



JAMES SORENSEN  
COMMUNITY DEVELOPMENT  
DIRECTOR

KURT BRADBURN  
MAYOR

MATTHEW HUISH  
CHIEF ADMINISTRATIVE OFFICER

# MEMORANDUM

December 13, 2018

<b>To:</b>	Planning Commission	
<b>From:</b>	Community Development Department	
<b>Subject:</b>	ROW at 90 <sup>th</sup> Subdivision (Prelim Review) 355 East 9000 South [Community #4 - Historic Sandy]	SUB-07-18-5456 1 Acre, 10 Units RM(10)

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

PROPERTY CASE HISTORY	
Case Number	Case Summary
ZONE-03-17-5225	The property was rezoned from the R-1-8 “Residential Single-Family District” to the RM(10) “Residential Multi-Family District” in May of 2017.

### REQUEST

The applicant, Mr. Rich Welch of Garbett Homes, is requesting preliminary subdivision for a proposed for-sale ten (10) unit development of two (2) five-plex townhome buildings with rear-loaded alleys and fronting 9000 South street. The proposed units would be two stories and be approximately 1,600 - 1,800 sq. ft. in size.

### BACKGROUND

The subject property is 1 acre in size and consists of two (2) parcels. The subject property is currently vacant. The proposed development consists of remnant land that was left over from the condemnation and demolition of homes when 9000 South was expanded by UDOT in the mid 1990's. This land was back yard or fields of the homes that historically fronted onto the original alignment of 9000 South.

The subject property is zoned RM(10). The property is bordered to the north by a church and single-family homes to the west and south zoned R-1-8. To the east are mostly single family homes zoned R-1-7.5(HS). The UTA Park and Ride for the 9000 South Historic Sandy TRAX station is just over a quarter mile walking distance of the site.

This property is located in Historic Sandy and there is a local area master plan for this neighborhood called, the Historic Sandy Neighborhood Plan. This plan was adopted in October of 2006. This plan contains a future land use map and identifies three (3) tiers of residential areas. This property is within the Tier 3 Residential Area, which has the least amount of historic properties and calls for the least amount of design guidelines compared to the other tiers. There is also a future land use concept plan, which calls for this property to be used as additional parking for the adjacent church. However, the church declined to purchase the remnant land from UDOT to add to their parking. The property was assembled almost two (2) years ago and subsequently rezoned to the RM(10) Zone.

It was determined that the application of the RM zone was appropriate based on the surrounding developments of a church to the north, and a major arterial street as the street frontage. Single-family homes fronting onto a major street are not well received in the market, but townhomes and similar multifamily housing can act as a good transition and buffer from the heavy trafficked street and the single-family homes behind it. Throughout the Historic Sandy Neighborhood, there are various multi-family developments (apartment buildings, condos, duplexes, townhomes, and twin homes) mixed within the single-family homes. This has occurred over time as the zoning districts for this neighborhood at one time allowed for multi-family housing and some that pre-date zoning designations. This would not be the first introduction of multi-family housing in the area.

#### **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 August 15, 2018. There were several questions and concerns raised during the meeting. A full summary from the meeting is attached to this report.

#### **ANALYSIS**

The RM(10) Zone requires a minimum land area based on the number and configuration of units. The applicant is proposing ten (10) units, which requires a total 43,560 square feet. The total area provided for these units is 44,412 square feet. The overall density of the project is 10 units/acre. The maximum density allowed in this zone is ten (10) units per acre.

The proposed plat would be done as a PUD plat which would designate different portions of the land area as common (front, side, and rear yard areas, guest parking area, and alley), limited common (driveway apron), and private (building pad area). A set of covenants, conditions, and restrictions will need to be recorded to enforce rules that govern these different areas and set up a maintenance plan for all common areas.

#### **Access:**

The units will have direct pedestrian access from 9000 South and 400 East and be oriented to these public streets. The main vehicular access to the site will be provided from an alley on the north side of the property that will be accessed from 400 East. The width of the alley is that of a

parking lot isle, twenty-four feet (24'). All units would have a rear loaded two-car garage, and share a common guest parking lot in between the buildings.

All improvements along 9000 South will be completed with the UDOT road widening project currently underway. The applicant will need to further improve 400 East to a half-width of asphalt, curb & gutter, parkstrip and sidewalk. In Historic Sandy, we are attempting to implement a standard of eight feet (8') parkstrip and five foot (5') sidewalk for a half-width street section of twenty-nine feet (29'). This standard differs with what is shown on the current plans.

#### Parking:

Parking requirements will be met through the attached two-car garages for each unit and ten (10) shared guest parking spaces. The code requires a minimum of 2.75 stalls per unit or 28 stalls in all. The developer is providing a total of 30 stalls including garage spaces and surface stalls.

#### Site Design:

Building setbacks in the RM Zone call for the Community Development Director to determine which lines are considered as front, side, and rear property lines. The front property line has been determined to be the frontage along 9000 South and 400 East with the rear to be the north property line. The west property boundaries are determined to be the side property lines. The code requires a front setback of twenty feet (20') and rear setback of fifteen feet (15'). Side setbacks are required to be at least eight feet (8'). The buildings are all shown to be compliant with these setbacks on the plat and site plan. The proposal does show some of the covered front porches encroaching into the required setback by five feet (5'), but this is allowed in the Land Development Code.

#### Architecture:

There were commitments made to the city through the rezoning process regarding the architecture. These included designing units with a historic aesthetic that would feature predominant brick, fiber-cement siding, pitched roofs, limited EIFS (stucco), and appropriate window treatments (gridded windows, shutters, etc.). The city approved the rezone based upon these commitments that the final design would incorporate these elements.

The plans submitted with this report reflect meeting these design objectives. The architectural plans show that each unit is identifiable with offsets in the building footprint and rooflines. Each unit will have a covered front porch, consisting of predominantly brick exteriors, varied rooflines consisting of gable roofs, and has gridded windows with some shutters. The applicant has submitted these plans to the Historic Committee and received a positive recommendation from them.

#### Landscaping:

Landscaping will be installed throughout the development with deciduous and coniferous trees, along with a variety of shrubs. Additional landscaping will be provided adjacent to the buildings, as well as the open space areas. A preliminary landscape plan has been submitted which appears to comply with the RM Zone requirements. Some additional details may need to be provided on the final landscape plan. A final irrigation plan will also be required which complies with the Water Efficient Landscaping Ordinance.

**Fencing:**

Project fencing is proposed to complete a perimeter fence of the site. In the RM Zone, it requires for a six foot (6') screen along district boundaries and calls for one (1) or a combination of the five (5) types of screens listed therein (e.g. walls, berms, solid, open, or dense plantings). The applicant is proposing to leave the existing vinyl fence along the north property line and the existing wood fence bordering the duplex on the west side. They will work with staff through final review to ensure the district screening requirement is adequately reflected on the landscape plans. They are proposing a four foot (4') split rail fence along the 9000 South frontage.

**CONCERNS**

Staff has the following concerns regarding this proposal as submitted by the applicant:

1. Formation of HOA. The applicant needs to ensure that there is an HOA, or similar organization, in place to govern the common area and building maintenance of the development. A reserve study will need to be provided and a reserve fund will need to be established.
2. Street Improvements. The public street improvements on 400 East need to be revised to provide a half-width dedication of twenty-nine feet (29') and further improvement including a five foot (5') sidewalk, eight foot (8') parkstrip, and curb & gutter (2.5').
3. Parking. The proposed parking lot design needs to be revised to be set back at least 15' from the 9000 South right-of-way and separate the pedestrian path from the back up space provided. Staff believes it is possible to still have ten (10) off-street parking stalls and meet all other design criteria.
4. Landscaping. The parkstrip area along 9000 South is being rebuilt and will be landscaped by UDOT. However, the HOA will need to be responsible for this area going forward. The plans also need to be revised to have the proper street tree varieties for 9000 South, as required in the General Plan.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission determine that the Preliminary Subdivision review is **complete** for the **ROW at 90<sup>th</sup> Subdivision**, located at 355 East 9000 South, based on the following conditions:

1. That public street improvements be carried out in accordance with plans and profiles stamped and approved by staff, and specifically:
  - a. That 400 East be further dedicated and improved to a minimum half-width of twenty-nine feet (29') and to include a five foot (5') sidewalk, eight foot (8') parkstrip, and curb & gutter (2.5').
  - b. That appropriate measures be taken by the developer/builder to insure minimal problems with mud tracking and blowing soil/sand during construction.
  - c. That any relocation of utilities required by City Ordinance be the responsibility of the developer.
  - d. That a permit be obtained from the Salt Lake County Surveyor's Office prior to installation of survey monuments. All survey monuments installed shall be in accordance with the approved permit.

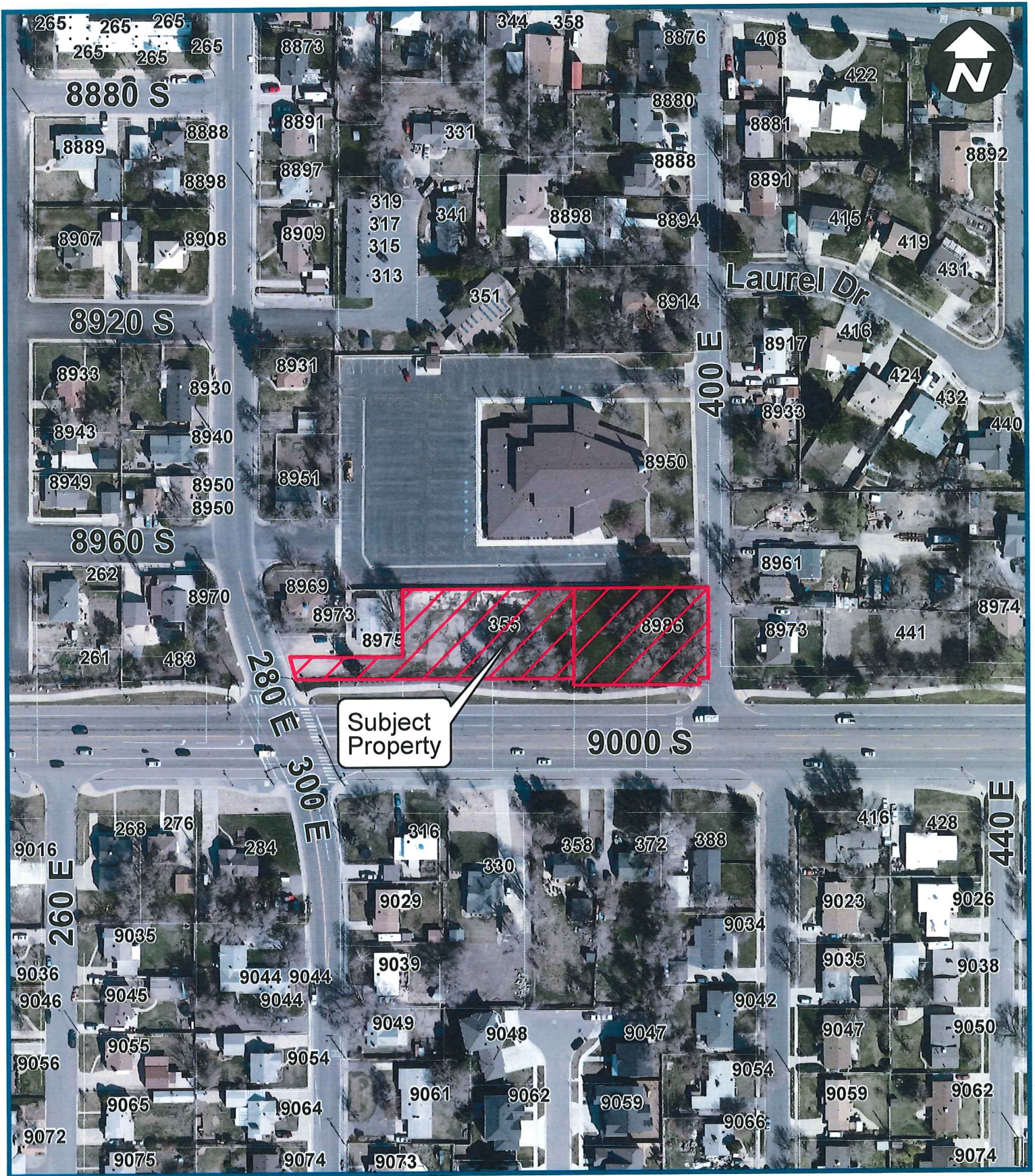
2. That the applicant complies with each department's comments and redlines throughout the final review process and that all issues be resolved before the subdivision can be recorded.
3. That all City provisions, codes and ordinances are adhered to during the review, construction, and operations process of this project.
4. That all lots comply with all requirements of the RM(10) zone.
5. That the building setbacks be taken from the perimeters of the property. The south and east property boundaries are the front property lines. The west property boundary is considered the side and the north property line is the rear.
6. That the site plan include ten (10) off-street parking spaces and a two-car garage for each unit that meets all design criteria of the code.
7. That the architectural elevations be approved per the recommendation of the Historic Committee.
8. That a private homeowners association be established to ensure common areas and building maintenance for the development. That a note be included on the plat to provide public notice of said HOA and maintenance requirements, including the maintenance of the parkstrip along 9000 South. The developer shall provide a capital reserve study and establish a reserve fund for the HOA.
9. That landscaping be provided by the developer for the entire subdivision and comply with all requirements of Sandy City Land Development Code.

Planner:

Reviewed by: *RM*



Mike Wilcox  
Zoning Administrator



**SUB-07-18-5456**  
**ROW at 90th Subdivision**  
**355 East 9000 South**

PRODUCED BY OLIVIA CVETKO  
 THE COMMUNITY DEVELOPMENT DEPARTMENT



# SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN  
COMMUNITY DEVELOPMENT  
DIRECTOR

KURT BRADBURN  
MAYOR

MATTHEW HUISH  
CHIEF ADMINISTRATIVE OFFICER

## Neighborhood Meeting Summary – Community #4

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**Date:** 8/15/18

**Location:** Sandy City Hall – Multipurpose Room

**Community #/Name:** #4, Historic Sandy

**Community Coordinator:** Vacant

**Project Name:** The Row at 90th

**Number of Attendees:** 7

**Applicants:** Rich Welch, Garbett Homes

**Number of Invitees:** 79

**Length of Meeting:** 60 Minutes

**Notice Radius:** 500 ft.

**Project Description:** The second project is a townhome project located at approximately 350 East 9000 South. The applicant has proposed ten townhome units split between two buildings. Townhomes are permitted in the RM(10) zone and any development will be required to meet the standards of the zone.

### **Community Comments:**

1. Residents had many questions about the townhomes (layout, visitor parking, garbage collection, ownership, start date, etc.), applicant answered all questions and no concerns were raised regarding these questions.
2. Residents inquired about the open ditch that runs to the church – applicant assumes this will be piped.
3. Some questions about storm water and why they showed a detention pond on the west side of the property.
4. Concerns:
  - a. Only access to complex is on 4<sup>th</sup> East, added cars and traffic are a concern for the residents not only when complex is finished but during construction as well.



## Community Development Department

Tom Dolan  
Mayor

Scott J. Bond  
Chief Administrative Officer

James L. Sorensen  
Director

### HISTORIC COMMITTEE MEMORANDUM

June 14, 2017

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On May 10<sup>th</sup>, 2017, the Sandy City Historic Committee discussed issues related to the 300 East Townhome Rezone. The applicant, Preston Naylor, presented the ideas and concepts for the layout and the architecture of a proposed townhouse project, located at 350 East 9000 South. Issues related to finish materials on the townhomes, building height and the number of units allowed were discussed. The Historic Committee requested that the applicant return to the committee for discussion and a recommendation once architectural plans are submitted to the City. Based on this discussion, the applicant made commitments to the Historic Committee that the townhomes would have an historic aesthetic, including but not limited to the following: predominantly brick and fiber-cement sidings, pitched roofs, limited EIFS and gridded windows.

The Historic Committee recommended the City Council approve the requested rezone of the subject property, from the R-1-8 to RM(10).

  
\_\_\_\_\_  
Jeff Smith, Historic Committee Chair

6/14/17  
\_\_\_\_\_  
Date



**Sandy City Historic Preservation Committee Meeting Wednesday February 14th,  
2018 5:00 PM**

Attending: Jeff Smith – Chair, Tom Christenson – Sec., Drew Weaver, Mitch Vance-staff.  
Absent Jeff Lovell.

**Meeting Notes:**

Three plan reviews for the committee:

Brandon Bateman, contractor, requesting a per to build a detached garage at 8893 S 120 E. Mitch and the committee informed Brandon a breezeway is required between the garage and the home. He is going to inform the homeowners of the requirement and the additional costs to be compliant.

Garbett Homes, Paul Garbett, Chad Deveraux and Richard Welch. Subdivision on 90<sup>th</sup> South between 300 and 400 East, former Preston Naylor project. The committee likes the plan for townhomes and will not oppose the project.

Jim Witherspoon subdividing a lot at 8751 S 40 E to create a 5,500 lot. Jim's proposal is compliant with the Historic District code and committee recommends approval.

**CLG Funds**

Mitch has submitted CLG fund plans that the committee recommended in January.

James Sorensen and Scott Earl have asked to postpone meeting to allow new committee members to be appointed and meet with a full committee.

**Next Meeting: Wednesday March 15<sup>th</sup>, 2018, 5 PM at City Hall.**

Molly Morgan will meet with the committee to discuss plans for this years Heritage Festival. She is starting early because she will be on maternity leave when we usually meet with her.