

Council Meeting of Dec. 17, 2014

Agenda Item No. 5h

REQUEST FOR COUNCIL ACTION

SUBJECT: 3620 West Street Vacation

SUMMARY: Adoption of street vacation ordinance vacating an 870 square foot section of 3620 West Street between 7800 South Street and 7825 South Street and repeal of Ordinance No. 11-33.

**FISCAL
IMPACT:** None.

STAFF RECOMMENDATION:

Staff recommends that the City Council adopt a new ordinance to vacate 870 square feet of 3620 West Street and repeal Ordinance 11-33.

MOTION RECOMMENDED:

“I move to adopt Ordinance No. 14-37 vacating a portion of 3620 West Street between 7800 south and 7825 south.”

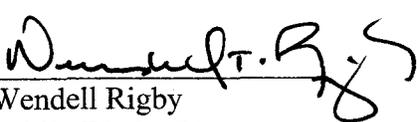
Prepared by:


Paul Coates
ODA Manager

Reviewed by:


Tom Burdett
Development Director

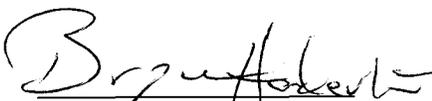
Reviewed by:


Wendell Rigby
Public Works Director

Reviewed as to legal form:


Jeff Robinson
City Attorney

Recommended by:


Bryce Haderlie
Interim City Manager

BACKGROUND DISCUSSION:

In the years 2011 and 2012, the Utah Department of Transportation (UDOT) undertook an Innovative Intersection Construction project (the project) affecting the intersections of 6200 South, 7000 South and 7800 South. The project included a new grade separated interchange at 7800 South. As part of the new ramp configuration, UDOT constructed a wall that closed 3620 West at the point it meets 7800 South.

On October 26, 2011, the City Council was presented with a request to approve the vacation of 3620 West as part of the project. Staff recommended, and the City Council approved, Ordinance 11-33, conditionally vacating a portion of 3620 West Street located in the Western Hills Phase 1 Subdivision. Ordinance 11-33 states that the 870 square feet is vacated subject to certain conditions. A vacation plat was provided to the City, but it was not recorded because UDOT failed to meet conditions 1 and 3, and consequently, the vacation could not occur under the terms of Ordinance 11-33.

On December 3, 2014, the City Council directed City staff to present a new ordinance eliminating and modifying certain conditions of Ordinance 11-33, so the plat can be recorded and the vacation completed. The attached ordinance has been prepared by City staff and is recommended for adoption.

Legal Review-Date/Initial: _____ / _____
Text/Format -Date/Initial: _____ / _____
Dept. Review-Date/Initial: 12-9-14 / DA
Adopted: _____ Effective: _____

THE CITY OF WEST JORDAN, UTAH
A Municipal Corporation

ORDINANCE NO. 14-37

AN ORDINANCE VACATING A PORTION OF 3620 WEST STREET
BETWEEN 7800 SOUTH AND 7825 SOUTH

WHEREAS, the Utah Department of Transportation requested that the City of West Jordan vacate an 870 square foot section of 3620 West Street between 7800 South Street and 7825 South Street; and

WHEREAS, the City of West Jordan has the enabling power to vacate the streets on Subdivision plats pursuant to 10-9a-609.5 Utah Code Ann.; and

WHEREAS, on October 26, 2011, after receiving a positive recommendation from the Planning Commission and holding the required public hearing, the Council of the City of West Jordan adopted Ordinance No. 11-33 conditionally vacating the 870 square foot section of 3620 West Street; and

WHEREAS, the City Council made the following findings:

1. The public interest will not be materially injured by vacating a portion of 3620 West within the Western Hills Subdivision Phase 1. The proposed vacation will not violate any of the policies of the General Plan, and does not affect the property lines or lot configurations that existed before the Western Hills Subdivision Phase 1 plat was recorded.

2. No person will be materially injured by the section of street being vacated. No other property is affected. The intersection at 3620 West and 7800 South will be blocked for vehicular ingress and egress, but no changes to existing streets or public or private accesses will be made as a result of the vacation.

3. There is good cause shown for vacating a portion of 3620 West between 7800 South and 7825 South, and the proposed action is consistent with the requirements of State law and with the West Jordan Municipal Code; and

WHEREAS, the City Council made the following conditions of vacation:

1. Install landscaping in accordance with Zoning Ordinance Section 13-13-11 B1.

2. Modify the access intersections into Western Hiltts and Nobel Heights Subdivisions as well as the 3620 West 7825 South intersection in a manner approved by the West Jordan Engineering Department in order to improve traffic circulation on the two remaining intersections, and notify drivers that a portion of 3620 West Street has been closed.

3. Bond for the improvements to the property.

4. Complete recordation of the plat to vacate 3620 West Street in Western Hills Phase 1 Subdivision prior to the closure of the street; and

WHEREAS, condition 2 has been completed, the street has been closed by construction of a wall, and the City Council has determined it to be in the best interest of the City to remove conditions 1 and 3, modify condition 4 and proceed with recording the 3620 West Street road vacation plat.

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

Section 1. An 870 square foot section of 3620 West between 7800 South and 7825 South recorded as public right-of-way within the Western Hills Subdivision Phase 1 Plat is hereby vacated pursuant to Utah State Code Annotated 10-9a-609.5.

Section 2. West Jordan City staff is directed to obtain all signatures as needed and record the 3620 West Street road vacation plat according to standard practices and procedures.

Section 3. The Mayor is authorized and directed to execute documents as necessary to complete recordation.

Section 4. All other ordinances in conflict or inconsistent with this ordinance, including Ordinance No. 11-33, are hereby repealed.

Section 5. This Ordinance shall take effect upon publication or upon posting as required by law.

Passed and adopted by the City Council of the City of West Jordan, Utah this ____ day of _____, 2014.

CITY OF WEST JORDAN

ATTEST:

Melanie S. Briggs, City Clerk

By: _____
Mayor Kim V. Rolfe

