



SANDY CITY COMMUNITY DEVELOPMENT

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Staff Report Memorandum August 3, 2023

To: Planning Commission
From: Community Development Department
Subject: Brand Estates Rezone #2
285 East 11000 South
[Crescent, Community #11]

REZ06142023-006552
R-1-10 and R-1-15
4.8 Acres

Public Hearing Notice: This item has been noticed to property owners within 500 feet of the subject area, on public websites, at public locations, and a sign posted on site.

Request

The applicant, Kyle Denos with Next Level Homes (representing the property owner Brand Estates, LLC), is requesting a change of zone district boundary for a property located at 285 E. 11000 S. The request is to adjust the previously approved zone boundary lines between the R-1-10 and R-1-15 zone districts to accurately align with the proposed Brand Estates Subdivision Plat.

Background

The subject property is proposed to be subdivided into 13 residential lots as part of the Brand Estates Subdivision. The intent of the previous rezone was to zone the two lots adjacent to 11000 South to R-1-15 with the rest of the lots being zoned R-1-10 from the R-1-40A Zone District. This request was approved, but it was based upon the proposed subdivision layout at the time and the approved zoning districts no longer align with the underlying lots (see Exhibit "A").

The zoning designation (and existing land use) of the surrounding properties are as follows:

North: R-1-10 Zone (single-family residential)
East: R-1-10 Zone (single-family residential)
South: R-1-20(A) (single-family residential) & (OS (Crescent Park)
West: R-1-10 Zone (single-family residential)



SUB10112022-006417
Residential Subdivision
285 E 11000 S
Community Development Department
Cartography: Eleonore Means

The Applicant has submitted a subdivision plan with this application which shows the revised lot configuration (see Exhibit "A") along with the existing and proposed zoning. They have also submitted legal descriptions for the revised zoning districts (see Exhibit "B").

Property Case History	
Case Number	Case Summary
A #79-2	Fairborn Annexation (2/13/1979) – 640.8 acres
S #03-09	Mertlich Subdivision Plat (6/5/2003)
REZ05042022-006315	Brand Estates Rezone (6/2/2022)
SUB10112022-006417	Brand Estates Subdivision (6/1/2023)

North: R-1-10 Zone (single-family residential)
 East: R-1-10 Zone (single-family residential)
 South: R-1-20(A) (single-family residential) & (OS (Crescent Park)
 West: R-1-10 Zone (single-family residential)

The Applicant has submitted a subdivision plan with this application which shows the revised lot configuration (see Exhibit “A”) along with the existing and proposed zoning. They have also submitted legal descriptions for the revised zoning districts (see Exhibit “B”).

Public Notice and Outreach

This item was noticed to all property owners within 500 feet of the proposal. Staff held a virtual neighborhood meeting via Zoom on May 23, 2023, for the Brand Estates Subdivision. The previously approved rezone was also discussed. Attendees did not express concerns about the project and were generally in favor of the development. An additional neighborhood meeting was not conducted for the current zoning line correction.

Facts and Findings

- The request is intended to correct the zoning lines to match the current subdivision layout and is in keeping with the intent of the initial rezone completed in 2022.
- All of the adjacent properties surrounding the subject property are developed single-family lots, ranging in size from 0.23 to 0.43 acres.
- The properties directly adjacent to 11000 South on both the east and west side of the subject property are zoned R-1-15, with the remaining lots surrounding the subject property zoned R-1-8.
- The Sandy City General Plan contains applicable goals and policies, including the following:

LAND USE

- *Goal 1.0 – Provide for orderly and efficient development which will be compatible with the natural and built environment.*
- *Goal 1.1 – Encourage new growth where vacant land already is served by public utilities.*

HOUSING ELEMENT

- *Goal 1.1 – Develop infill options that complement existing housing stock and neighborhood characteristics.*
- *Goal 1.4 – Ensure a range of housing options to accommodate an aging population and growth trends.*

GROWTH PRINCIPLES

- *Policy 1.1 – Promote redevelopment to better utilize existing infrastructure.*
- *Policy 1.3 – Promote compact development consistent with market demand.*

Conclusions

- A zone change is a legislative item that requires the Planning Commission to make a recommendation to the City Council, after having held a public hearing, with the City Council making the final decision.
- The proposed zone change is to correct the zoning lines to accurately align with the revised lots and avoid the creation of duo-zoned properties.
- The proposed zone change is intended to match the zoning designation of the surrounding properties.

- If the zone change application were to be approved, final approval of the proposed development, including lot layout, road design, etc., would be subject to compliance with the Development Code upon a full review of the Brand Estates subdivision plat which is currently underway.

Planner:

A handwritten signature in black ink, appearing to read 'Thomas Irvin', written over a light blue horizontal line.

Thomas Irvin
Senior Planner

File Name: S:\Users\PLN\STAFFRPT\2023\REZ06142023-0065552 Brand Estates Rezone\Plan Com-Brand Rez (8.3.23)

Exhibit "A"
Existing and Proposed Brand Estates Zoning

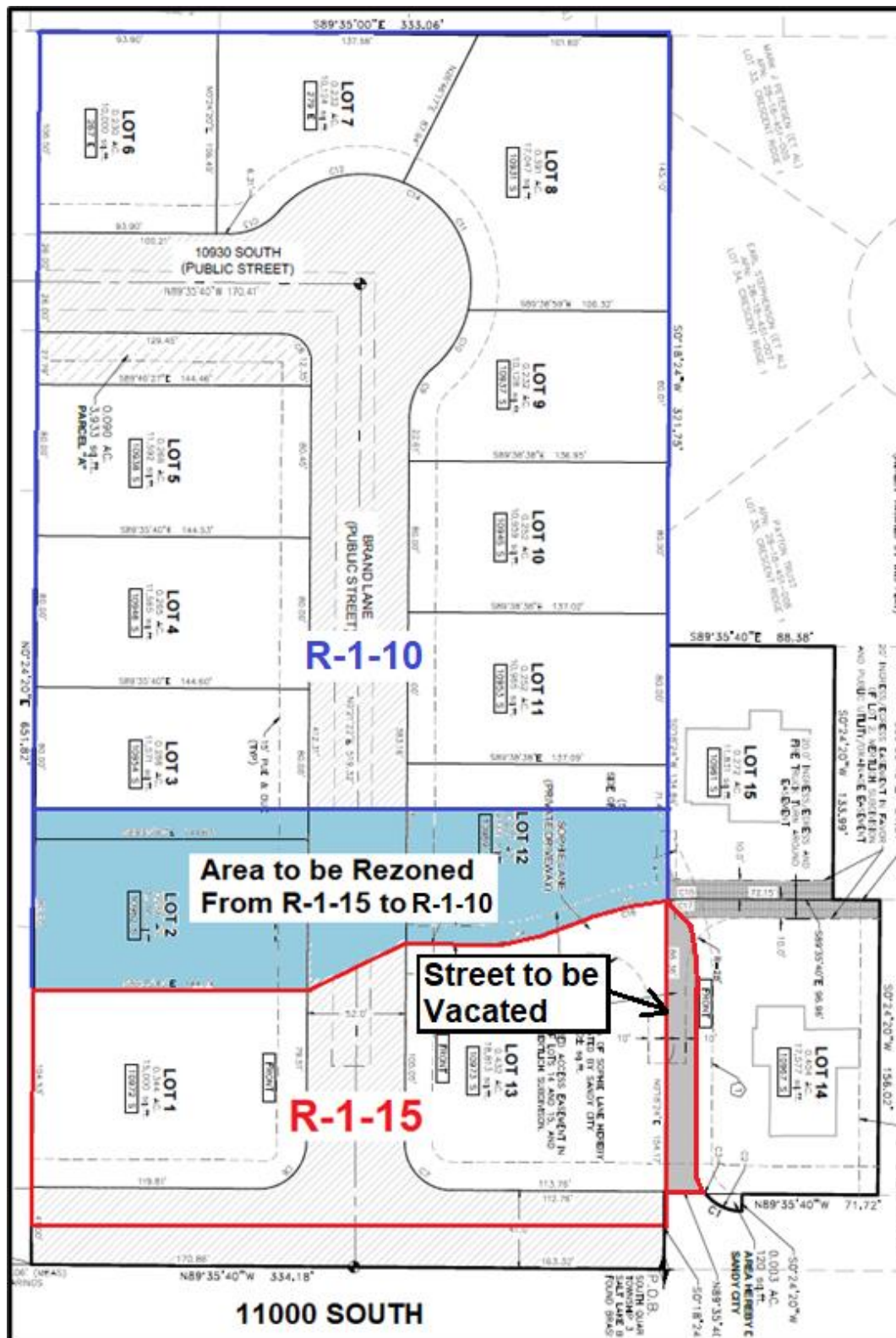


Exhibit "B"
Legal Description of Revised Zoning Districts

R-1-10 REZONE AREA

BEGINNING AT A POINT WHICH IS NORTH 89°35'40" WEST ALONG THE SECTION LINE A DISTANCE OF 334.18 FEET AND NORTH 00°24'20" EAST 145.53 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 00°24'20" EAST 81.80 FEET; THENCE SOUTH 89°38'38" EAST 96.92 FEET TO THE POINT OF A 50.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 121.22 FEET THROUGH A CENTRAL ANGLE OF 138°54'40" (CHORD BEARS SOUTH 71°01'36" EAST 93.64 FEET) TO THE POINT OF A 15.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 13.32 FEET THROUGH A CENTRAL ANGLE OF 50°53'34" (CHORD BEARS NORTH 64°57'32" EAST 12.89 FEET); THENCE SOUTH 89°35'40" EAST 50.53 FEET TO THE POINT OF A 50.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 46.82 FEET THROUGH A CENTRAL ANGLE OF 53°39'19" (CHORD BEARS SOUTH 62°45'54" EAST 45.13 FEET) TO THE POINT OF A 150.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 59.75 FEET THROUGH A CENTRAL ANGLE OF 22°49'16" (CHORD BEARS SOUTH 78°59'42" WEST 59.35 FEET); THENCE NORTH 89°35'40" WEST 59.23 FEET; THENCE SOUTH 00°21'22" WEST 25.49 FEET; THENCE NORTH 89°35'40" WEST 170.74 FEET TO THE POINT OF BEGINNING.

CONTAINS 14,086 SQUARE FEET OR 0.323 ACRES, MORE OR LESS.

R-1-15 REZONE AREA

BEGINNING AT A POINT WHICH IS; THENCE NORTH 00°18'24" EAST 41.00 FEET FROM THE FROM THE SOUTH QUARTER CORNER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 89°35'40" WEST 61.05 FEET TO THE POINT OF A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 39.31 FEET THROUGH A CENTRAL ANGLE OF 90°05'56" (CHORD BEARS NORTH 45°21'22" EAST 35.39 FEET); THENCE NORTH 00°18'24" EAST 85.24 FEET TO THE POINT OF A 84.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 4.81 FEET THROUGH A CENTRAL ANGLE OF 03°16'53" (CHORD BEARS NORTH 01°20'08" WEST 4.81 FEET) TO THE POINT OF A 50.00 FOOT RADIUS COMPOUND CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 28.76 FEET THROUGH A CENTRAL ANGLE OF 32°57'27" (CHORD BEARS NORTH 19°27'30" WEST 28.37 FEET) TO THE POINT OF A 150.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 1.93 FEET THROUGH A CENTRAL ANGLE OF 00°44'07" (CHORD BEARS NORTH 67°13'00" EAST 1.93 FEET) TO THE POINT OF A 150.00 FOOT RADIUS REVERSE CURVE; THENCE ALONG SAID CURVE A DISTANCE OF 45.64 FEET THROUGH A CENTRAL ANGLE OF 17°26'02" (CHORD BEARS NORTH 75°33'58" EAST 45.47 FEET); THENCE SOUTH 00°18'24" WEST 154.17 FEET TO THE POINT OF BEGINNING.

CONTAINS 5,675 SQUARE FEET OR 0.130 ACRES, MORE OR LESS.