



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE E. PACE
CHIEF ADMINISTRATIVE OFFICER

Staff Report Memorandum August 3, 2023

To: Planning Commission
From: Community Development Department
Subject: Sophie Lane (Street Vacation)
285 East 11000 South
[Crescent, Community #11]

MSC06142023-006551
R-1-15
0.06 Acres

Public Hearing 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, Kyle Denos with Next Level Homes (representing the three property owners that currently are accessed from this public street), is requesting a public street vacation of Sophie Lane which is a stub street that runs from north to south located off of 11000 South and 310 East. This request is associated with the Brand Estates Subdivision that is currently in final staff review.

Background

Sophie Lane is a half-width stub street created in 2004 as part of the Mertlich Subdivision. It was intended to both provide street access for three properties while allowing for future expansion when the property to the west eventually was developed.

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

- North: R-1-10 Zone (single-family residential)
- East: R-1-10 Zone (single-family residential)
- South: R-1-20(A) (single-family residential) & (OS (Crescent Park))
- West: R-1-8 and R-1-10 Zones (single-family residential)



Property Case History	
Case Number	Case Summary
A #79-2	Fairborn Annexation (2/13/1979) – 640.8 acres
S #03-09	Mertlich Subdivision Plat (6/5/2003)
REZ05042022-006315	Brand Estates Rezone (6/2/2022)
SUB10112022-006417	Brand Estates Subdivision (6/1/2023)
REZ06142023-0065552	Brand Estates Rezone (8/3/2023)

Public Notice and Outreach

This item was noticed to all property owners within 500 feet of the proposal. Staff held a virtual neighborhood meeting concerning the overall development via Zoom on May 23, 2023. Attendees did not express any concerns about the proposed street vacation. The three property owners who are having their street access changed are in support of this request.

Analysis

Sandy City Ordinance requires that the Planning Commission review all requests to modify a public street, and to make a recommendation to the City Council. The City Council is required to hold a public hearing prior to making a final decision.

Sophie Lane was dedicated to Sandy City as part of the Mertlich Subdivision in 2004. It was approved with only a 16-foot width in order to allow for its future expansion when the property to the west developed. After staff input, the applicant has determined that vacating Sophie Lane and replacing it with a private street is a more efficient means of providing street access to the existing three lots.

The proposed Brand Estates Subdivision Plat includes a new public street through the center of the property running north to south, called Brand Lane. Access to the existing three lots will be provided by the creation of a new private road (running west to east) accessed from this new public street. The affected lots will need to be re-addressed based upon this change in access.

Required Determinations and Findings

There are three determinations that need to be made by the Planning Commission and the City Council in Considering a request for a street vacation:

1. Consent of the abutters. Sandy City staff have agreed to this vacation. The City has received no objection from any property owner that abut the existing road segment.
2. If good cause exists for the street vacation. The Public Works Department has determined that this property will no longer be needed for right-of-way or public use, as a more efficient means of moving traffic is being provided.
3. That neither the public interest nor any person will be materially injured by the vacation. No injury to the public will occur due to this partial street vacation.

Recommendation

Staff recommends that the Planning Commission forward a positive recommendation to the City Council for the street vacation of Sophie Lane as shown on the attached exhibit, based on the following findings and subject to the following conditions:


Findings:

1. Good cause for the action exists because a more effective way of accessing the properties is being provided through the creation of the private street.
2. That no material injury will be done to any person or to the public interest by the vacating of the street.
3. Staff has not received any objection from the abutting property owners.
4. The City Engineer has recommended the approval of the street vacation.

Conditions:

1. That the recording of the street vacation ordinance be done with the Salt Lake County Recorder's Office.
2. That the proposed Brand Estates Subdivision be recorded at the same time as the Sophie Lane vacation.

Planner:



Thomas Irvin
Senior Planner

File Name: S:\Users\PLN\STAFFRPT\2023\MSC06142023-006551 Sophie Lane Street Vacate

Exhibit #1 – Application Letter

APPLICANT LETTER FOR BRAND ESTATES

285 East 11000 South, Sandy, Utah 84070

Project Name: Brand Estates

Project Owner: Brand Estates, LLC, Brandon Pehrson, Manager

June 14, 2023

Thomas Irvin - Sandy City Planner
Sandy City Planning and Zoning Department
10000 S Centennial Pkwy
Sandy, UT 84070

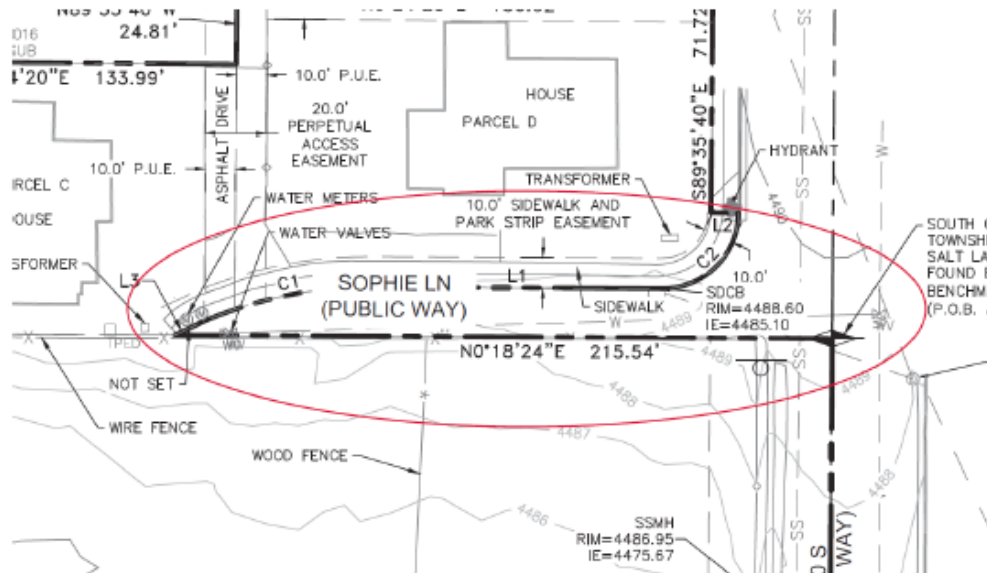
Dear Thomas,

It is our pleasure to submit this rezone and street vacation letter for review, comment and approval with respect to the rezoning of certain lots and the vacation of the old portion of Sophie Lane as detailed below and pursuant to that certain approved preliminary plat application by Sandy City on June 1, 2023 for that certain 4.81 acre property located at 267 and 285 East 11000 South known as Brand Estates (the "Project").

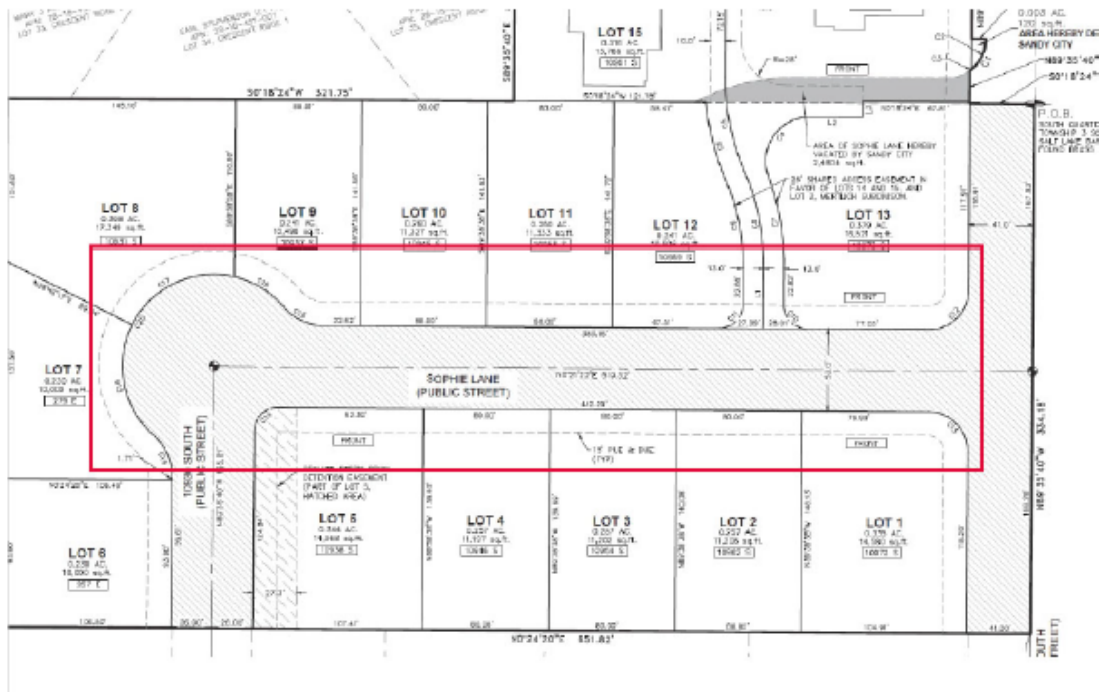
Street Vacation

Pursuant to Sandy City’s review of the Project, a previously dedicated portion of Sophie Lane as seen in Ex.1 below is proposed to be vacated. The newly proposed Sophie Lane pursuant to the submitted Brand Estates plat as seen in Ex.2 will run straight and will result in a dramatic improvement visually and functionally to the community and Sandy City.

Ex.1

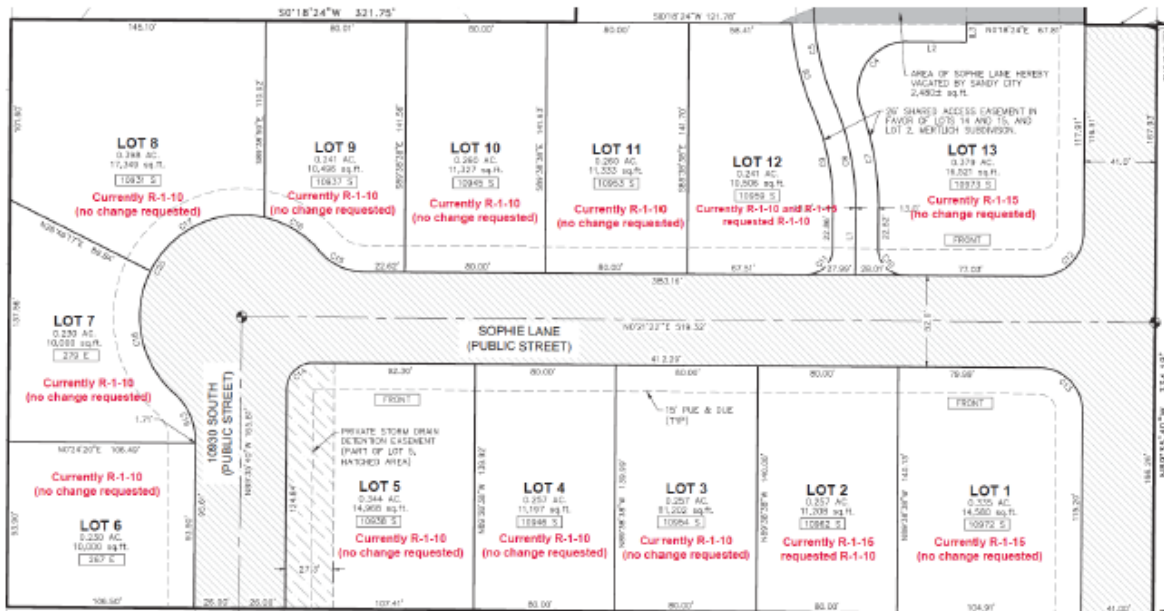


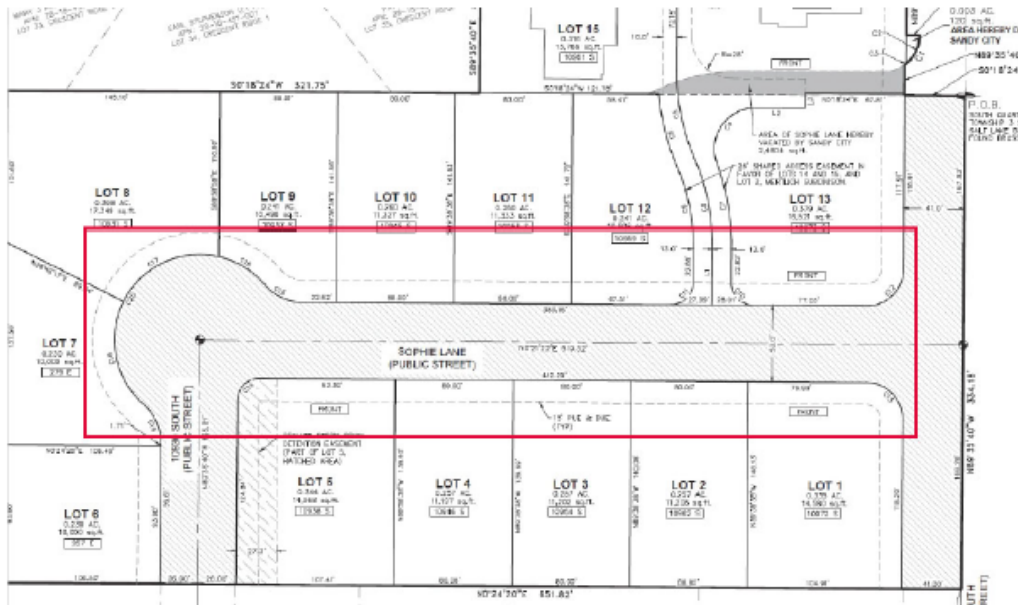
Ex.2



Rezoning

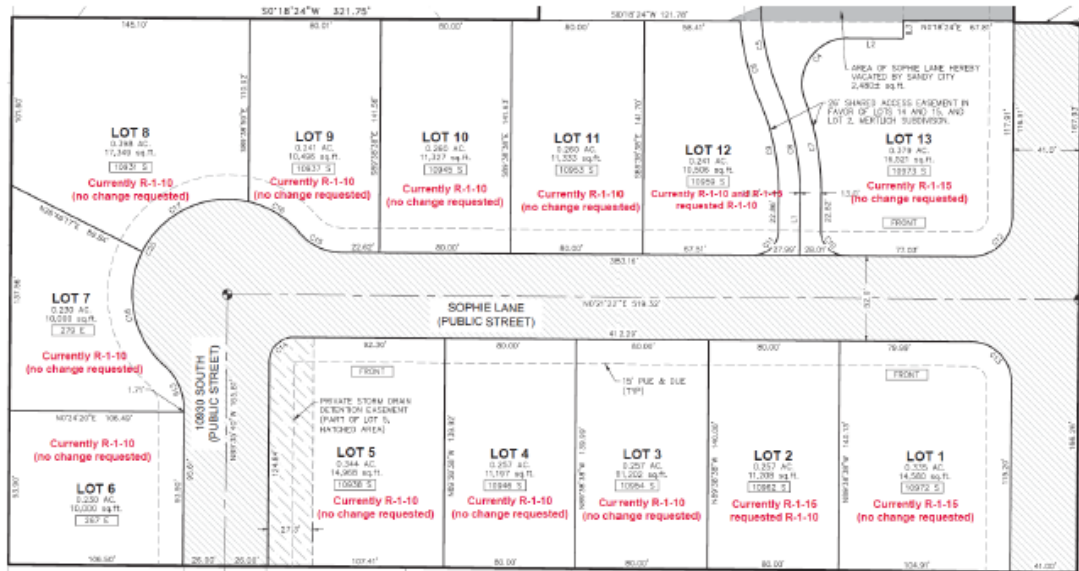
The Project is currently zoned a combination of R-1-15 and R-1-10 as approved by the Sandy City Planning Commission and City Council in 2022. Subsequent changes to the road configuration as contemplated in the current Brand Estates preliminary plat changed the lot configuration leaving Lot 2 zoned R-1-15 and Lot 12 partially zoned R-1-10 and R-1-15 as seen in Ex.1 below. Request is hereby made to make Lot 2 and 12 fully R-1-10 and leave the remaining lots as previously approved.





Rezoning

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In closing, we thank you all for your time and your consideration of this matter.

Sincerely,

Brandon Pehrson
 Brandon Pehrson, Manager of Brand Estates, LLC

Exhibit #2 – Street Vacation Legal Description**Sophie Lane Legal Description**

BEGINNING AT A POINT WHICH IS NORTH 00°18'24" EAST 41.00 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 00°18'24" EAST 174.54 FEET; THENCE SOUTH 25°40'26" EAST 5.15 FEET TO THE POINT OF A 136.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 61.67 FEET THROUGH A CENTRAL ANGLE OF 25°58'50" (CHORD BEARS SOUTH 12°41'01" EAST 61.14 FEET); THENCE SOUTH 00°18'24" WEST 95.40 FEET TO THE POINT OF A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 16.05 FEET THROUGH A CENTRAL ANGLE OF 36°46'52" (CHORD BEARS SOUTH 18°04'38" EAST 15.77 FEET); THENCE NORTH 89°35'40" WEST 20.97 FEET TO THE POINT OF BEGINNING.

CONTAINS 2,481 SQUARE FEET OR 0.057 ACRES, MORE OR LESS.