

ITEM #: _____
Fiscal Impact: _____
Funding Source: _____
Account #: _____
Budget Opening Required: _____

ISSUE:

SV-1-2015 John Henry Drive – Street Vacation (2365 South 2570 West)

SYNOPSIS:

Proposal: Vacate all of John Henry Drive

BACKGROUND:

The West Valley City Community & Economic Development Department is requesting a street vacation for all of John Henry Drive. This street is located at 2365 South 2570 West.

John Henry Drive was dedicated by the Cache Valley Electric Company in 1996. The purpose for the dedication was to provide access for what would be a new building site and to provide a potential connection with undeveloped property to the north of the Brighton North Point Canal. The right-of-way was located entirely on property owned by Cache Valley Electric.

The street has existed as it was dedicated since 1996. Property to the north has since developed and did not require access from John Henry Drive. The City recently learned that Cache Valley Electric is proposing to leave West Valley City. Rather than allow a prime industrial property to sit vacant, the City’s Economic Development Division has worked to secure a new owner, which is CCI Mechanical.

As part of the negotiations with CCI Mechanical to make this site more attractive and secure for their business operations, they inquired as to the possibility of vacating John Henry Drive. The City explained the process and discussed various reasons why the vacation makes sense. These are listed below:

1. The existing road dead-ends without an approved turnaround.
2. Property to the north has developed without the need for secondary access.
3. Property within the vacated right-of-way could be incorporated into a revised site plan.
4. Property within the vacated right-of-way would be put back on the tax rolls.
5. The Cache Valley Electric site is the only property that is utilizing this street.

Typically, when a street is vacated, half of the right-of-way would go to each adjacent property owner. However, in this case, Cache Valley Electric deeded the entire right-of-way for John Henry Drive. As a result, the entire right-of-way will go back to Cache Valley Electric, or their successors in interest.

As part of the application, the City sends out notices regarding the application. One such recipient of this notice is the State of Utah. The State owns property immediately to the west of John Henry Drive. Staff received a call from the Real Estate Manager inquiring about the vacation.

A concern was expressed that although the State does not presently use John Henry Drive, there may be redevelopment plans in the future that could benefit from this road if it was allowed to remain a dedicated right-of-way. Subsequent to our discussion, a letter was submitted by the State expressing their desire to keep this road open. (See attached letter)

Staff explained the reasoning behind the proposed vacation and stated that their site presently has access from 2365 South. A suggestion was made that the State could also reach out to the new property owner to see if a portion of what will be vacated could be jointly used between the two parties. This would be a perpetual access easement that could be maintained in common if agreed by both parties.

RECOMMENDATION:

The Planning Commission voted to approve the street vacation.

SUBMITTED BY:

Steve Lehman, Current Planning Manager