

SV-1-2015

John Henry Drive – Street Vacation (2570 West)

BACKGROUND

West Valley City 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.

According to City ordinance, street vacations shall be reviewed by the Planning Commission with a recommendation to the City Council.

RECOMMENDATION

Approval of the street vacation as submitted.

Continue the application due to issues raised at the public hearing.

Applicant:

Davis Mulholland
758 S Redwood Road

Opposed:

Lee Fairbourne
State of Utah

Favored:

Jeff Jackson
West Valley City RDA

Discussion: Steve Lehman presented the application. Terri Mills asked what type of fencing currently exists between the two properties. Steve replied that it is chain-link.

Lee Fairbourne, representing the State of Utah, stated that the State is concerned about potential access issues with their facility if the site redevelops in the future. Jack Matheson asked how many people currently work at the facility. Mr. Fairbourne replied that he isn't sure but indicated that it is a correctional facility for people on parole and is minimum security. Commissioner Matheson stated that it doesn't seem like there would be a lot of traffic on the property and a secondary access doesn't sound necessary. Terri Mills stated that the site looks built out and questioned if a demolition could take place in the future if the site redevelops. Mr. Fairbourne replied it is a possibility.

Jeff Jackson, representing West Valley City RDA, stated that the facility was built prior to John Henry drive being constructed and it was built without anticipation of this access. Mr. Jackson indicated that the City worked closely with CCI Mechanical to relocate to this site after Cache Valley decided to leave the City. He stated that CCI Mechanical felt comfortable with the site under the assumption that John Henry Drive could be vacated. Mr. Jackson stated that the State facility treats sex offenders and CCI Mechanical wants to ensure the safety of its employees who will work at various times through the day and night.

Davis Mulholland, representing CCI Mechanical, stated that his business has been operating out of Salt Lake City for 52 years and he is looking forward to relocating in West Valley City. He indicated that the vacation of the road will allow more flexibility in adding

additional office space in the future since setbacks for additions would be an issue. Mr. Mulholland stated that there are over 100 employees that work in the office that include mechanical engineers and administrative staff.

West Valley City Planning Commission
February 11, 2015
Page 7

He added that the warehouse portion of the building will have 400 to 500 employees that operate under a union. Barbara Thomas asked if fencing will be installed on the west end. Mr. Mulholland replied that he may add a decorative fence but plans haven't been worked out completely at this point. Chairman Thomas asked if the applicant is open to working with the State on providing access. Mr. Mulholland replied yes and indicated that he wants to ensure secure access to his property but is open to looking at ideas to see if something can be worked out.

Chairman Thomas asked if parolee's stay at the facility. Mr. Fairbourne replied that there are 60 beds but indicated that he is unsure of duration of stay. He stated that it is low level security and there are mental health and rehabilitation programs.

Harold Woodruff stated that he sees how John Henry Drive could be beneficial to the State facility but added that the property was originally owned by Cache Valley and it makes sense to allow the new property owner to regain it back. Jack Matheson agreed and indicated that CCI Mechanical should be allowed to secure their access and decide what to do with the vacated street.

Motion: Commissioner Fuller moved for approval.

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-SV-1-2015- Approved