



SANDY CITY COMMUNITY DEVELOPMENT

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Staff Report Memorandum December 14, 2023

To: Planning Commission
From: Community Development Department
Subject: Woodhaven Estates –
Preliminary Subdivision and Site Plan Review
7613 S. 300 E.
[Community #3, Sandy Woods]

SUB01182023-006471
SPR01102023-006464
SPX110820023-006652
PUD (12)
2.03 Acres

Public Meeting 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 and property owner, Brandon Fry, is requesting preliminary Subdivision and Site Plan for the property located at approximately 7613 S. 300 E. The proposal consists of the creation of 24 units and the creation of a private street through the property. Based upon the applicant’s submittal, three special exceptions will also be required for the current design which include the following: providing two points of ingress/egress, the creation of private streets instead of public streets, and the creation of lots which do not front onto a public street. Please reference the applicant’s letter (Exhibit A) and application materials (Exhibit B).

The property is zoned Planned Unit Development (PUD) which requires that the Planning Commission review and approve the proposed building materials, building design, exterior fencing, landscape (open space), and amenities for the project. The Planning Commission may also require specific setbacks, buffers, building heights, and site arrangements where it is determined to be appropriate. The Planning Commission reviews developments within the PUD zone to ensure the site plan follows the purpose and design objectives outlined in the ordinance. Additionally, the proposed Subdivision and Special Exceptions require Planning Commission review.



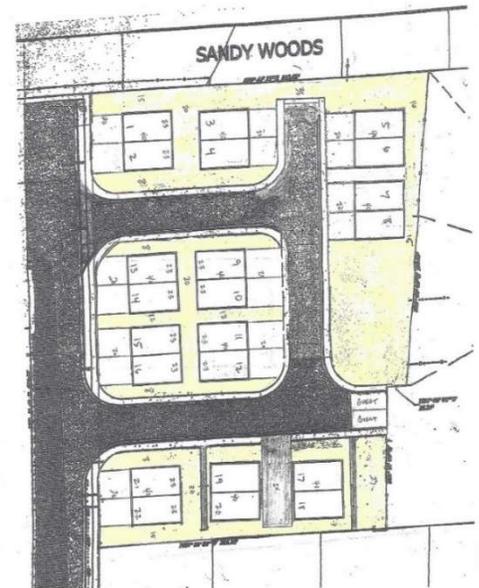
SUB01182023-006471
Woodhaven Estates Subdivision
7613 S 300 E

Sandy City, UT
Community Development Department

Property Case History	
Case Number	Case Summary
A #92-6	Smith-Brubaker Annexation – 27.63 Acres
REZ06302022-006356	Rezone from R-2-8 to PUD (12)

Background

The subject properties are currently comprised of five parcels located on the boundary of Sandy City and Midvale City, the boundary being along the North, West and South sides. These properties, along with those to the east and north were annexed into the city in 1992. There is currently one single-family home and three duplexes on-site. The City Council approved a rezone of the property in 2022 from the R-2-8 Zone to PUD (12) Zone based upon the applicant's concept plan which proposed 22 units. The plan has since been increased to 24 units.



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

- North: SD(R-1-7) Zone (single-family residential)
- East: SD(R-1-7) Zone (single-family residential)
- South: Midvale City (duplex residential)
- West: Midvale City (single-family residential)

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 November 9, 2023. Only a few neighboring property owners attended. They were mostly seeking information on what exactly was proposed. No concerns were noted. There was a previous neighborhood meeting held on July 28, 2022. A summary of comments made during the meeting is listed below:

- Access to two properties east of the subject property.
- Potential for a boundary adjustment.
- Emergency services must access these homes through Midvale City.
- Maximum height allowed for proposed homes.
- Environmental studies that will be done with the project.

Analysis

Planned Unit Development Review

The purpose of a PUD is to provide flexibility of design that would not be possible through the typical application of zoning regulations. It encourages the efficient use of land to preserve open space while providing a means to create variety in the physical pattern of development. PUD developments are held to high standards of design and layout. This district allows for smaller setbacks and clustered housing in exchange for meaningful open space, quality architectural design, and community amenities.

The design objectives for a Planned Unit Developments are:

1. Provide for a comprehensive and harmonious arrangement of buildings, open spaces, circulation ways, parking, and development amenities.
2. Be related to existing and proposed land use and circulation plans of the community and not constitute a disrupting element in the neighborhood.
3. The internal street system and pedestrian connections should be designed for the efficient and safe movement of vehicles without disrupting pedestrian circulation, activities, functions of the common areas and open space.

4. Open space and recreation areas and facilities should be located adjacent to dwelling units or be easily accessible therefrom.
5. Open space and recreation areas should be the focal point for the overall design of the development.

The Planning Commission has flexibility in requiring specific setbacks, lowered density, and height limitations to ensure these design objectives are met. Review of building and roofing materials, building design, and configuration of open space are important design review items to be considered. The applicant has provided elevations of the proposed buildings and materials as well as a site plan and landscaping plan (Exhibit “B”).

The applicant has shown the overall site area to be 2.18 acres and is proposing to develop 24 units, which is the maximum allowed by the zone for this size of area. However, that area includes portions of 300 East that has already been dedicated through improvement and use for several decades. The PUD zone density does apply to the gross acreage of a development but would not include existing roadways that have already been developed, improved, and dedicated as those would no longer be part of the developable parcels. This appears to drop the overall acreage of the development below 2 acres which would mean that the highest number of units allowed would be 23 under the PUD(12) designation. Further investigation and survey review will be required to determine the amount of gross land area that is not part of the existing roadways.

Site Plan Review

The proposed development is for 24 residential units consisting of duplexes and fourplexes along a U-shaped private street. The units are placed in a manner that allows for an appropriate layout that respects the existing land uses. The applicant has setback the units to be similar to the surrounding zones, with similar massing and scale. Where dissimilar uses are proposed, an increased setback that doubles the minimum setback of the adjacent zone has been accomplished. The east fourplex is proposed to be set only three feet from the pedestrian sidewalk.

All units include a 2-car garage with some units having a full driveway for guest parking. Sixteen of the twenty-four units are not provided with a full driveway depth and will have shared guest parking to provide the site with sufficient off-street parking for a total of 15 stalls. Most units front the public street with a front facing garage, while others are side or rear loaded units. This does provide for a variety of layout and building design while using essentially the same unit.

Open space is an important aspect of PUDs as it is used both for recreation and aesthetics in a higher density development. The PUD zone requires a minimum of 40% open space. This is calculated based on a combination of common (which is open to everyone in the subdivision) or limited common (which is not privately owned land but is limited to select users). Examples of limited common area can include patios or small backyards. The proposed project has precisely 44% of the land area being used as open space. A landscape plan has been provided and generally meets city requirements. The plans include a vinyl fence around the perimeter of the development. Open space that has been provided is primarily within setback areas and one centrally located space within the center of the development, essentially within the rear yards of the middle units. The applicant is proposing to provide a pergola over a seating area surrounded by planter boxes for community use. Additional amenities may be required by the Planning Commission based on the size, scale, impacts, and nature of the development. This could mean that additional open space area above the 40% minimum or developing other amenities such as sport courts, playgrounds, etc.

The buildings materials proposed by the applicant contain a combination of brick and various types of cement fiberboard. They have pitched roofs with asphalt shingles. The design contains multiple cantilevered elements that break up the façade on certain elevations. While not clear from plans provided, the buildings are required to be under 35 feet to the peak of the roof above the average finished grade.

Subdivision

The proposed subdivision plat would create private ownership of each of the units, with limited common areas for private driveways, and common areas for all other open space areas. It would also formally dedicate to the public the existing 300 East Street, while also expanding the improvements and dedication to a full 60' width that matches the existing road profile. A private u-shaped street is proposed that will run through the development at a width of 39 feet including sidewalks for the majority of the development, but only 34 feet on the north portion where no sidewalk has been provided. A set of

covenants, conditions, and restrictions have not yet been provided, but will need to be established to provide a means to manage the areas of common maintenance amongst the various owners.

Special Exceptions

The current proposal requires the approval of 3 Special Exceptions. The **first** is for not having two points of ingress/egress that are more than half the length of the diagonal dimension of the property. The **second** is for the creation of a private street that does not meet the city's road profile standards for width, sidewalk, and parkstrip. The **third** special exception is for the creation of lots that do not front onto a public street.

The access to the site is limited to 300 East, which is a public street in Midvale. It has no existing or planned connection to other neighboring properties in Sandy. As a result, the proposal does have two points of ingress/egress; however, they are not dimensionally separated at a distance required under the code. Based upon the fact that the development connects to the same street, it technically only has a single point of access.

The proposed private street includes 24 feet in width of paved surfacing. Private streets with less than 27 feet of paved surface can be approved after review and recommendation from the Director and City Engineer. This review and recommendation has been given for the proposed private street. The applicant is proposing the elimination of sidewalks on one side of the north street and parkstrips on both sides. The proposal is for the creation of a 39 foot private street which includes a 5 foot adjacent sidewalk, 2-1/2 feet of curb and gutter on either side, and 24 feet of asphalt. This means that no on-street parking will be permitted and must have signs indicating this restriction.

Only four of the units will front onto a public street (300 East). Fourteen of the units will front onto the proposed private street while the remaining six units on the north will front onto private pedestrian streets that are serviced by a couple of alleys that will provide access to these units.

Staff Concerns

PUD Design Objectives. Staff was initially concerned that the previous proposal did not comply with the objectives of the PUD zone, however, significant changes have been made to bring the project closer into compliance. Open space has been increased and efforts have been made to make the central open space a better focus of design. A pergola is planned over a sitting area surrounded by planter boxes for community use. Pedestrian pathways have been modified to provide sidewalks on both sides of the private street, however these are still not continuous as no sidewalk has been proposed for the northern most side of the private street.

Setbacks. The Planning Commission has broad authority to establish appropriate setbacks, especially those internal to the development. The previous design did not meet the setback requirements of the PUD zone as buildings were set less than 10 feet from the public street with several shown as close as three feet. To address this issue, the developer has switched to private streets, moved the homes an additional five feet from the street to allow for a pedestrian sidewalk, and moved the two southeast units far enough back to allow for guest parking in front.

Unit Footprints. Staff required cantilevered areas be included within the footprints of the individual units. This requirement has now been complied with.

Amenities. The applicant has increased the pedestrian accessibility throughout the project and will be providing a pergola and community planter boxes within the center of the development.

Building Design. Initial plans contained very little fenestrations of doors or windows on the sides and rear elevations. Revised plans now include additional windows on all sides. Covered front porches have also been included with the revised plans.

Road Design and Pedestrian Paths. The revised plans provide a full pedestrian pathway around the center portion of the development. The perimeter around the u-shaped street has also been revised to contain a nearly complete pathway, only failing to connect completely on the north side.

Existing Private Easement. There is an existing private road that services the existing homes on the subject property and 2 lots in the adjacent subdivision. While the existing homes in the development will be demolished, the homes outside of the development will remain. The applicant proposes to eliminate this access. To do so, those adjacent lot owners will need to agree to the vacation of this easement and have access improvements made to Sandy Park Circle including removal of existing non-conforming fencing, and the creation of drive approaches and driveways.

Staff Recommendation

Motion #1, Special Exceptions

Staff recommends that the Planning Commission determine the requested special exceptions described in the staff report for Woodhaven Estates Subdivision and Site Plan located at 7613 S. 300 E. are approved based upon the following findings:

Findings:

1. That the proposed configuration is an efficient use of the land.
2. That thirty or fewer lots/units are accessed from the single ingress/egress.
3. That the Director and City Engineer have recommended approval of the single access design that provides the necessary emergency access, and the reduced width and improvements along the internal public streets.
4. The lots without public street frontage have been provided alternative designs including a private pedestrian street and alley that will provide sufficient access.

Motion #2, Site Plan Review

Staff recommends that the Planning Commission determine that the preliminary site plan review for Woodhaven Estates located at 7613 S. 300 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 proposed development substantially complies with the requirements of the Planned Unit Development zone.
3. That the various City Departments and Divisions have preliminarily approved the proposed subdivision plat.

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 development can be approved.
2. That the existing private easement that provides access to lots 8, 9, 10 of the Sandy Woods Subdivision be vacated. Said lots shall be provided with driveways and drive approaches onto Sandy Park Circle as agreed to by the individual lot owners. The existing 6-foot fence along the circle shall also be removed to allow for this access and conform with front yard requirements. These proposed offsite improvements shall be shown and made part of the final site plan set.
3. That all city provisions, codes, and ordinances are adhered to during the review, construction, and operations process of this project.
4. That the applicant works with staff to amend the architecture for the townhomes to address the concerns discussed in this report. If any significant change to materials or design, be required to come back to the Planning Commission

for approval.

5. That the Planning Commission determine an appropriate amenity package for the application.
6. That the internal setbacks for the subdivision be dictated as follows:
 - a. 3 feet to the front (along private streets),
 - b. 10 foot side setback between buildings

Motion #3, Subdivision Review

Staff recommends that the Planning Commission determine that preliminary subdivision review for Woodhaven Estates located at 7613 S. 300 E. is substantially complete based on the following findings and subject to the following conditions:

Findings:

1. That the proposed development complies with the requirements of the Planned Unit Development zone and the subdivision code.
2. That the various City Departments and Divisions have preliminarily approved the proposed subdivision plat.

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 the existing private easement that provides access to lots 8, 9, 10 of the Sandy Woods Subdivision be vacated.
4. That a Homeowners Association for the subdivision be established. A set of CC&R's be recorded with the plat to regulate and ensure maintenance of all common areas. Said documents shall include language that requires use of garages be such that two vehicles be able to be parked at all times and that garages will not be used for any long-term storage. That the subdivision CC&R's include language that limits parking on all surface stalls to residents and their guests and that stalls shall not be used for any long-term parking of vehicles (more than 5 consecutive days).
5. All structures and improvements for individual homes are to be restricted to the platted pad site, including but not limited to pop-outs, chimneys, porches, patios, decks, stairways, etc., and may not be built in the common areas.
6. That the setbacks for the subdivision be determined by the Planning Commission and that these setbacks be recorded as a note on the plat.
7. That the existing structures on the lots be demolished prior to recording of the subdivision plat.
8. That the approved setbacks be recorded as a note on the plat.

Planner:



Thomas Irvin
Senior Planner

File Name: S:\USERS\PLN\STAFFRPT\2023\SUB01182023-006471 WOODHAVEN SUBDIVISION REVIEW\WOODHAVEN PLANNING COMMISSION\WOODHAVEN SUB AND SITE PLAN STAFF REPORT 12-14-23.DOCX

Exhibit "A"

Letter of Intent

6/28/2022

Sandy Planning Department

RE: 7613 S 300 E, 330-354 E 7635 S

To Whom it May Concern,

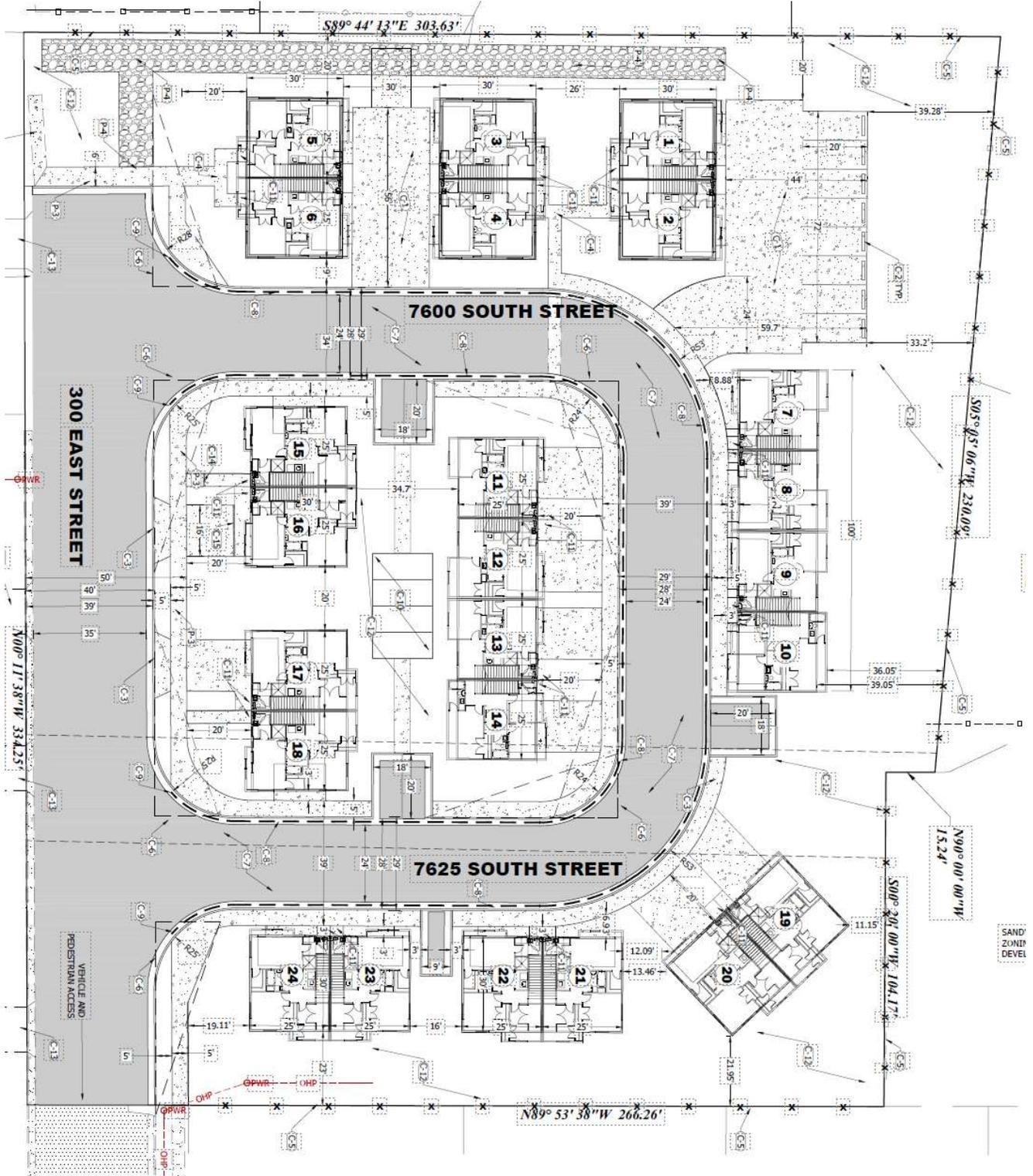
My company, Fry Construction and Development LLC, is proposing a rezone within Sandy City. The project located at 7613 S 300 E, 330-354 E 7635 S. The project includes 2.18 acres and is currently zoned R-2-8.

The proposed zone change is to accomplish a PUD Zone which will allow for a more efficient use of land to assist in addressing the need of more affordable middle income housing in Sandy City. The flexibility will create a quality living environment with a friendly neighborhood building design. I am requesting a PUD 12 zone on 2.18 acres with the intent to create 24 new twin homes with a community gathering experience. Each unit is to be capable of being individually owned and governed by a homeowners association. I am looking to accomplish units that include 2 & 3 bedrooms with 2 & 3 bathrooms along with 1 & 2 car garages. The development will include the minimum 40% open space with the required amenities for this small scale development.

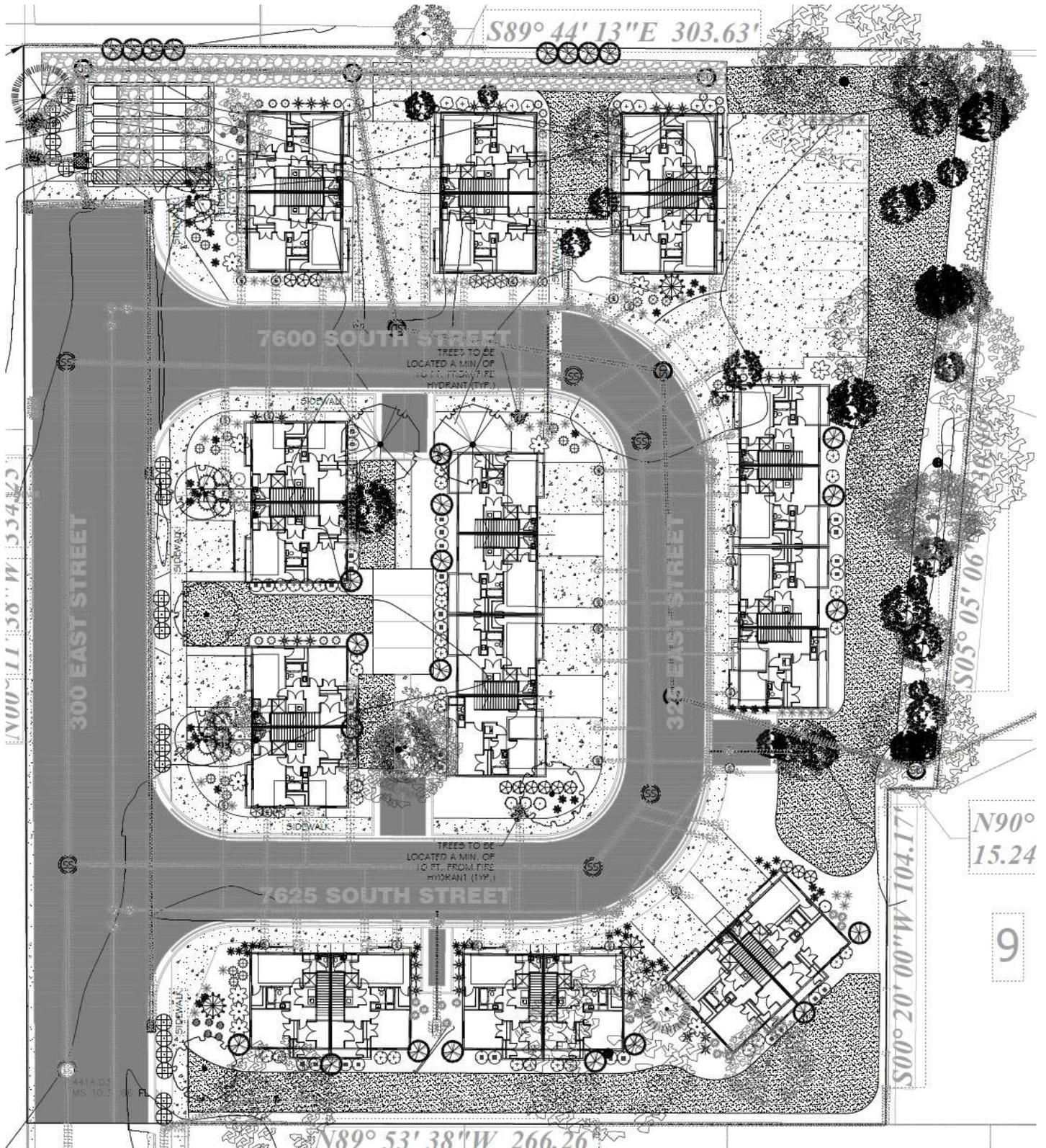
Sincerely,
Brandon Fry

Developer Information:
Brandon Fry
Fry Construction and Development LLC
PO Box 17848
Salt Lake City, UT 84117
brandon@frydevelopment.com
801-718-1331

SITE PLAN



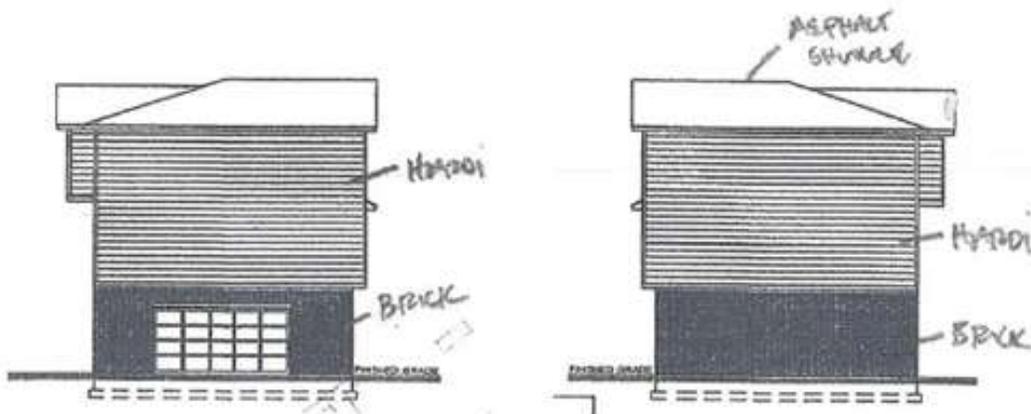
LANDSCAPING PLAN



UNITS 1-2, 3-4, 5-6



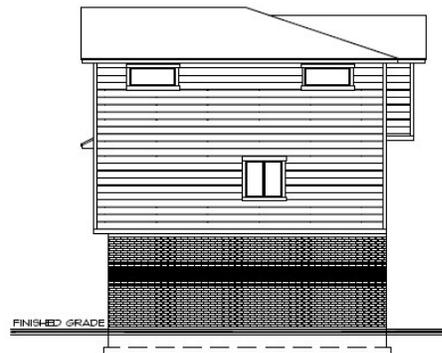
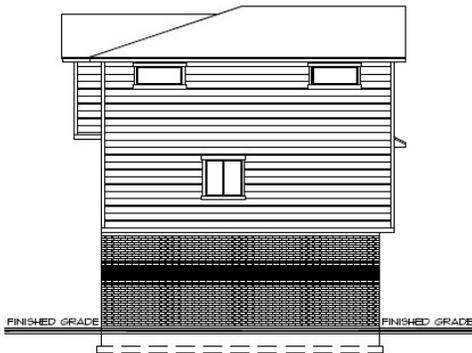
FRONT ELEVATION
SCALE 1/8" = 1'-0"



UNITS 19-20, 21-22, 23-24



FRONT ELEVATION
SCALE 1/4"



UNITS 7-10, 11-14



UNITS 15-16, 17-18



FRONT ELEVATION
SCALE 1/4" = 1'-0"

