This seems like a great idea to close the alley based on the information that has been provided. I think that these types of community generated ideas/solutions are essential to our community's success. You can put the GCC's stamp of approval on this project.</i></p>
November 15, 2018	Public notice posted on City and State websites and sent via the Planning list serve for the Planning Commission meeting of October 24, 2018. Public hearing notice mailed.
November 15, 2018	Public hearing notice sign with project information and notice of the Planning Commission public hearing physically posted on the property.
November 28, 2018	Planning Commission Public Hearing. The Planning Commission reviewed the petition, conducted a public hearing and voted to forward a negative recommendation to the City Council for the alley vacation request.

2. Notice of City Council Hearing

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition **PLNPCM2018-00666 Mead Avenue Alley Vacation** – James Keifert, a property owner residing at 1006 South 800 West has initiated a petition to vacate a 350-foot alley known as Mead Avenue to the north of his property between 800 West and Jeremy Street. The alley is referenced as Mead Avenue but the City recognizes it as an alley rather than a street. The property is located within Council District 2, represented by Andrew Johnston. (Staff contact: David J. Gellner at (801-535-6107 or david.gellner@slcgov.com)

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

DATE:

TIME: 7:00 p.m.

PLACE: Room 315
City & County Building
451 South State Street
Salt Lake City, Utah

If you have any questions relating to this proposal or would like to review the file, please call David Gellner at 801-535-6107 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at david.gellner@slcgov.com

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Division at (801) 535-7757; TDD (801) 535-6021.

3A. Planning Commission - Original Notice and Postmark



SALT LAKE CITY

UT 84114

SALT LAKE CITY PLANNING DIVISION
451 S STATE STREET ROOM 406
PO BOX 145480
SALT LAKE CITY UT 84114-5480

RETURN SERVICE REQUESTED

FIRST CLASS



U.S. POSTAGE PITNEY BOWES

11/19/2018

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0001403442 NOV 16 2018

Salt Lake City Planning Division David
Gellner
PO BOX 145480
Salt Lake City, UT 84114



Salt Lake Planning Division

451 S State Street Room 406, PO Box 145480, Salt Lake City, Utah 84114-5480

Planning Commission on November 28, 2018 at 5:30 p.m.

**City & County Building
451 S State Street, Room 326
Salt Lake City, Utah 84111**

A public hearing will be held on the following matter. Comments from the Appellant, City Staff and the public will be taken.

Mead Avenue Alley Vacation - James Keifert, a property owner residing at 1006 South 800 West has initiated a petition to vacate a 350-foot alley known as Mead Avenue that is located to the north of his property between 800 West and Jeremy Street. The alley is referenced as Mead Avenue, but the City recognizes it as an alley rather than a street. The property is located within Council District 2, represented by Andrew Johnston. (Staff contact: David J. Gellner at (801-535-6107 or david.gellner@slcgov.com) **Case number PLNPCM2018-00666**

Salt Lake City Corporation complies with all ADA guidelines. People with disabilities may make requests for reasonable accommodations no later than 48 hours in advance in order to attend this meeting. Accommodations may include: alternative formats, interpreters, and other auxiliary aids. This is an accessible facility.



Staff Report

PLANNING DIVISION
DEPARTMENT OF COMMUNITY & NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: David J. Gellner, AICP, Principal Planner, 801-535-6107, david.gellner@slcgov.com

Date: November 28, 2018

Re: PLNPCM2018-00666 – Mead Avenue Alley Vacation – Between 800 West and Jeremy Street

ALLEY VACATION

PROPERTY ADDRESSES: The alley abuts seven (7) individual properties as follows:

1. 1006 South 800 West (Petitioner's Property)
2. 1001 S Jeremy Street
- 3-7. Fayette Avenue – 809, 815, 825, 837 and 845 W. Fayette Avenue.

MASTER PLAN: Westside Master Plan

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

REQUEST: James Keifert, a property owner residing at 1006 South 800 West has initiated a petition to vacate an alley known as Mead Avenue to the north of his property. The alley runs between 800 West and Jeremy Street. The alley is referenced as Mead Avenue but the City recognizes it as an alley rather than a street.

The Planning Commission's role in this application is to provide a recommendation to the City Council for the alley vacation request. The City Council will make the final decision on this application.

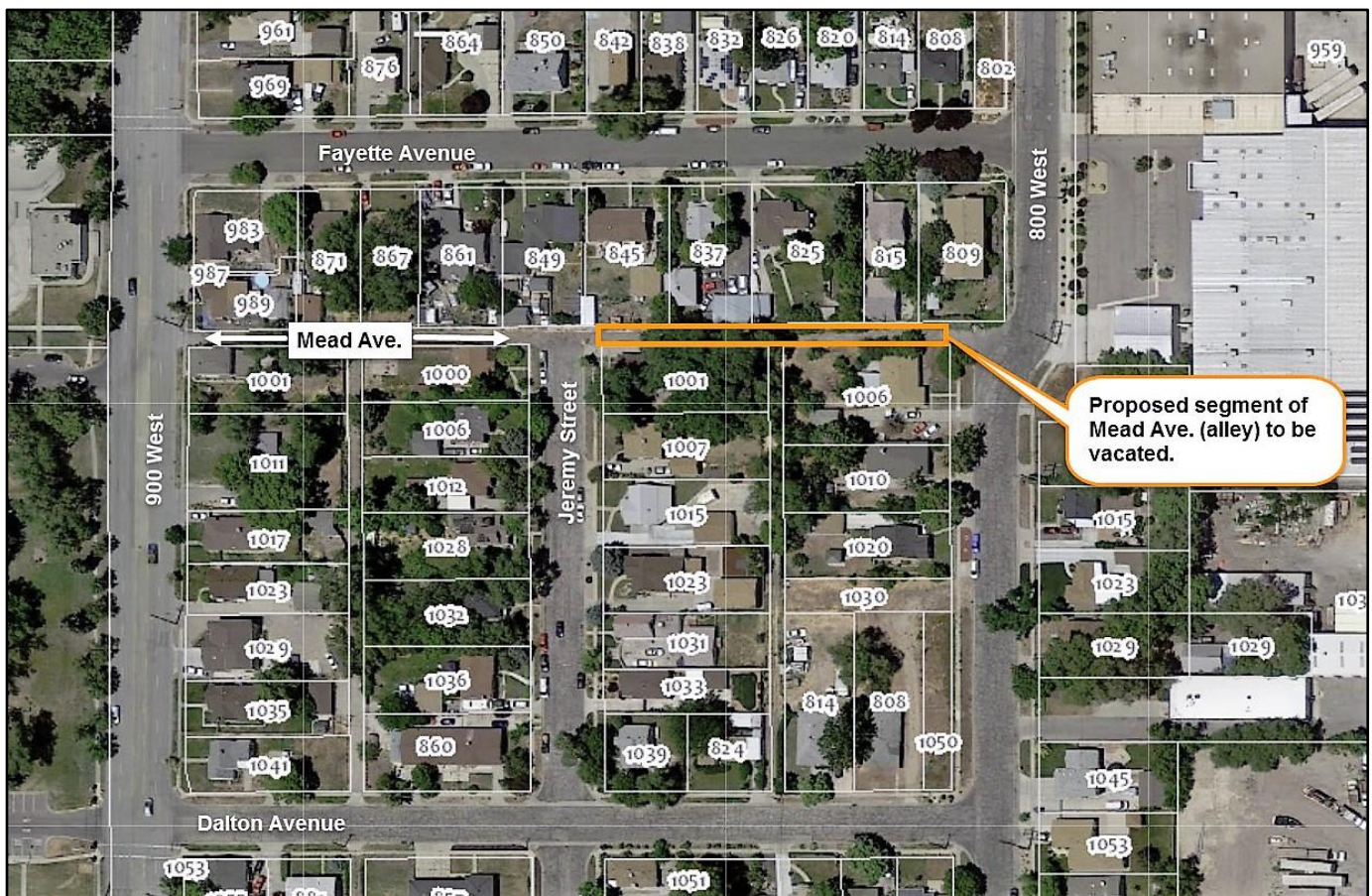
RECOMMENDATIONS: Based on the findings and analysis in this staff report, Planning Staff recommends that the Planning Commission transmit a negative recommendation to the City Council for the Mead Avenue Alley Vacation.

ATTACHMENTS:

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

PROJECT DESCRIPTION:

Mead Avenue is highlighted on the aerial photo below. The alley runs through the block from 800 W to 900 W. While the alley is referenced as Mead Avenue the City officially recognizes it as an alley rather than a street. The approximately 350-foot long alley that is the subject of the proposed vacation is located between 800 W and Jeremy Street and functions as a whole alley rather than just a segment based on bisection by Jeremy Street. The applicant's reason for the request includes a concern about the alley being a magnet for crime and blight in the area, creating a public nuisance. The applicant's narrative as well as the petition bearing the signature of abutting property owners is included in [Attachment C](#) of this report.



KEY CONSIDERATIONS:

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

Consideration 1: Property Owner Consent

Section 14.52.030 A.1 specifies “The petition must bear the signatures of no less than eighty percent (80%) of the neighbors owning property which abuts the subject alley property.” There are a total of seven (7) properties that abut the alley and six (6) property owners signed the petition. The property owner residing at 815 W. Fayette Avenue did not sign the petition in support of vacating the alley but has not submitted or voiced any concerns to staff. In total, 85% of abutting property owners have signed the petition and support the vacation so this ordinance requirement has been met.

This item is also addressed in [Attachment C: Project Narrative & Petition](#) and in [Attachment E: Analysis of Standards](#).

Consideration 2: Creation/History of the Alley and Disposition if Vacated

While the alleyway is labeled as “Mead Avenue” the City considers it a street rather than an alley. Research by Planning Staff in conjunction with SLC Engineering and the City Surveyor indicate that this alley was created in between the Muscatine Place and Albert Place subdivisions. The Muscatine Place Subdivision was platted in 1888 followed by the Albert Place Subdivision which was platted in 1890. The alley was established and platted as part of Albert Place which lies to the north of Muscatine. While there may have been a time when a street was planned or considered for the right of way on the northern edge of the Muscatine Place Sub, the Albert Place subdivision established the alley and it was dedicated as part of that plat.

According to the Salt Lake City Attorney’s Office, alleys that are dedicated as part of a subdivision must be conveyed to owners within that subdivision if they are vacated. Case law in the Utah courts have supported this position.

The alley was originally dedicated as part of the Albert Place Subdivision while the applicant’s property is located in the Muscatine Place Subdivision. As such, the alley property cannot be legally conveyed to the actual petitioner for the alley vacation since his property lies in the adjacent subdivision. This however would not preclude the petitioner from negotiating with the property owner to the north to split the alley property between them or to convey it to the other party in whole or in part. This would be a private transaction outside of the purview of the City. The issue of property disposition has been explained to the applicant. The applicant chose to pursue the alley vacation citing the closure and elimination of the alley being more important than the issue of who ultimately the alley property is transferred to.

Consideration 3: Condition of the Alley

The alley runs the full block between 800 W and 900 W. Typically alleys bisect the long access of the blocks in many older residential neighborhoods of the city. Mead Avenue runs all the way from 800 West to 900 West, but it is bisected by Jeremy Street, so for all intents and purposes, there are two separate functional alleys for Mead Avenue. The subject of this request is the alley that runs between 800 W and Jeremy Street.

Staff has visited the alley and driven from 800 West to Jeremy Street with a regular City passenger vehicle during a field visit. The alley still exists physically, is passable and still appears to be used. The alley is not completely overgrown and while the pavement surface is in somewhat rough shape, it still provides a drivable surface. Whether there a future public uses for the alley is a City consideration discussed below.

There is also a north/south running alley segment that is located between Dalton Avenue and Mead Avenue that is not part of this vacation request. The north/south running alley appears to be more overgrown than Mead Avenue and does not look to be paved. Whether or not that alley is still used and to what extent is not known.

Consideration 4: Future Public Uses for the Alley

One issue that comes up with proposals to vacate alleys are questions about the alley serving other potentially beneficial uses in the area. These elements could include trails for instance in order to help facilitate alternative transportation and as a positive urban design element.

This particular alley runs east/west along the long axis of the block and does provide a connection between 800 W and 900 W. Both Dalton Avenue to the south and Fayette Avenue to the north have existing sidewalks on both sides of the street to facilitate east/west pedestrian traffic. As such, this alley is not necessary to create an alternative trail and access in the area. Another beneficial use that alleys can serve is to improve access to rear Accessory Dwelling Units (ADUs). The City recently adopted a city-wide ADU ordinance. While no property owner has made application to build such a unit, this is a future use that the alley could possibly help to accommodate.

The alley runs through an established residential area that is made of single-family homes. There is no anticipated change to this composition identified in the West Side Master Plan and the area is unlikely to change significantly over time. However, from a policy perspective, potential future uses for the alley must be considered in the context of the area as well as the fact that this alley physically exists and is still usable.

DISCUSSION:

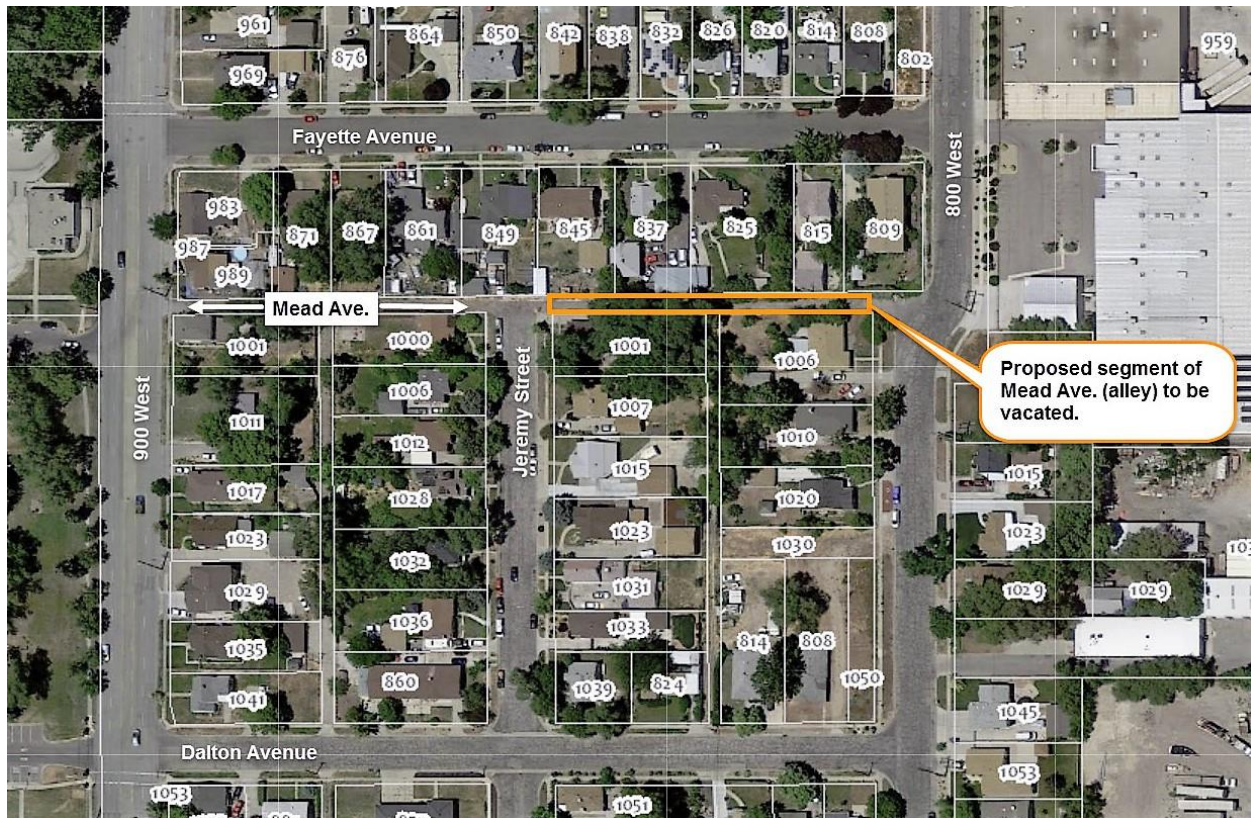
The petition has been reviewed against the City's policy considerations for alley closures located in Chapter 14.52.020 as well as the analysis factors found in 14.52.030.B. The closure of the alley meets some but not all of the analysis factors for an alley vacation. The alley is currently used for limited public purposes and the closure is supported by the majority of adjacent property owners. City policies and the relevant Master Plan do not include any policies that would oppose the closure of this alley, but the potential future uses of the alley must also be considered in context of the area. This closure would also make another existing alley into a dead end, something that City Engineering department noted. The benefits of closing the alley must be weighed against the benefits of closing it and the need for the closure. Reports from the Salt Lake City Police Department did not indicate that the alley is particularly problematic or that it contributes to an increase in crime and other public safety issues in the area. As such, staff is recommending that the Planning Commission transmit a negative recommendation to the City Council for the alley vacation for the following reasons:

1. The alley physically exists and is passable.
2. Reports from the SLCPD did not provide significant evidence that the alley is problematic or that it contributes to crime or other public safety issues in the area.
3. Closure of this segment of alley will render an intersecting north/south alley into a dead end making it less functional.
4. There may be potential future uses for the alley that have not been fully explored at this point in time.

NEXT STEPS:

Chapter 14.52 of the Salt Lake City Code regulates the disposition of City owned alleys. When evaluating requests to close or vacate public alleys, the City considers whether or not the continued use of the property as a public alley is in the City's best interest. Noticed public hearings are held before both the Planning Commission and City Council to consider the potential adverse impacts created by a proposal. Once the Planning Commission has reviewed the request, their recommendation is forwarded to the City Council for consideration. The City Council has final decision authority with respect to alley vacations and closures.

ATTACHMENT A: VICINITY MAP



ATTACHMENT B: PHOTOS



Intersection of Mead Avenue and 800 West



Intersection of Mead Avenue and Jeremy Street



Mead Avenue between 800 W and Jeremy Street



North/south running alley that would become a “dead end” if Mead Avenue were vacated.

ATTACHMENT C: PROJECT NARRATIVE & PETITION

On the following pages are the project narrative and the petition signed by six of the seven owners of property abutting the alley requesting the vacation and closure of Mead Avenue. There was only one adjacent property owner (at 815 W. Fayette Avenue) that did not sign the petition. This individual has not voiced any opposition to the closure however.

Proposal to close Alleyway of Mead Ave.

We wish to close the alley of Mead Ave S. Starting at 800 w and moving west to Jeremy St (approximately 200 feet long). With this closer another unused alleyway will be dead ended. For those that access their home through that alley, should have no problem with this as they will still have open access should they choose to use that.

The first concern prompting this closure is a matter of safety. We have often observed suspicious people at odd hours at night, my neighbor behind me has said on multiple occasions he has had to chase away people that were shooting up (presumably heroine) from the alley.

Another concern is the low maintenance of this alley has led to over growth (contributing to the cover for people to use for shady activities), but also the pavement is in deplorable conditions, this has led people, who drive very quickly through the alleyway, to suddenly veer off and run into my backyard fence, this has happened a couple of times leading me to lift my fence back up, further damaged, and try to fix it enough to stay and keep my dog in. As this has happened more than once, it makes me worried that someone could veer into my fence when my son or dog is near it leading to serious injury or death. Each time someone has ran into my fence, they leave without speaking to me or leaving a note, leaving me to pay for all damages.

Thirdly we are constantly dealing with random people coming and dumping their garbage here. We've seen all manner of wrappers, toilets, drug needles, people's mail, sleeping bags, a mattress and so much broken glass. The city does not make it a top priority to keep this area clean, and even if they did, it would be a huge cost with the frequency in which it happens.

Finally, there is no real purpose for this alley to be open. Just to the North is Fayette Ave S. which is a full neighborhood street only 150 ft away. Just to the south, 5 houses down, is Dalton Ave S. another full 2 way street. West of Jeremy St, the Mead Ave alley would continued undeterred for any of the homeowners connected to up to 900 West.

I thank you for your time and consideration on this issue, this is something that my neighbors and I are looking forward to. If you have any questions, please don't hesitate to call or text me at [REDACTED]

PETITION TO VACATE OR CLOSE AN ALLEY

Name of Applicant:

James Keifert


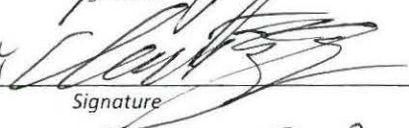
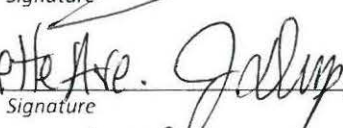

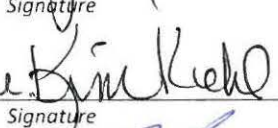

Address of Applicant:

1006 s 800 w Salt Lake City Ut

Date:

7-14-2018

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.

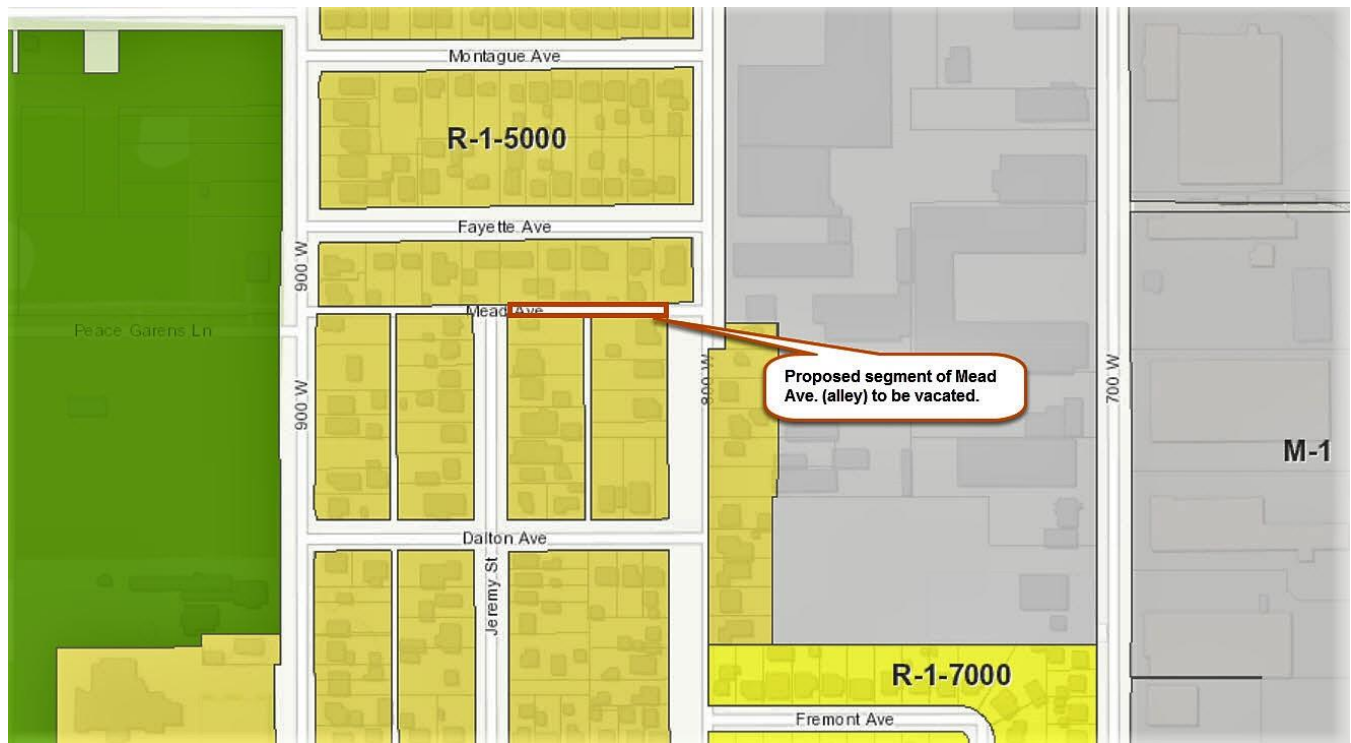
Print Name	Address	Signature	Date
James Keifert	1006, 800w		7-14-2018
Clint Lehmborg	1001 S JEREMY		7/14/2018
Jeanne Dupont	809 W. Fayette Ave.		7/14/18
Maria Orea	845 W. Fayette Ave.		7/14/18
Kim Kehl	825 Fayette Ave		7/14/18
Alleg Bailey	837 Fayette		7/14/18

ATTACHMENT D: EXISTING CONDITIONS & ZONING

ADJACENT LAND USE

The property lies within a residential area. All properties that are adjacent to the alley and in the immediate vicinity to the west of 800 West are zoned R-1/5000 – Single Family Residential. To the east of 800 W, the zoning becomes M-1 – Light Manufacturing and is dominated by light industrial uses and development. This is shown on the zoning map below.

None of the property owners have indicated a need to access their rear yard via the alley.



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:*

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

Discussion:

The applicant cites **Policy Consideration B – Public Safety** as the main driving factor for the alley vacation request. This includes both suspicious activities and persons frequenting the area and the alley itself serving as a location for the illegal dumping of trash and other criminal activity. Another factor cited for this closure was that cars pass down the alley causing a safety concern for adjacent residents. The applicant also describes the poor condition of the pavement as a factor in people crashing into neighboring fences while driving down the alley.

Staff routed this petition to the Salt Lake City Police Department (SLCPD) for comments. The SLCPD indicated that while there is a fair amount of police activity in the area, they did not find it to be particularly alarming in their words. However, the applicant has expressed this as a concern as have some of the other property owners that border on the alley, so there is certainly a perception by neighboring residents that the alley constitutes a condition that contributes to crime, blight and public health nuisances. Based on this, staff asserts that this policy consideration has been sufficiently met in order to process the petition.

Finding: The property owners have experienced issues with the alley, however reports from the SLCPD do not provide significant evidence that the alley is problematic or that it contributes to crime and other public safety issues in the area.

Salt Lake City Code, Section 14.52.030B: Processing Petitions – Public Hearing and Recommendation from the Planning Commission.

Upon receipt of a complete petition, a public hearing shall be scheduled before the Planning Commission to consider the proposed disposition of the City owned alley property. Following the conclusion of the public hearing, the Planning Commission shall make a report and recommendation to the City Council on the proposed disposition of the subject alley property. A positive recommendation should include an analysis of the following factors:

Factor	Finding	Rationale
1. The City Police Department, Fire Department, Transportation Division, and all other relevant City Departments and Divisions have no objection to the proposed disposition of the property;	Does not Comply	Staff requested input from pertinent City Departments and Divisions. Comments were received Public Utilities, Zoning, Transportation and Engineering. Transportation noted that a north/south running alley in the area would be cut off and become a dead end if this segment were vacated. The SLCPD did not find significant evidence that the alley was contributing to crime in the area. Individual comments are included in Attachment G: Department Review Comments.
2. The petition meets at least one of the policy considerations stated above;	Complies	The proposed alley closure satisfies the Public Safety policy considerations of 14.52.020 for the petition to be processed. See the discussion and findings in the previous section of this report for more details.
3. The petition must not deny sole access or required off-street parking to any adjacent property;	Complies	None of the properties that abut the alley appear to use it for off-street parking or access to their property. As such, none will be denied vehicle access due to the closure of the alley.
4. The petition will not result in any property being landlocked;	Complies	No properties would be rendered landlocked by this proposal.
5. The disposition of the alley property will not result in a use which is otherwise contrary to the policies of the City, including applicable master plans and other adopted statements of policy which address, but which are not limited to, mid-block walkways, pedestrian paths, trails, and	Complies	<p>The petitioner is requesting closure of the alleyway in order to eliminate a community nuisance and what neighboring property owners view as a condition that helps perpetuate crime in the neighborhood and contributes to blight.</p> <p>Traditional alley uses such as garbage pickup, coal delivery and parking having been eliminated or moved to the street in the</p>

alternative transportation uses;		<p>front of the residences in many established areas of the city. With this change, the alley may be redundant and not needed at this point in time.</p> <p>City documents and policies do not speak to the future use or closure of alleys in this area of the City. While there may be potential future uses for the alley, these are not articulated in policy or documents and closing of the alley will not result in a use that is contrary to any City policy.</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;	Complies	No abutting property owners have opposed the alley vacation. No applications for a permit have been made.
7. The petition furthers the City preference for disposing of an entire alley, rather than a small segment of it; and	Complies	The applicant is requesting closure of an alley that runs between 800 W and 900 W. Mead Avenue continues all the way to 900 West, but it is bisected by Jeremy Street, so for all intents and purposes, there are two separate alleys for Mead Avenue. One alley, the subject of this request runs between 800 W and Jeremy Street. The other is located between Jeremy Street and 900 W. As such, this petition would dispose of an entire alley rather than a small segment of it.
8. The alley is not necessary for actual or potential rear access to residences or for accessory uses.	Complies	The alley has ceased to be used for functional access to the back of properties and no property owners have indicated that the access is necessary for that purpose.
NOTES:		

ATTACHMENT F: 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 Glendale Community Council (GCC) on September 4, 2018 in order to solicit comments.
- Dane Hess, Chair of the GCC provided the following comment back to staff in relation to the proposal:
This seems like a great idea to close the alley based on the information that has been provided. I think that these types of community generated ideas/solutions are essential to our community's success. You can put the GCC's stamp of approval on this project.
- Staff sent an early notification announcement of the project to all residents and property owners located within 300 feet of the project site on September 5, 2018 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 October 22, 2018

Notice of the public hearing for the proposal included:

- Public hearing notice mailed on: November 15, 2018
- Public hearing notice sign posted on the property: November 15, 2018
- Public notice posted on City and State websites & Planning Division list serve: November 15, 2018

ATTACHMENT G: DEPARTMENT REVIEW COMMENTS

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

Engineering (Scott Weiler)

A north/south alley exists between Jeremy and 800 West. If the proposed closure occurs, this north/south alley will become a dead end.

Engineering – Public Way Assets (Nicholas Daniels)

Mead Ave is considered an Alleyway according to our records in Cartegraph. While I have records of inspections I have no records of any maintenance activities.

Public Utilities (Kristeen Schumacher)

Public Utilities has no issues with the proposed alley vacation.

Building and Zoning (Greg Mikolash)

There are no zoning or building code related issues associated with the proposed alley closure.

SLC Police Department (Officer Joshua Ashdown)

Officer Ashdown of the SLCPD Operations provided information in relation to the police reports and crime related to or near the alley over the last 2 years. A copy of that information is included on the following page of this report. While there appears to be a fair amount of activity, it was not classified as “alarming”. There may however be a perception among abutting property owners that there is a serious issue with the alley despite the reports.

Gellner, David

From: Ashdown, Joshua
Sent: Monday, October 15, 2018 7:22 AM
To: Gellner, David
Cc: Oliver, Eldon
Subject: Alley Way Crime Numbers

Follow Up Flag: Follow up
Flag Status: Flagged

Hello David,

I was able to sort through the reports to the police for that alley way south of Fayette between 800 West and 900 West. For the past two years I found the following reports directly related to the alley way. There is a fair amount of police activity in the surrounding area, but nothing alarming. So, the residents probably see officers often. A few of the below cases were not an actual crimes.

SL201837690	3/2/2018 23:46	SUSPER	SUSPICIOUS PERSON	861 W FAYETTE AVE	7399	PUB ORD - FREE TEXT
SL201829651	2/17/2018 8:23	FOUND	FOUND PROPERTY	825 W FAYETTE AVE	73995	PUB ORD - FOUND PROPER
SL2017221734	11/22/2017 13:34	129C5	SUSPICIOUS CIRCUMSTANCES	825 W FAYETTE AVE	ATL	ATTEMPT TO LOCATE/BOLO
SL2017216920	11/15/2017 7:31	SUSVEH	SUSPICIOUS VEHICLE	825 W FAYETTE AVE	4803	OBST POLICE - MAKING FAL
SL2017210413	11/4/2017 18:15	SHOTS	SHOTS FIRED JUST OCCURRED	815 W FAYETTE AVE	7399	PUB ORD - FREE TEXT
SL201793788	5/26/2017 17:55	129C4	WANTED VEHICLE	1001 S JEREMY ST	7399	PUB ORD - FREE TEXT
SL201782913	5/9/2017 20:16	ATL	ATTEMPT TO LOCATE/BOLO	MEAD AVE / JEREMY ST	7399	PUB ORD - FREE TEXT
SL201782010	5/8/2017 15:51	TRAF	TRAFFIC STOP	1000 S 800 W	539987	PUB PEACE - TRANSIENT AC

Best Wishes,

Josh

From: Ashdown, Joshua
Sent: Thursday, October 4, 2018 12:07 PM

Public Comments in Relation to the Mead Avenue Alley Vacation – PLNPCM2018-00666

The following comments were received after the staff report was published for the November 28, 2018 Planning Commission public hearing for the Mead Avenue alley vacation:

Submitted by:	Comment:
Bob McKewan – 1015 S. Jeremy Street	<p>House is on north/south alley that would dead end if Mead Avenue is closed. Uses north/south alley to access his rear yard and comes in from Dalton Avenue as turn into north/south alley from Mead is too sharp with a trailer or larger vehicle.</p> <p>Supports the vacation due to questionable activities that occur in the alley and then spill over through the north/south alley.</p>
Mel Kuo – 815 W. Fayette Avenue (Property owner on Fayette Ave. along the north of the alley– only abutting owner that did not sign the petition.)	<p>Not necessarily opposed to the alley being closed but has concerns about post-vacation management of the area. Concerns about fellow neighbors possibly not managing or securing their portion of the current alley land.</p> <p>Plans to attend public hearing for more information.</p>

3C. Planning Commission Agenda & Minutes for November 28, 2018

SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA

In Room 326 of the City & County Building

November 28, 2018, at 5:30 p.m.

(The order of the items may change at the Commission's discretion)

FIELD TRIP - The field trip is scheduled to leave at 4:00 p.m.

DINNER - Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m. in Room 126 of the City and County Building. During the dinner break, the Planning Commission may receive training on city planning related topics, including the role and function of the Planning Commission.

PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM IN ROOM 326

APPROVAL OF MINUTES FOR NOVEMBER 14, 2018

REPORT OF THE CHAIR AND VICE CHAIR

REPORT OF THE DIRECTOR

Recognize Commissioner Emily Drown for her tenure on the Planning Commission

PUBLIC HEARINGS

1. **Mead Avenue Alley Vacation** - James Keifert, a property owner residing at 1006 South 800 West has initiated a petition to vacate a 350-foot alley known as Mead Avenue that is located to the north of his property between 800 West and Jeremy Street. The alley is referenced as Mead Avenue, but the City recognizes it as an alley rather than a street. The property is located within Council District 2, represented by Andrew Johnston. (Staff contact: David J. Gellner at (801-535-6107 or david.gellner@slcgov.com) **Case number PLNPCM2018-00666**
2. **Zoning Map Amendment at Approximately 2200 West** - Nick Smith, owner representative, is requesting a zoning map amendment application to amend the existing zoning of 2058 North 2200 West from AG-2 (Agricultural District) to M-1 (Light Manufacturing). The amendment is to implement the master plan zoning and to accommodate future commercial land uses. No specific site development proposal has been submitted at this time. The property is located within Council District 1, represented by James Rogers. (Staff contact: Kelsey Lindquist at 801-535-7930 or Kelsey.Lindquist@slcgov.com) **Case number PLNPCM2018-00657**
3. **Special Exception for Additional Height at 780 E 900 South** - Brett Ross, the property owner, is requesting special exception approval for additional building/wall height for a new single-family home to be constructed at 780 E. 900 South. Buildings with flat roofs in the R-2: Single and Two-Family Residential zoning districts are allowed up to 20 feet tall. Three additional feet of height is being requested to accommodate a 3-foot guardrail on top of the roof required by building code for the proposed roof deck space. The property is located in Council District 5, represented by Erin Mendenhall. (Staff contact: Lauren Parisi at 801-535-7226 or Lauren.Parisi@slcgov.com) **Case number PLNPCM2018-00524**

4. **RR Development Planned Development** - Blake Henderson, property owner, is requesting Planned Development approval to construct a 299-unit multi-family residential development in 2 separate buildings on a property located at approximately 185 N. Redwood Rd. The applicant is requesting relief from the City's Zoning Ordinance through the Planned Development process for modified corner side yard setbacks and waiver of design standards along Harold St. and the allowance of surface parking in a corner side yard. The property is located in the TSA-MUEC-T (Transit Station Area Mixed-Use Employment Center Transitional) zoning district and Council District 1, represented by James Rogers. (Staff contact: John Anderson at (801) 535-7214 or john.anderson@slcgov.com) **Case Number: PLNSUB2018-00641**

5. **The Exchange Phase 2: Planned Development and CBSDR at Approximately 320 E 400 South** - A request by Downtown SLC Partners, the developer representing the property owner, Salt Lake City Corporation, for The Exchange – a project consisting of two new buildings that will be completed in phases. The second phase of the development request is for a 5-story building with approximately 126 mixed-income units and over 2,700 square feet of retail and 30,000 square feet of incubator co-working space. The applicant is requesting modifications of some of the design standards in section 21A.37 of the zoning ordinance through the Conditional Building and Site Design Review (CBSDR) process and a Planned Development for modifications to landscaping requirements in 21A.48. The project is located in the TSA-UC-C (Transit Station Area Urban Center Core) zoning district in Council District 4, represented by Derek Kitchen. (Staff Contact: Amy Thompson at 801-535-7281 or amy.thompson@slcgov.com) **Case Numbers PLNPCM2018-00470 & PLNSUB2018-00434.**

The files for the above items are available in the Planning Division offices, room 406 of the City and County Building. Please contact the staff planner for information, Visit the Planning Division's website at www.slcgov.com/planning for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at www.slctv.com. The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326, Salt Lake City, Utah
Wednesday, November 28, 2018

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:30:51 PM](#). Audio recordings of the Planning Commission meetings are retained for a period of time.

Present for the Planning Commission meeting were: Chairperson Maurine Bachman, Vice Chairperson Sara Urquhart; Commissioners Amy Barry, Adrienne Bell, Weston Clark, Matt Lyon, Clark Ruttinger, and Brenda Scheer. Commissioners Carolynn Hoskins and Andres Paredes were excused.

Planning Staff members present at the meeting were Nick Norris, Planning Director; Paul Nielson, Attorney; David Gellner, Principal Planner; Lauren Parisi, Principal Planner; John Anderson, Senior Planner; Kelsey Lindquist, Principal Planner; Amy Thompson, Principal Planner, and Marlene Rankins, Administrative Secretary.

Field Trip

A field trip was held prior to the work session. Planning Commissioners present were: Maurine Bachman, Adrienne Bell, Weston Clark, Clark Ruttinger, Brenda Scheer, and Sara Urquhart. Staff members in attendance were Nick Norris, David Gellner, John Anderson, Kelsey Lindquist, Amy Thompson, and Lauren Parisi.

- **780 E 900 S** - Staff gave an overview of the proposal.
Q: How tall is the existing building?
A: 24 feet.
- **Mead Avenue Alley Vacation** – Staff gave an overview of the proposal.
- **Redwood Road Planned Development** – Staff gave an overview of the proposal.
Q: Is there a draining issue/ concern with open space along what looks like an irrigated canal?
A: That's a question for the applicant.
- **2200 W Rezone** – Staff gave an overview of the proposal.

APPROVAL OF THE NOVEMBER 14, 2018, MEETING MINUTES [5:30:57 PM](#)

MOTION [5:31:06 PM](#)

Commissioner Clark Ruttinger moved to approve the November 14, 2018, meeting minutes. Commissioner Weston Clark seconded the motion. Commissioners Bell, Barry, Clark, Urquhart, and Ruttinger voted “Aye”. Commissioner Scheer abstained. The motion passed 5-1.

[5:31:23 PM](#) Commissioner Matt Lyon joined the meeting.

REPORT OF THE CHAIR AND VICE CHAIR [5:31:30 PM](#)

Chairperson Bachman stated she had nothing to report.

Vice Chairperson Urquhart stated she had nothing to report.

REPORT OF THE DIRECTOR [5:31:35 PM](#)

Mr. Nick Norris, Planning Director, updated the Commission with City business regarding upcoming meetings. He also recognized Commissioner Emily Drown for her tenure on the Planning Commission.

The Staff and Commission commemorated Emily Drown.

[5:38:46 PM](#)

Mead Avenue Alley Vacation - James Keifert, a property owner residing at 1006 South 800 West has initiated a petition to vacate a 350-foot alley known as Mead Avenue that is located to the north of his property between 800 West and Jeremy Street. The alley is referenced as Mead Avenue, but the City recognizes it as an alley rather than a street. The property is located within Council District 2, represented by Andrew Johnston. (Staff contact: David J. Gellner at (801-535-6107 or david.gellner@slcgov.com)
Case number PLNPCM2018-00666

David Gellner, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). He stated Staff recommended that the Planning Commission forward a negative recommendation to the City Council.

James Keifert, Applicant; Clint Lehmborg, neighbor, further reviewed the petition. The applicant provided photos stored in personal cell phone of the condition of the said alley.

The Commission and Applicant discussed the following:

- Who will manage the street and what are the physical expectations
- Whether the closer will block off vehicles
- Whether there is approval from other property owners to maintain proposed area

PUBLIC HEARING [5:57:33 PM](#)

Chairperson Bachman opened the Public Hearing;

Mark Mason – Raised concern with plan of action and who will take responsibility for funds and maintenance.

Greg Bailey- Stated he is in favor of the petition.

Seeing no one else wished to speak; Chairperson Bachman closed the Public Hearing.

The Commission, Staff and Applicant discussed the following:

- Whether there are any utilities in the alley
- Any easements present
- Clarification on who will own the property if it's closed
- Whether the applicant is the right to file for the petition
- Codes to adhere for fencing
- Clarification of the process to closing and fencing the property

MOTION [6:14:31 PM](#)

Commissioner Urquhart stated, based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission transmit a negative recommendation to the City Council for the Mead Avenue Alley Vacation, file PLNPCM2018-00666 for the reasons listed in the staff report.

Commissioner Scheer seconded. Commissioners Ruttinger, Urquhart, Clark, Barry, Lyon, Scheer, and Bell voted “Aye”. The motion passed unanimously.

4. Original Petition



Alley Vacation or Closure

SALT LAKE CITY PLANNING

OFFICE USE ONLY

Received By: CHRIS EARL Date Received: 8/24/2018 Project #: PLN/PCM 2018-00666

Project Name: MEAD ALLEY CLOSURE

PLEASE PROVIDE THE FOLLOWING INFORMATION

Location of the Alley: Mead Ave s. (between 800W & Jeremy Str.)

Name of Applicant: James Keifert Phone: [REDACTED]

Address of Applicant: 1006s 800 W

E-mail of Applicant: [REDACTED] Cell/Fax: [REDACTED]

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: [REDACTED]

☒ Please note that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

AVAILABLE CONSULTATION

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

WHERE TO FILE THE COMPLETE APPLICATION

Mailing Address: Planning Counter
PO Box 145471
Salt Lake City, UT 84114

In Person: Planning Counter
451 South State Street, Room 215
Telephone: (801) 535-7700

REQUIRED FEE

☒ Filing fee of \$253
☒ Plus additional fee for required public notices

SIGNATURE

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

Signature of Owner or Agent: [Signature] Date: 7-12-2018

Updated 7/1/17
15-11-426-007
087636

SUBMITTAL REQUIREMENTS

Staff Review

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Please include with the application: (please attach additional sheet) |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1. A letter explaining why you are requesting this alley vacation or closure. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. A Sidwell map showing the area of the proposed alley vacation or closure. On the map please: |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | a. Highlight the area of the proposed alley vacation or closure. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | b. Indicate with colored dot the property owners who support the petition. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | c. Submit one paper copy and a digital (PDF) copy of the map. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3. A written description with measurements of the proposed alley vacation or closure. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | • A final legal description prepared by a licensed engineer will be required later. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4. The name, address and signatures of all abutting property owners who support the petition. |
| | | • Petition must include the signatures of no less than 80% of the abutting property owners. |
| | | • Signatures should be from the property owners and not from the property renters. |
| | | • You may use the form attached to this application or provide your own form with signatures. |

WHAT IS AN ALLEY VACATION OR CLOSURE?

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

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

WHAT THE CITY CONSIDERS BEFORE VACATING OR CLOSING AN ALLEY

1. The City police department, fire department, transportation division, and all other relevant City departments have no reasonable objection to the proposed disposition of the property;
2. Granting the petition will not deny sole access or required off-street parking to any property adjacent to the alley;
3. Granting the petition will not result in any property being landlocked;
4. Granting the petition will not result in a use of the alley property which is otherwise contrary to the policies of the City, including applicable master plans and other adopted statements of policy which address, but which are not limited to, mid-block walkways, pedestrian paths, trails, and alternative transportation uses;
5. No opposing abutting property owner intends to build a garage requiring access from the property, or has made application for a building permit, or if such a permit has been issued, construction has been completed within 12 months of issuance of the building permit;
6. The petition furthers the City preference for disposing of an entire alley, rather than a small segment of it; and
7. The alley property is not necessary for actual or potential rear access to residences or for accessory uses.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Proposal to close Alleyway of Mead Ave.

We wish to close the alley of Mead Ave S. Starting at 800 w and moving west to Jeremy St (approximately 200 feet long). With this closer another unused alleyway will be dead ended. For those that access their home through that alley, should have no problem with this as they will still have open access should they choose to use that.

The first concern prompting this closure is a matter of safety. We have often observed suspicious people at odd hours at night, my neighbor behind me has said on multiple occasions he has had to chase away people that were shooting up (presumably heroine) from the alley.

Another concern is the low maintenance of this alley has led to over growth (contributing to the cover for people to use for shady activities), but also the pavement is in deplorable conditions, this has led people, who drive very quickly through the alleyway, to suddenly veer off and run into my backyard fence, this has happened a couple of times leading me to lift my fence back up, further damaged, and try to fix it enough to stay and keep my dog in. As this has happened more than once, it makes me worried that someone could veer into my fence when my son or dog is near it leading to serious injury or death. Each time someone has ran into my fence, they leave without speaking to me or leaving a note, leaving me to pay for all damages.

Thirdly we are constantly dealing with random people coming and dumping their garbage here. We've seen all manner of wrappers, toilets, drug needles, people's mail, sleeping bags, a mattress and so much broken glass. The city does not make it a top priority to keep this area clean, and even if they did, it would be a huge cost with the frequency in which it happens.

Finally, there is no real purpose for this alley to be open. Just to the North is Fayette Ave S. which is a full neighborhood street only 150 ft away. Just to the south, 5 houses down, is Dalton Ave S. another full 2 way street. West of Jeremy St, the Mead Ave alley would continued undeterred for any of the homeowners connected to up to 900 West.

I thank you for your time and consideration on this issue, this is something that my neighbors and I are looking forward to. If you have any questions, please don't hesitate to call or text me at [REDACTED]

PETITION TO VACATE OR CLOSE AN ALLEY

Name of Applicant:

James Keifert


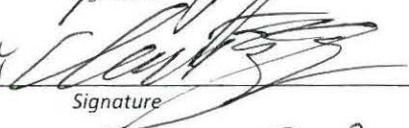
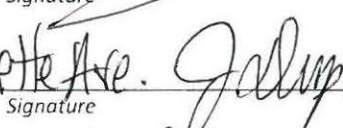

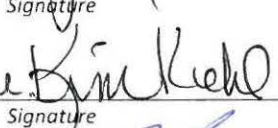

Address of Applicant:

1006 s 800 w Salt Lake City Ut

Date:

7-14-2018

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
James Keifert	1006, 800w		7-14-2018
Clint Lehmborg	1001 S JEREMY		7/14/2018
Jeanne Dupont	809 W. Fayette Ave.		7/14/18
Maria Orea	845 W. Fayette Ave.		7/14/18
Kim Kehl	825 Fayette Ave		7/14/18
Alleg Bailey	837 Fayette		7/14/18

5. Mailing List

Name	Address1	Address2
CHENG, ZULY; JT KUO, MELVIN; JT	1768 VOORHEES AVE	MANHATTEN BEACH, CA 90266
RASMUSSEN, KARYN & ROCKWOOD, CONNIE; TC	60 N 100 W	FARMINGTON, UT 84025
KEHL, GARY R & NANCY A; JT	2428 E FIELD ROSE DR	HOLLADAY, UT 84121-1570
SPENCER, STEVE	2041 E LINCOLN LN	HOLLADAY, UT 84124-2721
BAILEY, GREG R; TR ET AL	639 MOUNTAIN VIEW CIR	NORTH SALT LAKE, UT 84054
RLDRE DALTON	623 E 2100 S #105	SALT LAKE CITY, UT 84106
UTAH PAPER BOX COMPANY	920 S 700 W	SALT LAKE CITY, UT 84104-1501
KEIFERT, JAMES W & MEAGAN; JT	1006 S 800 W	SALT LAKE CITY, UT 84104-1508
VELAZQUEZ, SILVESTRE & LUIS	1015 S 800 W	SALT LAKE CITY, UT 84104-1509
ARROYO, GILBERTO M & VALADEZ, MARIA C C; JT	1020 S 800 W	SALT LAKE CITY, UT 84104-1508
DAVIS, JERROLD D	1023 S 800 W	SALT LAKE CITY, UT 84104-1509
PEREZ, INMER A	1029 S 800 W	SALT LAKE CITY, UT 84104-1509
LOWELL CONSTRUCTION CO	1035 S 800 W	SALT LAKE CITY, UT 84104-1509
VAZQUEZ, JOSE L & ANA M; TC	1045 S 800 W	SALT LAKE CITY, UT 84104-1509
CUNNINGHAM, COLIN H	824 W DALTON AVE	SALT LAKE CITY, UT 84104-1519
JEANETTE D DUPONT LIV TR DUPONT, JEANNETTE D; TR	809 W FAYETTE AVE	SALT LAKE CITY, UT 84104-1524
HERNANDEZ, ERNESTO H	814 W FAYETTE AVE	SALT LAKE CITY, UT 84104-1523
SANTISTEBAN, JAVIER A S	820 W FAYETTE AVE	SALT LAKE CITY, UT 84104-1523
BITTLE, MICHAEL E	832 W FAYETTE AVE	SALT LAKE CITY, UT 84104-1523
MARVIN, CLINTON D	838 W FAYETTE AVE	SALT LAKE CITY, UT 84104-1523
LUTZ, JEFFREY N	842 W FAYETTE AVE	SALT LAKE CITY, UT 84104-1523
MARTINEZ, JORGE ABRAHAM OREA	845 W FAYETTE AVE	SALT LAKE CITY, UT 84104-1524
DQUATTRO, PAOLO	849 W FAYETTE AVE	SALT LAKE CITY, UT 84104-1524
VIALPANDO, TROY E & LAURA A; JT	861 W FAYETTE AVE	SALT LAKE CITY, UT 84104-1524
ARNOLD, FRANCES N; JT ET AL	864 W FAYETTE AVE	SALT LAKE CITY, UT 84104-1523
THELEN, JACOB M	867 W FAYETTE AVE	SALT LAKE CITY, UT 84104-1524
NIELSEN, RICK L & BRENDA G; JT	981 W FREMONT AVE	SALT LAKE CITY, UT 84104-2006
SALINAS-MOLINA, MANUEL A; JT	1000 S JEREMY ST	SALT LAKE CITY, UT 84104-1530
VALDIVIEZ, MARIA G; JT		
LEHMBERG, CLINTON G	1001 S JEREMY ST	SALT LAKE CITY, UT 84104-1531
GIGLIOTTI, ROSS D	1006 S JEREMY ST	SALT LAKE CITY, UT 84104-1530
GARCIA, LORETTA J	1007 S JEREMY ST	SALT LAKE CITY, UT 84104-1531
JENSEN, MARCUS J & JANIE B; JT	1012 S JEREMY ST	SALT LAKE CITY, UT 84104-1530
MCEWAN, ROBERT D	1015 S JEREMY ST	SALT LAKE CITY, UT 84104-1531
CHAVEZ, FRANKIE S	1023 S JEREMY ST	SALT LAKE CITY, UT 84104-1531
ANDERTON, KIT K & MARY L; JT	1028 S JEREMY ST	SALT LAKE CITY, UT 84104-1530
CHIN, SCOTT R	1031 S JEREMY ST	SALT LAKE CITY, UT 84104-1531
LEWIS, BILLY; JT SMITH, JAMES S;	1032 S JEREMY ST	SALT LAKE CITY, UT 84104-1530
DALE, LESLIE R & DENNIS, PATRICIA G (JT)	1033 S JEREMY ST	SALT LAKE CITY, UT 84104-1531
APEDAILE, KENNETH R & MARGIE L	1036 S JEREMY ST	SALT LAKE CITY, UT 84104-1530
APARICIO, JUAN A & REYES, MARIA G; JT	1039 S JEREMY ST	SALT LAKE CITY, UT 84104-1531
HERRICK, DAVID P	2636 E NOTTINGHAM WY	SALT LAKE CITY, UT 84108-2454
KALM, ALBERT B & DARLENE R; TC	1106 E SOUTHTEMPLE ST	SALT LAKE CITY, UT 84102-1606
LUKER, ELDRED W, JR, ET AL	1106 E SOUTHTEMPLE ST	SALT LAKE CITY, UT 84102-1606
STONY RIVERS HOLDINGS 2, LLC	1626 E TREVINO RD	SANDY, UT 84092-5847
BROADBENT, CAMERON	10962 S MANITOU WY	SOUTH JORDAN, UT 84009-7739
MERCIER, CAROL ANN DARLING	393 S 900 E	SPRINGVILLE, UT 84663-2093
HELQUIST, BLAKE; JT HELQUIST, CLINT; JT	4964 S JORDAN CANAL RD	TAYLORSVILLE, UT 84129-2202

Resident	864 W FAYETTE AVE #REAR	Salt Lake City, UT 84104-1523
Resident	850 W FAYETTE AVE	Salt Lake City, UT 84104-1523
Resident	852 W FAYETTE AVE	Salt Lake City, UT 84104-1523
Resident	844 W FAYETTE AVE	Salt Lake City, UT 84104-1523
Resident	826 W FAYETTE AVE	Salt Lake City, UT 84104-1523
Resident	808 W FAYETTE AVE	Salt Lake City, UT 84104-1523
Resident	815 W FAYETTE AVE	Salt Lake City, UT 84104-1524
Resident	851 W FAYETTE AVE	Salt Lake City, UT 84104-1524
Resident	837 W FAYETTE AVE	Salt Lake City, UT 84104-1524
Resident	837 W FAYETTE AVE #REAR	Salt Lake City, UT 84104-1524
Resident	860 W DALTON AVE	Salt Lake City, UT 84104-1520
Resident	862 W DALTON AVE	Salt Lake City, UT 84104-1520
Resident	1010 S 800 W	Salt Lake City, UT 84104-1508
Resident	814 W DALTON AVE	Salt Lake City, UT 84104-1519
Resident	808 W DALTON AVE	Salt Lake City, UT 84104-1519
Resident	1001 S 800 W	Salt Lake City, UT 84104-1509
Resident	1007 S 800 W	Salt Lake City, UT 84104-1509
Resident	825 W FAYETTE AVE	Salt Lake City, UT 84104-1524
Resident	959 S 800 W	Salt Lake City, UT 84104-1506
Resident	962 S 700 W	Salt Lake City, UT 84104-1501
Resident	995 S 800 W	Salt Lake City, UT 84104-1506
Salt Lake City Planning Division	PO BOX 145480	Salt Lake City, UT 84114
David Gellner		