



## Recognized Organization Input Notification Alley Vacation

**TO:** Landon Clark, Chair, Sugar House Community Council  
**FROM:** Mayara Lima, Principal Planner, Salt Lake City Planning Division  
([mayara.lima@slcgov.com](mailto:mayara.lima@slcgov.com) or 385-377-7570)  
**DATE:** January 7, 2021  
**RE:** PLNPCM2020-00999 – Elm Avenue Alley Vacation

---

The Planning Division has received the below request and is notifying your organization to solicit comments on the proposal:

**Request Type:** Alley Vacation

**Location:** 968 E Elm

**Zone:** R-1/5000, Single-Family Residential

**Request Description:** Jonas & Danielle Sappington, property owners of 968 E Elm, has initiated a petition to vacate the alley that runs south of their property, more specifically between 1000 E and Lincoln Street. The alley is oriented east-west and abuts 8 residential properties. The applicant identifies public safety and lack of use of the public right-of-way as the reasons for the request.

I have attached information submitted by the applicant relating to the project to facilitate your review as well as an information sheet that outlines the project area clearly.

### Request for Input from Your Recognized Organization

As part of this process, the applicant is required to solicit comments from Recognized Organizations. The purpose of the Recognized Organization review is to inform the community of the project and solicit comments/concerns they have with the project. The Recognized Organization may also take a vote to determine whether there is support for the project, but this is not required.

Per City Code 2.60.050 - The recognized community organization chair(s) have **forty five (45) days** to provide comments, from the date the notice was sent. A public hearing will not be held, nor will a final decision be made about the project within the forty five (45) day notice period. This notice period ends on the following day:

**February 21, 2021**

Please contact me to let me know if you would like the applicant to attend and present their proposal at one of your meetings within this 45 day period. Please indicate the day and time of your meeting and staff will coordinate with the applicant to attend your meeting. Planning staff will be available at the meeting to answer any questions related to decision standards or the decision making process. \*

*\*During the state of emergency, Community Councils will be asked to work with applicants on presentations of development projects. Planning staff will not attend those meetings in person but will participate if the community council provides some sort of audio or visual broadcast.*

### Comment Guidance

Public comments will be received up to the date of the Planning Commission public hearing. However, you should submit your organization's comments within 45 days of receiving this notice in order for those comments to be included in the staff report.

As a Recognized Organization, we ask that you address the following questions in your comments:

- What issues were raised at the meeting and whether any suggestions were made to address the issues.
- The number of persons that attended the meeting (not including those with the applicant or City Staff).
- Whether a vote was taken on the matter and if so, what the vote tally was.

### **Approval Criteria for the Alley Vacation/Closure Request**

For your reference, the following are criteria that the Planning Commission will use to make its recommendation. The City's technical staff will review the project to ensure it complies with adopted policies and regulations. Input from your organization may be more general in nature but we recommend that you also consider the below approval criteria:

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

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

**Public Hearing and Recommendation from The Planning Commission:** Upon receipt of a complete petition, a public hearing shall be scheduled before the planning commission to consider the proposed disposition of the city owned alley property. Following the conclusion of the public hearing, the planning commission shall make a report and recommendation to the city council on the proposed disposition of the subject alley property. A positive recommendation should include an analysis of the following factors:

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

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

### **Comment Submission Address**

You may submit your written comments via e-mail to [mayara.lima@slcgov.com](mailto:mayara.lima@slcgov.com) or mail them to:

**ATTN Mayara Lima**  
**Salt Lake City Planning Division**  
**451 S State St Rm 406**  
**PO Box 145480**  
**Salt Lake City UT 84114-5480**

If you have any questions, please call me at 385-377-7570 or contact me via e-mail.