



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

July 15, 2021

To: City Council via Planning Commission
From: Community Development Department
Subject: Partial Street Vacation of Benson Way
 (Approximately 6,229 square foot Street Vacation)
 [Historic Sandy, Community #4]

MSC05112021-006047
 Vacating approx.
 6,229 Square Feet or
 0.143 Acres

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject area, posted on the property, and on the City and Utah Public Notice websites.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
S64-01	Mt. Jordan Meadows No. 1 Subdivision was approved Sept. 30, 1964
MISC-07-20-5878	Partial Street Vacation of 9270 S. Approved by the Council in 2020.

DESCRIPTION OF REQUESTS

The applicant, the Sandy City Public Works Department, is requesting a partial street vacation of Benson Way. If vacated, a portion of Benson Way would then be transferred to the adjacent properties to the east and west. (See Exhibit 1 – Benson Way Partial Street Vacation Exhibit).

NOTICE

Notices were mailed to property owners within a 500-foot radius of the subject parcel to notify of the Planning Commission meeting, as well as being posted on the City and State public notice websites. The property was also posted with a public notice sign on the property. No neighborhood meeting was required by the Community Development Director.

ANALYSIS

The reason for the partial street vacation is because this was presented as an eventual part of the original Stadium Block Master Plan and was viewed very favorably. This will be another step in the Master Plan development. (See Exhibit #2 – Former Vacation and Re-Routing Exhibit). The project is being done with an approximate 6.6 million dollar federal grant, and another matching 500,000 dollars by Sandy City. 9270 S. has been rerouted to Rimando way where it meets State Street at a fully signalized intersection.

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.

1. Consent of the abutters. Sandy City staff have agreed to this vacation. The City has received no objection from any property owner that abuts the existing road segment.
2. If good cause exists for the street vacation. The requested action allows for the current development for the Stadium Block Master Plan realignment. The Public Works Department has determined that this particular portion of property will no longer be needed for right-of-way or public use.
3. That neither the public interest nor any person will be materially injured by the vacation. No injury to the public will occur due to this partial street vacation.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the City Council for the partial street right-of-way vacation of a portion of Benson Way as shown in the attached exhibit, based on the following findings and subject to the following conditions of approval:

FINDINGS

1. The partial street vacation action by the City will transfer the ownership of the subject property to the abutting property owners, who will use the area in future development of the property, or agree to own and maintain the property. Therefore, good cause for the action exists.
2. That there is neither material injury to either the public interest nor any person by the requested vacation.
3. Staff has not received any objection from the abutting property owners.
4. The City Engineer has recommended the approval of the partial street vacation.

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 street vacation ordinance be done with the Salt Lake County Recorder's Office.

Planner: _____
Craig P. Evans, Planner

Reviewed by: _____
Brian McCuiston, Planning Director