

SOUTH JORDAN CITY CITY COUNCIL REPORT

Meeting Date: 01/04/2022

Issue: **ULTRADENT DRIVE OR 10200 STREET
PARTIAL ROW VACATION**

Address: 10200 S. Jordan Gateway

File No: **PLSPR202100252**

Applicant: Matt Williams, PGAW Architects

Submitted by: **Damir Drozdek, Planner III**
 Shane Greenwood, Supervising Senior Engineer

Presented by: **Steven Schaefermeyer, Director of Planning**

Staff Recommendation (Motion Ready): I move the City Council **approve** Ordinance 2022-01 vacating a portion of the Ultradent Dr. (10200 South) public right-of-way.

BACKGROUND:

The applicant seeks to vacate a portion of the Ultradent Dr. (10200 South) right-of-way (ROW). Half of the ROW was dedicated to the City with the Ultradent subdivision plat. The other half has historically used as public right-of-way. The portion of Ultradent Dr. that is proposed to be vacated is located west of the train tracks and east of Jordan Gateway. This portions of Ultradent Dr. that the applicant requests to be vacated does not have an outlet, and is a dead-end street with no proper turn-around area. The applicant's properties are the only properties accessed from the road.

On December 14, 2021, the Planning Commission approved the site plan for Ultradent's planned manufacturing facility on the north side of proposed road vacation. The property to the south of the proposed road vacation is currently developed as an Ultradent office building. If the City Council approved the petition to vacate, this road section will become a private drive for the manufacturing facility and office building, And will also accommodate some parking that will be associated with the manufacturing facility.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- Utah Code § 10-9a-609.5(3) provides standards of approval for vacating a public easement:
The legislative body may adopt an ordinance granting a petition to vacate some or all of a public street or municipal utility easement if the legislative body finds that:
 - (a) good cause exists for the vacation; and
 - (b) neither the public interest nor any person will be materially injured by the vacation.
- Staff finds there is a good cause to vacate the ROW because the road only provide access to properties owned by Ultradent and is a dead-end street that was not built with a proper

turnaround. It is beneficial for the City to eliminate surplus infrastructure to reduce maintenance and liability costs.

- Staff also finds that the proposed ROW vacation is unlikely to cause any material injury to any person or the public interest because the applicant owns both properties to the north and south, and the road does not benefit public street circulation in the area.

Conclusion:

- There is good cause for the proposed ROW vacation and it will not materially injure the public interest nor any person.

Recommendation:

- Based on the Findings and Conclusions listed above, Staff recommends that the City Council take comments at the public hearing and **approve** the petition to vacate the ROW, unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

- Approve an amended Application.
- Deny the Application.
- Schedule the Application for a decision at some future date.

SUPPORT MATERIALS:

- Aerial Map
- Ultradent Subdivision Plat
- Street Vacation Exhibit
- Ordinance 2022-01

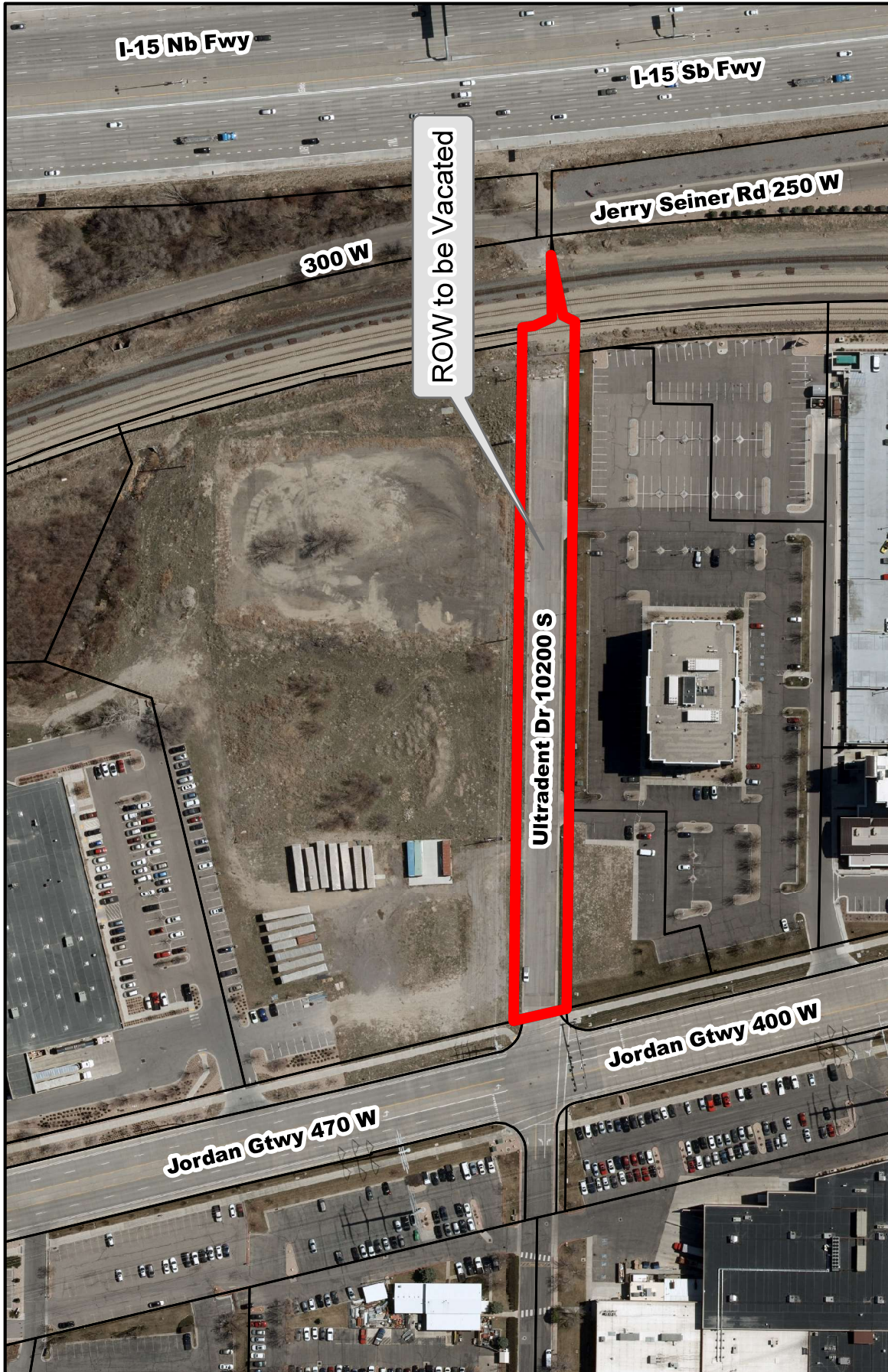
Approved by:

Steven Schaefermeyer
Steven Schaefermeyer (Dec 28, 2021 08:40 MST)

Steven Schaefermeyer
Director of Planning

Submitted by:

Damir Drozdek, AICP
Planner III, Planning Department



Legend

STREETS

PARCELS

Aerial Map

City of South Jordan

0 50 100 200 300 400 Feet

Aerial Imagery
2021

C600

PERMIT SET
DATE: OCTOBER 5, 2021
BY: [Signature]
CHECKED BY: [Signature]

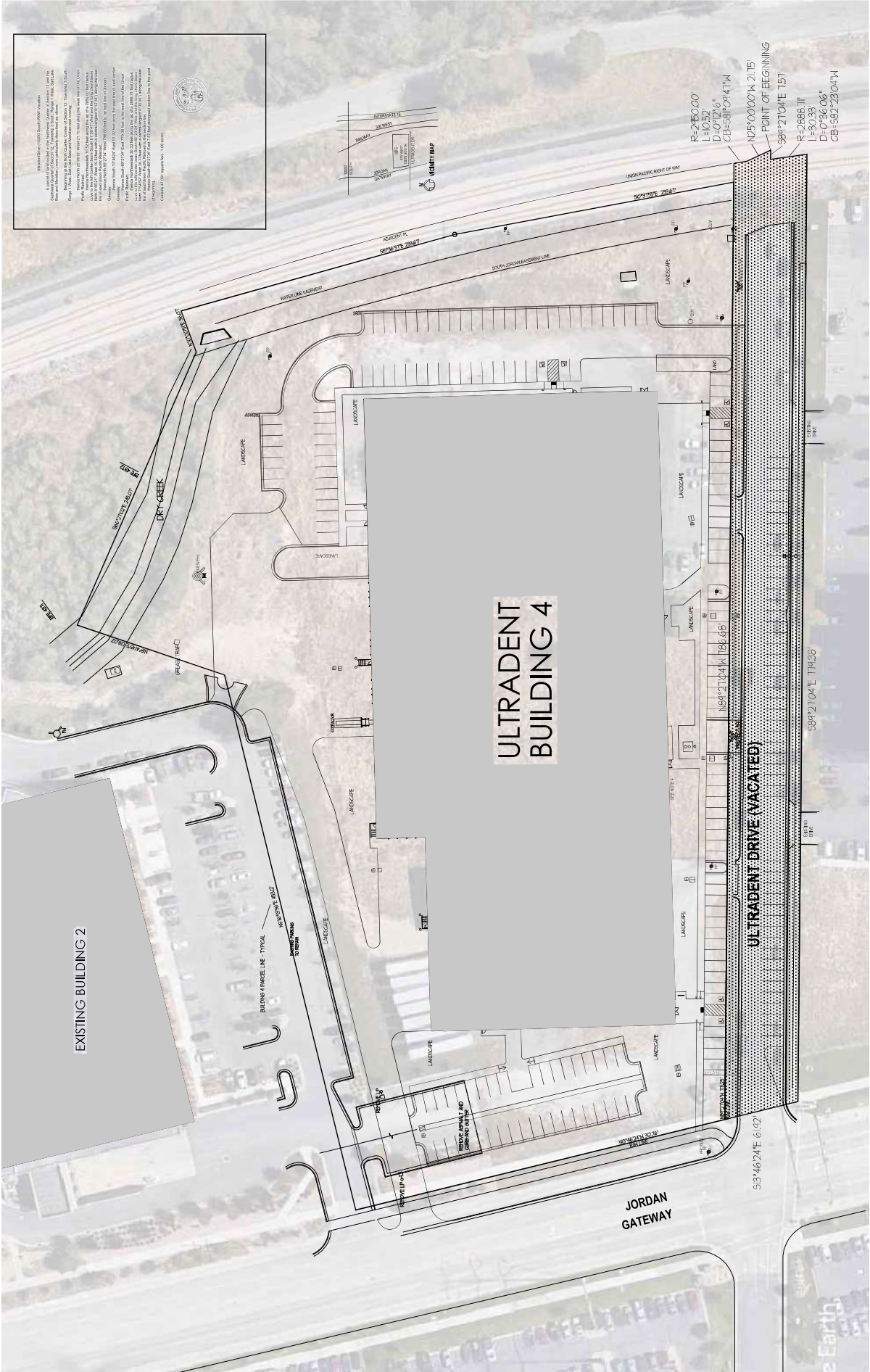
ULTRADENT DRIVE VACATION
NEW BUILDING FOR
ULTRADENT PRODUCTS INC.
SOUTH JORDAN UTAH 84095



Layton PC&W ARCHITECTS
CONSTRUCTING WITH INTEGRITY
ARCHITECT / PLANNER / DESIGN / CONSTRUCTION / INTERIOR DESIGN / PROJECT MANAGEMENT



SITE PLAN
SCALE: 1"=30'-0"
0 30' 60'



ULTRADENT DRIVE VACATION
NEW BUILDING FOR
ULTRADENT PRODUCTS INC.
SOUTH JORDAN UTAH 84095
DATE: OCTOBER 5, 2021
BY: [Signature]
CHECKED BY: [Signature]

ORDINANCE NO. 2022-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, VACATING A PORTION OF THE ULTRADENT DRIVE OR 10200 SOUTH STREET RIGHT-OF-WAY LOCATED EAST OF JORDAN GATEWAY.

WHEREAS, Utah Code §§ 10-9a-608, 609, and 609.5 require that any vacation of some or all of a public street, right-of-way, or easement, including those recorded by subdivision plat, within the City of South Jordan (the “City”) may only be approved by the City Council of the City of South Jordan (the “City Council”); and

WHEREAS, Matt Williams (the “Applicant”), petitioned the City to vacate a portion of the Ultradent Dr. or 10200 South street Right-of-Way (the “ROW”); and

WHEREAS, the City Council held a public hearing to consider Applicant’s petition to vacate the ROW; and

WHEREAS, the City Council finds that there is good cause to vacate the ROW and that neither the public interest nor any person will be materially injured by vacating the ROW.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Grant of Petition to Vacate. The City Council hereby grants the Applicant’s petition to vacate the ROW by adopting this Ordinance, more particularly described as follows:

A parcel of land located in the Northwest Quarter of Section 13 and the Southwest Quarter of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at the North Quarter Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian and running;
thence North 25°00’00” West 21.75 feet along the west line of the Union Pacific Railroad;
thence Northwesterly 10.52 feet along the arc of a 2950.00 foot radius curve to the left (center bears South 81°09’47” West and the long chord bears North 8°56’21” West 10.52 feet with a central angle of 0°12’16”) along the west line of said Union Pacific Railroad;
thence North 89°27’04” West 786.68 feet to the east line of Jordan Gateway;
thence South 13°46’24” East 61.92 feet along the east line of said Jordan Gateway;
thence South 89°27’04” East 779.38 feet to the west line of the Union Pacific Railroad;
thence Northwesterly 30.33 feet along the arc of a 2888.71 foot radius curve to the left (center bears South 82°23’04” West and the long chord bears North 7°54’59” West 30.33 feet with a central angle of 0°36’06”) along the west line of said Union Pacific Railroad to the section line;
thence South 89°27’04” East 7.57 feet along said section line to the point of beginning.
Contains 47,051 square feet. 1.08 acres.

SECTION 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective upon recordation of this Ordinance or a subdivision plat showing the vacation of ROW.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2022 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason T. McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:


Gregory Simonsen (Dec 28, 2021 10:55 MST)
Office of the City Attorney