

9/11/23

COTTONWOOD HEIGHTS
COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

RESOLUTION NO. 2022-02

A RESOLUTION ADOPTING THE PROJECT AREA PLAN
FOR THE "TOWN CENTER AT 2300 EAST FT. UNION"
COMMUNITY REINVESTMENT AREA

WHEREAS, the Community Development and Renewal Agency (the "Agency") of the city of Cottonwood Heights (the "City") was created to transact the business and exercise all of the powers provided for in the Limited Purpose Local Government Entities - Community Reinvestment Agency Act (Title 17C, Chapters 1 through 5, UTAH CODE ANNOTATED (1953 as amended) and any subsequent, replacement or amended law or act (the "Act"); and

WHEREAS, the City has a planning commission and has adopted a general plan pursuant to applicable law; and

WHEREAS, pursuant to section 17C-5-103 of the Act, the Agency's governing board (the "Board") has, by resolution, authorized preparation of a proposed community reinvestment project area plan; and

WHEREAS, pursuant to section 17C-5-103 of the Act, the Agency has (a) prepared a draft of the "Town Center at 2300 East Ft. Union" Community Reinvestment Project Area Plan (the "Project Area Plan") and (b) made the Project Area Plan available to the public at the Agency's offices during normal business hours for at least 30 days prior to the Hearing (defined below); and

WHEREAS, the Agency has held a public hearing (the "Hearing") on the draft Project Area Plan and, at that Hearing, (a) allowed public comment on the draft Project Area Plan and whether the draft Project Area Plan should be revised, approved or rejected, and (b) received all written and heard all oral objections to the draft Project Area Plan; and

WHEREAS, before holding the Hearing, the Agency provided the State Board of Education and each taxing entity that levies a tax on property within the Town Center at 2300 East Ft. Union Community Reinvestment Project Area (the "Project Area") an opportunity to consult with the Agency regarding the draft Project Area Plan; and

WHEREAS, before holding the Hearing, the Agency also provided notice of the Hearing as required by section 17C-5-104(3)(d) of the Act; and

WHEREAS, after holding the Hearing, and at the same meeting the Agency considered the oral and written objections to the draft Project Area Plan, and whether to revise, approve or reject the Project Area Plan; and

WHEREAS, less than one year has passed since the date of the Hearing;

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01/05/2023 11:16 AM By: csummers Fees: \$0.00
Rashelle Hobbs, Recorder Salt Lake County, Utah
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2277 E BENGAL BLVD SALT LAKE CITY, UT 84121

WHEREAS, the Board met on 13 December 2022 to consider, among other things, adopting the Project Area Plan, designating the boundaries of the Project Area, and specifying the Agency's purposes and intent for the Project Area; and

WHEREAS, after careful consideration, the Board has determined that it is appropriate to act as specified below.

NOW, THEREFORE, BE IT RESOLVED by the governing board of the Cottonwood Heights Community Development and Renewal Agency as follows:

1. *Adoption of Project Area Plan.* It has become necessary and desirable to adopt the Project Area Plan for the Project Area effective 13 December 2022. The Project Area Plan is hereby designated as the official Project Area Plan for the Project Area. The Agency hereby officially adopts the Project Area Plan by this Resolution and shall submit the Project Area Plan, together with a copy of this Resolution, to the City, requesting that the Project Area Plan be adopted by ordinance of the City's legislative body in accordance with the provisions of the Act.

2. *Legal Description of the Project Area Boundaries.* The legal description of the boundaries of the Project Area covered by the Project Area Plan is attached hereto and incorporated herein as Exhibit "A," and a map of the Project Area is attached hereto and incorporated herein as Exhibit "B."

3. *Agency's Purposes and Intent.* The Agency's purposes and intent with respect to the Project Area are to accomplish the following with the assistance of private developers and property owners:

(a) Encourage, undertake and/or facilitate new development within the project area including public uses, various types of multi-family housing units including a reasonable percentage of affordable units, office, retail, and general commercial uses including restaurant space.

(b) Provide essential governmental services to the Project Area by providing a mechanism to develop public infrastructure to the Project Area.

(c) Provide for the strengthening of the tax base and economic health of the community.

4. *Project Area Plan Incorporated by Reference.* The Project Area Plan, together with its supporting documents, are incorporated herein by reference and made a part of this Resolution. Copies of the Project Area Plan shall be filed and maintained in the office of the Agency and the City Recorder for public inspection. A copy of the Project Area Plan is included in Exhibit "C" attached hereto and incorporated herein by this reference.

5. *Board Findings.* The Board hereby determines and finds that adoption of the Project Area Plan will:

(a) Satisfy a public purpose by, among other things, encouraging and accomplishing appropriate development within the Project Area;

(b) Provide a public benefit, as shown by the benefit analysis that was performed for the Project Area as required by Subsection 17C-5-105(12) of the Act;

(c) Be economically sound and feasible, in that some of the revenue needed for the implementation of the plan will come from property taxes generated by new private development within the Project Area;

(d) Conform to the City's general plan, in that the Project Area Plan provides that all development in the Project Area is to be in accordance with the City's zoning ordinances and requirements; and

(e) Promote the public peace, health, safety and welfare of the City's residents.

6. Financing.

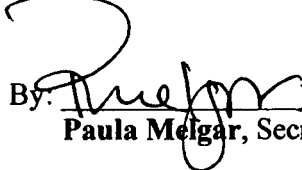
(a) Subject to any limitations required by currently existing law (unless a limitation is subsequently eliminated), this Resolution hereby specifically incorporates all of the provisions of the Act that authorize or permit the Agency to receive funding for the Project Area and that authorize the various uses of such funding by the Agency, and to the extent greater (or more beneficial to the Agency) authorization for receipt of funding by the Agency or use thereof by the Agency is provided by any amendment of the Act or by any successor provision, law or act, those are also specifically incorporated herein. It is the intent of this Resolution that the Agency shall have the broadest authorization and permission for receipt of and use of sales tax, tax increment and other funding as is authorized by law, whether by existing or amended provisions of law. This Resolution also incorporates the specific provisions relating to funding of community reinvestment project areas permitted by UTAH CODE ANN. Title 17C, Chapter 5, Part 2 (1953, as amended).

(b) The particulars as to the amount and duration of funding for the Project Area shall be as provided in Project Area Budget, which will be subsequently adopted, and any increment secured through interlocal agreements with taxing entities as provided in Part 2 of Chapter 5 of the Act.

This Resolution, assigned no. 2022-02, shall take effect immediately upon adoption, and pursuant to the provisions of the Act, the Project Area Plan shall become effective upon its adoption by ordinance of the City's legislative body.


PASSED AND APPROVED effective 13 December 2022.

ATTEST:

By: 
Paula Melgar, Secretary



**COTTONWOOD HEIGHTS COMMUNITY
DEVELOPMENT AND RENEWAL AGENCY**

By: 
Michael T. Weichers, Chairman

VOTING:

Michael T. Weichers
Douglas Petersen
J. Scott Bracken
Shawn E. Newell
Ellen Birrell

Yea Nay
Yea Nay
Yea Nay
Yea Nay
Yea Nay

DEPOSITED in the office of the Secretary of the Cottonwood Heights Community Development and Renewal Agency this 13th day of December 2022.

NOTICE OF ADOPTION OF COMMUNITY REINVESTMENT PROJECT AREA PLAN
FOR THE "TOWN CENTER AT 2300 EAST FT. UNION" PROJECT AREA

NOTICE IS HEREBY GIVEN that on 13 December 2022 the legislative body (the "*Council*") of the city of Cottonwood Heights (the "*City*") enacted its Ordinance No. 391 (the "*Ordinance*") adopting a community reinvestment project area plan (the "*Project Area Plan*") for the "Town Center at 2300 East Ft. Union" community reinvestment project area (the "*Project Area*"). A boundary description of the Project Area is attached to this notice as Exhibit "A" and an accurate map or plat indicating the boundaries of the Project Area is attached to this notice as Exhibit "B."

A copy of the Project Area Plan will be available for general public inspection at the City's offices, 2277 East Bengal Blvd., Cottonwood Heights, UT. The city's offices are open from 8:00 a.m. to at least 5:00 p.m., Monday through Friday (legal holidays excluded).

Recorded and transmitted by order of the Cottonwood Heights city council.

EXHIBIT "A"

BOUNDARY DESCRIPTION OF THE "TOWN CENTER AT 2300 EAST FT. UNION" COMMUNITY REINVESTMENT PROJECT AREA

THE FOLLOWING DESCRIBED TRACT OF LAND IS SITUATE IN THE NORTHWEST QUARTER OF SECTION 26, THE NORTH EAST QUARTER OF SECTION 27, THE SOUTH WEST QUARTER OF SECTION 23 AND THE SOUTH EAST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN:

BEGINNING AT THE NORHT EAST CORNER OF FYANDALE SUBDIVISION, SAID POINT BEING SOUTH 00°14'40" WEST 663.0 FEET ALONG THE SECTION LINE AND NORTH 89°45'20" WEST 33.00 FEET FROM THE NORTH QUARTER CORNER OF SECTION 27, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG SAID FYANDALE SUBDIVISION THE FOLLOWING 3 COURSES: 1) NORTH 89°45'20" WEST 208.00 FEET; 2) THENCE NORTH 00°14'40" EAST 63.00 FEET; 3) THENCE NORTH 89°45'20" WEST 592.00 FEET, MORE OR LESS TO THE EAST LINE OF TOWNCREST TERRACE SUBDIVISION; THENCE ALONG SAID EAST LINE OF TOWNCREST TERRACE SUBDIVISION NORTH 00°39'00 EAST 267.29 FEET, MORE OR LESS TO THE SOUTH LINE OF VIRGINIA SQUARE CONDOMINIUMS; THENCE ALONG SAID VIRGINIA SQUARE CONDOMINIUMS THE FOLLOWING 3 CALLS: 1) WEST 132.0 FEET; 2) THENCE NORTH 22.16 FEET; 3) THENCE NORTH 00°14'40" EAST 140.01FEET, MORE OR LESS TO THE SOUTH LINE OF OP-CH, LLC PROPERTY AS DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED AS ENTRY NUMBER 12682238 IN BOOK 10630 AT PAGE 8819 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDERS OFFICE AND RUNNING THENCE ALONG SAID SOUTH LINE SOUTH 85°00'00" WEST 132 FEET, MORE OR LESS TO THE EAST RIGHT OF WAY LINE OF 2170 EAST STREET; THENCE WEST 51.17 FEET, MORE OR LESS TO THE EAST LINE OF THE WALL PROPERTY AS DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED AS ENTRY NUMBER 8989682 IN BOOK 8950 AT PAGE 8652 IN THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE ALONG SAID WALL PROPERTY THE FOLLOWING 3 COURSES: 1) SOUTH 48.72 FEET; 2) THENCE WEST 119.42 FEET; 3) THENCE NORTH 17.50 FEET, MORE OR LESS TO THE SOUTH LINE OF THE ANTCZAK PROPERTY AS DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED AS ENTRY NUMBER 5705260 IN BOOK 6845 AT PAGE 1682 AND RUNNING THENCE ALONG SAID SOUTH LINE 125.00 FEET, MORE OR LESS TO THE EAST LINE OF THE FOSSEY HOLDINGS PROPERTY AS DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED AS ENTYR NUMBER 10131794 IN BOOK 9477 AT PAGE 7043 IN THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE ALONG SAID FOSSEY PROPERTY THE FOLLOWING 2 CALLS: 1) SOUTH 46.88 FEET; 2) THENCE WEST 82.50 MORE OR LESS TO THE EAST LINE OF CADEN'S COVE P.U.D., THENCE ALONG SAID CADEN'S COVE P.U.D. THE FOLLOWING 4 COURSES: 1) THENCE NORTH 64.54 FEET 2) NORTH 89°56'23" WEST 122.20 FEET; 3) THENCE SOUTH 00°03'37" WEST 4.36 FEET; 4) THENCE WEST 11.83 FEET, MORE OR LESS TO THE NORTH LINE OF PONDORAY PARK NO 2

SUBDIVISION AND RUNNING ALONG SAID PONDORAY PARK NO 2 SUBDIVISION THE FOLLOWING 2 COURSES: 1) WEST 236.96 FEET; 2) THENCE NORTH 42.26 FEET, MORE OR LESS TO THE SOUTH EAST CORNER OF LOT 33 PONDORAY PARK NO 1 SUBDIVISION AND RUNNING THENCE ALONG THE SOUTH LINE OF LOTS 30, 31, 32 AND 33 OF SAID PONDORAY PARK NO 1 SUBIDIVISION THE FOLLOWING 3 CALLS: 1) THENCE WEST 137.73 FEET; 2) THENCE NORTH 71°30'00" WEST 97.82 FEET; 3) THENCE WEST 75.00 FEET, MORE OR LESS TO THE EAST RIGHT OF WAY LINE OF 2055 EAST STREET AND RUNNING NORTH 149.49 FEET, MORE OR LESS ALONG AND EXTENDING FROM SAID RIGHT OF WAY LINE TO THE CENTER LINE OF 7000 SOUTH STREET; AND RUNNING ALONG SAID CENTER LINE THE FOLLOWING 2 COURSES: 1) SOUTH 82°54'58" EAST 198.21 FEET; 2) THENCE SOUTH 89°56'23" EAST 1294.32 FEET, MORE OR LESS; THENCE NORTH 808.06 TO AND ALONG THE EASTERLY RIGHT OF WAY LINE OF WHITMORE WAY (2220 EAST) TO A POINT ON A 200.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 159.16 FEET, THROUGH A CENTRAL ANGLE OF 45°35'45" (CHORD BEARS N 22°47'53" W A DISTANCE OF 154.99 FEET); THENCE NORTH 45°35'45" WEST 97.64 FEET, MORE OR LESS TO THE EAST LINE OF WHITMORE MANOR ESTATES SUBDIVISION PHASE 1 AND RUNNING ALONG AND EXTENDING FROM SAID EAST LINE, NORTH 00°04'00" EAST 964.51 FEET, MORE OR LESS TO THE SOUTH LINE OF EAST COTTONWOOD HEIGHTS SUBDIVISION, AND RUNNING ALONG SAID SOUTH LINE NORTH 89°52'30 EAST 130.00 FEET, MORE OR LESS TO THE WEST LINE OF EAST COTTONWOOD HEIGHTS NO 4 SUBDIVISION; THENCE ALONG AND THE EXTENSION OF SAID WEST BOUNDARY LINE SOUTH 00°04'00" WEST 660.00 FEET, MORE OR LESS; THENCE NORTH 89°49'00" EAST 264.00 FEET, MORE OR LESS TO THE SOUTHWEST CORNER OF OWSLEY SUBDIVISION; THENCE ALONG SAID SOUTH LINE NORTH 89°56'55" WEST 363.00 FEET, MORE OR LESS TO THE WESTERLY RIGHT OF WAY LINE OF 2300 EAST STREET; THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 00°04'00" WEST 331.44 FEET, MORE OR LESS; THENCE 66.00 FEET EAST TO THE SOUTH WEST CORNER OF LAZY BAR NO 2 SUBDIVISION AND RUNNING ALONG SAID SOUTH LINE EAST 838.56 FEET, MORE OR LESS TO THE WEST LINE OF HILLSIDE VILLAGE SUBDIVISION; THENCE ALONG SAID HILLSIDE VILLAGE SUBDIVISION THE FOLLOWING 10 CALLS: 1) SOUTH 00°04'00" WEST 349.85 FEET; 2) SOUTH 89°52'30 EAST 143.25 FEET; 3) SOUTH 00°04'00" WEST 167.13 FEET; 4) EAST 142.36 FEET TO A POINT ON A 125.00 FOOT RADIUS NON TANGENT CURVE TO THE LEFT; 5) THENCE ALONG SAID CURVE 22.33 FEET THROUGH A CENTRAL ANGLE OF 10°14'01" (CHORD BEARS S 49°29'41" EAST A DISTANCE OF 22.30 FEET); 6) THENCE SOUTH 54°36'45" EAST 16.37 FEET TO A POINT ON A 15.00 RADIUS CURVE TO THE RIGHT; 7) THENCE ALONG SAID CURVE 23.56 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" (CHORD BEARS SOUTH 09°36'45" EAST A DISTANCE OF 21.21 FEET); 8) THENCE SOUTH 54°36'45" EAST 50.00 FEET; 9) THENCE NORTH 35°23'15" EAST 54.19 FEET; 10) THENCE SOUTH 73°31'55" EAST 282.23 FEET, MORE OR LESS TO THE EASTERLY LINE OF THE FOREST CORPORATION AS DESCRIBED BY THAT CERTAIN WARRANT DEED REDCORDED AS ENTRY NUMBER 9198470 IN BOOK 9048 AT PAGE 9774 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDERS OFFICE AND RUNNING ALONG

SAID EASTERLY LINE THE FOLLOWING 2 COURSES: 1) SOUTH 34°28'30" EAST; 2) THENCE SOUTH 00°07'30" WEST 100.06 FEET, MORE OR LESS TO THE NORTH RIGHT OF WAY LINE OF 7000 SOUTH STREET; THENCE NORTH 89°52'30" WEST ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 00°08'30" WEST 95.29 FEET TO A POINT ON THE EASTERLY LINE OF THE NEW ROADS PROPERTIES, LLC PROPERTY AS DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED AS ENTRY NUMBER 12044137 IN BOOK 10321 AT PAGE 2672 AND RUNNING ALONG SAID PROPERTY BOUNDARY THE FOLLOWING 4 CALLS: 1) SOUTH 00°08'30" WEST 102.52 FEET TO A POINT ON A 15 FOOT RADIUS CURVE TO THE RIGHT, 2) THENCE ALONG SAID CURVE 22.51 FEET THROUGH A CENTRAL ANGLE OF 85°58'55" (CHORD BEARS SOUTH 43°07'57" WEST A DISTANCE OF 20.46 FEET), TO A POINT OF REVERSE CURVATURE ON A 200.00 FOOT RADIUS CURVE TO THE LEFT 3) THENCE 135.92 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 38°58'58" (CHORD BEARS SOUTH 73°21'14" WEST A DISTANCE OF 133.32 FEET); 4) THENCE NORTH 39°30'00" EAST 1005.19 FEET, MORE OR LESS TO THE SOUTH LINE OF HILLSIDE PLAZA SUBDIVISION; THENCE ALONG SAID SOUTH LINE OF HILLSIDE PLAZA SUBDIVISION THE FOLLOWING 4 CALLS: 1) SOUTH 39°10'00" WEST 243.69 FEET; 2) THENCE SOUTH 45°11'35" WEST 720.00 FEET; 3) THENCE SOUTH 66°22'30" WEST 102.47 FEET; 4) THENCE SOUTH 89°45'20" WEST 150.00 FEET, MORE OR LESS TO THE EASTERLY RIGHT OF WAY LINE OF 2300 EAST STREET, THENCE NORTH 00°14'40" EAST 205.94 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTH 89°45'20" WEST 66.00 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

LESS AND EXCEPTING ALL PUBLIC RIGHT OF WAYS.

EXHIBIT "B"

PROJECT AREA MAP



Cottonwood Heights
2277 E Bengal Blvd
Cottonwood Heights, UT 84121
(801) 944-7000

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Source:
Utah State AGRC
Salt Lake County
Cottonwood Heights

Cottonwood Heights Town Center
Community Reinvestment Area

