



SANDY CITY COMMUNITY DEVELOPMENT

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MEMORANDUM

May 17, 2018

To: Planning Commission
From: Community Development Department
Subject: Dimple Dell Ridge Subdivision (Preliminary Review) SUB-09-17-5300
1713 E. Dimple Dell Road Zone: R-1-20A
[Community #26] 3.21 Acres, 3 Lots

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

HISTORY

This item was brought before the Planning Commission on April 5, 2018. The ownership of the subject property is split between three entities including the applicant, Mark and Camille Trapp who own the home on the proposed Lot 3, and Dominion Energy. The Planning Commission moved to table the item after the Trapps requested additional time to research how the subdivision would affect them. Since that time, the applicant has spoken with the Trapps and the parties have come to an agreement and now feel comfortable moving forward with the subdivision plat as proposed. The minutes for the April 5, 2018 Planning Commission meeting are attached.

DESCRIPTION OF REQUEST

The applicant, Mr. Adam Nash, is requesting preliminary subdivision and Sensitive Area Overlay review for a proposed three lot subdivision. The subject property is 3.21 acres in size and is located on the southern rim of Dimple Dell Park. The proposed subdivision includes a 1.68 acre lot for an existing home, and the creation of two lots (0.68 and 0.81 acres) that have large portions of steep slope area. The two new lots will be accessed via Dimple Dell Road to the south, while the existing home is accessed via Badger Cove. The proposed subdivision also defines the boundaries for a parcel currently used as a utility station located between the two proposed new lots. The utility parcel is not a buildable residential lot.

BACKGROUND

The subject property is made up of several parcels that the previous owner of the property created by deed through Salt Lake County. However, because the property was never formally subdivided, none of the parcels are buildable lots. The parcels have since been sold to different owners. The residents that live in the existing home off of Badger Cove own the northern half of the property, the applicant owns the southern half, and Dominion Energy owns the utility station. Going through the

subdivision process will clarify property boundaries for these three parties and create lots that are legal for residential construction.

The subject property is bordered by Open Space zones to the west and north, where it borders Dimple Dell Park. It is surrounded on the east and south by matching R-1-20A zones, which includes the Larkin Mortuary across the street to the south of the property. The Villas at Dimple Dell PUD(4.56), which is a subdivision that was approved in 2016, is located to the southwest of the property. Conceptual plans to subdivide the subject property have been reviewed by staff in the past, but no formal applications have been submitted. The steep slope (sloping downward to the north), as well as difficulties with access and the location of the utility station in the middle of the frontage, made compliance with the regulations of the R-1-20A zone difficult. The applicant has worked with staff through many rounds of conceptual lot configurations before arriving at the proposed layout.

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 February 1, 2018. Other than the applicant and the neighborhood coordinator, no one attended the meeting. A letter from the neighborhood coordinator is attached to this report.

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. These provisions will be enforced through the building process once the subdivision is approved and recorded.

The subject property lies within Sandy City’s Sensitive Area Overlay (SAO), which means that the subdivision and any structure built on the proposed lots would need to conform to the provisions of the Overlay in addition the underlying zone. The purpose of the SAO is to provide standards, guidelines, and criteria that will minimize environmental hazards and protect the natural scenic character of sensitive areas within Sandy City. The subject property is included in the SAO because of the amount of continuous 30% slope area on the property as well as its adjacency to Dimple Dell Park. The proposed subdivision has been reviewed against the overlay and was found to be in compliance with its intent and provisions. Some of the regulations of the SAO that were considered during review include:

- Section 15A-15-04(A1a): Single family structures shall be located only upon areas constituting usable land, which area shall be fully contiguous, be at least 5,000 square feet in size and have a minimum dimension, both length and width, of 50 feet.
- Section 15A-15-04(A2a): No dwellings or accessory structures shall be constructed within an average of 20 feet (no point being closer than 10) of a continuous hillside slope of 30% or greater. The City Engineer may require greater setbacks from slopes based on geotechnical information.
- Section 15A-15-04(A2c): Structures requiring a building permit shall be set back no further than 150 feet from a public or private street unless otherwise approved by the Fire Marshal.
- Section 15A-15-04(B3a): Vegetation shall be removed only when absolutely necessary for the construction of roads, and filled areas.

All of the proposed lots meet the minimum usable area of 5,000 square feet as required by the SAO. The buildable pads for homes built on the lots are also shown on the plat. These pads are determined by the required setbacks, which include setback from property lines and required setback distances from areas of greater than 30% slope. The underlying zone allows for a minimum 20 foot front setback for lots with an overall average slope of at least 10%.

The existing home on the property historically was accessed directly from Dimple Dell Rd. via a steep driveway that cut through the 30% slope area. When the City improved Dimple Dell Rd. and installed a lighted intersection at the crossing of Dimple Dell Rd. and 1700 East, the access to the home was moved to the west where Badger Cove meets Dimple Dell Rd. The old driveway to the home was removed, although the cut in the 30% slope was never completely restored. The applicant has proposed to use the existing cut, which has regrown natural vegetation, as a private trail access easement for both lots to be able to access Dimple Dell Park for outdoor recreation purposes.

When the direct access driveway to the existing home on property was moved to Badger Cove, the City installed improvements along Dimple Dell Rd. including a curb-cut access point in anticipation of development of this property that would function as the access to any new lots. Because almost all of the frontage for Lot 1 of the proposed subdivision is in the middle of an intersection, both lots will be accessed using the same access point located on the eastern part of the frontage of Lot 2. The driveway will be built within a 20 foot access and utility easement that will connect Lot 1 to the provided access onto Dimple Dell Rd. The applicant has shown that the driveway will be 12 feet wide, with 4 feet of landscaping on either side.

The parcels that make up the subject property as they are currently drawn have several portions of property that encroach slightly into the public right of way. In order to clean up ownership and maintenance of the area with the public right of way, these encroachments will be dedicated to the city through this plat. No new roads will be constructed as part of this subdivision.

CONCERNS

Staff has had a number of concerns during preliminary review, which have been addressed in the following ways:

- As proposed, the driveway access and the trail down to Dimple Dell Park will be shared and provide access to the eventual owners of Lots 1 and 2. Staff had concerns regarding the maintenance and use of these shared features of the subdivision. The applicant has stated that he plans to record a maintenance and access agreement with the subdivision that would ensure that the use of these accesses be preserved.
- The driveway through the access of Lot 2 for the benefit of Lot 1 has to wrap around the utility station due to the provision that both lots need to be accessed from one location. The grade and required turning radii for the driveway were causes of concern as to how the driveway would actually be engineered and installed. The applicant's engineer has shown how the driveway will be built on the grading plan. In order to comply with code, the driveway can be no steeper than 12% and any retaining walls must be less than five (5) feet in height. Engineering details will be provided during final review for staff review and construction of the driveway will be included as part of the bonded improvements for the subdivision.
- There were concerns regarding the feasibility of constructing a home within the buildable area of Lot 1 that would meet setbacks, minimum size requirements, and minimum garage requirements. The applicant has had an architect design a home that meets minimum standards of the zone. This home placement plan is attached to this report.

- The City has had issues with illegal grading on the subject property in the past. The Sensitive Area Overlay requires that any prior illegal grading or removal of vegetation must be restored as part of a subdivision application in order to bring the property back into compliance. The previous owner did a sufficient amount of restoration in the past to resolve any non-compliance issues. A letter from the City Engineer at the time that the issue was resolved is attached.
- Some neighbors have expressed concerns about a shallow sewer depth that would require pumps to be installed for any homes built on the proposed lots that have basements. A representative from the Sandy Suburban Improvement District stated that the sewer line is nine (9) feet deep which should allow for basements to be included without a pump depending on the depth of the foundation. A notice to purchasers will be included on the plat that will notify future owners of this issue.
- The location of the utility station is unfortunate because it is located between the two proposed new lots. The station is unsightly and makes noises that may be unappealing for people living next to it. The applicant plans to construct a post and panel wall around the utility parcel, which would help to alleviate these problems. The wall would need to comply with the requirements for such fencing found in the Development Code including provisions regarding height, location, and fence/retaining wall regulations.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission determine that the preliminary subdivision and Sensitive Area Overlay zone reviews are complete for the **Dimple Dell Ridge Subdivision**, located at 1713 East Dimple Dell Road subject to the following conditions:

1. 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.
2. That all City provisions, codes and ordinances are adhered to during the review, construction and operations process of this project.
3. That all residential lots comply with all requirements of the R-1-20A zone and Sensitive Area Overlay zone.
4. That dwelling structures be prohibited from any area that is equal to or in excess of a 30% slope. The location of a dwelling structure shall be within an average of 20 feet (no point being closer than 10 feet) of a continuous hillside slope of 30% or greater.
5. That any area equal to or in excess of a 30% slope be indicated (cross-hatched) on the final plat, and that prospective builders and homeowners be apprised of the restrictive nature of the hillside lots.
6. That the existing slope ratio be unaltered and that grading and landscaping of any of the hillside areas have approval of the Sandy City Engineering Division in accordance with the Sensitive Area Overlay Zone prior to building permits being issued.
7. That grading, home placement, and vegetation plans be submitted and approved for all lots prior to issuance of a building permit. The grading plan shall include a driveway plan and profile to assure conforming driveway slope. Any down sloping driveway will require approval by the City Engineer.

8. That structures comply with the Urban Wildland Interface requirements. This means that all homes and accessory structure be constructed of materials approved with a minimum of a one hour rated fire resistive construction on the exterior side or constructed with approved noncombustible materials. This will be determined on a case by case basis at building permit review. Also, that an approved noncombustible or fire treated roof covering be utilized for each home.
9. That homes be placed in a manner that minimizes the removal of vegetation on each property. Where it must be removed to accommodate a house, areas with the least mature vegetation should be prioritized for home locations over areas with more mature vegetation.
10. That compliance be made with the Sandy City Water Policy, e.g., water line extensions, connections, water rights, and fire protection.
11. That a shared maintenance and access agreement for Lots 1 and 2 be recorded with the plat for the shared driveway access and private trail easement that provides access to Dimple Dell Park.
12. That the driveway access for Lot 1 be installed as part of the subdivision improvements and not by the future owner of Lot 1, that the installation of the driveway will be bonded as part of the subdivision improvements, and that the engineering and configuration of the driveway be reviewed and approved by the City Engineer.
13. That Lot 4 be approved as a public utility station lot and not deemed as a buildable residential lot.

Planner:



Mitch Vance
Planner

Reviewed by:



Brian McCuiston
Planning Director