



State of Utah

SPENCER J. COX  
*Governor*

DEIDRE M. HENDERSON  
*Lieutenant Governor*

## DEPARTMENT OF TRANSPORTATION

CARLOS M. BRACERAS, P.E.

*Executive Director*

LISA J. WILSON, P.E.

*Deputy Director of Engineering and Operations*

BENJAMIN G. HUOT, P.E.

*Deputy Director of Planning and Investment*

21 June 2024

Mr. Thomas Irvin  
Sandy Community Development  
Planning Division

SUBJECT: Special Exception Request for SUB02222022-006272, Southeast Industrial Park Second Amended Condominium Plat, Amended to Units 101-116

Dear Mr. Irvin,

This special exception request is for elimination of the five-foot landscape buffer along the rear (west) boundary of the Southeast Industrial Park Amended Condominium Plat ("Plat"), amended to Units 101-116, located at 8496 S. Harrison Street in Sandy, Utah (see Exhibit A).

In 2020 as part of the I-15 northbound expansion project, UDOT needed additional property to construct the collector-distributor system. This resulted in the removal of Units 117, 118 and the existing landscape buffer (see Exhibit B) and the reconfiguration of the rear property line of the Plat. UDOT reconfigured the existing building and driveway aisle. However, they did not reestablish a landscape buffer (see Exhibit C). These impacts were made under the threat of eminent domain.

The current rockscape, curb and gutter are located within the UDOT ROW. There is not sufficient space to add a landscape buffer without compromising the usability of the rear of this property. The following points address Special Exception Review Criteria under Sandy City Code for Properties Affected by Eminent Domain Proceedings, Section 21-2-23(c):

1. Granting the special exception does not adversely affect the health, safety, and welfare of the public.
  - o Keeping the rockscape, curb and gutter where it is currently allows UDOT to have the necessary freeway signs and drainage system within the UDOT right of way and to meet Federal and State traffic



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and safety requirements. The area in reference is at the rear of the site, and therefore has minimal effect on the health and welfare of the public. Additionally, it abuts an interstate with a speed limit of 70 mph.

2. Granting the special exception is the minimum necessary for the reasonable use of land and improvements.
  - The site is set up to accommodate a WB-62 semi-truck, and any reduction to the area to accommodate the landscape buffer will reduce the functionality of the site for the businesses that use the space (see Exhibit D).
3. Granting the special exception does not have a materially detrimental impact on the rights or enjoyment of property of adjacent property owners.
  - The layout of the rear of the property is consistent with the properties to the south; and the adjacent property to the north is bordered by a noise wall, providing a visual barrier to the Salt Lake County Recreation Center.
4. The special exception is the result of a hardship imposed by eminent domain proceedings or negotiations.
  - Yes, the property acquisition was the result of a freeway improvement project along I-15 to add a collector-distributor system to help alleviate traffic congestion and enhance the safety of the traveling public.

UDOT has been negotiating with the property owners and the condominium association (see Exhibit E) to minimize the impact to their property and businesses. As a result of those negotiations, UDOT agreed to seek this Special Exception on the condominium association's behalf to waive the landscape buffer.

Thank you for your consideration.

Sincerely,

Jessica A. Rice, S.E.  
I-15 NB Project Director