



Community Development Department

Tom Dolan
Mayor

Scott J. Bond
Chief Administrative Officer

James L. Sorensen
Director

MEMORANDUM

April 13, 2017

To: City Council via Planning Commission
From: Community Development Department
Subject: Partial Street Vacation of 840 East & Street Name Change
 9270 South 840 East
 [Quarry Bend, Community #7]

MISC-03-17-5288
 Vacating 5,885 Square
 Feet or 0.135 Acres

HEARING NOTICE: *This item has been noticed to property owners within 300 feet of the subject area.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
SPR#80-07	A portion of the subject property was part of the Albertson's Shopping Center, which included a Fred Meyer, inline strip retail, pad sites, and an Albertson's Grocery Store.
2002 Local Area Master Plan – Sandy Corners Strategic Plan	In 2002, the city adopted a local area plan for the subject property and surrounding areas of the intersection of 9400 South and 700 East called the Sandy Corners Strategic Plan. This plan laid out an overall concept and vision of this area to guide redevelopment over the following 20 to 30 years. It envisioned enhancements road networks, new transit options, pedestrian and bike facilities, urban design principles, new land uses (including new medium density residential units), and economic development.
R#06-14	The northern parcel was part of a rezoning to the MU District as part of the Cottages and Villas at the Rose Gardens Development proposals. The Cottages plan was developed west of 700 East. The Villas portion of the plan was east of 700 East and was never developed. All properties within this development proposal were rezoned to the MU Zone in February of 2006 by the City Council.
SPR-8-10-1458	In 2010, the property was sold to the LDS Church to enable the development of a Deseret Industries Store. The site was completely demolished and not all of it was needed for the development of DI. The northern 1/3 of the property was left vacant.
SUB-8-10-1459	To enable the sale of a large portion of the former shopping center, a commercial plat was recorded to divide the ownership of the property.
SUB-1-15-4064	The LDS Church recorded an amended plat to further subdivide and sell off the remnant land not needed for the DI store.
ZONE-6-16-5098	The property located at 9270 South 840 East (5.68 acres total) was rezoned from CC (Community Commercial) to MU (Mixed Use). The City Council approved the rezone on August 16, 2016 with a positive recommendation from the Planning Commission.
SUB-02-17-5198	On April 6, 2017, the Planning Commission approved a Mixed-Use Site Plan and Subdivision Plat for a 132-Unit townhome development on 12.55 acres.

DESCRIPTION OF REQUESTS

The applicant, Brad Reynolds Construction, is requesting partial street vacation of a public street located on the northern end of the existing 840 East stub street (see the map to the right). He is also requesting to change the name of Rose Cottage Lane and add a name to 840 East as these road segments will be connected through a proposed development. The new name for this entire road segment is proposed to be "Rose Cottage Way".

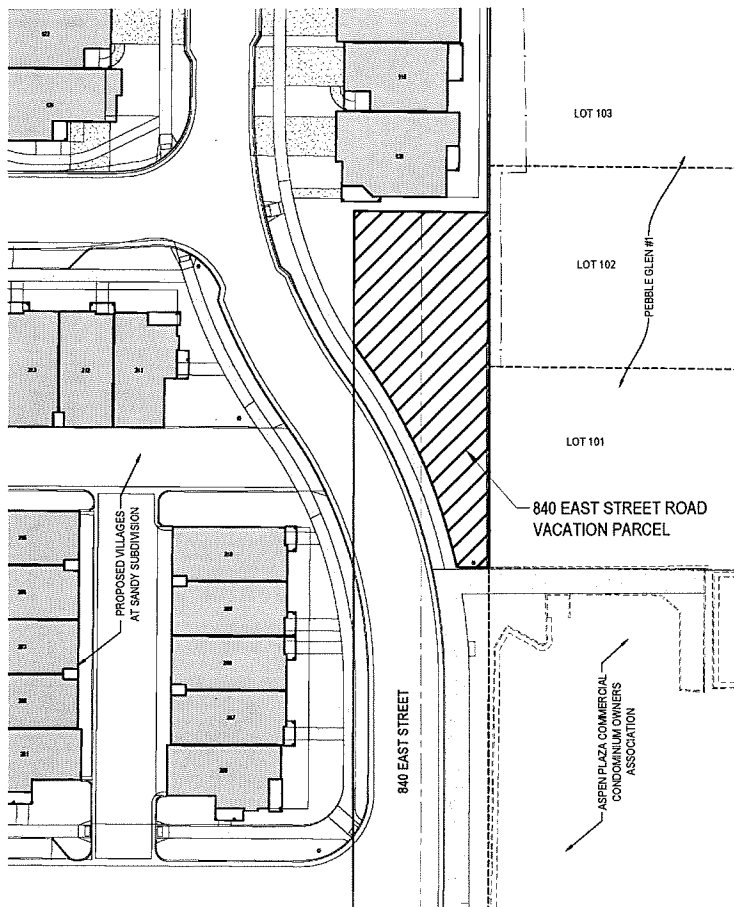


NOTICE

Notices were mailed to property owners within a 300 foot radius of the subject parcels as per Sandy City Land Development Code requirements, to notify of the Planning Commission meeting. The property was also posted with a public notice sign in both locations.

ANALYSIS

The public street of 840 East was dedicated with the recording of the Amendment of Lot 7, 9400 South Commercial Subdivision plat in November of 2015. This plat's purpose was to split off the northern 1/3 of the overall property that was deemed excess land by the landowner after the Deseret Industries (DI) building was completed. The city required the creation of 840 East with the redevelopment of this commercial center and the new DI building. This street was only constructed up to the northern fence line of the DI site. When this land was further subdivided, the city required a dedication of 840 East and extend that road dedication up to the northern edge of the property, but we did not require improvements of the road.



Since that time, both undeveloped parcels north of the DI have been assembled by the applicant and a proposed development has been reviewed and approved for the site known as the Villages at Sandy. This site plan creates a change in the alignment of 840 East and extends it north and west to align it with the existing Rose Cottage Lane at 700 East. This development created the need to vacate a portion of 840 East, as shown to the left.

Through the Villages at Sandy development, the two road segments, Rose Cottage Lane and 840 East will be joined and become one roadway. As such, a new name needs to be established for this road. The name proposed is Rose Cottage Way. There are no businesses or residents addressed from either road segments.

REQUIRED DETERMINATIONS AND FINDINGS

There are three determinations that need to be made by the Planning Commission and the City Council in considering a request for street vacation and name change.

1. Consent of the abutters. Sandy City staff and The Villages at Sandy property owner have agreed to this vacation. We have received no public objection from any property owner that abuts these existing road segments.
2. If good cause exists for the vacation and street name change. The requested action will allow the excess right-of-way created from the additional dedication and realignment of 840 East through the Villages at Sandy development, to return to private use. Sandy City staff recommends the partial street vacation as requested and that the street name change be approved. The street name change will follow city standards for street naming and be consistent with thoroughfare designations as specified in chapter 15A-29-02.
3. That neither the public interest nor any person will be materially injured by the vacation and street name change. No injury to the public will occur due to this partial street vacation. This vacation is in the public interest to benefit public safety and have continuity of street name designations.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the City Council for the partial street ROW vacation of a portion of 840 East located at approximately 9270 South 840 East, and rename the existing road segments of 840 East and Rose Cottage Lane to "Rose Cottage Way", based on the following findings and subject to the following conditions of approval:

FINDINGS

1. The abutting property owner dedicated the entire 840 East road segment in question and is dedicating additional right-of-way through the recordation of the Villages at Sandy plat to realign this roadway.
2. The partial street vacation action by the City will transfer the ownership of the subject property to the abutting property ownership entity who agrees to own and maintain this property as part of the development property, and therefore good cause for the action exists.
3. That there is neither material injury to either the public interest nor any person by the requested vacation or street name change.
4. Public Safety will be increased by the Road Name Change action by ensuring the street naming is coordinated and follows the city development code.

CONDITIONS

1. That the approval is conditioned upon the City proceeding through the vacation process through action by the City Council.
2. That the recording of the Road Vacation and Street Name Change Ordinance and associated property transfer deeds with the County Recorder's Office be done in coordination with the Villages at Sandy Subdivision plat recording to ensure the vacation of the road does not occur until the City knows it will receive dedication of the new road alignment through said plat.

Planner:

Reviewed by:



Mike Wilcox
Long Range Planning Manager

Brad Reynolds Construction
PO Box 17958
Salt Lake City, UT 84117

20 March 2017

Mike Wilcox
Long Range Planning Manager
Sandy City
10000 S Centennial Parkway
Sandy, UT 84070

Dear Mr. Wilcox:

I am writing this letter in regards to a proposed vacation of a portion of 840 East at approximately 9280 South. The vacation of a portion of this street is part of The Villages at Sandy townhome development. It appears that the original street right of way was designed to provide access to the property, and possibly allow a future trail to connect that comes to the property from the east. The development will use the existing 840 East right of way as it enters the project, and the alignment of the road will change slightly as it makes the connection to a new public street that is part of the proposed development. This slight change in alignment will leave a small portion of the original right of way that the City has requested be vacated.

The vacation of this street will not be contrary to the City's General Plan or Land Development Code. The current street is set up as a dead end street. As part of our development, 840 East will become a through street that will allow traffic to pass through the property to 700 East. Our proposed design will allow for the 10 foot wide City trail to run along the remaining portion of 840 East and make the connection to 9400 S. There are no other property owners that will be affected by the vacation of this small portion of 840 East right of way. As the street will now become a through street that meanders through the new development and ties in to 700 East, the name of the street will change from 840 East to Rose Cottage Lane.

Sincerely,

Brad Reynolds
President
Brad Reynolds Construction
801-281-2200
brad@bradreynoldsconstruction.com

Villages at Sandy – 840 East Road Vacation

Beginning at a Northwest Corner of the 840 East Street Right-of-Way Line, said point being North 00°07'46" East 871.42 feet along the section line and East 1,263.72 feet from the Southwest Corner of Section 5, Township 3 South, Range 1 East, Salt Lake Base and Meridian; and running

thence South 89°12'10" East 56.10 feet;

thence South 00°07'00" West 146.52 feet;

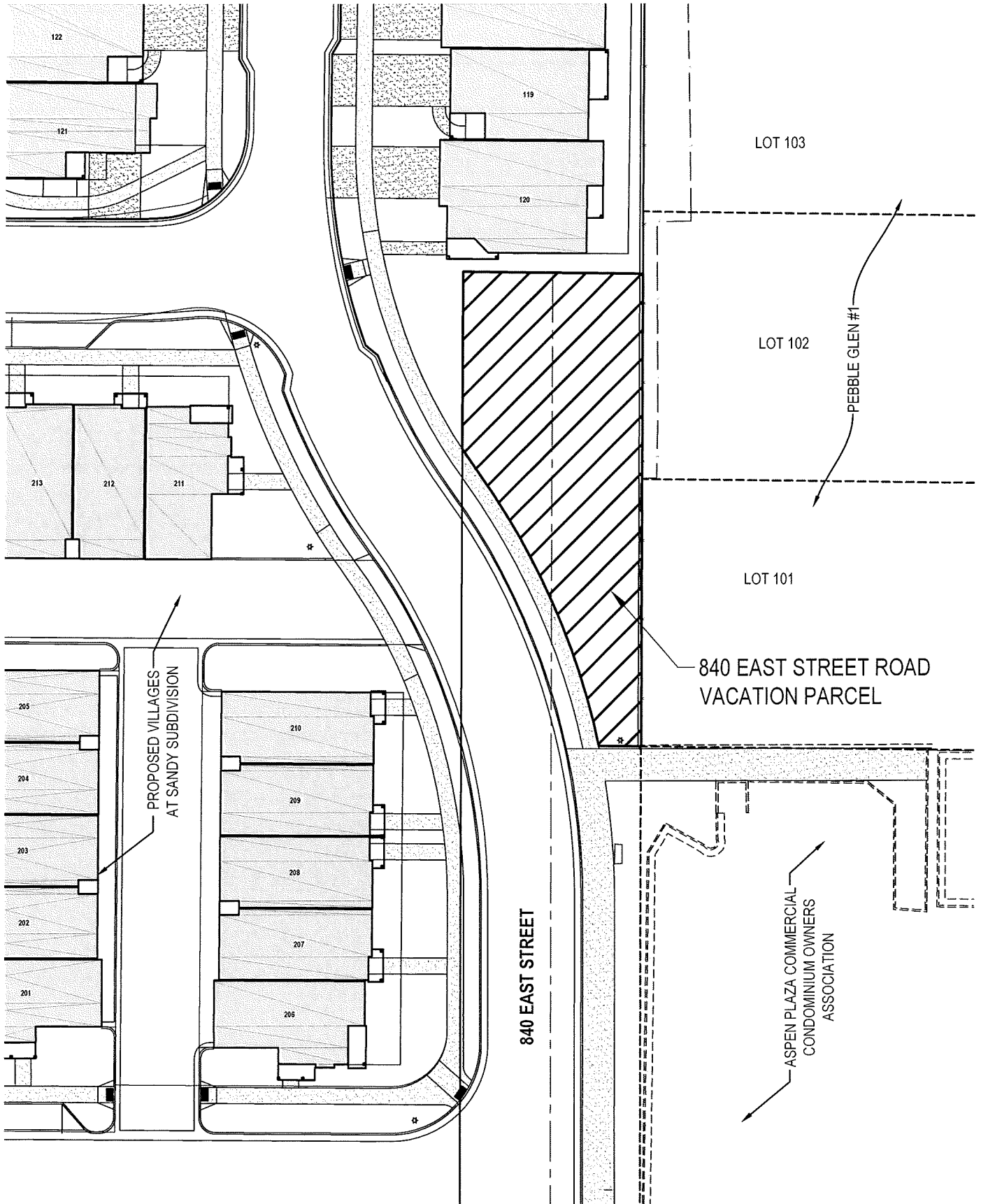
thence North 89°12'10" West 13.23 feet;


thence Northwesterly 93.71 feet along the arc of a 226.00 foot radius curve to the left (center bears South 77°53'22" West and the chord bears North 23°59'23" West 93.04 feet with a central angle of 23°45'31");

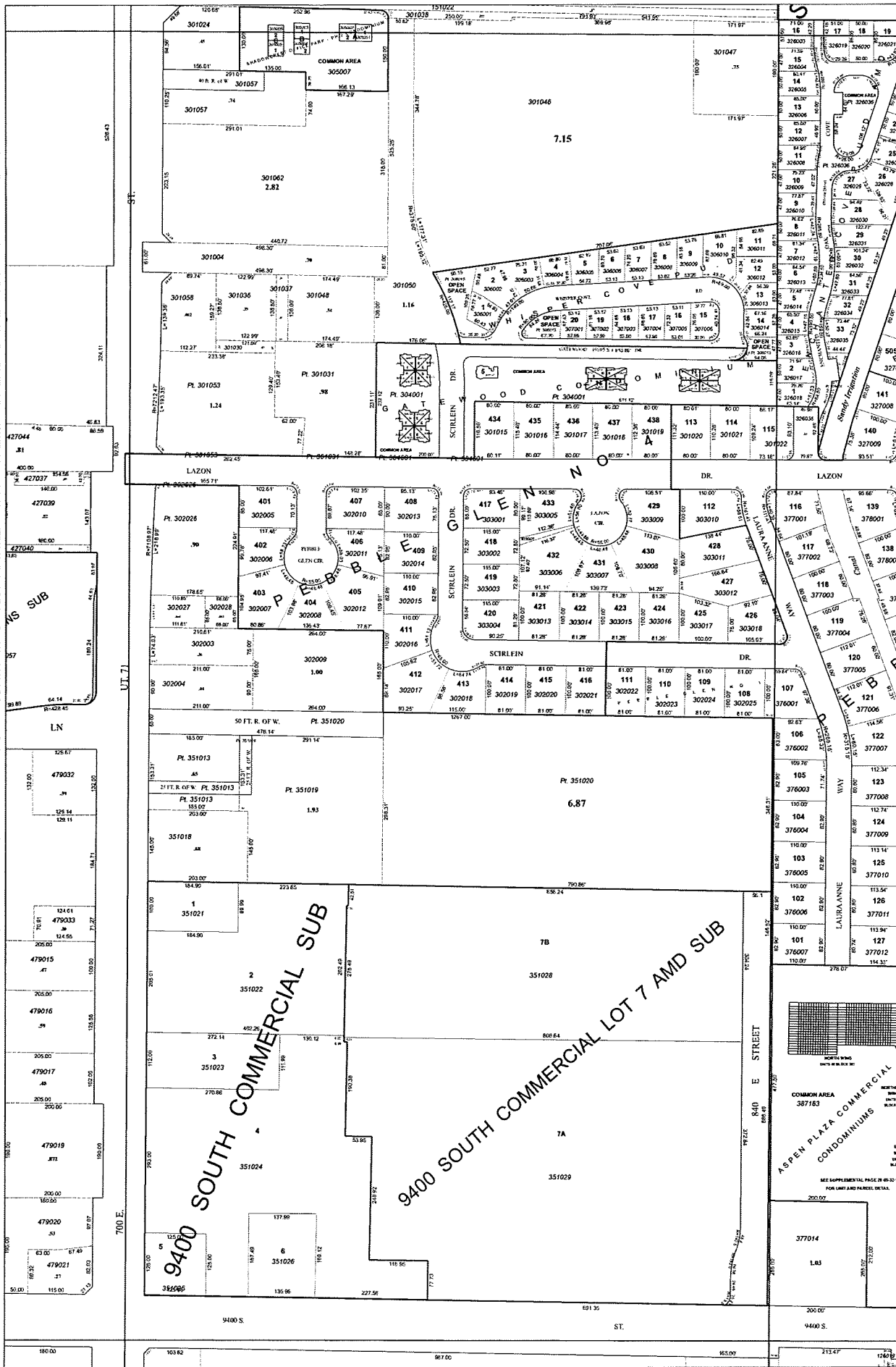
thence Northwesterly 8.59 feet along the arc of a 174.00 foot radius curve to the right (center bears North 54°07'52" East and the chord bears North 34°27'19" West 8.58 feet with a central angle of 02°49'37");

thence North 00°07'00" East 55.03 feet to the point of beginning.

Contains 5,885 Square Feet or 0.135 Acres



<p>PROJECT# DATE 7189 3/20/17</p> <p>1 OF 1</p> <p>FILE: SD/power easement</p>	<p>VILLAGES AT SANDY</p> <p>9235 SOUTH 700 EAST SANDY, UTAH</p> <p>840 EAST STREET ROAD VACATION EXHIBIT</p>	<p>FOR: BRAD REYNOLDS CONSTRUCTION P.O. BOX 17958 SALT LAKE CITY, UTAH 84117</p>	<p>45 W. 10000 S. Ste 500 Sandy, UT 84070 Phone: 801.255.0529 Fax: 801.255.4449 www.ensigneng.com</p>	 <p>EN SIGN</p>
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This map is not intended to represent actual physical properties. In order to establish exact physical boundaries a survey of the property may be necessary.



Prepared and published by
Salt Lake County Recorder
Gary Orr
2001 S. State Street, Room 400
Salt Lake City, Utah 84143
801-468-3391
<http://siterecorder.utredcos.com/>



W 1/2 SW 1/4 Sec 05 T3S R1E
SALT LAKE COUNTY, UTAH

12/1/2015

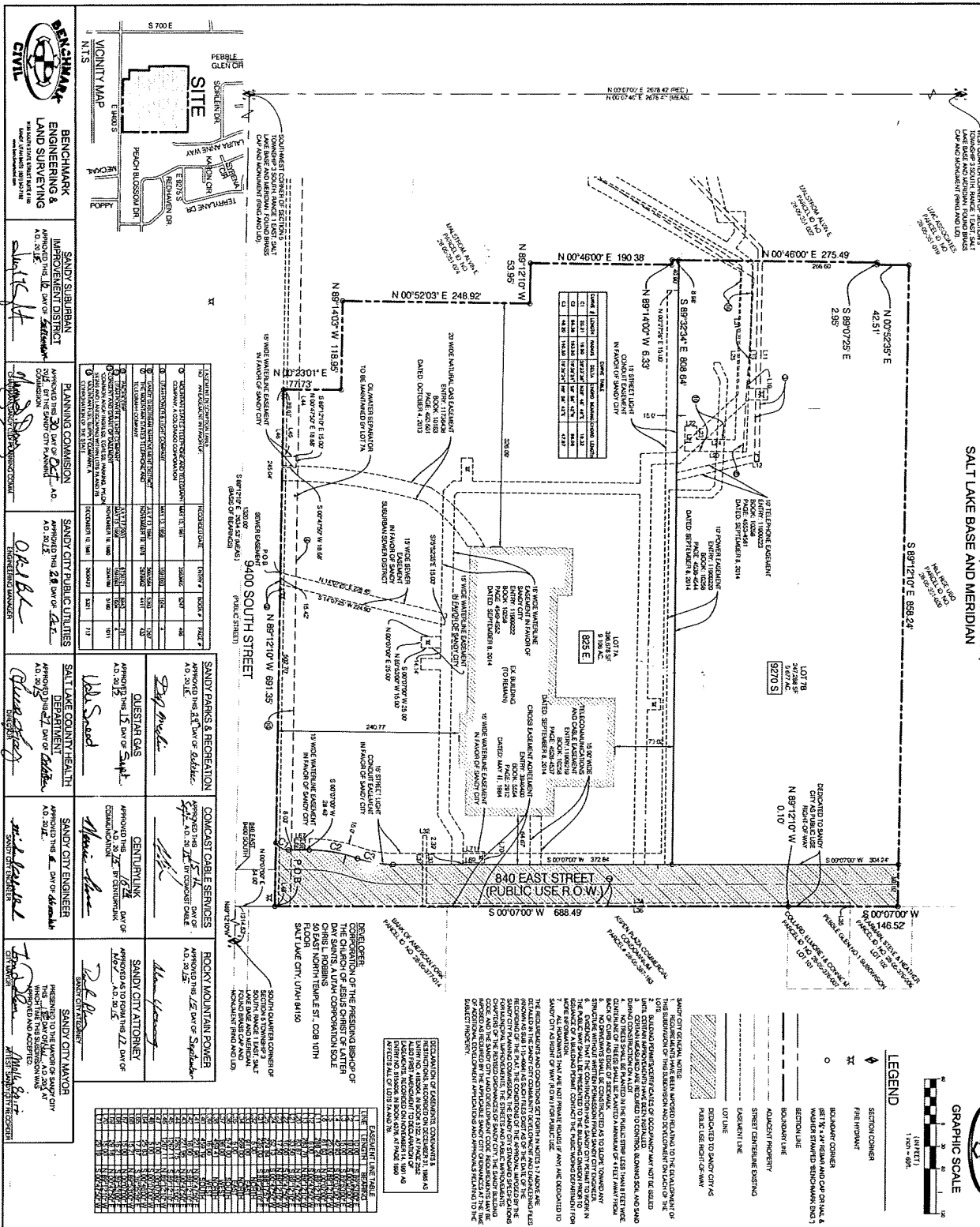
Scale 1"=100'
0 100' 200'
Feet
28-05-31

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64

Atlas Section Page

AMENDMENT OF LOT 7, 9400 SOUTH COMMERCIAL SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16,
TOWNSHIP 3 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN



LEGEND

- SECTION CORNER
- SETBACK
- BOUNDARY CORNER
- BOUNDARY CORNER PER UTA & WYBE STATEMENT BENCHMARK DIST.
- BOUNDARY CORNER
- BOUNDARY LINE
- ADJACENT PROPERTY
- STREET CORNER BOUNDARY
- EXISTENT LINE
- LOT LINE
- RETRACTED TO SANDY CITY AS PUBLIC USE RIGHT-OF-WAY

NOTICE: ALL BOUNDARIES SHOWN ARE BASED UPON THE DEVELOPMENT OF LOTS 7A THROUGH 7H, AND ARE NOT TO BE CONSIDERED AS A BASIS FOR ANY OTHER PURPOSES. THE DEVELOPER OF THIS SUBDIVISION HAS NOT BEEN ADVISED BY ANY OTHER PARTY OF ANY ADVERSE CLAIMS OR INTERESTS IN ANY OF THE LOTS. THE DEVELOPER HAS CONDUCTED A SEARCH OF THE PUBLIC RECORDS AND HAS FOUND NO RECORDS THAT WOULD AFFECT THIS SUBDIVISION. THE DEVELOPER HAS ALSO CONDUCTED A SEARCH OF THE PUBLIC RECORDS AND HAS FOUND NO RECORDS THAT WOULD AFFECT THIS SUBDIVISION. THE DEVELOPER HAS ALSO CONDUCTED A SEARCH OF THE PUBLIC RECORDS AND HAS FOUND NO RECORDS THAT WOULD AFFECT THIS SUBDIVISION.

STATE OF UTAH **ACKNOWLEDGMENT**

D. TODD EVANS, President of **SLT LAKES COMMERCIAL DEVELOPMENT, INC.** (a Utah corporation), do hereby certify that I am a duly qualified and authorized officer and agent of the above corporation and that I have signed this certificate of acknowledgment and the plat of this amendment in accordance with the provisions of the Utah Subdivision Map Act, Title 57, Chapter 2, Utah Code Annotated, 1993, as amended.

D. TODD EVANS
President of SLT LAKES COMMERCIAL DEVELOPMENT, INC.
BY: _____

BOUNDARY DESCRIPTION:
ALL OF LOT 7, 9400 SOUTH COMMERCIAL SUBDIVISION, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER, MAPLE WASHINGTON, DESCRIBED AS FOLLOWS:

OWNER'S DECLARATION:
I, **D. TODD EVANS**, the undersigned owner of the above described property, do hereby declare that I have read this amendment and the plat of this amendment and that I understand the contents thereof and that I have executed this amendment and the plat of this amendment of my own free will and without any duress, fraud, or coercion.

AMENDMENT OF LOT 7, 9400 SOUTH COMMERCIAL SUBDIVISION

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D. TODD EVANS
President of SLT LAKES COMMERCIAL DEVELOPMENT, INC.
BY: _____

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