



# SANDY CITY COMMUNITY DEVELOPMENT

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## Staff Report Memorandum May 2, 2024

To: Planning Commission  
From: Community Development Department  
Subject: Alta Canyon Two Subdivision  
9855 S. 3100 E.  
[Community #30, Granite]

SUB01042023-006568  
SPX002012024-006707  
R-1-15  
1.79 Acres

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

### Request

The applicant and property owner, Dana Conway, is requesting preliminary subdivision review for the property at 9855 S. 3100 E. The subdivision would divide the 1.79 acres subject property into four new single-family residential lots. Lots 2 and 3 of the proposed subdivision are configured as flag lots and will have access via a private road to 3100 E. (see Exhibit "A" to review application materials). The applicant is also requesting two special exceptions; 1) to develop the land using flag lots, 2) to create a private road over 150 feet in length.

### Background

The subject property is approximately 1.79 acres in the R-1-15 zone. It does not reside in any overlay zones. The previous use was a single-family home which was recently demolished. The property is surrounded by single-family homes which are also in the R-1-15 zone. A church is located southwest of the property across 3100 East. The properties on the west side of 3100 East are within Salt Lake County's jurisdiction but are also zoned R-1-15.



SUB07132023-006568  
Subdivision  
9855 S 3100 E

Sandy City, UT  
Community Development Department

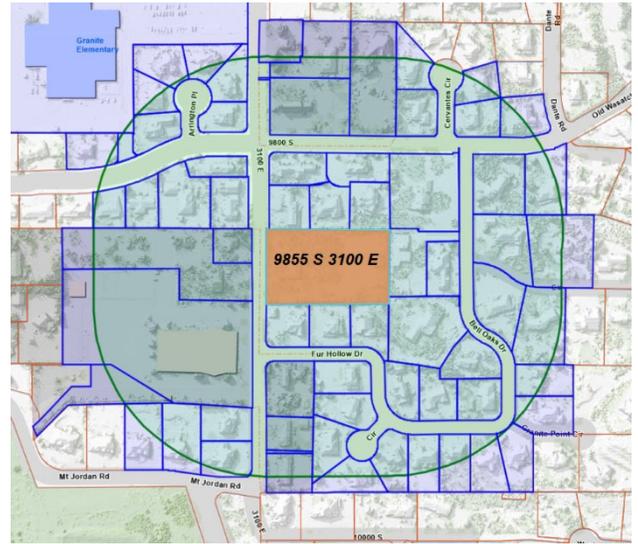


<b>Property Case History</b>	
<b>Case Number</b>	<b>Case Summary</b>
ANX-5-13-2908	Fur Hollow Annexation in 2013

**Public Notice and Outreach**

Notices were mailed to property owners within 500 feet of the subject property and affected entities. The notice was posted to the Utah Public Notice website and the city website. A physical copy of the notice was posted at City Hall and a public notice sign was placed on the subject property.

Staff held a virtual neighborhood meeting via Zoom on April 22, 2024. Residents were primarily concerned that the new homes would be compatible with existing homes in the neighborhood. (see minutes in exhibit “B”).

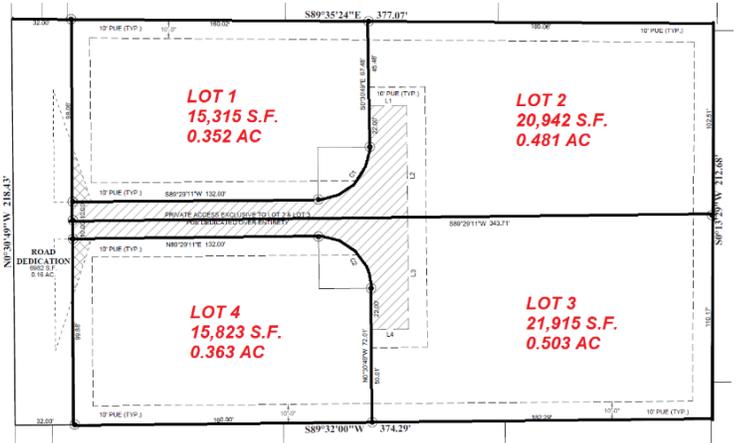


**Analysis**

The applicant is proposing the creation of a 4-lot single-family residential subdivision on approximately 1.8 acres. The property is 377 feet deep and does not have sufficient street frontage to create more than two legal lots. Therefore, the applicant is proposing the creation of two flag lots at the rear of the property served by a private street 160 feet in length. An emergency vehicle turnaround and fire hydrant are being proposed to serve the back properties.

**Flag Lots**

Section 21-21-22 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 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 (see [section 21-21-22](#)):



- 1) A flag or L-shaped lot shall be comprised of a staff portion contiguous with the flag portion thereof.
- 2) The staff portion of said lot shall be regulated as a private lane and shall front on and be contiguous to a dedicated public street or private street.
- 3) No building or construction, except for driveways, shall be allowed on the staff portion of said lot, unless the minimum width thereof is the same or greater than the minimum width for a lot as allowed in the underlying zone (excluding entrance features and street lights).
- 4) The front side of the flag portion of said lots shall be deemed to be that side nearest to the dedicated public street or private street upon which the staff portion fronts, unless otherwise determined by staff on a case-by-case basis.
- 5) The staff portion of said lots shall be deemed to end, and the flag portion of said lots shall be deemed to commence at the extension of the front lot line.
- 6) 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.
- 7) The front, side and rear yard requirements of the flag portion of said lots shall be the same as is required in the underlying zone.
  - 8) No more than two flag lots can be served by the staff portion.
  - 9) 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.
  - 10) The approved building envelope shall be illustrated upon the final plat.

Response to 1-3: The staff portion of the flag lots is 20 feet wide and 160 feet long which meets this requirement. Because the staff is over 150 feet in length, an additional special exception has been submitted and emergency vehicle turn-around along with a fire hydrant have been provided.

Response to 4: The two flag lots as proposed have their frontage from 3100 East, which is located to the west of the lots and is a dedicated public street. The front sides of lots 2 and 3 will be the western property line.

Response to 7 and 10: Buildable areas will be shown on the plat and will reflect the requirements of the underlying zone.

Response to 8 and 9: The proposal is for the creation of two flag lots with a common staff portion. While the creation of two flag lots represents 50 percent of the subdivision, this is an infill development and staff believes that the lot configuration is the most efficient use of the land.

#### Private Street Length

The proposal calls for the creation of a private street that exceeds 150 feet. Section 21-21-11(e)5 of Sandy's development code allows the Planning Commission to grant a special exception to exceed this 150-foot limitation in length after a positive recommendation from the Director and City Engineer after considering several factors including vehicle turn-around space, slopes, the accessibility of a fire hydrant, and service and delivery requirements. The Director and City Engineer have recommended approval.

The applicant will be required to construct right-of-way improvements along 3100 E. to comply with Sandy City's street requirements. A 32-foot dedication will be provided which will include improvements consisting of a 2-1/2 (2.5') curb and gutter, a five-foot (5') parkstrip, and a five-foot (5') sidewalk.

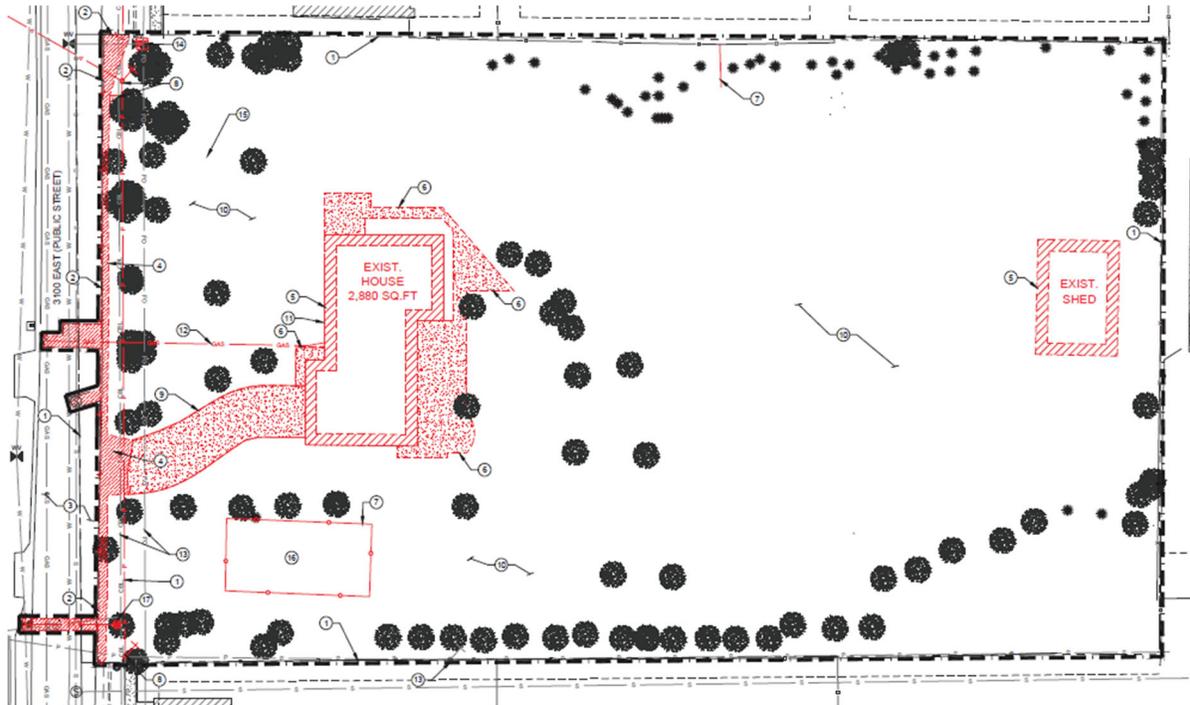
#### Zoning Review

All design elements, setbacks, and building height regulations will be enforced through the building permit process. All lots conform with the lot size and frontage requirements of the underlying zoning district after taking the flag lot configuration into account.

#### Staff Concerns

The private lane that will serve as access to lots 2 and 3 will be owned in part by the eventual owners of each lot. The developer will need to record a shared access and maintenance agreement between the owners of the two lots to ensure continued use of the lane by both parties. The private lane serves as an emergency response access and therefore needs to be kept clear at all times.

The Parks & Recreation Department is concerned about the disposition of many of the mature trees on the site. City code requires that a full tree survey be conducted and reviewed by the City's Urban Forester and Director. Site design may need to be modified to protect these trees and their root zones both during and after construction.



## **Staff Recommendations**

### **Motion #1 Special Exceptions**

Staff recommends that the Planning Commission approve special exceptions to create two flag lots on the property served by a private street that is longer than 150 feet in length for the Alta Canyon 2 Subdivision based on the following findings:

#### **Findings:**

1. That the proposed subdivision is an infill development.
2. That the proposed configuration equitably balances the needs of the public and presents the most efficient use of the land with standard lot shapes.
3. That the City Engineer and Director have recommended approval.
4. That the proposed street width conforms with Fire Access Road requirements.
5. A full hammerhead turn-around and fire hydrant are shown at the end of this private lane and will be built with the other infrastructure improvements.

### **Motion #2, Subdivision Review**

Staff recommends that the Planning Commission determine that preliminary subdivision review for the Alta Canyon Two Subdivision located at 9855 S. 3100 E. is substantially complete based on the following findings and subject to the following conditions:

#### **Findings:**

1. That the proposed configuration is an efficient use of the land.
2. That the various City Departments and Divisions have preliminarily approved the proposed subdivision plat.

**Conditions:**

1. That public street improvements be carried out in accordance with plans and profiles stamped and approved by the Sandy City Public Works Department, and specifically:
  - a. That 3100 East be further dedicated to a 32-foot half-width public street right-of-way and improved in accordance with Sandy City’s standard specifications. That a five-foot sidewalk and five-foot parkstrip be provided along the full street frontage.
  - 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.
2. That all city provisions, codes, and ordinances are adhered to during the review, construction, and operations process of this project.
3. That the proposed lot sizes and frontages conform to the requirements of the R-1-15 Zone.
4. That the applicant works with staff on a tree preservation plan to ensure that all healthy mature trees be preserved.

Planner:



Thomas Irvin  
Senior Planner

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Exhibit "A" – *See the attached file for full information*

Exhibit "B" - *See the attached file for full information*