



JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

MONICA ZOLTANSKI MAYOR

SHANE E. PACE CHIEF ADMINISTRATIVE OFFICER

Staff Report Memorandum

November 7, 2024

To: From: City Council via Planning Commission
Community Development Department

Subject:

Cummings Annexation (R-1-20 and R-1-40 Zone)

2152 E. and 2162 E. Creek Road

[Community #18]

ANX09302024-006859

3.64 Acres

Public Hearing Notice:

This item has been noticed on public websites, at public locations, along with multiple signs posted on site.

Request

Michael and Laura Cummings are requesting to annex a certain contiguous unincorporated area, totaling approximately 3.64 acres, located at 2152 E. and 2162 E. Creek Road, in Salt Lake County, Utah. The subject property under consideration for annexation contains two lots. Both lots currently have an existing single-family dwelling. The property at 2152 E. Creek Road was approved by the Municipal Services District (MSD) to have a guest house in November 2019 (see attached approval). This guest house is to be used on a non-rental basis. The property owners expressed interest in being annexed into Sandy City now rather than later as per HB 330 (2024 legislative session).

Background

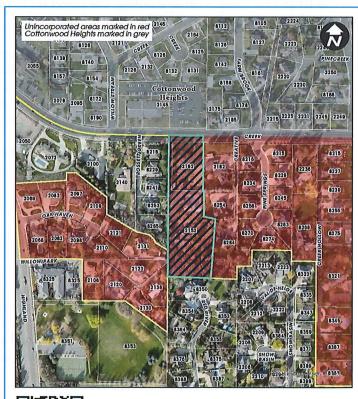
Staff does have the property owner consents.

Sandy City borders the subject area to the west and south.

Public Notice and Outreach

The City Council approved Resolution 24-44C on October 8, 2024 which set a public hearing for November 12, 2024, and directed the City Recorder to publish and send notice of the hearing in accordance with Utah Code.

Analysis





Sandy

Marier Conviguoso

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Cummings Annexation 2152 E Creek Road 2162 E Creek Road Subject Property

10000 Centennial Parkway | Sandy, Utah 84070 | p: 801.568.7250 | f: 801.568.7278 | sandy.utah.gov

The annexation is being considered by the City for the following reasons:

- 1. The City is considering annexing the area pursuant to 10-2-418 Utah Code Annotated.
- The area is contiguous to the Sandy City boundary (west and south sides).
- The property is located within an area designated in the Sandy City General Plan for incorporation.
- The City can provide a high level of municipal services to the property.

General Plan

Portions of the Sandy City General Plan which relate to this application are as follows:

Recognize that economics alone is not sufficient reason to alter established neighborhoods.

Human and environmental impacts also should be recognized.

Require proposed zoning changes to be in harmony with established neighborhoods.

Zoning

The existing Salt Lake County zoning district for this unincorporated property has two zones, A-2 and R-1-21. The A-2 zone requires a minimum of one acre (43,560 square feet) lot size for a single-family dwelling. The parcel at 2162 E. Creek Road is the area zoned A-2 and is one acre in size. The R-1-21 requires a minimum of 21,000 square feet in lot size for a single-family dwelling. The parcel at 2152 E. Creek Road is 2.5 acres in size and is zoned R-1-21.

In general, when Sandy City annexes a property into the City from Salt Lake County, we have always been sensitive to what the property was zoned in the County. In most cases we have been able to zone property

to a comparable zone as we annex them into the City. As we have done this, we have considered the existing properties that are adjacent to the area being annexed and try to assure that the annexed area is compatible with the existing area.

Staff is proposing to annex the subject property into the City with the R-1-20 and R-1-40 zones. The parcel at 2162 E. would be the R-1-40 zone and the parcel at 2152 E. Creek Road would be the R-1-20 zone. The properties to the west are zoned R-1-15 and to the south is a PUD (2) Zone.



It is recommended that the Planning Commission send a positive recommendation to the City Council that the Cummings Annexation be approved and zoned R-1-20 (2152 E. Creek Road) and R-1-40 (2162 E. Creek Road) based upon the following findings:

- 1. The area is **contiguous** to the Sandy City boundary (north and east side).
- The property is located within an area designated in the Sandy City General Plan for incorporation.
- The City can provide a high level of municipal services to these properties.
- The R-1-20 and R-1-40 zones are appropriate for this property based upon current land uses within the area.



Planner:

Brian McCuistion

Asst. Community Development Director

Property Owner	Sidwell Number	Market Value (2024)	Acres
Petersen Family Trust	22-34-326-023	\$693,700	1.00
Cummings Consulting, LLC	22-34-326-039	\$1,914,990	2.50

File Name: S:\USERS\PLN\STAFFRPT\2024\Cummings Annexation.DOCX

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Jenny Wilson Mayor

Catherine Kanter Deputy Mayor of Regional Operations Scott Baird Department Director



Lupita McClenning **Division Director Trent Sorensen** Chief Building Official

November 27, 2019

Michael Cummings 2152 E. Creek Rd. Sandy, UT 84093

Re:

File #30991

Use: Guest House (1,200 sq.ft. living space)

Property Location: 2152 E. Creek Road, Unincorporated County

Zone: R-1-21

Dear Mr. Cummings,

The Municipal Services District Staff has approved your Permitted Use application subject to the following provisions:

- 1. Property is required to connect to the sewer line, prior to construction being completed on guest house and pool, and prior to the Certificate of Occupancy being released.
 - a. Once connected to the sewer is completed, the septic system must be properly abandoned within 30 days. The septic tank's content must be pumped and disposed of by a permitted liquid waste hauler. The septic tank can be removed, crushed in place or filled with dirt.
 - b. Proof of abandonment must be submitted to the Health Department. Proof can include physical inspection by a Health Department representative, invoices from the pumper/removal contractor(s) and photographs.
- 2. Footing excavations shall be inspected and approved in writing by a Qualified Geotechnical Engineer prior to the placement of concrete forms of rebar.
- 3. Applicant must provide sediment and erosion control plans including BMPs which include but not be limited to concrete washout, dumpster, restroom facility, boundary controls and off tracking prevention.
- 4. Building permits are required for the construction of the new building (guest house).
 - a. At the time of building permit review, building plans showing compliance with current building code must be submitted. Provide Fire flow verification for the nearest fire hydrant and show how compliance is going to be made with any Unified Fire District Guidelines.
 - b. Current plans do not show an emergency egress window or door in the basement. Current code requires a minimum of one emergency escape and rescue opening in all basements.
- 5. All roadway improvements, private or public, must comply with the Salt Lake County standards (See SLCO ordinance 14.12 and Salt Lake County Standard Plans for Public Works Construction). A performance bond is required for all improvements. A right-of-way excavation permit is required for all cuts into roadway for utility connections or for any other purpose.

This letter and the approved site plan and building elevations constitute your land use permit. This secured PDF must be uploaded with your construction drawings at the time that you apply for the building permit.

Respectfully,

Diana Martinez Land Use Planner

