



SANDY CITY COMMUNITY DEVELOPMENT

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MEMORANDUM

May 17, 2018

To: Planning Commission
From: Community Development Department
Subject: 630 East Subdivision (Preliminary Review) SUB-03-18-5379
630 E. 8800 S. SPEX-05-18-5405
[Historic Sandy, Community #4] Zone: R-1-7.5(HS)
0.69 Acres, 4 Lots

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

DESCRIPTION OF REQUEST

The applicant, Mr. Dave Richards, is requesting preliminary subdivision review for a four lot single-family subdivision located at approximately 630 E. 8800 S. in Tier 1 of Historic Sandy. The subdivision would divide the 0.69 acres subject property into four new single-family residential lots. Lots 2 and 3 of the proposed subdivision are configured as flag lots and have access via 630 East. The applicant is implementing the Historic Sandy Development (HSD) Overlay zone for Lots 1 and 4, which are smaller than the minimum standard lot size for the R-1-7.5(HS) zone. The HSD Overlay zone is a floating zone meant to promote human scale pedestrian activity through the incorporation of specific development guidelines in exchange for reduced minimum lot size and frontage requirements.

Because this is an infill development, the applicant is also requesting that the Planning Commission grant a special exception for the use of "flag" or "L-shaped" lots as well as the establishment of lots without public frontage.

BACKGROUND

The subject property was purchased by the applicant as part of a transaction that included the existing home on the corner of the 630 East and 8800 South and property that is zoned commercially adjacent to the east. The applicant has since completed a lot line adjustment that moved the property line of the existing home in order to preserve the home and exclude it from this subdivision. The commercial property to the east is part of the proposed Sandy City Storage Phase 2 site plan and subdivision applications that are being reviewed concurrent to this application. The subject property also includes an irregular parcel that was previously owned by Salt Lake County.

The land was previously used for agricultural purposes accessory to the historic home on the corner of 630 East and 8800 South. Consequently, the only structures that have been built on the property are chicken coops, sheds, and other accessory structures, all of which would be removed as part of the subdivision.

Land uses surrounding the property include single family homes to the immediate north, west, and south. The subject property is bordered by a commercial zone to the east which includes the Sandy City Storage project that is under construction and owned by the applicant. The United States Post Office is located to the southeast of the property and is zone BC. Additionally, the property is located near some multi-family residential projects including one to the northeast (zoned RM-12) and another down the street to the south (zoned R-1-7.5(HS)). All other residential uses are zoned R-1-7.5(HS).

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 held a neighborhood meeting that covered topics related to this subdivision as well as the site plan application for Sandy City Storage Phase 2 on the adjacent commercial property. The meeting was held on April 17, 2018 and had four citizens in attendance in addition to the applicant and staff representatives. All of the citizens that attended the meeting were adjacent property owners. A summary of the discussion that took place is attached to this report. Additionally, the Historic Committee reviewed the proposed subdivision on April 18, 2018 and had no immediate concerns.

ANALYSIS

The R-1-7.5(HS) zone allows for single-family housing on lots with a minimum size of 7,500 square feet. Lots 2 and 3 of the proposed subdivision meet the minimum size requirement of 7,500 square feet independent of the staff portion of the lot as required for the approval of flag lots. Both lots are able to meet the required frontage requirement of 65 feet as measured at the front setback of the lot. Conformance to setbacks, building heights, and architectural requirements for the Historic District will be part of the building permit review process for any new structure.

The applicant will dedicate seven and a half (7.5) feet of land along 630 East subdivision to Sandy City as part of the subdivision. Due to the narrowness of the road, the City Engineer is not requiring the applicant to install full improvements. As part of the subdivision, the applicant will be required to install a six (6) foot sidewalk adjacent to the roadway as well as curb and gutter. These improvements will be installed and bonded for as part of the subdivision.

Historic Sandy Development Overlay Zone

Lots 1 and 4 of the proposed subdivision meet the requirements of the HSD Overlay zone found in Chapter 12 of the Sandy City Development Code. The purpose of the HSD Overlay zone is to encourage development and investment in the Historic Sandy Area by reducing the required minimum size and frontage requirements for a lot, as well as providing a reduction in required setbacks. In exchange for this flexibility, the Overlay details architectural and landscape requirements meant to promote development that compliments and enhances the historic nature of the district. Some of the more significant design requirements for lots within the HSD Overlay zone are as follows:

- Subservient garages, e.g., back-loaded detached with alley access, front loaded detached, attached, side entry attached, or a combination of the above. Garage shall not exceed 50% of the front elevation.

- Dwelling and garage gables facing streets and alleys.
- Covered and open front porches comprising at least 50% of the front elevation (not including the garage), in no case being less than 15 feet in length.
- Elevations and materials used on the home must be architecturally compatible with one of the different housing styles that may be found within the surrounding area.
- Entry sidewalks that connect directly to street sidewalks
- Windows and doors are required to occupy at least 25% of the front elevation.
- Dwelling footprints shall not occupy more than 50% of the lot.
- Street trees (planted 4 feet back from sidewalk) are required.
- A minimum of one evergreen tree (6 feet minimum) is required for each home.
- A variety of shrubs and flower beds shall be required for each home.

These design requirements, which are not part of the underlying R-1-7.5 (HS) zone, are used during the building permit review process to ensure that homes are more compatible with historic structures in the area. A notice to purchasers has been added to the subdivision plat that will inform potential buyers of these lots that they were developed under this Overlay. The notice is meant to inform purchasing parties of the additional design requirements that will be used during the review of any building permit.

Lots 1 and 4 both conform to the minimum 5,000 square foot lot size and 50 foot minimum lot frontage of the HSD Overlay zone. All architectural and landscape design elements as well as all setback and height regulations will be enforced during the building permit process.

Special Exceptions

Flag Lots - Section 15A-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 more 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:

- B. The staff portion or said lot shall front on and be contiguous to a dedicated public street or private street. The minimum width of the staff portion of a flag lot shall be 20 feet and the maximum length shall be 150 feet unless otherwise approved by the Planning Commission after considering a recommendation of the Fire Marshal.
- D. 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.
- F. 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.
- H. No more than two flag lots can be served by the staff portion.
- I. 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.
- K. The approved building envelope shall be illustrated upon the final plat.

Response to B: The staff portion of the flag lots is 22 feet wide and 113 feet long, which meets this requirement. Because the staff is less than 150 feet long, an emergency vehicle turnaround is not required.

Response to D: The two flag lots as proposed in this subdivision have their frontage off of 630 East, which is located to the west of the lots and is a dedicated public street. This means that the front side of the Lots 2 and 3 will be the western property line.

Response to F: Criteria F listed above requires that all flag lots meet the minimum size requirements for the zone independent of the square footage used by the staff portion of the flag. In this case, that would mean that each lot would need to have a minimum of 7,500 square feet without including the square footage of the staff that is part of each lot. The applicant has shown on the size of just the flag portions of Lots 2 and 3 in a lot area calculation box on the plat. The flag portion of Lot 2 is 7,963 square feet and the flag portion of Lot 3 is right at 7,500 square feet. The proposal complies with the size requirements of the zone.

Response to H: The proposed subdivision has two flag lots accessed from 630 East, which meets this requirement.

Response to I: Flag lots make up 50 percent of the subdivision as it is currently proposed, which is above the 20 percent maximum listed in Criteria I. However, the Planning Commission may allow for more than 20 percent if the project is an infill development and flag lot configuration is the most efficient use of land.

Response to K: The applicant will be required to show building envelopes for all flag lots on the final plat prior to approval.

Lots Without Public Frontage – Section 15A-21-21(B1) of the Sandy City Development Code requires that all residential lots have frontage onto a dedicated and improved public street unless a special exception is granted from the Planning Commission as part of the preliminary review process. This special exception allows for the establishment of lots that front onto private streets or private lanes. Lots 2 and 3 of the proposed subdivision have access via the stem of the flag lots, which functions as a private lane and requires the approval of a special exception.

CONCERNS

The private lane that will serve to access 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 in order to ensure continued use of the lane by both parties. The private lane serves as emergency response access and, therefore, needs to be kept clear at all times. Consequently, parking on the private lane is prohibited and signage dictating such should be installed by the applicant as part of the development of the site.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **grant a special exception** for the use of flag or L-shaped lot configuration and for the establishment of lots without public frontage based on the following findings and subject to the following condition:

Findings

1. That the proposed subdivision is an infill development.
2. That the proposed configuration is an efficient use of the land.

Conditions

1. That the applicant continue to work with staff through the final review process to ensure that all flag lots meet the code requirements and standards.

Staff recommends that the Planning Commission determine that preliminary review is complete for the **630 East Subdivision** located at approximately 630 East 8800 South, subject to the following conditions:

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 applicant establish a shared access and maintenance agreement for the private lane between the owners of lots 2 and 3 of the 630 East Subdivision.
4. That the applicant continues to work with staff during final review to ensure that all lots meet the minimum size requirements of the zone.
5. That the building envelopes be shown on the final plat for lots 2 and 3.
6. That the shared private lane be signed to prohibit parking so as not to inhibit access and movement of emergency service vehicles.
7. That the applicant dedicate the appropriate amount of land along 630 East to Sandy City as determined by the Sandy City Public Works Department, and that all improvements be installed according to the requirements of that department.

Planner:



Mitch Vance
Planner

Reviewed by:



Brian McCuiston
Planning Director