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COMMUNITY DEVELOPMENT
DIRECTOR

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CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

April 18, 2019

To: Planning Commission
From: Community Development Department
Subject: Marlin Subdivision (Prelim Review) - 2 New Lots SUB-01-19-5592
 147 E. 11000 S. 1.67 Acres
 Community #11 - Crescent R-1-20A

HEARING NOTICE: *This item has been noticed to property owners within **500** feet of the subject area.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
A #79-2	Brought into Sandy City as part of the Fairborn Annexation on 2/13/1979
ZONE-7-11-1899	Rezoned from R-1-40A to R-1-20A
SUB-7-11-1900	Lot Line Adjustment with 135 E 11000 S
SUB-6-13-3010	Reversal of Lot Line Adjustment from SUB-7-11-1900

REQUEST

The applicants, Jason and Jennifer Anderson, are requesting preliminary subdivision review for a proposed three lot subdivision located at approximately 147 E. 11000 S. The current GIS linework shows the subject property as two parcels. This appears to be an illegal subdivision which can be corrected through this subdivision. The subject property is 1.67 acres in size and consists of two existing parcels. The proposed subdivision would create two new lots for a total of three lots. Lot one has an existing home and would be .57 acres. Lot two would be .46 acres. Lot three would be .47 acres. The main house and all structures currently located on Lot one would remain, while lots two and three would be new buildable lots. Lots two and three would be flag lots accessible by a proposed 30 foot private lane from 11000 S.

BACKGROUND

The subject properties front onto 11000 S. The original parcel was created in Salt Lake County. The house located on the property was built in Salt Lake County in 1975. The property was brought into Sandy City from Salt Lake County on February 13, 1979 by way of the Fairborn Annexation. At that time the property was classified as R-1-40A.

An application for re-zone was filed in July 2011. This re-zone included the subject property, along with the west-adjacent 135 E. 11000 S. On September 9, 2011 Ordinance 11-16 was passed into law formally re-zoning the property to R-1-20A. In addition, the lot line between the subject property and 135 E. 11000 S. was adjusted when the properties were rezoned. This lot line adjustment was reversed by the same applicant in a separate application in June 2013.

The subject property is zoned R-1-20A and is surrounded by a number of different residential zones. The properties to the immediate north and east are zoned R-1-40A. The properties to the immediate west, and surrounding the R-1-40A properties, are R-1-10. On the southwest corner are a two properties zoned R-1-12. Finally, the properties across 11000 S. are zoned R-1-10 to the southwest and R-1-15 to the southeast. All of these zones are single-family residential.

NOTICE

Notices were mailed to property owners within a 500-foot radius of the subject parcel to notify them of the Planning Commission meeting. The applicant also held a neighborhood meeting on January 24, 2019. This was well attended and several questions and concerns were raised during the meeting. A full report from the meeting is attached to this report. These concerns included access to lots behind the subdivision during utilities installation and property line issues.

ANALYSIS

The R-1-20A zone is a single-family zone that requires lots to be at least 20,000 square feet in size. The "A" designation provides property owners with rights to have large animals on their property, to the degree that they maintain compliance with regulations for housing and storing of animals as found in Section 15A-11-03 of the Development Code. The zone is a standard zone in the city, which means that all provisions for setbacks, building height, lot frontage, lot size, etc. are all pre-determined by ordinance and must be adhered to. The proposed plat conforms to these standards of the zone. Lots two and three are proposed to be designated as flag lots and have access from 11000 S.

Access:

The applicant is proposing to retain the access to 147 E. 11000 S. directly from 11000 S. This is a shared driveway with 135 E. 11000 S. Lots two and three would be flag lots accessed by a private lane. The private lane would meet the minimum width per Sandy City Land Development Code of 20 feet. The private lane would be 214 feet in length, including the hammerhead turn-around.

SPECIAL EXCEPTIONS

Flag Lots - Section 15A-21-22 of the Sandy City Development Code allows flag or L-shaped lots to be used if approved as a special exception by the Planning Commission. The purpose of a flag lot is to encourage the more efficient use of land, particularly for infill developments. The code lists several criteria to be used by the Planning Commission when determining whether or not to approve the use of flag lots. The criteria that likely require the most consideration from the Planning Commission are as follows:

- B. The staff portion or said lot shall front on and be contiguous to a dedicated public street or private street. The minimum width of the staff portion of a flag lot shall be 20 feet and the maximum length shall be 150 feet unless otherwise approved by the Planning Commission after considering a recommendation of the Fire Marshal.*
- F. The square footage located in the flag portion of said lot, which shall be exclusive of the square footage located in the staff portion of said lot, shall be the same or greater than the minimum square footage as required in the underlying zone.*
- H. No more than two flag lots can be served by the staff portion.*
- I. The maximum number of flag lots in the subdivision shall be not more than 20 percent of the total number of lots within the subdivision unless otherwise approved by the Planning Commission. The Planning Commission may allow more than 20 percent if the subdivision is an infill development and the lot configuration is the most efficient use of land.*
- J. The approved building envelope shall be illustrated upon the final plat.*

Response to B: The staff portion of lots two and three fronts on, and is accessed from, 11000 S. The private lane is 30 feet wide and 214 feet long, but does contain a hammerhead for vehicle turn-around. The Planning Commission will have to approve the lane being over 150 feet. The Fire Marshal has approved the preliminary site plan showing the 214 foot private lane.

Response to F: In this case each lot would need to have a minimum of 20,000 square feet without including the square footage of the staff portion that is part of each lot. The plat shows the size of Lots two and three as 20,139 square feet and 20,760 square feet respectively, not including the staff portion. The proposal complies with the size requirements of the zone.

Response to H: The proposed subdivision has two flag lots accessed from 11000 S., which meets this requirement.

Response to I: Flag lots make up 67% percent of the subdivision as it is currently proposed, which is above the 20 percent maximum listed in Criteria I. However, the Planning Commission may allow for more than 20 percent if the project is an infill development and flag lot configuration is the most efficient use of land.

Response to J: The applicant will be required to show building envelopes for all flag lots on the final plat prior to approval.

Lots Without Public Frontage – Section 15A-21-21(B1) of the Sandy City Development Code requires that all residential lots have frontage onto a dedicated and improved public street unless a special exception is granted from the Planning Commission as part of the preliminary review process.

This special exception allows for the establishment of lots that front onto private streets or private lanes. Lots two and three of the proposed subdivision have access via the stem of the flag lots, which functions as a private lane and requires the approval of a Special Exception.

Staff Concerns

The private lane used to access lots two and three will be jointly owned by the future owners of these lots. The developer will need to record a shared access and maintenance agreement between these two owners in order to ensure continued use of the lane by both parties. The private lane serves as emergency response access and, therefore needs to be kept clear at all times. Consequently, parking on the private lane is prohibited and appropriate signage indicating this will need to be placed on the site.

There is currently a carport to the rear of the existing home located at 147 E. 11000 S. Per Sandy City Land Development Code 15A-21-11B, a private lane shall only access one or two lots without being widened beyond 30'. This existing carport has a concrete pad that extends to where the private lane will be built, thereby giving access to a third lot via that private lane. This carport will need to be removed before the subdivision is recorded. An alternative to removing the carport is to have a different access, in addition to making sure it complies with setbacks and building code requirements.

In addition, staff is concerned about the master planning of the area. With the current configuration, the owner of 135 E 11000 S would not be able to subdivide their land. Staff is also concerned with the east-adjacent property, as it is not included in this subdivision and is irregularly shaped. It most likely will not be developed if not included in this subdivision. Finally, Michaels View St. to the west and north was left as a stub street to plan for future development. The Cascade Place subdivision to the north and east included a master plan for the area that saw Michael's View St. / Cascade Pl. punched through east to the canal, then turning south along the canal. Inclusion of property owners to the north in this subdivision would allow for the completion of the master plan and create a more cohesive and accessible neighborhood fronting most of the lots directly onto a public right of way and making them accessible via rights-of-way that meet Sandy City Land Development Code requirements. The current access for those lots to the north of the proposed subdivision does not meet these requirements.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **grant a special exception** for the use of flag or L-shaped lots, for the establishment of lots without public right-of-way frontage, and for the establishment of a private lane of over 150 feet based on the following findings and subject to the following condition:

Findings

1. That the proposed subdivision is an infill development
2. That the proposed configuration is an efficient use of the land
3. The Fire Marshal and other reviewing departments have recommended approval of this particular layout.

Conditions

1. That the applicants continue to work with staff through the final review process to ensure that all flag lots meet the code requirements and standards.

Staff recommends that the Planning Commission determine that the preliminary subdivision review is complete for the **Marlin Subdivision**, located at 147 E. 11000 S., subject to the following conditions:

1. That the applicants comply with each department’s comments and redlines throughout the final review process and that all issues be resolved before the subdivision can be recorded.
2. That all City provisions, codes, and ordinances are adhered to during the review, construction, and operations of this project.
3. That the applicants establish a shared access and maintenance agreement between the owners of lots two and three for the private lane of the Marlin Subdivision.
4. That the applicant continues to work with staff to ensure lot size requirements are met.
5. That building envelopes for lots two and three be shown on the final subdivision plat.
6. That the private lane be signed “no parking” and displayed in accordance with applicable laws so as not to inhibit access by emergency vehicles.
7. That the carport to the rear of 147 E. 11000 S. be removed so as not to provide access to the residence via the private lane. An alternative to removal of the carport is to have a different access from the existing shared driveway (with the property to the west) in addition to making sure the structure complies with all setbacks and building code requirements.
8. That during construction of the private lane and installation of utilities, open and unhindered access be maintained for the driveway immediately to the east which accesses those properties behind this development.

Planner:

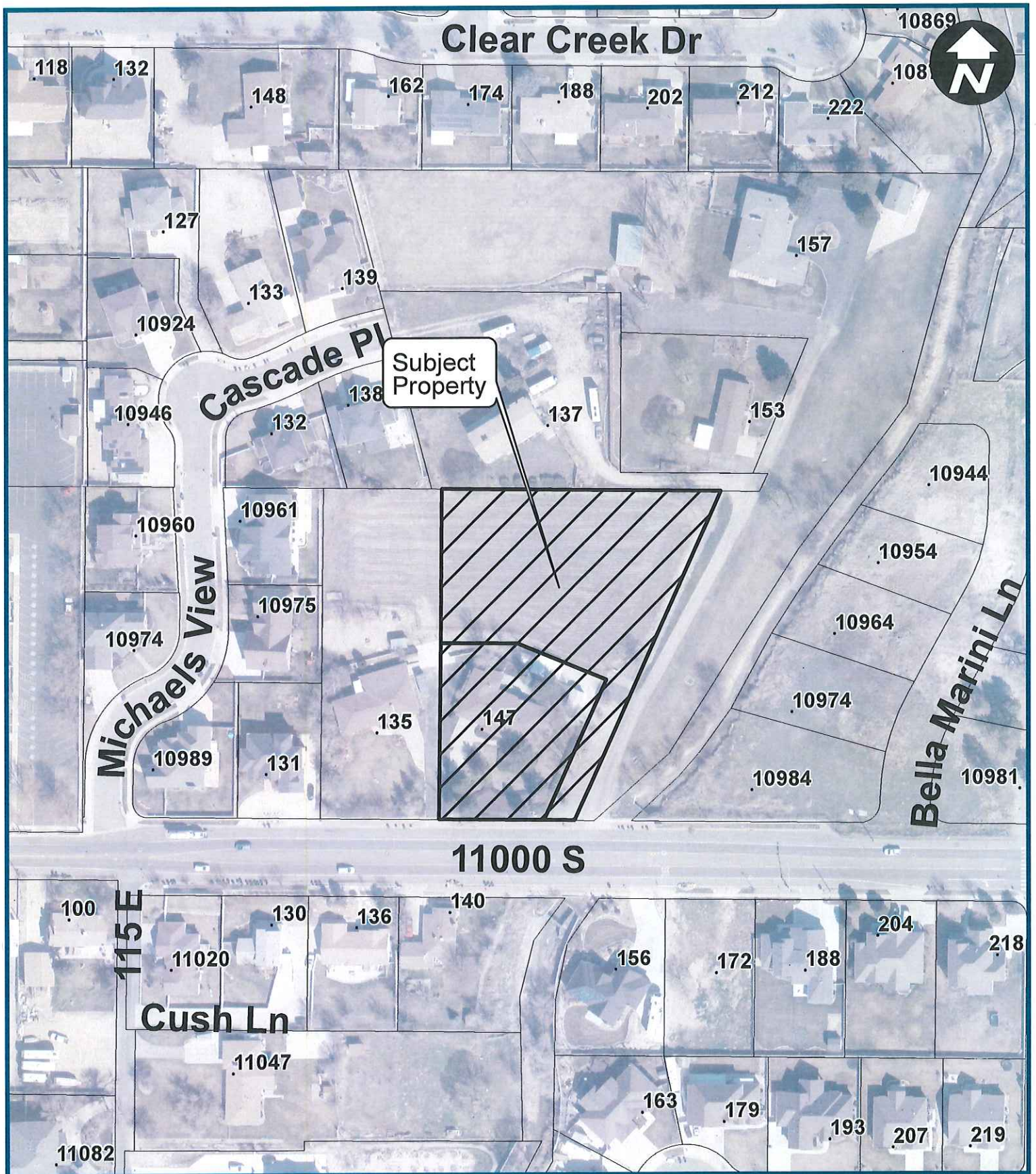


Reviewed by:



Darryll Wolnik
Planner

Exhibit #1 - Area Map



SUB-01-19-5592
Marlin Subdivision
147 E 11000 S



PRODUCED BY DARRYLL WOLNIK
 THE COMMUNITY DEVELOPMENT DEPARTMENT

Exhibit #2 – Site Plan

Exhibit #3 - Grading Plan

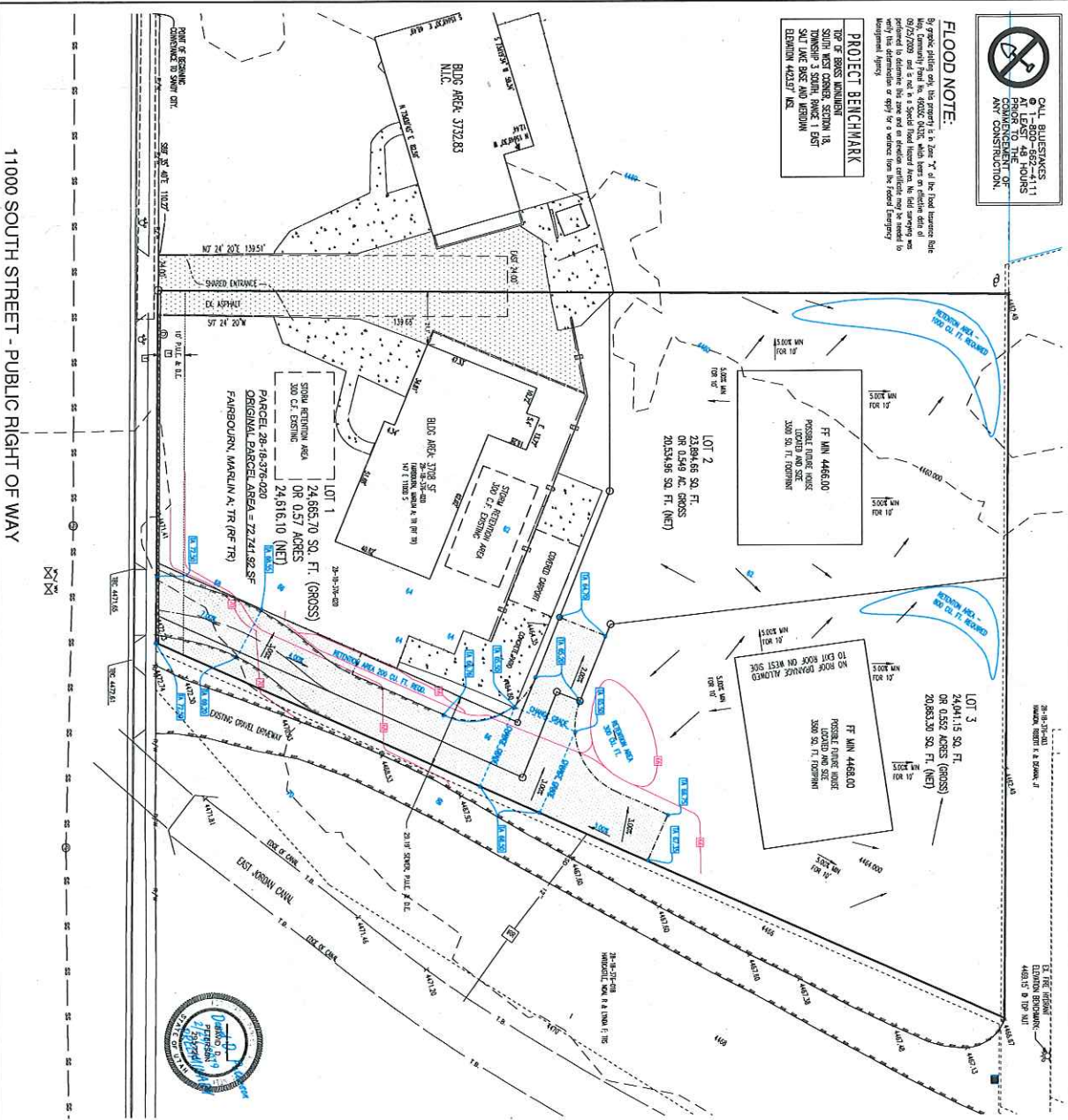


FLOOD NOTE:

By grade, utility only, this property is in Zone "X" of the Flood Insurance Rate Map, Community Plan No. 83022, which shows an elevation limit of 10.0 feet above the Flood Insurance Rate Map. The Flood Insurance Rate Map is provided to determine the zone and an elevation certificate may be needed to verify the determination or apply for a variance from the Flood Insurance Rating Agency.

PROJECT BENCHMARK

TOP OF BENCH MARK
 SOUTH WEST CORNER, SECTION 13,
 TOWNSHIP 3 SOUTH, RANGE 1 EAST
 SALT LAKE BASE AND MERIDIAN
 ELEVATION 4423.97 MSL



11000 SOUTH STREET - PUBLIC RIGHT OF WAY

GRADING NOTES:

1. THE GRADING SHALL BE BASED ON THE ELEVATIONS OF THE EXTENSION BENCH MARK (24,041.15 SQ. FT. OR 0.55 ACRES) AND THE BENCH MARK (24,685.70 SQ. FT. OR 0.57 ACRES) TO DETERMINE THE GRADE POINT (810'-25.70' OVER CORNER) TO THE BENCH MARK.
2. ALL SPOTS SHALL BE FINISHED TO THE ELEVATION OF THE BENCH MARK (24,041.15 SQ. FT. OR 0.55 ACRES) UNLESS OTHERWISE NOTED.
3. ALL SPOTS SHALL BE FINISHED TO THE ELEVATION OF THE BENCH MARK (24,685.70 SQ. FT. OR 0.57 ACRES) UNLESS OTHERWISE NOTED.

GRADING ASSUMPTIONS (LOT 2):

- 1. BENCH MARK: 24,041.15 (E-415)
- 2. SLOPE: 2% TO 4% (AS SHOWN)
- 3. SLOPE: 2% TO 4% (AS SHOWN)

DRAINAGE NARRATIVE:

THE DRAINAGE SYSTEM FOR THIS PROJECT IS BASED ON THE ASSUMPTIONS OF THE EXTENSION BENCH MARK (24,041.15 SQ. FT. OR 0.55 ACRES) AND THE BENCH MARK (24,685.70 SQ. FT. OR 0.57 ACRES) TO DETERMINE THE GRADE POINT (810'-25.70' OVER CORNER) TO THE BENCH MARK. THE DRAINAGE SYSTEM IS BASED ON THE ASSUMPTIONS OF THE EXTENSION BENCH MARK (24,041.15 SQ. FT. OR 0.55 ACRES) AND THE BENCH MARK (24,685.70 SQ. FT. OR 0.57 ACRES) TO DETERMINE THE GRADE POINT (810'-25.70' OVER CORNER) TO THE BENCH MARK.

HYDROLOGY:

THE HYDROLOGY FOR THIS PROJECT IS BASED ON THE ASSUMPTIONS OF THE EXTENSION BENCH MARK (24,041.15 SQ. FT. OR 0.55 ACRES) AND THE BENCH MARK (24,685.70 SQ. FT. OR 0.57 ACRES) TO DETERMINE THE GRADE POINT (810'-25.70' OVER CORNER) TO THE BENCH MARK. THE HYDROLOGY IS BASED ON THE ASSUMPTIONS OF THE EXTENSION BENCH MARK (24,041.15 SQ. FT. OR 0.55 ACRES) AND THE BENCH MARK (24,685.70 SQ. FT. OR 0.57 ACRES) TO DETERMINE THE GRADE POINT (810'-25.70' OVER CORNER) TO THE BENCH MARK.

Category	Area (sq. ft.)	Runoff Coefficient (C)	Volume (cu. ft.)
Asphalt	10,000	0.80	8,000
Concrete	5,000	0.85	4,250
Gravel	15,000	0.50	7,500
Lawns	20,000	0.10	2,000
Other	10,000	0.20	2,000
Total	60,000	0.49	29,750

Summary: Bending for 1800 cu. ft. required.

Station	Station	Volume (cu. ft.)	Volume (cu. ft.)
1+00	1+00	0	0
1+10	1+10	100	100
1+20	1+20	200	200
1+30	1+30	300	300
1+40	1+40	400	400
1+50	1+50	500	500
1+60	1+60	600	600
1+70	1+70	700	700
1+80	1+80	800	800
1+90	1+90	900	900
2+00	2+00	1000	1000

