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# SALT LAKE CITY COUNCIL STAFF REPORT

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**DATE:** April 3, 2007

**SUBJECT:** Petition No. 400-06-25 – A request by Jonathan Hodge to vacate the western 50 feet of an east/west alley located between the 1420 Roosevelt and 1419 Emerson Avenues at approximately 1480 South.

**STAFF REPORT BY:** Jennifer Bruno, Policy Analyst

**AFFECTED COUNCIL DISTRICTS:** District 5

**ADMINISTRATIVE DEPT:  
AND CONTACT PERSON:** Community Development  
Nick Britton, Principal Planner

**NOTICE REQUIREMENTS:** Newspaper advertisement once a week for 4 weeks prior to the Public Hearing

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## KEY ELEMENTS:

- A. Key points in the Administration's transmittal are the following:
1. The petitioner is requesting that Salt Lake City vacate approximately 50 feet of an East/West alley located between 1420 East Roosevelt Avenue (to the North) and 1419 Emerson Avenue (to the South), at approximately 1480 South.
  2. There are two property owners that abut the alleyway, one of which is the petitioner, whose property is adjacent to the North. The other property owner is also in support of the petition.
  3. A portion of the alleyway (approximately 150 feet) east of the proposed alley vacation (from 1426 East Roosevelt to 1438 East Roosevelt) was vacated in 1981. This effectively eliminated the use of the east/west alleyway between Roosevelt and Emerson as a full thoroughfare.
  4. The remaining portions of the alley that are open are the 50 feet indicated in the petition (to the West of the previous closure), as well as approximately 300 feet of alleyway to the east of the previous closure (see attached map, at the end of this report). Planning staff indicated that they contacted all property owners along Roosevelt and Emerson to the east of the previous alley vacation, to gauge any interest in petitioning to vacate the full length of the east/west alleyway, but received no response.
  5. Consistent with Council policy, because the two subject properties north and south of the proposed alley vacation are single family homes, the surplus property will be divided in half and deeded to the two adjacent property owners.
  6. The petitioner is submitting this request because of a desire to build a new garage on the property. The previous owner had exceeded the property lines, and encroached into the existing alleyway for storage.
  7. The Planning staff report notes the following findings:
    - i. Closing the subject alley would not deny sole access to any adjacent property.
    - ii. Closing the alley would not create any landlocked parcels.

- iii. The subject alley is not necessary for actual or potential rear access to residences or for accessory uses.
  8. Planning staff evaluated the application per Salt Lake City Code Section 14.52.020 "Method of Disposition" and determined that the alley meets Standards A and C, which state 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" and "the continuation of the alley does not serve as a positive urban design element."
- B. The petitioner's property is zoned R-1-5,000 (Single Family Residential). All of the surrounding properties are also zoned R-1-5,000 (Single Family Residential). The surrounding land uses in all directions are single-family residential.
  - C. The alley property requested for vacation is approximately 50 feet long (.03 acres).
  - D. All necessary City departments and divisions reviewed the petition and no negative comments were received. The Transportation Division recommended that the alley vacation be approved subject to cross easements for the abutting parcels to maintain access to their required vehicular parking areas. Planning Staff notes that the subject portion of the alleyway to be closed is not required to maintain access to any required vehicular parking areas.
  - E. On September 26, 2006 Planning Staff notified the Wasatch Hollow Community Council of the petition via e-mail. No response was received from the Community Council representative.
  - F. On December 13, 2006, the Planning Commission held a public hearing. The Planning Commission voted to forward a favorable recommendation to the City Council to vacate the subject alley and deed it to the applicant with the following conditions:
    - That the proposed method of disposition of the alley property shall be consistent with the method expressed in Section 14.52.020.
  - G. An ordinance has been prepared by the City Attorney's office subject to conditions of approval identified by the Planning Commission.
  - H. A hearing date will be set for April 17, 2007, for the Council to make a final determination regarding this issue.

## **MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR ADMINISTRATION:**

1. The Council's current alley closure policy states the following: "The City Council...is more likely to act favorably on a petition for disposition of an entire [alley] property rather than a small segment of it." While the policy does not prohibit closing a smaller segment of an alleyway, the Council may wish to ask the Administration to further investigate property owner interest in closure of the remaining portion of the alley (east of the previous alley vacation). Planning staff did indicate that after initial contact with the abutting property owners along the easternmost portion of this east/west alleyway, no response was received regarding interest in closing the remaining part of the alley.

## **MASTER PLAN AND POLICY CONSIDERATIONS:**

- A. The Council's adopted alley closure policy (2003) states the following:
1. Modes of Disposition – The City may dispose of its entire legal interest in an alley by closure and sale or by vacation. It may dispose of less than its entire legal interest by, for example, revocable permit, license or joint use agreement (referred to as “partial disposition”).
  2. Policy Considerations – The City will not consider disposing entirely or partially of its interest in an alley unless it receives a petition in writing which positively demonstrates that the disposition satisfies at least one of the following policy considerations:
    - i. *Lack of Use*. The City's legal interest in the property, for example, appears of record or is reflected on an applicable plat, but in fact it is evident from inspection that the alley does not exist.
    - ii. *Public Safety*. The property is contributing to crime, or unlawful activity or unsafe conditions.
    - iii. *Urban Design*. The property does not serve a positive urban design element.
    - iv. *Community Purpose*. The petitioners are proposing restricting the general public from use in favor of a community use such as a community play area or garden.
  3. Processing Petitions – There will be three phases for processing petitions under this section involving, respectively, the City Administration, the City Planning Commission, and the City Council.
    - i. Threshold Determination. The City Administration will determine whether or not the petition meets the following requirements:
      1. *procedural*: The petition must:
        - a. bear the signatures of no less than 80% of neighbors owning a fee simple interest in a property which abuts the subject property;
        - b. affirm that written notice has been given to all fee simple owners of property within and contiguous with the block or blocks within which the subject property is located;
        - c. provide documentation that the proposal has been reviewed by the appropriate Community Council or Neighborhood organization;
        - d. show that the necessary City processing fee has been paid.
      2. *substantive*: If the petition meets the procedural requirements, the Administration will determine that:
        - a. The City Police and Fire Departments and the City Transportation Division and all other relevant City Departments and Divisions have no objection to the disposition of the property;
        - b. The petition meets at least one of the stated policy considerations;
        - c. The petition must not deny sole access or required off-street parking to any property;
        - d. The petition will not result in any property being land locked; and
        - e. The disposition will not result in a use which is otherwise contrary to the policies of the City, for example, applicable master plans and other adopted statements of policy which

address, but are not limited to, mid-block walkways, pedestrian paths, trails, and alternative transportation uses.

ii. City Administration.

1. The Administration will deny the petition if it does not meet the requirements stated in Policy Considerations section; or
2. The Administration:
  - a. may for appropriate consideration, grant a partial disposition if the petition meets the requirements stated in B 1 of this section; or
  - b. if it concludes that vacation or closure and sale is the appropriate disposition, refer the petition to the Planning Commission for review and recommendation to the City Council for final consideration.

iii. City Council. **The City Council will consider petitions for vacation or closure and sale which have been referred to it by the Administration as required by law. In addition to the consideration set forth above, the City Council:**

1. **will not act favorably on a petition if an opposing abutting property owner intends to build a garage requiring access from the property, has made application for a building permit anytime before the Council acts favorably on the petition, and completes construction within 12 months of issuance of the building permit;**
2. **is more likely to act favorably on a petition for disposition of an entire property rather than a small segment of it;**
3. **will be sensitive to potential uses of the property for rear access to residences and for accessory uses;**
4. **will follow the requirements of applicable law with regard to any requirement for consideration; and**

B. The East Bench Master Plan (1987) states the following with regard to rear alleys in residential neighborhoods: "The City encourages closure of unused alleys subject to all abutting property owners supporting the closure. Alleys have traditionally provided access to parking, garbage pickup and coal delivery and are very common in older areas of the City. However, many of these alley uses have been eliminated...Unused alleys become litter-strewn weed patches and are a great hiding places for vandals, burglars and other criminals. The policy of encouraging closure of unused alleys should be continued in the East Bench Community."

C. The Council's adopted growth policy states: It is the policy of the Salt Lake City Council that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:

1. is aesthetically pleasing;
2. contributes to a livable community environment;
3. yields no negative net fiscal impact unless an overriding public purpose is served; and
4. Forestalls negative impacts associated with inactivity.

## **CHRONOLOGY:**

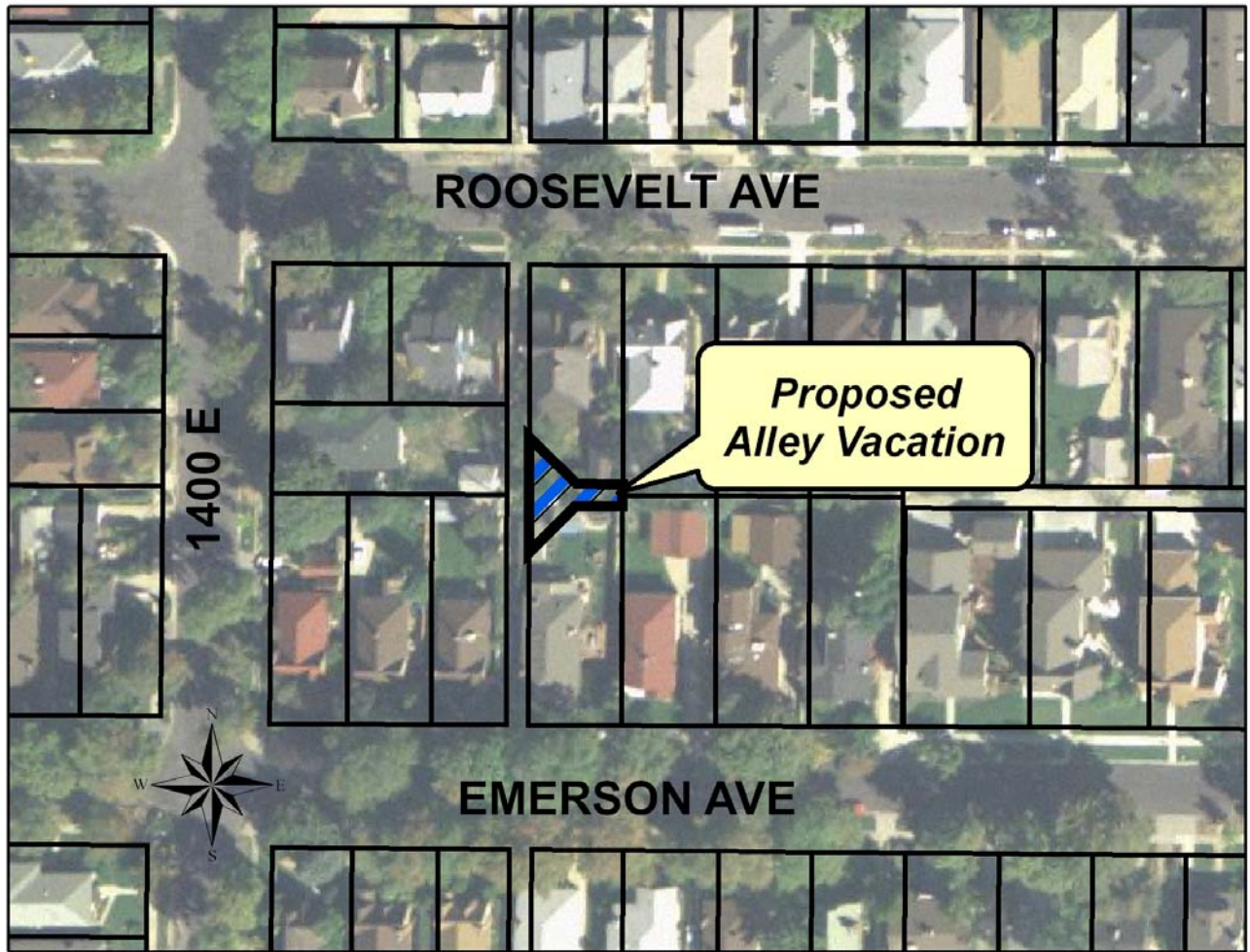
Please refer to the Administration's transmittal for a complete chronology of events relating to the proposed text amendment.

- August 2, 2006                      Petition received by Planning Division.
- September 13, 2006                Petition assigned to Planner.
- November 29, 2006                Notice of Public Hearing mailed.
- December 13, 2006                Planning Commission Public Hearing.
- December 18, 2006                Ordinance requested from City Attorney.
- January 9, 2007                    Ordinance received from City Attorney.
- March 15, 2007                    Transmittal received in City Council Office.

cc:     Lyn Creswell, Sam Guevara, DJ Baxter, Ed Rutan, Lynn Pace, Rick Graham, LeRoy Hooton, Tim Harpst, Max Peterson, Louis Zunguze, George Shaw, Doug Wheelwright, Cheri Coffey, Nick Britton, Barry Esham, Marge Harvey, Lehua Weaver, Sylvia Jones, Jan Aramaki, Cindy Lou Rockwood, Janice Jardine

File Location: Community Development Dept., Planning Division, Alley Vacations - Street Closures, Jonathan Hodge, Alleyway between 1400 block of Roosevelt and Emerson Avenues

# ATTACHMENT A



A. LOUIS ZUNGUZE  
DIRECTOR  
  
BRENT B. WILDE  
DEPUTY DIRECTOR

**SALT LAKE CITY CORPORATION**  
DEPT. OF COMMUNITY DEVELOPMENT  
OFFICE OF THE DIRECTOR

ROSS C. "ROCKY" ANDERSON  
MAYOR

**CITY COUNCIL TRANSMITTAL**

**TO:** Lyn Creswell, Chief Administrative Officer **DATE:** March 15, 2007  
**FROM:** Louis Zunguze, Community Development Director  
**RE:** Petition 400-06-25: Alley Vacation Request by Jonathan Hodge to vacate the western 50 feet of an east/west alley located between the 1400 block of Roosevelt and Emerson Avenues

**STAFF CONTACTS:** Nick Britton, Principal Planner, at 535-7932 or  
nick.britton@slcgov.com

**RECOMMENDATION:** That the City Council hold a briefing and schedule a public hearing

**DOCUMENT TYPE:** Ordinance

**BUDGET IMPACT:** None

**DISCUSSION:**

**Issue Origin:** Jonathan Hodge of 1420 E. Roosevelt Avenue is requesting that the City vacate approximately 50 feet of an east/west alley located between 1420 East Roosevelt Avenue and 1419 East Emerson Avenue. The subject right-of-way is located in the R-1/5,000 Zoning District and abuts two single-family residences. This portion of the alley is shaped like a funnel and fans out toward a north/south alley. The applicant is requesting that this alley be vacated because a middle portion of the alley (approximately 150 feet in length, from 1426 East Roosevelt Avenue to 1438 East Roosevelt Avenue) was previously vacated and has rendered unusable as a public right-of-way the existing portion of the alley which abuts the applicant's property. The applicant and his neighbors to the south (the McKees) own the only two properties that abut this portion of the alley and are the only two owners who have reason to use it. Currently, the alley is used for storage, and the owners to the north and south have partially encroached on a majority of the subject alley. Please see the Staff Report for a map of the alley (Exhibit B) and photographs of the alley (Exhibit F).

**Analysis:** If this portion of the alley is vacated, the eastern half (approximately 270 feet) of the east/west alley will remain open, which would not be connected to the subject right-of-way. The closure will not impact the north/south alley that runs from Roosevelt Avenue to Emerson Avenue, so no property owner that depends on the north/south alley will be deprived of access.

Both property owners abutting the subject alley are in support of the request. Although they will not be affected by this proposed vacation, the applicant also secured signatures from four of the five property owners who abut the north/south alley. A letter was sent on November 6, 2006, by Planning Staff to all property owners on the block requesting comments concerning the petition. No comments were received.

Staff evaluated the proposed vacation using Salt Lake City Code Sections 14.52.020 and 14.52.030B, which delineate the policy considerations for closure, vacation, or abandonment of City-owned alleys. This analysis can be found in Exhibit 5c beginning on page 4. Staff found that the proposed vacation is consistent with the policy considerations regarding lack of use and urban design. Staff also found that the proposed vacation would not deny sole access or required off-street parking to any adjacent property and would not result in any property being landlocked. Salt Lake City Code Section 14.52.040 states that alleys abutted by low density residential uses will be vacated.

Comments were received from the Building Services Division, the Fire Department, the Public Utilities Department, and the Transportation Division. The comments were supportive and no objections were raised.

***Master Plan Considerations:*** There are two Master Plan documents that are applicable to this area. The land use policy document that guides development in this area is the East Bench Master Plan adopted in 1987. The Plan does not address public alleys or alley vacations. The Open Space Master Plan identifies a system of non-motorized transportation corridors that would reestablish connections between urban and natural land forms of the City. The subject alley property has not been designated for a future trail in the Open Space Master Plan.

#### **PUBLIC PROCESS:**

Planning Staff notified the Wasatch Hollow Community Council of the petition via e-mail on September 26, 2006. No response was received from the Community Council representative. A letter outlining the petition and the process for alley vacations was sent out to all property owners on the block in which the alley lies. No comments were received from the public. Only two property owners abut the subject alleyway, and both are in support of the measure.

Abutting property owners were also notified of the closure and invited to attend the Planning Commission's public hearing on the matter on December 13, 2006. At the conclusion of the hearing, the Planning Commission unanimously passed a motion to forward a positive recommendation to the City Council to vacate the subject portion of the alley.

#### **RELEVANT ORDINANCES:**

Chapter 14.52 of the Salt Lake City Code outlines a procedure for the disposition of City-owned alleys and establishes criteria for evaluating the public's interest in an alley.



Exhibit 1  
Chronology

**Petition #400-06-25**  
Chronology

- August 2, 2006:** Petition received by Planning Division.
- September 13, 2006:** Petition assigned to Nick Britton.
- September 21, 2006:** Information routed to applicable city staff.
- November 2, 2006:** Notice was sent to Wasatch Hollow Community Council Chairperson and the Yalecrest Community Council Chairperson.
- November 6, 2006:** A letter outlining the request and the process for alley vacations was sent to all property owners within the subject block.
- November 29, 2006:** Notice of Planning Commission public hearing mailed to abutting property owners.
- December 1, 2006:** Alley way entrances on both E. Roosevelt and E. Emerson Avenues posted with notice of Planning Commission public hearing.
- December 13, 2006:** Planning Commission voted to forward a positive recommendation to City Council regarding the vacation of the alley segment between 1420 East Roosevelt Avenue and 1419 East Emerson Avenue
- December 18, 2006:** The ordinance was requested from the City Attorney's Office.
- January 9, 2006:** The final stamped ordinance was received from the City Attorney's Office.

Exhibit 2  
Proposed Ordinance

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2007

(Vacating the alley generally located at 1420 East Roosevelt Avenue and 1419 East Emerson Avenue)

AN ORDINANCE VACATING THE ALLEY GENERALLY LOCATED AT 1420 EAST ROOSEVELT AVENUE AND 1419 EAST EMERSON AVENUE, PURSUANT TO PETITION NO. 400-06-25.

WHEREAS, the City Council of Salt Lake City, Utah, finds after public hearings that the City's interest in the portion of the alley described below is not necessary for use by the public as an alley and that vacation of the portion of the alley will not be adverse to the general public's interest.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Vacating Alley. A portion of alley generally located at 1420 East Roosevelt Avenue and 1419 East Emerson Avenue, which is the subject of Petition No. 400-06-25, and which is more particularly described on Exhibit "A" attached hereto, be, and the same hereby is, vacated and declared no longer needed or available for use as an alley.

SECTION 2. Reservations and Disclaimers. The above vacation is expressly made subject to all existing rights-of-way and easements of all public utilities of any and every description now located on and under or over the confines of this property, and also subject to the rights of entry thereon for the purposes of maintaining, altering, repairing, removing or rerouting said utilities, including the City's water and sewer facilities. Said vacation is also subject to any existing rights-of-way or easements of private third parties.

SECTION 3. Effective Date. This Ordinance shall become effective on the date of its first publication and shall be recorded with the Salt Lake County Recorder.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_,  
2007.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2007.  
Published: \_\_\_\_\_.

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date January 9, 2007  
By Melanie Pfeif

I:\Ordinance 07\Vacating alley generally located at 1420 East Roosevelt and 1419 East Emerson Avenue - 12-21-06 draft.doc

## EXHIBIT A

A portion and part of Block 5, Emerson Heights Addition as recorded September 30, 1909 in Book "F" of Plats at Page 20 in the Office of the Salt Lake County Recorder, behind and between Lots 30, 31, 18 & 19 of said Block 5 and located in the Northwest Quarter of Section 16, Township 1 South, Range 1 East, Salt Lake Base & Meridian, more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 31 and running thence South  $00^{\circ}00'57''$  East 12.00 feet to the Northeast corner of said Lot 18; thence West 25.04 feet to the Northwest corner of said Lot 18; thence South  $45^{\circ}02'24''$  West 35.38 feet to the Westerly boundary line of said Lot 19; thence North 62.00 feet to the Westerly boundary line of said Lot 30; thence South  $45^{\circ}02'27''$  East 35.38 feet to the Southwest corner of said Lot 31; thence East 25.04 feet to the POINT OF BEGINNING.

Contains 1227 square feet or 0.03 acres, more or less.

11/5/09

Exhibit 3  
City Council Public Hearing Notice

## NOTICE OF PUBLIC HEARING

The Salt Lake City Council will hold a public hearing and consider adopting an ordinance to vacate a portion of an east/west alley located between Roosevelt Avenue and Emerson Avenue at approximately 1420 East.

The City Council hearing will be held:

**Date:**

**Time:** 7:00 PM

**Place:** Room 315 (City Council Chambers)  
Salt Lake City and County Building  
451 South State Street  
Salt Lake City, UT 84111

You are invited to attend this hearing, ask questions, or provide input concerning the topic listed above. If you have any questions, contact Nick Britton at 535-7932 between the hours of 8:00 AM and 5:00 PM, or send an e-mail to [nick.britton@slcgov.com](mailto:nick.britton@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.



Exhibit 4  
Mailing List

GARDNER, LYALL J & RUTH M; TRS  
Address: 1428 S 750 E  
Suite N/A  
KAYSVILLE UT 84037 3007

MOUNTAIN CLASSIC REA ESTATE INC  
Address: 4488 N 4150 E  
Suite N/A  
LIBERTY UT 84310

HOMAN, REGINA  
Address: 662 E LAND RUSH DR  
Suite N/A  
MIDVALE UT 84047 4650

ZIKES, YVONNE E; TR  
Address: 1467 S 1400 E  
Suite N/A  
SALT LAKE CITY UT 84105 2635

KIRKLAND, RICHARD L  
Address: 1466 S 1500 E  
Suite N/A  
SALT LAKE CITY UT 84105 2739

MCCOY, JENNEL L  
Address: 1474 S 1500 E  
Suite N/A  
SALT LAKE CITY UT 84105 2739

STURROCK, ANNE & GARCIA, MANNY; JT  
Address: 1403 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

HAYER, STEPHEN T & MARIE Y; JT  
Address: 1413 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

MCKEE, JOEL & JUDI;  
Address: 1419 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

SNOW, PHILIP K & KATHLEEN S; TRS  
Address: 1425 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

WEST, WILLIAM B. & K  
Address: 1429 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

MAACK, DANA A & MARGARET F; JT  
Address: 1433 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

BRINGHURST, JAMES S CAROLYN H; JT  
Address: 1445 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

BRINGHURST, JAMES S CAROLYN H; TC  
Address: 1445 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

LORENZE, ROGER & DANA; JT  
Address: 1451 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

GREEN, PENELOPE U  
Address: 1459 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

MURTAUGH, LEWIS C & KWAN, KRISTEN M  
Address: 1467 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

CACCIAMANI, MARK J  
Address: 1556 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2728

ASHTON, R LARRY & AL  
Address: 1406 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

JONES, BRUCE N & AGNES N; JT  
Address: 1412 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

HODGE, JONATHAN M  
Address: 1420 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

HISE, WALLACE; TR ET  
Address: 1426 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

MERZ, SARAH E  
Address: 1432 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

ANDERSON, RAYMOND & ALLISON; JT  
Address: 1450 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

KOUCOS, LOUIS W & EL  
Address: 1454 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

FELIX, WESLEY D & BELL, JENNIFER L; TC  
Address: 1460 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

JONES, KARI S  
Address: 1466 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

WILDE, JASON & JAMIE; JT  
Address: 1472 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

PRALOC CORP  
Address: 1478 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

HANSEN, GERALD H & JUDITH A; TRS  
Address: 3200 E SKYCREST CIR  
Suite N/A  
SALT LAKE CITY UT 84108

Nick Britton  
5321 S 580 E #F  
Salt Lake City, UT 84107

Nick Britton  
Planning Division  
451 S. State St. Room 406  
Salt Lake City, UT 84111

Case 400 00 10  
John Spencer  
Real Property Mgr.  
451 S. State St. Rm. 225  
Salt Lake City, UT 84111

KEN FULZ  
WESTPOINTE CHAIR  
1217 NORTH BRIGADIER CIR  
SALT LAKE CITY UT 84116

KENNETH L NEAL  
ROSE PARK CHAIR  
1071 NORTH TOPAZ  
SALT LAKE CITY UT 84116

ANGIE VORHER  
JORDAN MEADOWS CHAIR  
1988 SIR JAMES DRIVE  
SALT LAKE CITY UT 84116

VICKY ORME  
FAIRPARK CHAIR  
159 NORTH 1320 WEST  
SALT LAKE CITY UT 84116

MIKE HARMAN  
POPLAR GROVE CHAIR  
1044 WEST 300 SOUTH  
SALT LAKE CITY UT 84104

RANDY SORENSON  
GLENDALE CHAIR  
1184 SOUTH REDWOOD DR  
SLAT LAKE CITY UT 84104

PETER VON SIVERS  
CAPITOL HILL CHAIR  
223 WEST 400 NORTH  
SALT LAKE CITY UT 84103

STEVE MECHAM  
GREATER AVENUES CHAIR  
1180 FIRST AVENUE  
SALT LAKE CITY UT 84103

BILL DAVIS  
DOWNTOWN CHAIR  
329 HARRISON AVENUE  
SALT LAKE CITY UT 84115

DELBERT RUSHTON  
PEOPLE'S FREEWAY CHAIR  
18 WEST HARTWELL AVE  
SALT LAKE CITY UT 84115

THOMAS MUTTER  
CENTRAL CITY CHAIR  
228 EAST 500 SOUTH #100  
SALT LAKE CITY UT 84111

CHRIS JOHNSON  
EAST CENTRAL CHAIR  
PO BOX 520641  
SALT LAKE CITY UT 84106

JIM FISHER  
LIBERTY WELLS CHAIR  
428 CLEVELAND AVE  
SALT LAKE CITY UT 84105

JON DEWEY  
YALECREST CHAIR  
1724 PRINCETON AVE  
SALT LAKE CITY UT 84108

DANIEL JENSEN  
WASATCH HOLLOW CHAIR  
1670 EAST EMERSON AVE  
SALT LAKE CITY UT 84105

ELIOT BRINTON  
SUNNYSIDE EAST CHAIR  
849 SOUTH CONNOR STREET  
SALT LAKE CITY UT 84108

ELLEN REDDICK  
BONNEVILLE HILLS CHAIR  
2177 ROOSEVELT AVENUE  
SALT LAKE CITY UT 84108

MICHAEL AKERLOW  
FOOTHILL/SUNNYSIDE CHAIR  
1940 HUBBARD AVE  
SALT LAKE CITY UT 84108

SHAWN MCMILLEN  
H. ROCK CHAIR  
1855 SOUTH 2600 EAST  
SALT LAKE CITY UT 84108

DAVE MORTENSEN  
ARCADIA HEIGHTS/BENCHMARK  
CHAIR  
2278 SIGNAL POINT CIRCLE  
SALT LAKE CITY UT 84109

MARK HOLLAND  
SUGAR HOUSE CHAIR  
1942 BERKELEY STREET  
SALT LAKE CITY UT 84108

PAUL TAYLOR  
OAK HILLS CHAIR  
1165 OAKHILLS WAY  
SALT LAKE CITY UT 84108

BRUCE COHNE  
EAST BENCH CHAIR  
2384 SOUTH SUMMIT CIRCLE  
SLAT LAKE CITY, UT 84109

PAM PENDERSON  
EAST LIBERTY PARK CHAIR  
1140 S 900 E 84105  
SALT LAKE CITY, UT

TIM DEE  
SUNSET OAKS CHAIR  
1575 DEVONSHIRE DRIVE  
SALT LAKE CITY UT 84108

INDIAN HILLS CHAIR  
Vacant

ST. MARY'S CHAIR  
Vacant



**ORGANIZATIONS:**

Updated: 4/1/2005 sj

DOWNTOWN ALLIANCE  
BOB FARRINGTON, DIRECTOR  
175 EAST 400 SOUTH, #100  
SALT LAKE CITY, UT 84111

S.L. CHAMBER OF COMMERCE  
175 EAST 400 SOUTH, SUITE #100  
SALT LAKE CITY, UT 84111

ATTN: CAROL DIBBLEE  
DOWNTOWN MERCHANTS ASSN.  
10 W. BROADWAY, SUITE #420  
P.O. BOX  
SALT LAKE CITY, UT 84101

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Suite N/A  
KAYSVILLE UT 84037 3007

MOUNTAIN CLASSIC REA ESTATE INC  
Address: 4488 N 4150 E  
Suite N/A  
LIBERTY UT 84310

HOMAN, REGINA  
Address: 662 E LAND RUSH DR  
Suite N/A  
MIDVALE UT 84047 4650

ZIKES, YVONNE E; TR  
Address: 1467 S 1400 E  
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SALT LAKE CITY UT 84105 2635

KIRKLAND, RICHARD L  
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SALT LAKE CITY UT 84105 2739

MCCOY, JENNEL L  
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STURROCK, ANNE & GARCIA, MANNY; JT  
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MCKEE, JOEL & JUDI;  
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SNOW, PHILIP K & KATHLEEN S; TRS  
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MAACK, DANA A & MARGARET F; JT  
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BRINGHURST, JAMES S CAROLYN H; TC  
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GREEN, PENELOPE U  
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CACCIAMANI, MARK J  
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ASHTON, R LARRY & AL  
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JONES, BRUCE N & AGNES N; JT  
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HODGE, JONATHAN M  
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SALT LAKE CITY UT 84105 2616

HISE, WALLACE; TR ET  
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MERZ, SARAH E  
Address: 1432 E ROOSEVELT AVE  
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ANDERSON, RAYMOND & ALLISON; JT  
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KOUCOS, LOUIS W & EL  
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FELIX, WESLEY D & BELL, JENNIFER L; TC  
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JONES, KARI S  
Address: 1466 E ROOSEVELT AVE  
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WILDE, JASON & JAMIE; JT  
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PRALOC CORP  
Address: 1478 E ROOSEVELT AVE  
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SALT LAKE CITY UT 84105 2616

HANSEN, GERALD H & JUDITH A; TRS  
Address: 3200 E SKYCREST CIR  
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SALT LAKE CITY UT 84108

Case 400-06-25

Nick Britton  
5321 S 580 E #F  
Salt Lake City, UT 84107

Nick Britton  
Planning Division  
451 S. State St. Room 406  
Salt Lake City, UT 84111

John Spencer  
Real Property Mgr.  
451 S. State St. Rm. 225  
Salt Lake City, UT 84111

KEN FULZ  
WESTPOINTE CHAIR  
1217 NORTH BRIGADIER CIR  
SALT LAKE CITY UT 84116

KENNETH L NEAL  
ROSE PARK CHAIR  
1071 NORTH TOPAZ  
SALT LAKE CITY UT 84116

ANGIE VORHER  
JORDAN MEADOWS CHAIR  
1988 SIR JAMES DRIVE  
SALT LAKE CITY UT 84116

VICKY ORME  
FAIRPARK CHAIR  
159 NORTH 1320 WEST  
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MIKE HARMAN  
POPLAR GROVE CHAIR  
1044 WEST 300 SOUTH  
SALT LAKE CITY UT 84104

RANDY SORENSON  
GLENDALE CHAIR  
1184 SOUTH REDWOOD DR  
SLAT LAKE CITY UT 84104

PETER VON SIVERS  
CAPITOL HILL CHAIR  
223 WEST 400 NORTH  
SALT LAKE CITY UT 84103

STEVE MECHAM  
GREATER AVENUES CHAIR  
1180 FIRST AVENUE  
SALT LAKE CITY UT 84103

BILL DAVIS  
DOWNTOWN CHAIR  
329 HARRISON AVENUE  
SALT LAKE CITY UT 84115

DELBERT RUSHTON  
PEOPLE'S FREEWAY CHAIR  
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THOMAS MUTTER  
CENTRAL CITY CHAIR  
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EAST CENTRAL CHAIR  
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JON DEWEY  
YALECREST CHAIR  
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DANIEL JENSEN  
WASATCH HOLLOW CHAIR  
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ELIOT BRINTON  
SUNNYSIDE EAST CHAIR  
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SALT LAKE CITY UT 84108

ELLEN REDDICK  
BONNEVILLE HILLS CHAIR  
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MICHAEL AKERLOW  
FOOTHILL/SUNNYSIDE CHAIR  
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H. ROCK CHAIR  
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DAVE MORTENSEN  
ARCADIA HEIGHTS/BENCHMARK  
CHAIR  
2278 SIGNAL POINT CIRCLE  
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MARK HOLLAND  
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BRUCE COHNE  
EAST BENCH CHAIR  
2384 SOUTH SUMMIT CIRCLE  
SLAT LAKE CITY, UT 84109

PAM PENDERSON  
EAST LIBERTY PARK CHAIR  
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TIM DEE  
SUNSET OAKS CHAIR  
1575 DEVONSHIRE DRIVE  
SALT LAKE CITY UT 84108

INDIAN HILLS CHAIR  
Vacant

ST. MARY'S CHAIR  
Vacant





**ORGANIZATIONS:**  
Updated: 4/1/2005 sj

DOWNTOWN ALLIANCE  
BOB FARRINGTON, DIRECTOR  
175 EAST 400 SOUTH, #100  
SALT LAKE CITY, UT 84111

S.L. CHAMBER OF COMMERCE  
175 EAST 400 SOUTH, SUITE #100  
SALT LAKE CITY, UT 84111

ATTN: CAROL DIBBLEE  
DOWNTOWN MERCHANTS ASSN.  
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MARIA GARCIA  
622 WEST 500 NORTH  
SALT LAKE CITY, UT 84116



Exhibit 5-a  
Planning Commission Hearing  
Original Notice and Postmark

**AGENDA FOR THE  
SALT LAKE CITY PLANNING COMMISSION MEETING**  
In Room 326 of the City & County Building at 451 South State Street  
Wednesday, December 13, 2006, at 5:45 p.m.

Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting is open to the public for observation.

**1. APPROVAL OF MINUTES from Wednesday, November 29, 2006.**

**2. REPORT OF THE CHAIR AND VICE CHAIR**

**3. REPORT OF THE DIRECTOR**

- a. Minor Amendment to 410-06-13 Planned Development for Sorenson Unity Center

**4. PUBLIC NOTICE AGENDA**

- a. Rocky Mountain Power and Salt Lake City Public Utilities Department—Rocky Mountain Power is requesting that Public Utilities provide an easement for an existing portion of an overhead power line, located on Public Utilities owned property. The approximate address of the subject overhead power line is 657 East 18<sup>th</sup> Avenue. The zoning is Open Space (OS) abutting Foothill Residential (FR-3). The request is to legitimize an existing overhead power line which does not have an existing easement and to add a new midpoint pole to facilitate upgrading power capacity in the area. The requested easement area is 10 feet wide by 137 feet. Public Utilities staff intends to approve the request as proposed. (Staff Karryn Greenleaf at 483-6769; [Karryn.greenleaf@slcgov.com](mailto:Karryn.greenleaf@slcgov.com) or Doug Wheelwright at 535-6171; [doug.wheelwright@slcgov.com](mailto:doug.wheelwright@slcgov.com) ).

**5. PUBLIC HEARINGS**

- a. **Petition 410-06-35** — by Glenn Ingersoll for a Planned Development at approximately 1330 South 700 West in an R-1/7000 zoning district within a Transitional Overlay. The request also requires conditional use approval for development on non-residential uses in the Transitional Overlay Zone. (Staff — Doug Dansie at 535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com) ).
- b. **Petition 410-06-32** — by Greg Pedroza of A.M.E. Ent. LLC, A request for a planned development for the construction of a single family residential development generally located at 360 Edith Avenue, in the R1-5000 Zoning District. The 13 single family houses will replace an existing 25 unit apartment complex (Staff — Doug Dansie at 535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com)).
- c. **Petition 400-06-25** — A request by Jonathan Hodge to vacate a portion of an alley running east-west located between approximately 1420 E. Roosevelt Avenue and 1419 E. Emerson Avenue. The property is located in the R-1/5,000 (Single Family Residential) Zoning District. (Staff— Nick Britton at 535-7932 or [nick.britton@slcgov.com](mailto:nick.britton@slcgov.com))
- d. **Petition 400-06-31** — A request by First Industrial Development Services, represented by James Merrill, to close 300 South between approximately 5100 West and 5200 West. The property is located in the M-1 (Light Manufacturing) Zoning District. (Staff — Nick Britton at 535-7932 or [nick.britton@slcgov.com](mailto:nick.britton@slcgov.com))
- c. **Petition 410-777** — A request by RTTA, LLC for planned development approval for new construction within the Community Shopping (CS) Zoning District at approximately 137 N. Redwood Road. The applicant proposes to construct a retail service establishment / financial institution, a permitted use. The Planning Commission took action to deny this case on June 14, 2006. The Salt Lake City Land Use Appeals Board has remanded the case back to the Planning Commission to reconsider its motion regarding the conditions of denial. Specifically requested is to reconsider and identify that either anticipated detrimental effects of the proposed conditional use cannot be substantially mitigated with the imposition of reasonable conditions or approve the request with or without conditions of approval. (Staff — Everett Joyce 535-7930 or [everett.joyce@slcgov.com](mailto:everett.joyce@slcgov.com)).

**6. UNFINISHED BUSINESS**

Nicole Br. H. # F 5321 S 580 E

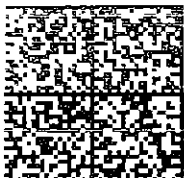
# PUBLIC HEARING NOTICE

US POSTAGE  
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MS  
Salt Lake City Planning Division  
451 South State Street, Room 406  
Salt Lake City UT 84111

1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing
3. In order to be considerate of everyone attending the meeting, the Chair may limit the time each person may have to address the Commission, per item. A spokesperson who has already been asked by a group to summarize their concerns may be given additional time. Written comments are welcome and will be provided to the Planning Commission in advance of the meeting if they are submitted to the Planning Division prior to noon the day before the meeting.  
Written comments should be sent to:

Salt Lake City Planning Commission  
451 South State Street, Room 406  
Salt Lake City UT 84111

4. Speakers will be called by the Chair.
5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
6. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.

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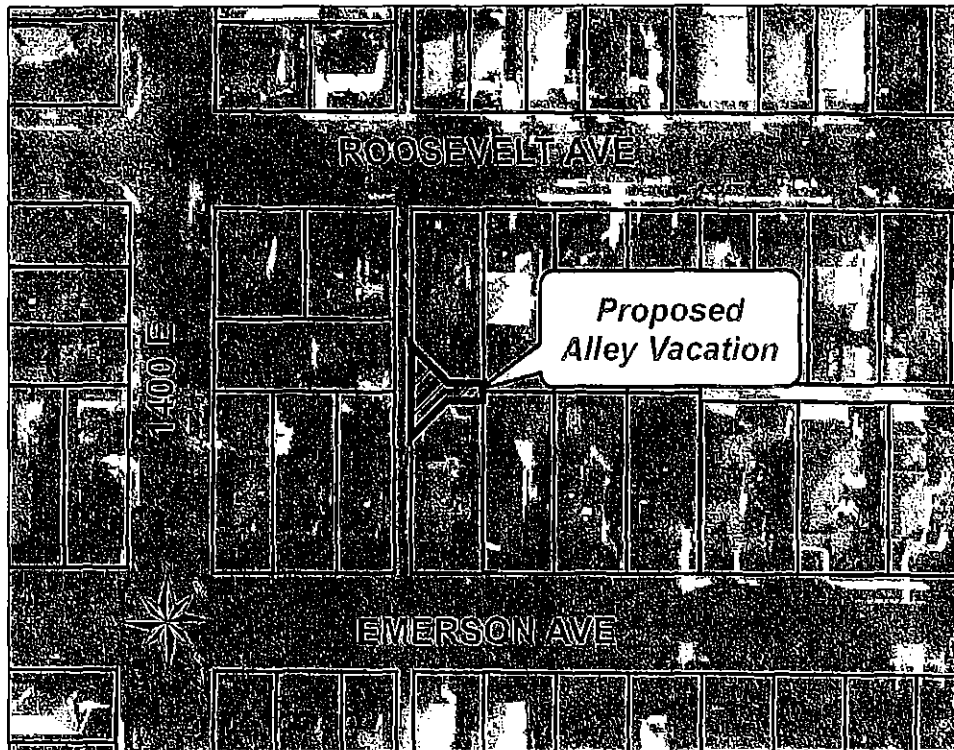
**6. UNFINISHED BUSINESS**

Exhibit 5-b  
Planning Commission Hearing  
Staff Report: December 13, 2006

**DATE:** December 7, 2006  
**TO:** Salt Lake City Planning Commission  
**FROM:** Nick Britton, Principal Planner  
**RE:** Staff Report for the December 13, 2006 Planning Commission Meeting

---

**CASE #:** 400-06-25  
**APPLICANT:** Jonathan Hodge  
**STATUS OF APPLICANT:** Adjacent property owner  
**REQUESTED ACTION:** The applicant is requesting that a portion of an east-west alley between East Roosevelt Avenue and East Emerson Avenue be closed. The Planning Commission's role in the process is to forward a recommendation to the City Council.  
**PROJECT LOCATION:** Between 1420 E. Roosevelt Avenue and 1419 E. Emerson Avenue



**PROJECT/PROPERTY SIZE:** Approximately 0.03 acres

**COUNCIL DISTRICT:** District 5, Councilmember Jill Remington Love

**COMMUNITY COUNCIL:** Wasatch Hollow Community Council

**SURROUNDING ZONING DISTRICTS:**

<b>North</b>	R-1/5000 Single Family Residential
<b>South</b>	R-1/5000 Single Family Residential
<b>East</b>	R-1/5000 Single Family Residential
<b>West</b>	R-1/5000 Single Family Residential

**SURROUNDING LAND USES:**

<b>North</b>	Single Family Residential
<b>South</b>	Single Family Residential
<b>East</b>	Single Family Residential
<b>West</b>	Single Family Residential

**PROJECT DESCRIPTION:**

The subject right-of-way runs east/west in the middle of the block between E. Roosevelt Avenue and E. Emerson Avenue at approximately 1480 South. The applicant is the property owner to the north of the subject right-of-way. A portion of the alley east of this proposed vacation, approximately 150 feet in length, has been previously vacated. Thus, the alley does not provide through access from one end to the other. A north/south alley that runs from E. Roosevelt Avenue to E. Emerson Avenue (adjacent to the applicant's property) will not be affected by this proposed alley vacation and will remain public right-of-way. Consistent with City Council policy, because the two subject properties north and south of this proposal are single family homes, the surplus property will be divided between and deeded to the two adjacent property owners.

The vacation has been requested because the applicant wants to build a new garage on his property and discovered that the previous owner had exceeded the property lines. The applicant received the signature of the abutting property owner at 1419 E. Emerson Avenue. He also received the signatures of two of the three property owners (1467 South 1400 East and 1413 E. Emerson Avenue) along the north/south alley that will not be impacted by this closure and the signatures of both property owners immediately to the west of the proposed vacation (1429 E. Roosevelt Avenue and 1425 E. Emerson Avenue). Because this vacation does not affect the north/south public right-of-way to the west, the only two properties this closure impacts are the applicant's and the owners at 1419 Emerson Avenue. Both owners are in support of this request.

**SUBJECT PROPERTY HISTORY:**

The alley is part of Block 5 of the Emerson Heights Addition subdivision. A 150 foot portion of the alley from approximately 1426 Roosevelt Avenue eastward to 1438



Roosevelt Avenue was vacated in 1981. A portion of the alley to the east remains public right-of-way, but only the funnel-shaped portion in question would be vacated under this proposal. The north/south alley immediately to the west of the subject right-of-way will not be impacted by this petition. Currently, there are structures on the subject portion of the alley and it is generally used for storage and a drive entrance for the adjacent neighbor.

**ACCESS:**

The portion of the alley in question can be accessed from the north/south alley that runs from E. Roosevelt Avenue to E. Emerson Avenue.

**APPLICABLE LAND USE REGULATIONS:**

Chapter 14.52 of the Salt Lake City Code outlines a procedure for the disposition of City owned alleys and establishes criteria for evaluating the public's interest in an alley.

Chapter 2.58 of the code regulates the disposition of surplus City-owned real property.

**MASTER PLAN SPECIFICATIONS:**

There are two master plan documents that are applicable to this area. The land use policy document that guides development in this area is the East Bench Master Plan adopted in 1987. The plan does not address public alleys or alley vacations. The Open Space Master Plan identifies a system of non-motorized transportation corridors that would re-establish connections between urban and natural land forms of the City. The subject alley property has not been designated for a future trail in the Open Space Master Plan.

**COMMENTS:**

*City Department/Division Comments*

**A. Building Services (Ken Brown)**

Building Services had no issues regarding this proposal.

**B. Engineering Division**

No comments were received from the Engineering Division.

**C. Fire Department (Brad Larson)**

The Fire Department had no objections to this petition.

**D. Police Department**

No comments were received from the Police Department.

**E. Property Management**

No comments were received from Property Management.

**F. Public Utilities Department (Peggy Garcia)**

Public Utilities noted that this proposal does not conflict with their water, sewer, or storm drain main lines and had no objections.

**G. Transportation Division (Barry Walsh)**

The Transportation Division recognized that the subject right-of-way is the east portion of a "T" alley intersection and that it is used as access to abutting properties. They recommended the alley vacation be approved subject to cross easements for the abutting parcels to maintain access to their required vehicular parking areas.

*Community Council Comments*

**A. Wasatch Hollow Community Council**

Daniel Jensen of the Wasatch Hollow Community Council was notified via e-mail on September 26, 2006 of the petition and asked if the Community Council wanted to review this request. No response was received from Mr. Jensen.

**ANALYSIS AND FINDINGS:**

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 Planning Commission must also make a recommendation to the Mayor regarding the disposition of the property. If the Commission recommends that the alley property be declared surplus, the property should be disposed of according to Section 2.58 City-Owned Real Property of the Salt Lake City Code.

The City Council has final decision authority with respect to alley vacations and closures. A positive recommendation from the Planning Commission requires an analysis and positive determination of the following considerations:

**Salt Lake City Code, Section 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:** This portion of the east/west alley does not connect with the rest of the alley to the east due to a previous closure and has thus been partly absorbed into the yards of the two properties to the north and south. The prior closure of a portion of the alley has rendered the subject right-of-way unusable as a public right-of-way. Furthermore, in terms of urban design, there is no real purpose to the continuation of this portion of the alley for the same reasons: it does not lead anywhere and does not function as an alley in any obvious way. The requested alley closure satisfies policy considerations A and C.

**Finding:** The alley property is not usable as a public right-of-way nor does it serve as a positive urban design element. The request satisfies at least one of the policy considerations listed above as required by Section 14.52.02 of the Salt Lake City Code.

**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:

- 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;**

**Discussion:** Staff requested input from pertinent City departments and divisions. Comments were received from the Transportation Division, the Building Services and Licensing Division, the Fire Department, and the Public Utilities Department. These comments are attached to this staff report as Exhibit C.

**Finding:** The appropriate City departments and divisions have reviewed this request and have no objections to the proposed disposition of the property.

**2. The petition meets at least one of the policy considerations stated above;**

**Discussion:** The proposed alley vacation satisfies both the “Lack of Use” and the “Urban Design” policy considerations.

**Finding:** The petition meets at least one of the policy considerations stated in Section 14.52.020 of the Salt Lake City Code.

**3. The petition must not deny sole access or required off-street parking to any adjacent property;**

**Discussion:** It has been the City’s policy not to close an alley if it would deny a property owner required access to their lot. The subject right of way abuts the applicant’s property at 1420 E. Roosevelt Avenue and the property to the south at 1419 E. Emerson Avenue. Both property owners will continue to use this portion of the alley to access their off-street parking (which is accessible via the north/south alley to the west). The applicant also accesses his property via a driveway on Roosevelt Avenue. The property owners to the east of the subject right-of-way do not access their property via the alley. The property owners who access their rear yards from the north/south alley would not be affected by this proposal.

**Finding:** Closing the alley will not deny sole access or required off-street parking to any owner of property adjacent to the alley.

**4. The petition will not result in any property being landlocked;**

**Discussion:** Should the alley be vacated, it would be divided between the two property owners adjacent to the subject right-of way and no parcel would become landlocked.

**Finding:** The proposed alley closure would not create any landlocked parcels.

**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;**

**Discussion:** The alley has not been designated for a future trail in the Open Space Master Plan. The land use of adjacent properties is low density residential and is consistent with the Future Land Use Map of the East Bench Master Plan. The disposition of this portion of the alley would preclude the use of the alley as a trail and would not be contrary to any other policies of the City.

**Finding:** The proposed alley vacation meets this standard.

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;**

**Discussion:** All property owners who abut the subject right of way have discussed the proposal with the applicant and have signed off on the application. Two of the three property owners along the north/south alley have signed off as well. Even though the north/south alley will not be impacted by this closure, Staff has not been contacted by the one owner who did not sign off on the proposal and there is no evidence that they have filed for a permit to construct a garage on their property.

**Finding:** No abutting property owner intends to build a garage requiring access from the alley property.

7. **The petition furthers the City preference for disposing of an entire alley, rather than a small segment of it; and**

**Discussion:** This proposal will dispose of the remainder of a portion of this alley. The previous alley vacation created two separate right-of-ways that are not connected. The portion of this east/west alley east of the previously vacated portion is not part of this proposal.

**Finding:** Only the portion of the alley east of the prior vacation would be disposed of as part of this proposal.

8. **The alley is not necessary for actual or potential rear access to residences or for accessory uses.**

**Discussion:** The subject right-of-way is not used for access to any property or for any accessory uses. The applicant can access his rear yard and accessory structure via a driveway on Roosevelt Avenue and the property owner to the south can use the north/south alley to access his property and accessory structure. As per an agreement submitted as part of the application, the applicant and the property owner to the south have agreed to divide the land in a way in which the property owner to the south will retain his driveway and accessory structure without encroaching on the applicant's property (see Exhibit A).

**Finding:** The alley is not necessary for actual or potential rear access to residences or for accessory uses.

**Section 14.52.040 (B) of Salt Lake City Code: High Density Residential Properties and Other Nonresidential Properties.**

If the alley abuts properties which are zoned for high density residential use or other non-residential 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.

**Finding:** The property is not zoned commercial or high density residential; the adjacent properties are zoned for single family homes. The applicant would receive, by City Council policy, half the alley and the property owner to the south would receive the other half.

**RECOMMENDATION:**

Based upon the analysis and findings identified in this report, staff recommends that the Planning Commission forward a favorable recommendation to the City Council to vacate and close the subject alley and deed it to the two abutting property owners with the following conditions:

1. The proposed method of disposition of the alley property shall be consistent with the method of disposition expressed in Section 14.52.020 Method of Disposition and Chapter 2.58 City-Owned Real Property of the Salt Lake City Ordinance.

Attachments:   Exhibit A – Application Materials  
                  Exhibit B – Maps of Proposed Alley Vacation  
                  Exhibit C – Departmental/Division Comments  
                  Exhibit D – Communication with the Community Council  
                  Exhibit E – Letters to Neighbors on Block  
                  Exhibit F – Photographs

**Exhibit A**  
**Application Materials**



# Alley Vacation or Closure

OFFICE USE ONLY	
Petition No.	400-06-25
Receipt No.	Amount 200
Date Received	8/6/06
Reviewed By	[Signature]
Project Planner	

SALT LAKE CITY PLANNING

Address of Subject Property: 1420 E. Roosevelt Ave

Name of Applicant: Jonathan Hodge Phone: 801-466-5606

Address of Applicant: same

E-mail Address of Applicant: jhodge@reallearning.com Cell/Fax: 801-243-5559

Applicant's Interest in Subject Property: ownership

Name of Property Owner: same Phone:

Address of Property Owner:

Email Address of Property Owner: Cell/Fax:

Are there any multi-family residential uses (three or more dwelling units) or non residential uses that abut the alley?  
 Yes  No

If yes, have the property owners been notified about the City's "close and sell" method of disposition (As defined in the attached process information sheet)? Yes  No

**Please include with the application:**

1. A response to the questions on the back of this form. If the applicant does not own property adjacent to the alley, please include the applicant's interest in the request.
2. The name, address and Sidwell number of all property owners on the block must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair. Payment in the amount to cover first class postage for each address for two mailings is due at time of application.
3. The name, address and signatures of all owners of property abutting the subject alley who support the petition. You may use the sample petition accompanying this application or provide your own. Please note that the property owners must sign (not occupants who rent) and the petition must include the signatures of no less than 80 percent of the abutting property owners.
4. A property ownership map (known as a Sidwell map) showing the area of the subject alley. On the map, please
  - a. Highlight the subject alley
  - b. Indicate with a colored circle or dot the property owners who support the petition.
5. A legal description of the subject alley may be required.
6. If applicable, a signed, notarized statement of consent from property owner authorizing applicant to act as an agent.
7. Filing fee of \$200.00, due at time of application.

If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition

Sidwell maps & names of property owners are available at:

Salt Lake County Recorder  
 2001 South State Street, Room N1600  
 Salt Lake City, UT 84190-1051  
 Telephone: (801) 468-3391

File the complete application at:

Salt Lake City Planning  
 451 South State Street, Room 406  
 Salt Lake City, UT 84111  
 Telephone: (801) 535-7757

Signature of Property Owner  
 Or authorized agent

[Signature of Jonathan Hodge]



Please answer the following questions. Use an additional sheet if necessary.

Please explain why you are requesting this alley vacation or closure and include the expected end result of the action, such as the alley becoming a private right-of-way for continued use or being closed off. If the applicant is not a property owner adjacent to the alley, please include the applicant's interest in the petition.

We are putting in a garage in our backyard and discovered that our property lines and those of our neighbor (Joel & Judi McKee) were historically exceeded by previous improvements. We ~~now~~ request vacation of the ally and a 50/50 split (per city planner). After the vacation process, Jonathan Hodge agrees to quitclaim ~~away~~ a portion of ~~his~~ his vacated share to the McKees (see attached agreement).

Please explain how the proposed petition satisfies at least one of the following City policy considerations:

- A. Lack of Use. The City's legal interest in the property appears of record or is reflected on an applicable plat, but in fact it is evident from inspection that the alley does not exist or is 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.

All houses east of us have already vacated the alley. Furthermore, past homeowners at 1420 Roosevelt and 1419 Emerson exceeded property lines by building to secure proper permits. This process would allow those existing issues to be cleared up and provide both home owners with a mutually agreed upon solution for access to garage structures

# Petition to Vacate or Close an Alley

Petitioner: Jonathan Hodge  
Address: 1420 E. Roosevelt  
Date: 7/27/06

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.

JOEL MCKEE 1419 E. Emerson Joel McKee 7-27-06  
Print Name and Address Signature Date

Judi McKee 1419 E. Emerson Judi McKee 7-27-06  
Print Name and Address Signature Date

J. Ziska 1467 So 1400 East J. Ziska 7-30-06  
Print Name and Address Signature Date

Kathy Snow 1425 Emerson Ave. Kathy Snow 7/31/06  
Print Name and Address Signature Date

Wallace Hise 1426 E. Roosevelt Ave. Wallace Hise 7/30/06  
Print Name and Address Signature Date

Stephen T. Haver 1413 Emerson Ave. S. Haver 8/1/06  
Print Name and Address Signature Date

Print Name and Address Signature Date

Print Name and Address Signature Date

Print Name and Address Signature Date

Print Name and Address Signature Date

Print Name and Address Signature Date

Print Name and Address Signature Date

Print Name and Address Signature Date

Judi and Joel McKee, Owners of Record  
1419 Emerson Avenue Salt Lake City, Utah 84105  
TAX ID #1616109017

Jonathan Hodge, Owner of Record  
1420 E. Roosevelt Avenue, Salt Lake City, Utah 84105  
TAX ID #1616109004

The Undersigned parties hereby agree to the following with respect to the alley way between the two noted properties

1. Judi and Joel McKee agree to cooperate with the "Alley Vacation or Closure" process, initiated by Jonathan Hodge, with the intended result of the alleyway being vacated by the city, divided in half, and conveyed to the abutting property owners. Jonathan Hodge will pay the \$200 fee to complete the alley vacation or closure process.
2. Jonathan Hodge agrees to build his garage so that its back wall and foundation is in line with the southerly most edge of the lower concrete retaining wall on the southwestern side of his property.
3. Jonathan Hodge agrees to quitclaim deed the following described portion of his half of the newly conveyed alleyway to Judi and Joel McKee upon completion of the "alley vacation or closure process"; all vacated alleyway further south than 1 foot south of the newly constructed garage structure, also described as all property 1 foot further south than the southerly edge of the current concrete foundation in which the chain link fence is set. Any fees associated with the quitclaim process will be split 50/50 by Jonathan Hodge and The McKees.

Judi McKee \_\_\_\_\_ Date \_\_\_\_\_

Joel McKee Joel McKee Date 7/31/06

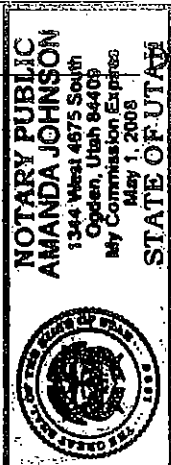
Jonathan Hodge [Signature] Date 7/31/06

Witness \_\_\_\_\_ Date \_\_\_\_\_

Witness Print \_\_\_\_\_ Date \_\_\_\_\_

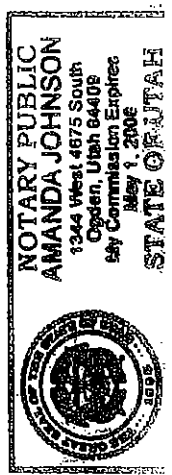
In the County of Salt Lake, State of Utah,  
on this 31 day of July, 2006,  
before me, the undersigned notary, personally appeared  
Joel McKee, who proved to me  
his/her identity through documentary evidence in the  
form of a Ut ID, to be the  
person whose name is signed on the preceding document,  
and acknowledged to me that he/she signed it voluntarily  
and its stated purpose(s).

[Signature]  
Notary Signature and Seal



In the County of Salt Lake, State of Utah,  
on this 31 day of July, 2006,  
before me, the undersigned notary, personally appeared  
Jonathan Hodge, who proved to me  
his/her identity through documentary evidence in the  
form of a Ut ID, to be the  
person whose name is signed on the preceding document,  
and acknowledged to me that he/she signed it voluntarily  
and its stated purpose(s).

[Signature]  
Notary Signature and Seal



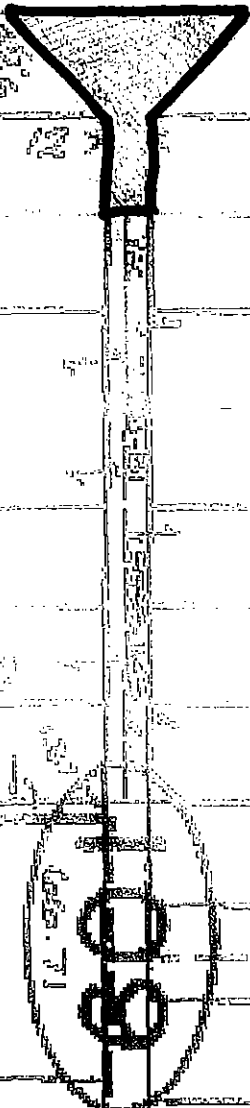
**Exhibit B**  
**Map of Proposed Alley Vacation**

21	22	23	24	25	26-002	27	28	29	30-002
17.21	17.22	17.23	17.24	17.25	17.26	17.27	17.28	17.29	17.30

31	32	33	34	35
17.31	17.32	17.33	17.34	17.35

36	37	38-005	39	40-009	41-010
17.36	17.37	17.38	17.39	17.40	17.41

42	43	44	45	46	47	48	49	50
17.42	17.43	17.44	17.45	17.46	17.47	17.48	17.49	17.50



**Exhibit C**  
**Department/Division Comments**

ALEXANDER C. IKEFUNA  
PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP  
DEPUTY PLANNING DIRECTOR

CHERI COFFEY, AICP  
DEPUTY PLANNING DIRECTOR

# SALT LAKE CITY CORPORATION

DEPARTMENT OF COMMUNITY DEVELOPMENT  
PLANNING AND ZONING DIVISION

ROSS C. ANDERSON  
MAYOR

A. LOUIS ZUNGUZE  
COMMUNITY DEVELOPMENT DIRECTOR

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## M E M O R A N D U M

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**DATE:** September 21, 2006

**TO:** Property Management, John Spencer  
Engineering, Craig Smith  
Fire, Brad Larson  
Public Utilities, Brad Stewart  
Transportation, Barry Walsh  
Building Services, Larry Butcher  
Police, Melinda Nagai

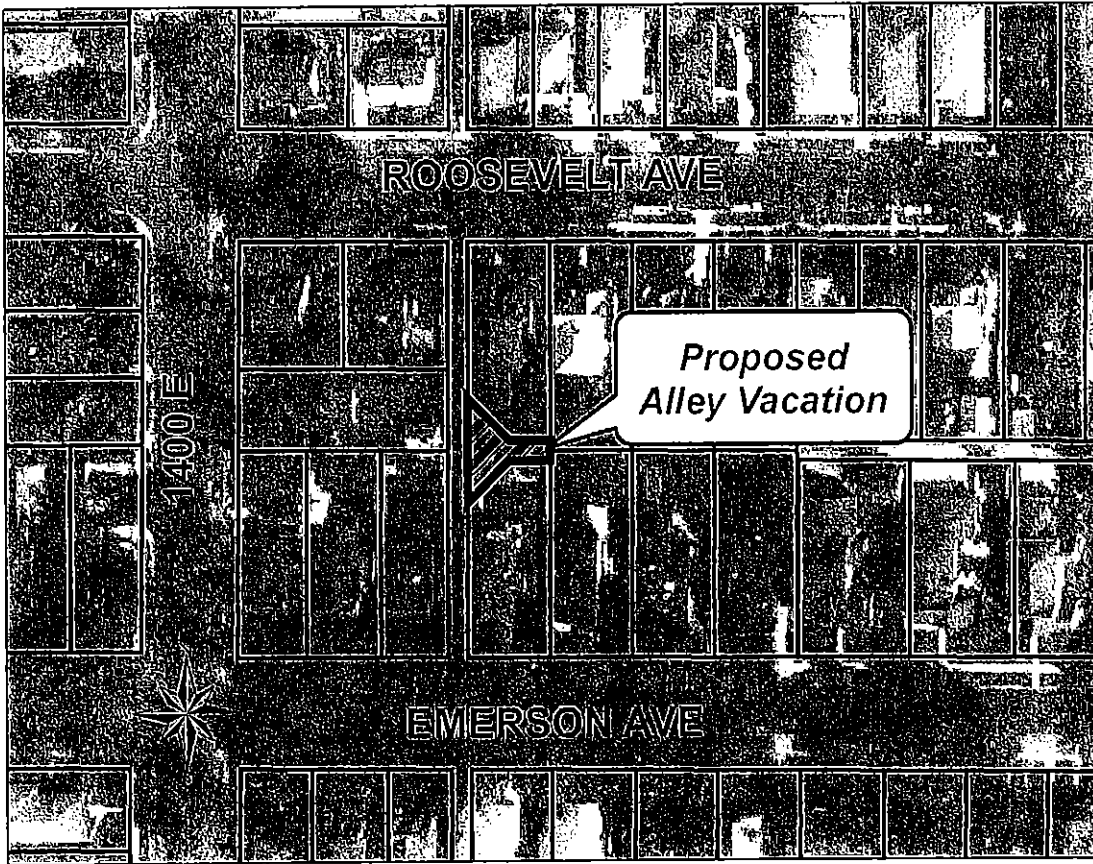
**FROM:** Nick Britton, Principal Planner

**RE:** **Petition #410-06-25**, Request to vacate an alley located between 1420 East Roosevelt Avenue and 1419 East Emerson Avenue

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The Salt Lake City Planning Division is reviewing an alley vacation request by Jonathan Hodge. The alley is located between the petitioner's property at 1420 East Roosevelt Avenue and the property addressed 1419 East Emerson Avenue. It is located in the Emerson Heights Addition subdivision in Block 5. The alley in question runs east-west and a portion of it to the east (approximately three parcels in length) was vacated previously. If approved, the land would be split between the applicant and his neighbor to the south at 1419 East Emerson Avenue. That owner has agreed to the vacation and signed off on the application. A north-south alley west of the subject properties will not be affected by this proposal.

Attached for review are the details provided by the applicant. Please review the proposal and respond with comments by Friday, October 6, 2006. If I do not receive a response by this date, I will assume that you have no comments or concerns regarding the proposal. If you require additional information, I can be reached at 535-7932 or [nick.britton@slcgov.com](mailto:nick.britton@slcgov.com). Thank you.



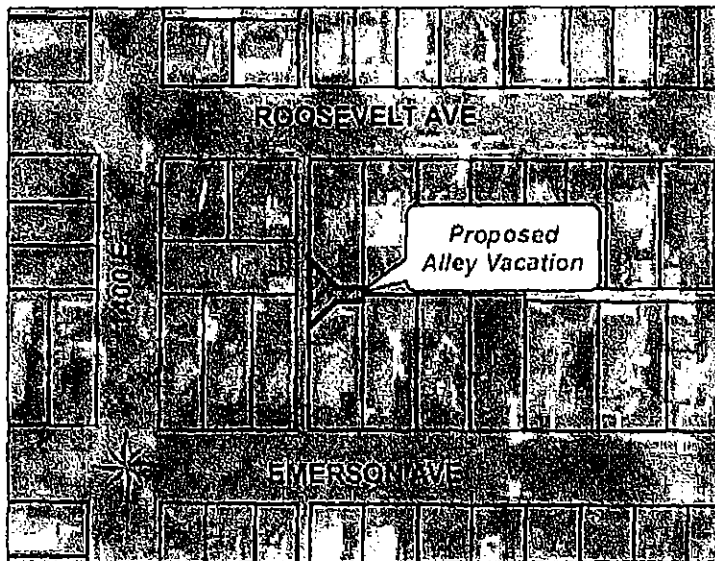


**Britton, Nick**

**From:** Britton, Nick  
**Sent:** Tuesday, September 26, 2006 2:58 PM  
**To:** Boskoff, Nancy; Clark, Luann; Dinse, Rick; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Oka, Dave; Pack, Russ; Querry, Chuck; Rutan, Ed; Williams, Matthew; Zunguze, Louis  
**Cc:** Ikefuna, Alexander; Coffey, Cheri; Paterson, Joel  
**Subject:** Petition 400-06-25: Alley vacation near 1420 East Roosevelt  
**Categories:** Program/Policy

The Salt Lake City Planning Division is reviewing an alley vacation request by Jonathan Hodge. The alley is located between the petitioner's property at 1420 East Roosevelt Avenue and the property addressed 1419 East Emerson Avenue. It is located in the Emerson Heights Addition subdivision in Block 5. The alley in question runs east-west and a portion of it to the east (approximately three parcels in length) was vacated previously. If approved, the land would be split between the applicant and his neighbor to the south at 1419 East Emerson Avenue. That owner has agreed to the vacation and signed off on the application. A north-south alley west of the subject properties will not be affected by this proposal.

This e-mail has been sent to appropriate city staff who have been asked to review the technical details of the project and respond in writing with any comments they have. If you would like to review details of the proposed project, please let me know by October 6 and I will forward the specific information to you for your comments.



Nick Britton  
Planning Division  
451 South State St. Room 406  
Salt Lake City, UT 84111  
(801) 535-7932

**Britton, Nick**

---

**From:** Walsh, Barry  
**Sent:** Wednesday, September 27, 2006 12:58 PM  
**To:** Britton, Nick  
**Cc:** Young, Kevin; Smith, Craig; Larson, Bradley; Stewart, Brad; Butcher, Larry; Spencer, John  
**Subject:** Pet 410-06-25  
**Categories:** Program/Policy

September 27, 2006

Nick Britton, Planning

Re: Petition 410-06-25, Request to vacate an alley at 1420 East Roosevelt Avenue and 1419 East Emerson Avenue.

The division of transportation review comments and recommendations are as follows:

The section of east west alley presented is the east portion of a "T" intersection and is used as access to abutting properties. We recommend vacation of the public designation subject to cross easements for the abutting parcels to maintain access to their required vehicular parking areas.

My records also indicate petition 410-06-25 as a PUD & Conditional Use for Foothill Place Apartments parcels 16-23-101-004 & 16-23-152-009 at Foothill Dr 2200 So to 2260 So. - Stringham Ave. 2660 East. Please clarify the designation.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.  
Craig Smith, Engineering  
Brad Larson, Fire  
Brad Stewart, Utilities  
Larry Butcher, permits  
John Spencer, Property management  
File

11/14/2006

**Britton, Nick**

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**From:** Garcia, Peggy  
**Sent:** Monday, September 25, 2006 5:13 PM  
**To:** Britton, Nick  
**Subject:** Petition #410-06-25 Request to vacate alley  
**Categories:** Program/Policy

Nick,

Public Utilities has reviewed the above referenced petition and has no conflicts with our water, sewer and storm drain main lines.

Thanks,

Peggy

**Britton, Nick**

---

**From:** Brown, Ken  
**Sent:** Thursday, September 28, 2006 3:37 PM  
**To:** Britton, Nick  
**Cc:** Butcher, Larry  
**Subject:** Petition 410-06-25 Vacate alley at 1420 Roosevelt / 1419 Emerson  
  
**Categories:** Program/Policy

The division of Building Services has no issues regarding this proposal.

Ken Brown  
Senior Development Review Planner  
451 S. State St. Rm #215  
Salt Lake City, UT 84111  
(801) 535-6179

**Britton, Nick**

**From:** Larson, Bradley  
**Sent:** Wednesday, October 04, 2006 3:36 PM  
**To:** Britton, Nick  
**Subject:** Petition #410-06-25 / Request to vacate an alley located between 1420 East Roosevelt Avenue and 1419 East Emerson Avenue

Nick,

The Fire Department has no objections to the above named petition.

Thank you.

Brad Larson  
Deputy Fire Marshal  
Fire Prevention Bureau  
Salt Lake City Fire Department  
801-799-4162 Office  
801-550-0147 Cell  
bradley.larson@slcgov.com

**Exhibit D**  
**Communication with the**  
**Community Council**

**Britton, Nick**

**From:** Britton, Nick  
**Sent:** Thursday, September 21, 2006 1:36 PM  
**To:** 'jodomo@peoplepc.com'  
**Cc:** Coffey, Cheri; Paterson, Joel; Ikefuna, Alexander  
**Subject:** Alley Vacation at approximately 1420 East Roosevelt Avenue  
**Categories:** Program/Policy  
**Attachments:** image001.jpg

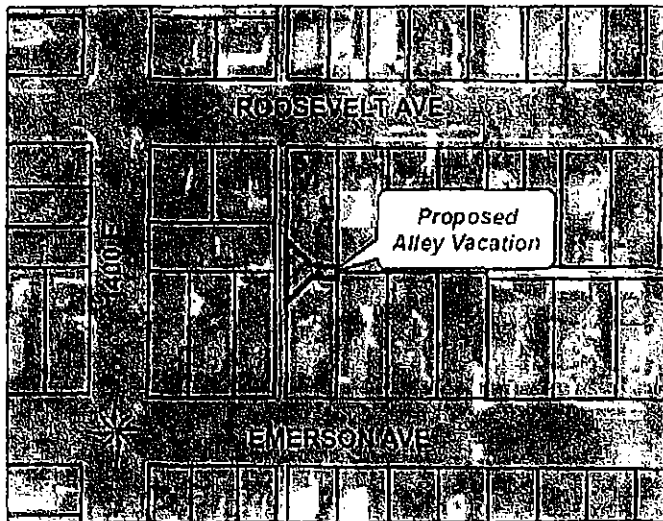
**Alley Vacation  
Community Council / Citizen Group Input**

**TO:** Jon Dewey, Yalecrest Community Council Chair

**FROM:** Nick Britton, Salt Lake City Planning Division

**DATE:** September 21, 2006

**RE: **Petition 400-06-25:**** Vacation of an alley located between 1420 East Roosevelt Avenue and 1419 East Emerson Avenue



Jonathan Hodge is requesting that Salt Lake City approve an alley vacation for a portion of alley located behind his property at 1420 East Roosevelt Avenue. A portion of the alley to the east has been previously vacated. An alley located to the west of the proposed vacation would not be affected by this proposal. As part of this process, the applicant is required to solicit comments from the Yalecrest Community Council. The purpose of the Community Council review is to inform the community of the project and solicit comments or concerns they have with the project. The Community Council may

also take a vote to determine whether there is support for the project, but this is not required. Please note that the vote in favor or against is not as important to the City Council as relevant issues that are raised by the Community Council. The applicant will also present information at the meeting.

If the Community Council chooses to have a project presented to them, the applicant will only be required to meet with the Community Council once before the Planning Staff will begin processing the application. The Community Council should submit its comments to me, as soon as possible, after the Community Council meeting to ensure there is time to incorporate

the comments into the staff report to the City Council. Comments submitted too late to be incorporated into the staff report, can be submitted directly to the City Council, via the Planning Division, for their review prior to the City Council Public Hearing.. I will attend the meeting to answer any questions and listen to the comments made by the Community Council members if so desired.

Following are City adopted criteria that the City Council will use to make their decision. The City's technical staff will review the project to ensure it complies with adopted policies and regulations. Input from the Community Council / citizen groups can be more general in nature and focus on issues of impacts to abutting properties and compatibility with the neighborhood. Staff is not looking for you to make comments on each of the below listed criteria, but general comments should pertain to the criteria listed below.

1. The request is made due to one of the following concerns: Lack of Use; Public Safety; Urban Design; Community Purpose;
2. Vacating the alley will not deny sole access or required off-street parking to any adjacent property;
3. Vacating the alley will not result in any property being landlocked;
4. Vacating the alley 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 (if any) 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. Vacating the Alley furthers the City preference for disposing of an entire alley, rather than a small segment of it;
7. The alley is not necessary for actual or potential rear access to residences or for accessory uses.

Please submit your written comments to the Planning Division by mail at Salt Lake City Planning Division, 451 South State Street, Room 406, SLC, UT 84111, by Fax at (801) 535-7932 or via e-mail at [nick.britton@slcgov.com](mailto:nick.britton@slcgov.com).

If you have any questions, please call me at 535-7932 or send me an e-mail.

Nick Britton  
Planning Division  
451 South State St. Room 406  
Salt Lake City, UT 84111  
(801) 535-7932



**Exhibit E**  
**Letter to Neighbors on Block**

ALEXANDER G. IKEFUNA  
PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP  
DEPUTY PLANNING DIRECTOR

CHERI COFFEY, AICP  
DEPUTY PLANNING DIRECTOR

# SALT LAKE CITY CORPORATION

DEPARTMENT OF COMMUNITY DEVELOPMENT  
PLANNING AND ZONING DIVISION

ROSS C. ANDERSON  
MAYOR

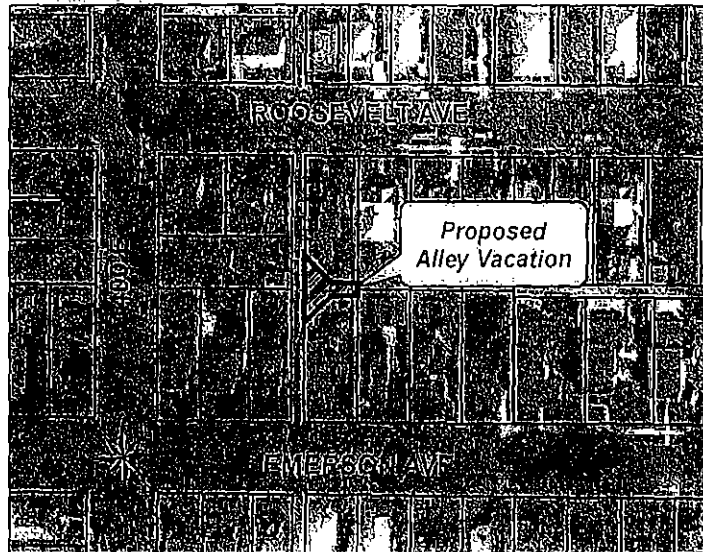
A. LOUIS ZUNGUZE  
COMMUNITY DEVELOPMENT DIRECTOR

November 6, 2006

Dear Property Owner:

The Salt Lake City Planning Division has received **Petition 400-06-25** from Jonathan Hodge requesting an alley to be vacated between 1420 E. Roosevelt Avenue and 1419 E. Emerson Avenue.

The City's formal process for relinquishing its interest in an alley next to or abutting single-family residential property is called an *Alley Vacation*. If the City determines that it should vacate an alley, the land is typically distributed to the owners of property, within the original subdivision, abutting the alley. In this instance, there are only two property owners within the subdivision adjacent to the alley. A portion of the same alley east of this proposal has already been vacated.



When evaluating requests to vacate public alleys, the City considers whether or not the continued use of the property as an alley is in the City's best interest. The City will also consider how this closure impacts any property owner's access to their property. Noticed public hearings are held before both the Planning Commission and City Council to consider the potential adverse impacts created by the proposed closure. The applicant and other interested parties will have an opportunity to address the members of the boards and present any additional information and/or concerns they may have regarding the request. Once the Planning Commission has reviewed the request, their recommendation will then be forwarded to the City Council for consideration.

The intent of this letter is to notify you of the proposed disposition of a City-owned alley and request initial comments concerning this issue. Please send any comments you may have in writing to the Planning Division before November 22, 2006. If you have any questions, feel free to call me at 535-7939.

Thank you,

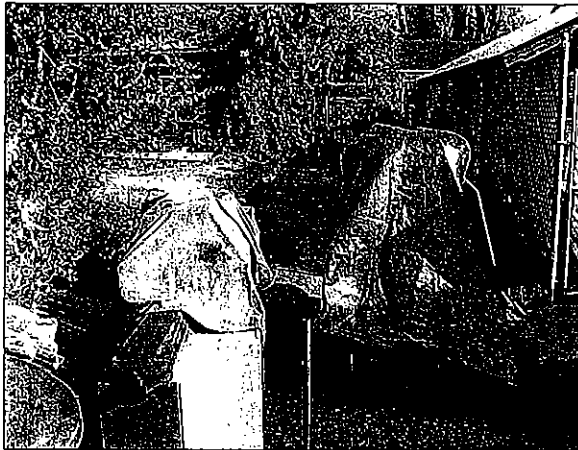
Nick Britton  
Principal Planner  
451 S. State Street, Room 406  
Salt Lake City, UT 84111  
nick.britton@slcgov.com

451 SOUTH STATE STREET, ROOM 406, SALT LAKE CITY, UTAH 84111  
TELEPHONE: 801-535-7902 FAX: 801-535-6174 TDD: 801-535-6021

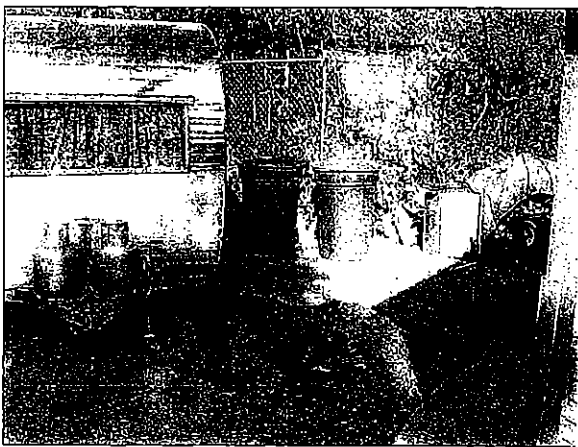
WWW.SLCGOV.COM



**Exhibit F**  
**Photographs**



The subject alley looking east.



Looking northeast toward the applicant's property.



Looking southeast toward the property to the south.

GARDNER, LYALL J & RUTH M; TRS  
Address: 1428 S 750 E  
Suite N/A  
KAYSVILLE UT 84037 3007

MOUNTAIN CLASSIC REA ESTATE INC  
Address: 4488 N 4150 E  
Suite N/A  
LIBERTY UT 84310

HOMAN, REGINA  
Address: 662 E LAND RUSH DR  
Suite N/A  
MIDVALE UT 84047 4650

ZIKES, YVONNE E; TR  
Address: 1467 S 1400 E  
Suite N/A  
SALT LAKE CITY UT 84105 2635

KIRKLAND, RICHARD L  
Address: 1466 S 1500 E  
Suite N/A  
SALT LAKE CITY UT 84105 2739

MCCOY, JENNEL L  
Address: 1474 S 1500 E  
Suite N/A  
SALT LAKE CITY UT 84105 2739

STURROCK, ANNE & GARCIA, MANNY; JT  
Address: 1403 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

HAYER, STEPHEN T & MARIE Y; JT  
Address: 1413 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

MCKEE, JOEL & JUDI;  
Address: 1419 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

SNOW, PHILIP K & KATHLEEN S; TRS  
Address: 1425 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

WEST, WILLIAM B. & K  
Address: 1429 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

MAACK, DANA A & MARGARET F; JT  
Address: 1433 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

BRINGHURST, JAMES S CAROLYN H; JT  
Address: 1445 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

BRINGHURST, JAMES S CAROLYN H; TC  
Address: 1445 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

LORENZE, ROGER & DANA; JT  
Address: 1451 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

GREEN, PENELOPE U  
Address: 1459 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

MURTAUGH, LEWIS C & KWAN, KRISTEN M.  
Address: 1467 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2608

CACCIAMANI, MARK J  
Address: 1556 E EMERSON AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2728

ASHTON, R LARRY & AL  
Address: 1406 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

JONES, BRUCE N & AGNES N; JT  
Address: 1412 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

HODGE, JONATHAN M  
Address: 1420 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

HISE, WAILAGE; TR ET  
Address: 1426 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

MERZ, SARAH F  
Address: 1432 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

ANDERSON, RAYMOND & ALLISON; JT  
Address: 1450 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

KOUCOS, LOUIS W & EL  
Address: 1454 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

FELIX, WESLEY D & BELL, JENNIFER L; TC  
Address: 1460 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

JONES, KARI S  
Address: 1466 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

WILDE, JASON & JAMIE; JT  
Address: 1472 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

PRALOC CORP  
Address: 1478 E ROOSEVELT AVE  
Suite N/A  
SALT LAKE CITY UT 84105 2616

HANSEN, GERALD H & JUDITH A; TRS  
Address: 3200 E SKYCREST CIR  
Suite N/A  
SALT LAKE CITY UT 84108

Exhibit 5-c  
Planning Commission Hearing  
Minutes: December 13, 2006

**PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building  
451 South State Street, Salt Lake City, Utah  
Wednesday, December 13, 2006**

Present for the Planning Commission meeting were Tim Chambless, Robert Forbis, Mary Woodhead, Frank Algarin, Susie McHugh, Prescott Muir, Kathy Scott, Matthew Wirthlin Vice Chair, and Peggy McDonough Chairperson.

Present from the Planning Division were Doug Wheelwright, Deputy Planning Director Cheri Coffey, Deputy Planning Director; Nick Britton, Principal Planner; Doug Dansie, Principal Planner; Joel Paterson, Planning Programs Supervisor, and Tami Hansen Planning Commission Senior Secretary.

Community Development Director; Louis Zunguze was present.

A roll is being kept of all who attended the Planning Commission Meeting. Chairperson McDonough called the meeting to order at 5:47p.m. Minutes are presented in agenda order and not necessarily as cases were heard by the Planning Commission. Audio recordings of Planning Commission meetings are retained in the Planning Staff Office for an indefinite period of time.

A field trip was held prior to the meeting. Planning Commissioners present were, Frank Algarin, Tim Chambless, Peggy McDonough, Susie McHugh, Prescott Muir, Kathy Scott, and Mary Woodhead. Salt Lake City Staff present were: Doug Wheelwright, Deputy Planning Director; Joel Paterson, Planning Programs Supervisor; Doug Dansie, Senior Planner; and Nick Britton, Principal Planner.

**APPROVAL OF MINUTES from Wednesday, October 25, 2006.**

*(This item was heard at 5:48 p.m.)*

Vice Chair Wirthlin noted that on Page 13 of the November 29, 2006 minutes, in reference to the motion made in regards to the language for the Master Plan amendment. Reference to "The City" in the last line means the typical process that would come before the Planning Commission in order to review input and design.

Chairperson McDonough noted that in the City Councils review of these procedures they should also consider audio recordings of the Planning Commission meetings along with the written minutes.

Commissioner Woodhead noted that Lynn Pace, City Attorney, had specifically mentioned that the above language would reflect the traditional City process, where design approvals would be made through the Planning Commission.

Mr. Louis Zunguze noted that the language, "City" included the intentions of the Planning Commission to control the design elements, and was a conformation that the Commission would be handling that aspect of all projects. He noted that it was not a change to the November 29, 2006 minutes, but a clarification.

Commissioner Scott noted that she would like the entire motion typed in full when added to the minutes for reference purposes.

"View Corridors: Views from Downtown to the mountains and major landmarks should also be preserved. Skywalks or other obstructions that would block view corridors are prohibited on Main Street, State Street, South Temple, 200 South, and 300 South, and are discouraged on other streets. *The City Council may consider circumstances that justify an exception to the policy prohibiting and discouraging skywalks or other obstructions, when a finding that a compelling public interest exists through substantial demonstration that:*

1. *All other alternatives for creating a successful link between major developments on both sides of a street have been evaluated and conclusively found not to be feasible or effective; and*
2. *The design of a skywalk is such that it would not substantially impair or impact a view corridor;*  
*and*
3. *A skywalk would not materially detract from pedestrian and commercial activity at the street level.*

*The City shall have significant design input and final design approval of the skywalk.*

Commissioner Woodhead moved to approve the November 29, 2006 minutes, Commissioner Forbis seconded the motion. All voted "Aye". The motion passed with changes noted.

## **REPORT OF THE CHAIR AND VICE CHAIR.**

*(This item was heard at 5:55 p.m.)*

Chairperson McDonough noted that on December 7, 2006, she attended a briefing by the City Council regarding the City Creek Project hearings, which was also televised on Chanel 17 for purposes of outreach and public awareness. Property Reserve Inc. (PRI) gave a briefing of their schedule and she reviewed the process of the Planning Commission and the public involvement in the project and noted how there had been extended time limits for groups to come and organize their testimony. She noted that she made clarifications in regards to the Master Plan text vote due to the circumstance that members of the public were under the impression that the Planning Commission had already given approval for the skybridge. She had clarified that only a suggested amended text had been forwarded at this time.

## **REPORT OF THE DIRECTOR.**

*(This item was heard at 5:57 p.m.)*

Chairperson McDonough recognized Ms. Marilyn Lewis as representative Staff. She addressed a Minor Amendment to 410-06-13 relating to the Planned Development for Sorenson Unity Center

Ms. Lewis noted that Salt Lake City had the opportunity to take advantage of new market tax credits in the amount of 2 million dollars for the proposed Sorenson Unity Center and in order to accomplish this task, Staff had to legally describe the area of the ground lease to be used for the Unity Center and not for the Sorenson Multicultural Center. She noted that based on the City Attorney's interpretation, he had suggested taking the ground lease through a minor subdivision process. She noted that Staff Doug Wheelwright noted in a memo that a section of the subdivision code states that any lots, parcels, units, or plots, other than immediate or future land lease must go through this process.

The Planning Commission previously approved the planned development conditional use and there were two principal buildings on the site. Ms. Lewis noted that the lease line existed between the two buildings, which typically in this type of situation there would be a required 20 feet between each building and the lot line, but in this case as a planned development the buildings were closer together.

Ms. Lewis noted that the reason the Planning Commission was seeing this again was due to the minor amendment to the original decision.

**Commissioner Woodhead made a motion to accept the new interior lease line that is now located 2'8" from the proposed Sorenson Unity Center structure, and 20 feet from the existing Sorenson Multicultural Center structure as a minor adjustment to the previously approved Conditional Use Planned Development for Petition 410-06-13.**

**Commissioner Algarin seconded the motion.**

**All in favor voted, "Aye", and the motion passed unanimously.**

## **PUBLIC NOTICE AGENDA**

*(This item was heard at 6:01 p.m.)*

- a. Rocky Mountain Power and Salt Lake City Public Utilities Department—Rocky Mountain Power is requesting that Public Utilities provide an easement for an existing portion of an overhead power line, located on Public Utilities owned property. The approximate address of the subject overhead power line is 657 East 18<sup>th</sup> Avenue. The zoning is Open Space (OS) abutting Foothill Residential (FR-3). The request is to legitimize an existing overhead power line which does not have an existing easement and to add a new midpoint pole to facilitate upgrading power capacity in the area. The requested easement area is 10 feet wide by 137 feet. Public Utilities staff intends to approve the request as proposed.

**Chairperson McDonough noted that there were no comments or questions from the public or Commissioners, and the matters were approved.**

## **PUBLIC HEARINGS**

*(This item was heard at 6:15 p.m.)*



a. Petition 410-06-35 — by Glenn Ingersoll for a Planned Development at approximately 1330 South 700 West in an R-1/7000 zoning district within a Transitional Overlay. The request also requires conditional use approval for development on non-residential uses in the Transitional Overlay Zone.

Chairperson McDonough recognized Doug Dansie as Staff Representative.

Mr. Dansie noted that this property, along with the residential homes that front 1300 South, are located in a transitional overlay. The zoning to the south of the Parcel is M-1 Industrial. He noted that the transitional overlay was placed on residential properties where the City had acknowledged that there would be a transition from residential use to other uses, whether commercial or industrial. He noted that the applicant had asked to change the use of an existing garage building, located along the west property line, into commercial uses and then to construct a second building along the south property line. The existing building material is cinder block and it has a pitched roof. This building is used as storage for the homes that currently exist in the area. The applicants would like to use the building as a possible woodworking shop or some other commercial activity.

He noted that there was an older home on the lot that would need to be demolished in order to build the second phase of the project. Initially, the project was heard by the Planned Development Sub-Committee, which recommended that the proposed landscaping be done as part of the first phase. The Subcommittee also recommended that a second phase would include changing the layout of the new building, facing the retail to 700 West and moving it closer to the street frontage.

Mr. Dansie noted that most of the setback requirements had been met, some exceptions would be the existing building would be within 20 feet of residential buildings, but the new building would comply with the zoning ordinance. The interior side yards would be 15 feet on the north property line and the interior side yards that abut nonresidential uses would be built to the property line. Staff was supportive of the idea, because the adjacent properties to the south were industrial and the project would be concurrent with the theme of the area.

Mr. Dansie noted that Staff recommendations included the following conditions:

1. The Planning Commission waives the interior side yard in the rear of the property along the north property line to accommodate the existing noncomplying building.
2. The Planning Commission waives the rear yard setback to accommodate the existing noncomplying building and waives the interior side yard on the south property line to accommodate the proposed building.
3. The applicant erects a decorative, solid masonry wall along the portion of the north property line where no wall currently exists. The wall should match the existing wall.
4. The public way improvements must be constructed, or SID waiver signed, on 700 West.
5. If the project is phased, the landscaping is to be included in the first phase.
6. The final landscaping plan approval authority be delegated to the Planning Director or his/her designee.
7. The final design approval of the modifications to the existing structures and the design of the structure proposed as Phase II are delegated to the Planning Director or his/her designee.

The Chair requested the applicant approach the Commission.

Mr. Glen Ingersoll the applicant noted he would like to upgrade the area by demolishing the old home on the property.

Commissioner Scott inquired about the time frame between phase one and phase two.

Mr. Ingersoll noted that it would be approximately five years.

Commissioner Chambless inquired if there were residents on the property.

Mr. Ingersoll noted there were not.

Chairperson McDonough inquired if when the second structure was built, the commercial side doors and windows would face the street.

Mr. Ingersoll noted that would be possible.

Chairperson McDonough opened the meeting for public comment. There were none.

Commissioner Algarin made a motion, based on the comments, analysis and findings regarding Petition 410-06-35 be approved for a conditional use and planned development with the following conditions:

1. The Planning Commission waives the interior side yard in the rear of the property along the north property line to accommodate the existing noncomplying building.
2. The Planning Commission waives the rear yard setback to accommodate the existing noncomplying building and waives the interior side yard on the south property line to accommodate the proposed building.
3. The applicant erects a decorative, solid masonry wall along the portion of the north property line where no wall currently exists. The wall should match the existing wall.
4. The public way improvements must be constructed, or SID waiver signed, on 700 West.
5. If the project is phased, the landscaping is to be included in the first phase.
6. The final landscaping plan approval authority be delegated to the Planning Director or his/her designee.
7. The final design approval of the modifications to the existing structures and the design of the structure proposed as Phase II are delegated to the Planning Director or his/her designee.

Also, to include the recommendation of the Planned Development sub-committee, that the office/public portion of the proposed property face 700 West.

The motion was seconded by Commissioner Forbis.

All in favor voted, "Aye" and the motion passed unanimously.

b. Petition 400-06-25 — A request by Jonathan Hodge to vacate a portion of an alley running east-west located between approximately 1420 E. Roosevelt Avenue and 1419 E. Emerson Avenue. The property is located in the R-1/5,000 (Single Family Residential) Zoning District.

Commissioner McDonough recognized Nick Britton as Staff representative.

Mr. Britton noted that the subject alley was approximately .03 acres in size and was entirely surrounded by single family residences in the R-1/5,000 zone. The portion of the alley was separated when there was a prior vacation in 1981, which was approximately 3 parcels wide.

Mr. Britton noted that the alley served as access to the two adjacent properties including the applicant's property, and the property to the south. The alley has been used mainly for storage and not a thoroughfare. Currently, there is a garage located on the southern property and the applicant is proposing another garage on the northern property. He also noted that both of the adjacent property owners were in support of the petition, and the north/south alley would not be impacted by the closure, and would still be open for public use.

Mr. Britton noted that Staff recommended that the Planning Commission forward a favorable recommendation to the City Council.

There were no comments from the applicant or the public, therefore the Commission went into executive session.

Commissioner Forbis moved that based upon the analysis and findings identified in the Staff Report, the Planning Commission forward a favorable recommendation to the City Council to vacate the subject alley, running east/west between approximately 1420 E. Roosevelt Avenue and 1419 E. Emerson Avenue, subject to the following condition:

1. The proposed method of deposition of the alley property shall be consistent with the method of disposition expressed in Section 14.52.020 Method of Disposition and Chapter 2.58 City-Owned Real Property of the Salt Lake City Ordinance.

Commissioner McHugh seconded the motion.

All in favor voted, "Aye" and the motion passed unanimously.

c. Petition 400-06-31 — A request by First Industrial Development Services, represented by James Merrill, to close 300 South between approximately 5100 West and 5200 West. The property is located in the M-1 (Light Manufacturing) Zoning District.

Chairperson McDonough recognized Nick Britton as Staff Representative.

Mr. Britton noted that the property should be closed, declared as surplus property, and sold in two halves to the two adjacent property owners to the north and south. The applicant currently owns the property to the north and SorTech LLC owns the property to the south. He noted the property is approximately 627 feet in length and 66 feet wide, and is currently unimproved. As of three weeks ago the property was being used as construction access to the property being developed.

Mr. Britton noted that the original request for the closure in 2004, from a different applicant, was approved by the Planning Commission on January 12, 2005 at which time it was forwarded with a positive recommendation to the City Council. At that time the property owner to the south, objected to the street closure, resulting in a withdrawal of the request by the applicant. The new owner of the north property has come to an agreement with the southern property owner and both are in agreement with the petition.

Chairperson McDonough invited the applicant representative to the table.

Mr. Jim Pivirrotto with First Industrial noted that they would use the northern property for HK Systems a company relocating from Bountiful, and that this property would provide access for future development needs.

There was no public response for the petition.

Commissioner Muir questioned the statement on Page 6 in the Staff Findings where it indicates that, "No other property owners would be impacted in any way by this closure". He noted that Kern River would be impacted because it owns the property to the east and should be included in the item which states, "Closing and selling the right-of-way will provide the applicant, First Industrial Development Services, Inc., and the adjacent property owner, SorTech, LLC, with the means to better develop the property". The language should include that Kern River Gas could be impacted.

Mr. Britton noted that Kern River Gas accessed their property from 150 South and their development was obscured by the call out box.

Mr. Wheelwright noted that Kern River Gas was notified of the petition both currently and previously, and that they have developed their site so they don't need access from this point.

Commissioner Muir moved that based upon the afore mentioned adjustments to the Staff's findings the Planning Commission recommend that the property be declared surplus and forward a positive recommendation to the City Council to close the street.

Commissioner Chambless seconded the motion.

All in favor voted, "Aye" the motion passed unanimously.

**Exhibit 6**  
**Original Petition**



# Alley Vacation or Closure

OFFICE USE ONLY	
Petition No.	400-06-25
Receipt No.	Amount: 200
Date Received:	8/1/06
Reviewed By:	[Signature]
Project Planner:	

SALT LAKE CITY PLANNING

Address of Subject Property: 1420 E. Roosevelt Ave

Name of Applicant: Jonathan Hodge Phone: 801-466-5606

Address of Applicant: same

E-mail Address of Applicant: jhodge@reallearning.com Cell/Fax: 801-243-5559

Applicant's Interest in Subject Property: ownership

Name of Property Owner: same Phone:

Address of Property Owner:

Email Address of Property Owner: Cell/Fax:

Are there any multi-family residential uses (three or more dwelling units) or non residential uses that abut the alley?  
 Yes  No

If yes, have the property owners been notified about the City's "close and sell" method of disposition (As defined in the attached process information sheet)? Yes  No

### Please include with the application:

1. A response to the questions on the back of this form. If the applicant does not own property adjacent to the alley, please include the applicant's interest in the request.
2. The name, address and Sidwell number of all property owners on the block must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair. **Payment in the amount to cover first class postage for each address for two mailings is due at time of application.**
3. The name, address and signatures of all owners of property abutting the subject alley who support the petition. You may use the sample petition accompanying this application or provide your own. **Please note that the property owners must sign (not occupants who rent) and the petition must include the signatures of no less than 80 percent of the abutting property owners.**
4. A property ownership map (known as a Sidwell map) showing the area of the subject alley. On the map, please:
  - a. Highlight the subject alley.
  - b. Indicate with a colored circle or dot the property owners who support the petition.
5. A legal description of the subject alley may be required.
6. If applicable, a signed, notarized statement of consent from property owner authorizing applicant to act as an agent.
7. Filing fee of \$200.00, due at time of application.

If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition

Sidwell maps & names of property owners are available at:

Salt Lake County Recorder  
 2001 South State Street, Room N1600  
 Salt Lake City, UT 84190-1051  
 Telephone: (801) 468-3391

File the complete application at:

Salt Lake City Planning  
 451 South State Street, Room 406  
 Salt Lake City, UT 84111  
 Telephone: (801) 535-7757

Signature of Property Owner  
 Or authorized agent

[Handwritten signature of Jonathan Hodge]

Please answer the following questions. Use an additional sheet if necessary.

Please explain why you are requesting this alley vacation or closure and include the expected end result of the action, such as the alley becoming a private right-of-way for continued use or being closed off. If the applicant is not a property owner adjacent to the alley, please include the applicant's interest in the petition.

We are putting in a garage in our backyard and discovered that our property lines and those of our neighbor (Joel & Jodi McKee) were historically exceeded by previous improvements. We ~~also~~ request vacation of the alley and a 50/50 split (per city planner). After the vacation process, Jonathan Hodge agrees to quitclaim ~~at~~ a portion of ~~his~~ his vacated share to the McKees (see attached agreement).

Please explain how the proposed petition satisfies at least one of the following City policy considerations:

- A. Lack of Use. The City's legal interest in the property appears of record or is reflected on an applicable plat, but in fact it is evident from inspection that the alley does not exist or is 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.

All houses east of us have already vacated the alley. Furthermore, past homeowners ~~on~~ at 1420 Roosevelt and 1419 Emerson exceeded property lines by failing to secure proper permits. This process would allow those existing issues to be cleared up and provide both home owners with a mutually agreed upon solution for access to garage structures

Please answer the following questions. Use an additional sheet if necessary.

Please explain why you are requesting this alley vacation or closure and include the expected end result of the action, such as the alley becoming a private right-of-way for continued use or being closed off. If the applicant is not a property owner adjacent to the alley, please include the applicant's interest in the petition.

We are putting in a garage in our backyard and discovered that our property lines and those of our neighbor (Joel & Jodi McKee) were historically exceeded by previous improvements. We ~~now~~ request vacation of the alley and a 50/50 split (per city planner). After the vacation process; Jonathan Hodge agrees to quitclaim ~~away~~ a portion of ~~his~~ his vacated share to the McKees (see attached agreement).

Please explain how the proposed petition satisfies at least one of the following City policy considerations:

- A. Lack of Use. The City's legal interest in the property appears of record or is reflected on an applicable plat, but in fact it is evident from inspection that the alley does not exist or is 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.

All houses east of us have already vacated the alley. Furthermore, past homeowners at 1420 Roosevelt and 1414 Emerson exceeded property lines by failing to secure proper permits. This process would allow those existing issues to be cleared up and provide both home owners with a mutually agreed upon solution for access to garage structures

# Petition to Vacate or Close an Alley

Petitioner: Jonathan Hodge  
Address: 1420 E. Roosevelt  
Date: 7/27/06

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.

JOEL MCKEE 1419 E. Emerson Joel McKee 7-27-06  
Print Name and Address Signature Date

Judi McKee 1419 E. Emerson Ave Judi McKee 7-27-06  
Print Name and Address Signature Date

J. Jiles 1467 So 1400 East J. Jiles 7-30-06  
Print Name and Address Signature Date

Kathy Snow 1425 Emerson Ave. Kathy Snow 7/31/06  
Print Name and Address Signature Date

Wallace Hise 1426 E. Roosevelt Ave. Wallace Hise 7/30/06  
Print Name and Address Signature Date

Stephen T. Haver 1413 Emerson Ave. S. Haver 8/1/06  
Print Name and Address Signature Date

Print Name and Address Signature Date

Print Name and Address Signature Date

Print Name and Address Signature Date

Print Name and Address Signature Date

Print Name and Address Signature Date

Print Name and Address Signature Date

Print Name and Address Signature Date



**Petition No.** 400-06-25

*By* Jonathan Hodge

Alley vacation

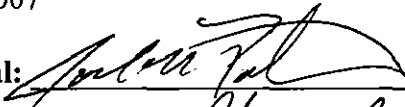
*Date Filed* 08/01/2006

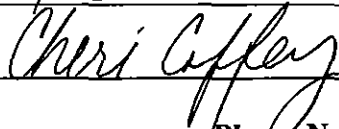
*Address* 1420 E Roosevelt Avenue

**COMMUNITY DEVELOPMENT  
COUNCIL SUBMITTAL CHECKLIST**

**Petition No and Basic Information:** 400-06-25: Alley vacation at approximately 1420 Roosevelt Avenue

**Date:** January 24, 2007

**Supervisor Approval:** 

**Division Director Approval:** 

**Contact Person:** \_\_\_\_\_ **Phone No.** \_\_\_\_\_

- Initiated by
- City Council Member
  - Property Owner
  - Board / Commission
  - Mayor
  - Other

Contact Person  
Jonathan Hodge

**Completed Check List attached:**

- Alley Vacation
- Planning / Zoning
- Federal Funding
- Condominium Conversion
- Plat Amendment
- Other

**Public Process:**

- |   |  |
|---|--|
| <input type="checkbox"/> Community Council (s)          | <input type="checkbox"/> City Web Site               |
| <input type="checkbox"/> Public Hearings                | <input type="checkbox"/> Flyers                      |
| <input checked="" type="checkbox"/> Planning Commission | <input checked="" type="checkbox"/> Formal Notice    |
| <input type="checkbox"/> Historic Landmark Commission   | <input type="checkbox"/> Newspaper Advertisement     |
| <input type="checkbox"/> HAAB review                    | <input type="checkbox"/> City Television Station     |
| <input type="checkbox"/> Board of Adjustment            | <input checked="" type="checkbox"/> On Location Sign |
| <input type="checkbox"/> City Kiosk                     | <input type="checkbox"/> City Newsletter             |
| <input type="checkbox"/> Open House                     | <input type="checkbox"/> Administrative Hearing      |
| <input type="checkbox"/> Other                          |  |

**Compatible with ordinance:**

Chapter 14.52 of the Salt Lake City Code  
Section 2.58 of the Salt Lake City Code

**Modifications to Ordinance:**

**Approvals / Input from Other Departments / Divisions**

<u>Division</u>	<u>Contact Person</u>
<input type="checkbox"/> Airport:	
<input type="checkbox"/> Attorney:	
<input type="checkbox"/> Business Licensing:	
<input type="checkbox"/> Engineering:	
<input checked="" type="checkbox"/> Fire:	Brad Larson
<input type="checkbox"/> HAND:	
<input type="checkbox"/> Management Services:	
<input type="checkbox"/> Mayor:	
<input type="checkbox"/> Parks:	
<input checked="" type="checkbox"/> Permits / Zoning:	Ken Brown
<input type="checkbox"/> Police:	
<input type="checkbox"/> Property Management:	
<input type="checkbox"/> Public Services:	
<input checked="" type="checkbox"/> Public Utilities:	Peggy Garcia
<input checked="" type="checkbox"/> Transportation:	Barry Walsh
<input type="checkbox"/> RDA :	
<input type="checkbox"/> Zoning Enforcement	

**PETITION CHECKLIST**

Date	Planner Initials	Sup. Initials	Dep. Initials	Dir. Initials	Action Required
8-2-06	inb	AMP	CC		Petition Delivered to Planning
9-13-06	inb	AMP	CC		Petition Assigned to <u>Nick Britton</u>
12-13-06	inb	AMP	CC		Planning Staff or Planning Commission Action Date
1-10-07	inb	AMP	CC		Transmittal Cover Letter Followed Template (margins, headings, returns etc)
1-10-07	inb	AMP	CC		Table of Contents
4/10/07	inb		CC		Chronology
4/9/07	inb	AMP	CC		Ordinance Prepared by the Attorney's Office Include general purpose statement of petition (top of ordinance) Include Strike and Bold -(Legislative Copy) (where applicable) Include Clean Copy (Ensure stamped by Attorney) Include Sidwell Numbers (where applicable) Include Legal Description-review, date and initial (where applicable) Ensure most recent ordinance used Ensure Exhibits (tables etc) are attached
4/9/07	inb	AMP	CC		Council Hearing Notice Include Purpose of Request Include zones affected (where applicable) Include address of property (where applicable) Include TDD Language
4/12/07	inb	AMP	CC		Mailing List of Petition and Labels, (include appropriate Community Councils, applicant and project planner) (include photocopy of labels)
11/7/06	inb	AMP	CC		Planning Commission Notice Mailing Postmark Date Verification (on agenda) Newspaper Notice for Rezoning and Master Plan Amendments (proof of publication or actual publication)
12/7/06	inb	AMP	CC		Planning Commission Staff Report
		AMP	CC		Planning Commission Minutes and Agenda
12/7/06	inb	AMP	CC		Yellow Petition Cover and Paperwork Initiating Petition (Include application, Legislative Intent memo from Council, PC memo and minutes or Mayor's Letter initiating petition.)
					Date Set for City Council Action: _____  Petition filed with City Recorder's Office