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COMMUNITY DEVELOPMENT
DIRECTOR

MONICA ZOLTANSKI
MAYOR

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CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

September 1, 2022

To: Planning Commission
From: Community Development Department
Subject: Park Lane Subdivision Amendment (Preliminary Review)
1775 East 11400 South
[Community #26]

SUB07082022-006359
SPX08252022-006386
1.24 Acres
Zone: SD(R2.67A)

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject area. A physical sign was also posted on the property.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
SUB #89-13	Plat for the Park Lane Subdivision was recorded on May 29, 1990
CUP #89-27	Planning Commission approved a conditional use permit for an accessory apartment
CA02232022-006273	Code Amendment to change density and allowable uses for the Fluekiger special district came before the Planning Commission on April 21, 2022. The Commission forwarded a positive recommendation to the City Council. City Council approved the amendment on June 7, 2022.

DESCRIPTION OF REQUEST

Laine Fluekiger, the applicant and property owner, is requesting a preliminary review for an amendment to the Park Lane Subdivision, located at 1775 East 11400 South. The application is requesting to amend the Park Lane Subdivision plat to create two (2) more buildable lots to the north end of the subdivision. This will make a total of four (4) lots in the subdivision. The applicant is not requesting any overlay zones but is requesting two special exceptions: One to allow flag lots, and another to allow lots without public frontage.

BACKGROUND & SITE CONDITIONS

The subject property consists of approximately 1.24 acres and is located in the SD(R2.67A) Zone. To the north are single family homes in the R-1-10 Zone. To the west is Bell Canyon

Park in the OS Zone. To the south is a single-family home in the SD(R2.67A) Zone. Finally, to the east are single-family homes in the R-1-20A Zone.

The original Park Lane Subdivision was developed under the SD(R-2-A) Zone, which is a special development district that allowed for two homes per acre on the property. This resulted in the ability to have up to three total buildable lots within the subdivision. However, with a recent code amendment change, the zone has been changed to SD(R2.67A), which now allows 2.67 dwelling units per acre. This calculates out to four (4) allowable lots within the boundaries of the Park Lane Subdivision.

NOTICE

Notices were mailed to property owners within a 500-foot radius of the subject property as per Sandy City Land Development Code requirements, to notify them of the Planning Commission meeting. A physical sign was also posted on the property to provide notification of the upcoming meeting.

A neighborhood meeting was held on March 10, 2022 in relation to the code amendment that was being proposed at that time to modify the allowable density for the Park Lane Subdivision. One resident commented at the meeting that he had no objection to this change. Three emails were also received, and they all supported the request to allow two new buildable lots at the north end of the Park Lane Subdivision.

ANALYSIS

The applicant is proposing an amendment to create two buildable lots on the north end of the subdivision. Each lot would contain a single-family home. The two lots are to be accessed from Canyon Falls Ln. to the east via a private driveway that was constructed during the development of the Bell Canyon Cove Subdivision. The driveway is approximately 21 feet wide.

The two lots will be flag lots. By ordinance the east side of each lot would be considered the front yard. When taken in context with the configuration of the single family homes around the property, it would make more sense for the homes to face each other, and not the rear yards of the homes on Canyon Falls Ln. This means that the the north property line of Lot 202 and south property line for Lot 203 should be considered their front yards, respectively. The Planning Commission has the authority to change the assigned front yards for these lots to better serve the development.

The property line between the two new lots divides the private driveway approximately in half. As the driveway ends on the west side the property line jogs north at a 45-degree angle for approximately 14 feet. This is to increase the lot size of Lot 202 to make it easier to fit a home on the lot. However, Sandy City ordinance also states lot lines are to be substantially at right angles to street lines. The proposed boundary between the two new lots causes the lots to be less rectilinear and creates irregularly shaped lots. The Planning Commission will need to determine whether the jog in the proposed boundary line is acceptable, or if it should remain straight all the way to the west property line.

SPECIAL EXCEPTIONS

This subdivision proposal also includes two special exception requests detailed below:

1. Special Exception for Flag Lots [21-21-22]

In order to encourage the more efficient use of land, flag or L-shaped lots may be approved by the Planning Commission as a special exception. Flag lots are subject to the following criteria:

- (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.

(11) No flag lots shall be permitted at the end of an approved cul-de-sac or other private road terminus.

(12) Below is an example of a flag lot and is included herein to illustrate the concept of flag or L-shaped lots.

Staff Analysis for #1:

The two proposed flag lots meet all of the criteria listed in the above code. Criterion #4 states that 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. In this case staff recommends that the Planning Commission determine that the north property line of Lot 202, and the south property line of Lot 203 be determined to be the front side, and approve the special exception.

2. Lots Without Public Frontage [21-21-21(b)]

(b) Except as may be otherwise provided in this title, all lots shall have the required frontage upon a dedicated and improved street. Exceptions may include the following:

(1) Residential building lots that do not have frontage upon a public street shall obtain a special exception from the Planning Commission as part of the preliminary review process.

Staff Analysis for #2:

The ordinance grants the Planning Commission the ability to approve lots that do not have frontage along a public street. In this particular case the lots are configured in such a way that they cannot front on a public street. The proposal is to use the private driveway to access the lots from Canyon Falls Ln. Staff recommends that the Planning Commission approve this special exception.

STAFF CONCERNS

Staff is concerned about the existing accessory structures on Lot 202. The applicant wants to keep these structures in place. However, it remains to be demonstrated that a home can fit on the lot and still accommodate the accessory structures so that all buildings comply with the zoning ordinance. An exhibit will need to be provided when the applicant submits for final approval showing that the home and the two accessory structures can exist on the lot while meeting all required setbacks and ordinances associated with the SD(R2.67A) Zone. At present, the preliminary plat does not show the correct setbacks for the zone and will have to be revised to display them accurately. A condition of approval has been added to this staff report with that stipulation.

STAFF RECOMMENDATION**#1 – Special Exceptions**

Staff Recommends that the Planning Commission approve the following special exceptions:

1. Special exception for flag lots
2. Lots without public frontage

for the Park Lane Subdivision, located at 1775 East 11400 South, based on the following findings and subject to the following conditions:

Findings:

1. The staff portion of the flag lots is a private lane and fronts on and is contiguous to a dedicated public street.
2. No more than two flag lots will be served by the staff portion.

Conditions:

1. That the north property line of Lot 202, and the south property line of Lot 203 are designated as the front property lines.

#2 – Preliminary Subdivision Review

Staff recommends that the Planning Commission determine that preliminary review is complete for the Park Lane Subdivision, located at 1775 East 11400 South, based on the following findings and subject to the following conditions:

Findings:

1. That the various City departments and divisions have preliminarily approved the proposed subdivision plat.
2. That the proposed subdivision will be finalized with City staff, through recording with the County Recorder.

Conditions:

1. That the applicant complies with each department's comments and redlines throughout the preliminary and final review process and that all issues be resolved before final subdivision approval.
2. That all City provisions, codes and ordinances are adhered to during the review, construction and operations process of this building.
3. That 'No Parking' signs be installed on both sides of the private driveway to preserve fire department access.

4. That all primary dwellings and accessory buildings conform to all regulations of the SD(R2.67A) Zone.
5. That the applicant submit an exhibit when submitting for final subdivision approval that shows the homes on Lots 202 and 203 can be situated in such a way as to comply with all setbacks of the SD(R2.67A) Zone and that the existing accessory structures do the same.

Planner:



Craig P. Evans, Senior Planner

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