



JAMES SORENSEN  
COMMUNITY DEVELOPMENT  
DIRECTOR

KURT BRADBURN  
MAYOR

MATTHEW HUISH  
CHIEF ADMINISTRATIVE OFFICER

# MEMORANDUM

May 31, 2018

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**To:** Planning Commission  
**From:** Community Development Department  
**Subject:** Willow View Cove No. 4 Subdivision (Prelim Review) SUB-05-18-5380  
 3 New Lots (5 Lots total) 2.5 Acres  
 Approx. 1630 East 10900 South R-1-20A Zone  
 Community #22

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

PROPERTY CASE HISTORY	
Case Number	Case Summary
A #94-10	The Rodger Richards Annexation added approximately 9.9 acres into Sandy City and was given the R-1-20A Zone District on September 13, 1994.

### REQUEST

The applicant, Marilyn Leonis, is requesting preliminary subdivision review for a proposed five (5) lot subdivision. The subject property is 2.5 acres in size and consists of two (2) existing homes (Lots 1 & 4). The proposed subdivision would create three (3) new lots (Lots 2, 3, & 5), Lot 1 is accessed from 1700 East and would remain the same. The other lots would be accessed from Prescott Drive as this public road would be extended from the existing stubs on the north and south of the subject property.

### BACKGROUND

The subject property consists of five (5) existing parcels. This will assemble a parcel that appears to have been created by a gap in legal descriptions, a remnant parcel created from the Willow View Cove No. 3 Subdivision, a portion of the rear yard of the Wilding property (10900 South 1700 East), the Setterberg property (10886 South 1700 East), and the Leonis property (1594 East 10900 South).

The subject property is zoned R-1-20A and is surrounded by the same zoning district to the north, south, and east that are developed as single family homes. On the west, it is bordered by single family homes zoned SD(R-1-30A).

### **NOTICE**

Notices were mailed to property owners within a 500-foot radius of the subject parcel to notify them of the Planning Commission meeting. A neighborhood meeting was held on April 18, 2018 at City Hall. This was well attended and several questions and concerns were raised during the meeting. A full report from the meeting is attached to this report.

### **ANALYSIS**

The R-1-20A zone is a single-family zone that requires lots to be at least 20,000 square feet in size. The “A” designation provides property owners with rights to have farm animals on their property, to the degree that they maintain compliance with regulations for housing and storing of animals as found in Section 15A-11-03 of the Development Code. The zone is a standard zone in the city, which means that all provisions for setbacks, building height, lot frontage, lot size, etc. are all pre-determined by ordinance and must be adhered to. The proposed plat appears to conform to the standards of the zone. All five (5) lots will be at least 20,000 sq. ft.

#### **Access:**

Four (4) of the proposed lots will come from Prescott Drive and the other will continue to be accessed from 1700 East. These are both public roads. The proposal would extend Prescott Drive from the existing stub streets on the north and south of the subject property. The proposal matches the same dedication width and improvements that were approved for the other Willow View Cove Subdivisions. This includes a thirty-two foot (32') public road dedication for Prescott Drive and improved with two and one-half feet (2.5') of curb and gutter and twenty-seven feet (27') of asphalt. The sidewalk and parkstrip would remain part of the lots and privately maintained, with a fifteen foot (15') Parkway Sidewalk and Public Utility Easement that would allow for the sidewalk to be meandering.

#### **Waiver:**

The proposal of less than the typical roadway dedication and improvement requires a waiver from the Planning Commission. They may grant a waiver from the typical requirements of public road improvements with a recommendation from the City Engineer and after evaluating the following criteria (see section 15A-21-02 and 15A-21-10(N)):

1. The number of homes within the subdivision.
2. The length of a cul-de-sac.
3. The precedence of adjoining improvements.
4. The configuration of lots.
5. Where the only other alternative is a private road design.

The applicant is proposing to continue a precedence of adjoining improvements. It would make sense to continue that same design as this sits in the middle between two subdivisions that were previously approved with these same waivers. The City Engineer has also recommended continuation of this precedent.

**CONCERNS**

Staff has the following concerns regarding this proposal as submitted by the applicant:

1. Clarification of Property Lines and Existing Fences. There is some dispute over the boundary lines of the subdivision and the existing fence locations. This will need to be resolved prior to recording. The fence locations and subdivision boundaries need to be aligned to avoid confusion and further dispute over ownership and maintenance responsibilities.
2. Maintenance of Sidewalk. Staff would suggest that the applicant either create a new homeowner's association to ensure maintenance of the private sidewalk or join the existing HOA of the other phases of Willow View Cove. Staff would prefer the latter option to ensure that the HOA is of significant size and scale to manage the common responsibility.
3. Lot Line Adjustments. Two (2) lot line adjustments need to be recorded in connection with this subdivision proposal. There is a remnant parcel that needs to be resolved near the northwest corner of the subdivision. The Wilding parcel was altered to include some of that parcel area with the proposed subdivision. This needs to be formally approved by Sandy City before this proposed subdivision can be approved.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission determine that the preliminary subdivision review is **complete** for the **Willow View Cove No. 4 Subdivision**, located at **approx. 1630 East 10900 South**, and that the waiver request of a private and meandering sidewalk and parkstrip be approved based on the following findings and subject to the following conditions:

## Findings:

1. That the adjoining subdivisions (to the north and south of the subject property) have created a precedence of road improvements and dedication on Prescott Drive.
2. The applicant is proposing to match those improvements with the subdivision proposal.
3. That the City Engineer supports the request.

## 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 Prescott Drive be dedicated as a thirty-two foot (32') public right-of-way and improve the street to City Standards.
  - b. A new five-foot (5') meandering sidewalk be installed along both sides of Prescott Drive. The developer is required to dedicate a fifteen-foot (15') Parkway Sidewalk and Public Utility Easement to allow for public access to the sidewalk. That the sidewalk be maintained privately by the homeowners association.

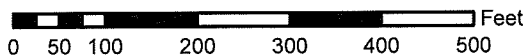
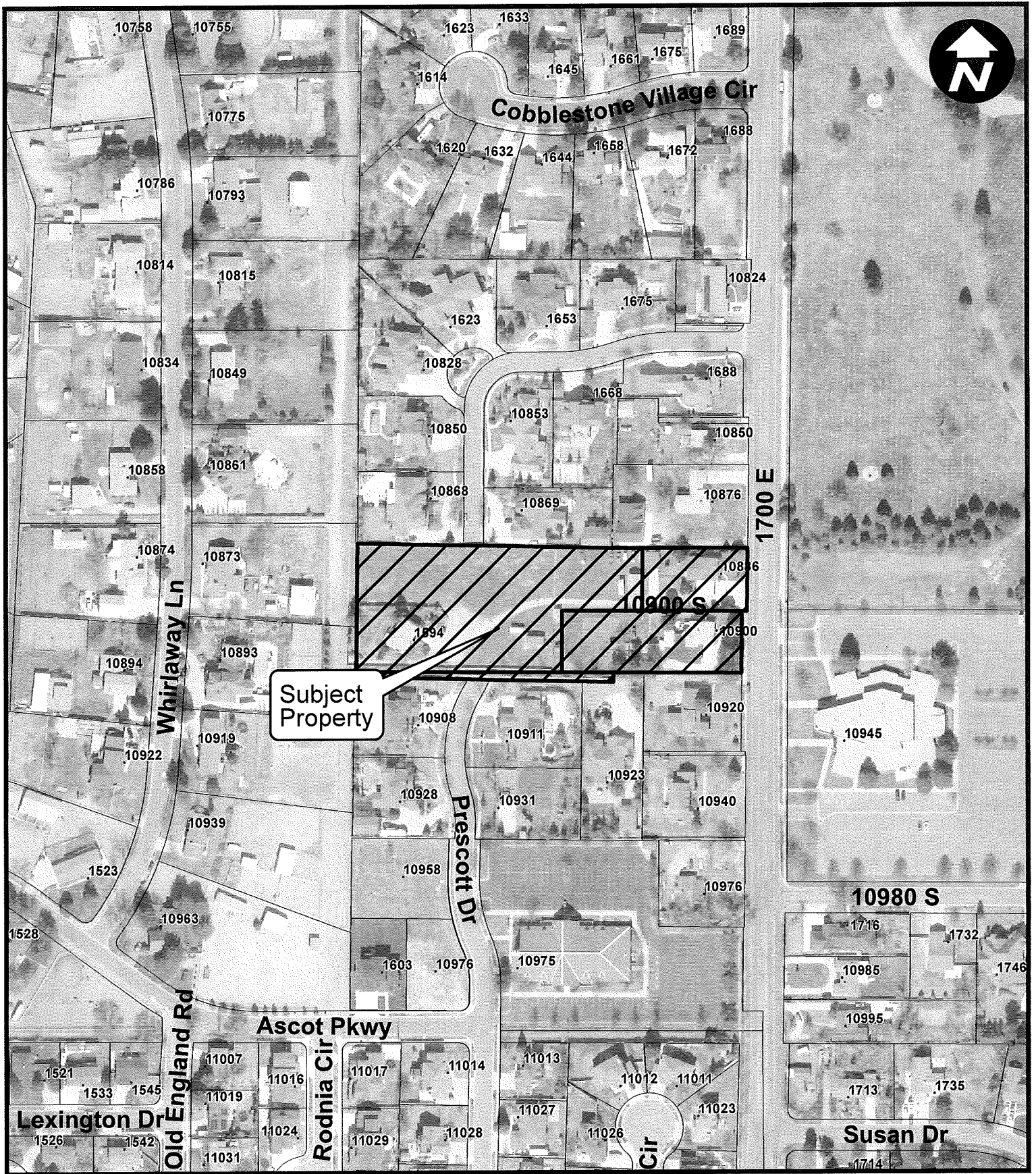
2. That the applicant complies with each department's comments and redlines throughout the final review process and that all issues be resolved before the subdivision can be recorded.
3. That any relocation of utilities required by City Ordinance be the responsibility of the developer.
4. That all City provisions, codes and ordinances are adhered to during the review, construction and operations process of this project, except as otherwise approved by waivers or special exceptions granted by the Planning Commission.
5. That all residential lots comply will all requirements of the R-1-20A zone.
6. That the developer relocate existing fences or install a new six-foot (6') solid opaque perimeter fence along the boundaries of the subdivision. Said fence shall conform to development code requirements, especially as it pertains to front yard areas.
7. That the necessary lot line adjustments be recorded prior to the recording of the plat.

Planner:

Reviewed by:

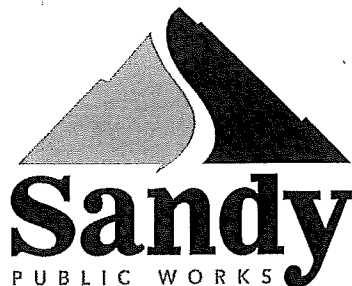


Mike Wilcox  
Zoning Administrator



**SUB-03-18-5380**  
**Willow View Cove No. 4 Subdivision**  
**Approx. 10900 S. 1630 E.**

PRODUCED BY MIKE WILCOX  
 THE COMMUNITY DEVELOPMENT DEPARTMENT



# DEPARTMENT OF PUBLIC WORKS

Kurt Bradburn  
Mayor

Matthew Huish  
Chief Administrative Officer

Michael Gladbach, P.E.  
Director

## READY-FOR-PLANNING-COMMISSION MEMORANDUM

**Date:** April 4, 2018

**To:** Mike Wilcox, Zoning Administrator

**From:** Ryan C. Kump, P.E., City Engineer  
Britney Ward, P.E., City Transportation Engineer  
David J. Poulsen, Development Engineering Coordinator

*Ryan C. Kump*  
*Britney Ward*  
*David J. Poulsen*

**Project Name:** Willow View Cove No. 4

**Plan Case Number:** SUB-03-18-005380

**Project Address:** 10890 South 1650 East

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A review of the above-mentioned project has been made. Following is a list of comments from the Public Works Department:

1. THE PRELIMINARY SUBDIVISION PLAT AND OTHER DOCUMENTS SUBMITTED BY THE DEVELOPER ARE GENERALLY ADEQUATE at this stage of the project with regard to Public Works Department concerns. A number of items will be required prior to final approval, including items mentioned in the drawing redlines, the "Plan Case Comments," and the "City Engineer Requirements" letter, but these items are not required as part of this preliminary submittal.
2. THE PUBLIC WORKS DEPARTMENT RECOMMENDS THAT THE PLANNING COMMISSION DECLARE THAT PLANNING COMMISSION PRELIMINARY SUBDIVISION PLAT REVIEW IS COMPLETE, and that final project documents be prepared by the developer for review by city staff members.
3. PRIOR TO FINAL APPROVAL BY THE PUBLIC WORKS DEPARTMENT, the developer is required to complete all items mentioned in the drawing redlines, the "Plan Case Comments," and the "City Engineer Requirements" letter.



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## Neighborhood Meeting Summary – Community 22

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**Date:** 4/18/18

**Location:** City Hall – Council Chambers

**Community #/Name:** 22

**Community Coordinator:** LaMar Beckstead

**Project Name:** Willow View Cove No. 4 Subdivision

**Number of Attendees:** 21

**Applicants:** Marilyn Leonis

**Number of Notices:** 53

**Length of Meeting:** 60 minutes

**Notice Radius:** 500 ft.

**Project Description:** Proposal would create 3 new lots accessed from Prescott Drive. Existing homes will remain. Prescott Drive would be connected on both ends of the property.

### **Community Comments/Questions:**

1. Is Marilyn going to keep the existing home?
2. Do all homes need to have consistent structures in the subdivision? - HOA president needs to contact Marilyn to negotiate
3. Will all the addresses face Prescott? - Yes
4. When will the residents see interaction between new developments and existing properties/how will this affect the existing boundary lines?
  - a. There is a recorded boundary line agreement – this will weigh into subdivision plat
  - b. Need to show how this relates to fence lines
5. There is a boundary dispute between lot number 5, bell canyon acres, and the Holmes property
  - a. Problem with Marilyn's fence about 10 feet past the property line
  - b. Fence needs to be moved back to what the county says the boundary line is
6. Road will be a public street – no gates, fences will come down, it will be a through street
7. Access to Marilyn's home off 1700 E will go away once developed - her access will be off Prescott drive
8. Two front lots will face 1700 E – nothing changes with these homes but they will now be in the plat
9. HOA:
  - a. Public access easement – 15 ft. behind the curb and gutter, sidewalk and park strip will be owned privately. HOA is required to maintain this. The city does not mandate that they join the adjacent HOA's.
10. Has the property been surveyed? – The back 4 lots have, but the 2 front lots have not, along the 1700 E line



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- a. The survey marks have not yet been set
- b. The point will be east of the fence
11. Residents are concerned the contractor will be using the bridle path to access the property during construction. They want to know if they plan to do this.
12. The sewer lines run along the bridle path – will there be work that has to be done and disturb the sewer line?
  - a. There should be nothing west of the back of the lots that requires digging
13. Boundary lines on the plat don't show the neighboring lots – can be seen at Planning Commission
14. The plans that were submitted did not show any gate access
  - a. Bridle Path access will not be resolved by the city – that is a private issue
  - b. Bridle Path is private property – others shouldn't be using it but the City won't help patrol this and give police protection
15. What stage will the residents be provided information regarding road construction – timing of this is on the applicants side, they have up to 2 years to complete the improvements
16. Height restrictions = 35 ft.