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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

# Staff Report Memorandum

## June 1, 2023

To: Planning Commission  
From: Community Development Department  
Subject: Brand Estates Subdivision  
285 East 11000 South  
(Community #11, Crescent)

SUB10112022-006417  
SPX05262023-006540  
R-1-10 & R-1-15  
4.8 Acres

**Public Meeting Notice:** This item has been noticed to property owners within 500 feet of the subject area, on public websites, and a sign posted on site.

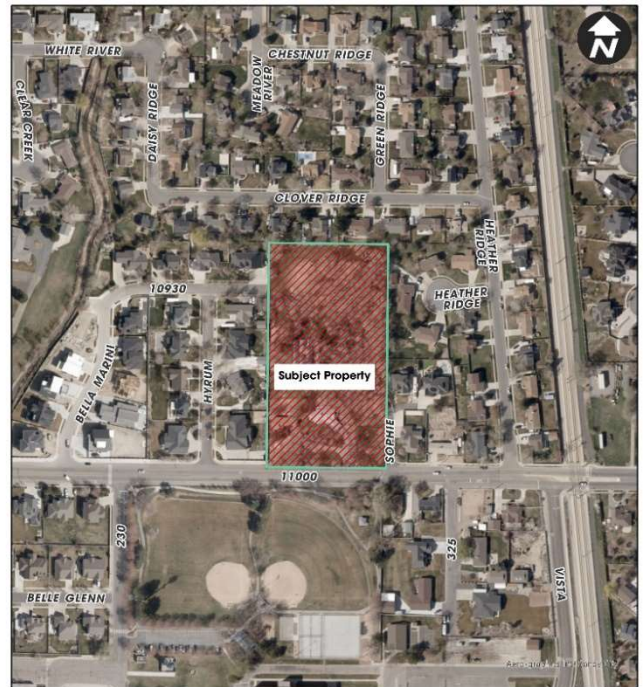
### Request

The applicant, Kyle Denos representing the property owner John D. Thomas, is requesting Preliminary Subdivision approval and a Special Exception to create a private lane for the property at 285 East 11000 South. The proposal consists of subdividing the 4.8-acre parcel into 13 residential lots and modifying the access for the three existing lots of the Mertlich Subdivision located east of this proposal by vacating Sophie Lane and providing access through the use of a private lane.

### Background

The subject property includes two zoning districts. The front portion facing 11000 South was recently re-zoned to R-1-15, while the rear portion is zoned R-1-10. The surrounding properties reflect similar zoning with those facing 11000 South being R-1-15 and the remainder being R-1-10. The property to the south is zoned OS.

All adjoining properties are developed as single-family residential lots except for the property south of 11000 South which has been developed as Crescent Park.



SUB10112022-006417  
Residential Subdivision  
285 E 11000 S

Community Development Department  
Cartography: Eleanore Mearns

| Property Case History |   |
|-----------------------|---|
| Case Number           | Case Summary                                  |
| A #79-2               | Fiarnorn Annexation (2/13/1979) – 640.8 acres |
| S #03-09              | Mertlich Subdivision Plat (6/5/2003)          |
| REZ05042022-6315      | Brand Estates Rezone (6/16/2022)              |

**Public Notice and Outreach**

This item was noticed to all property owners within 500 feet of the proposal. Staff held a virtual neighborhood meeting via Zoom on May 23, 2023. Attendees did not express any concerns about the project and were generally in favor of the development.

**Analysis**

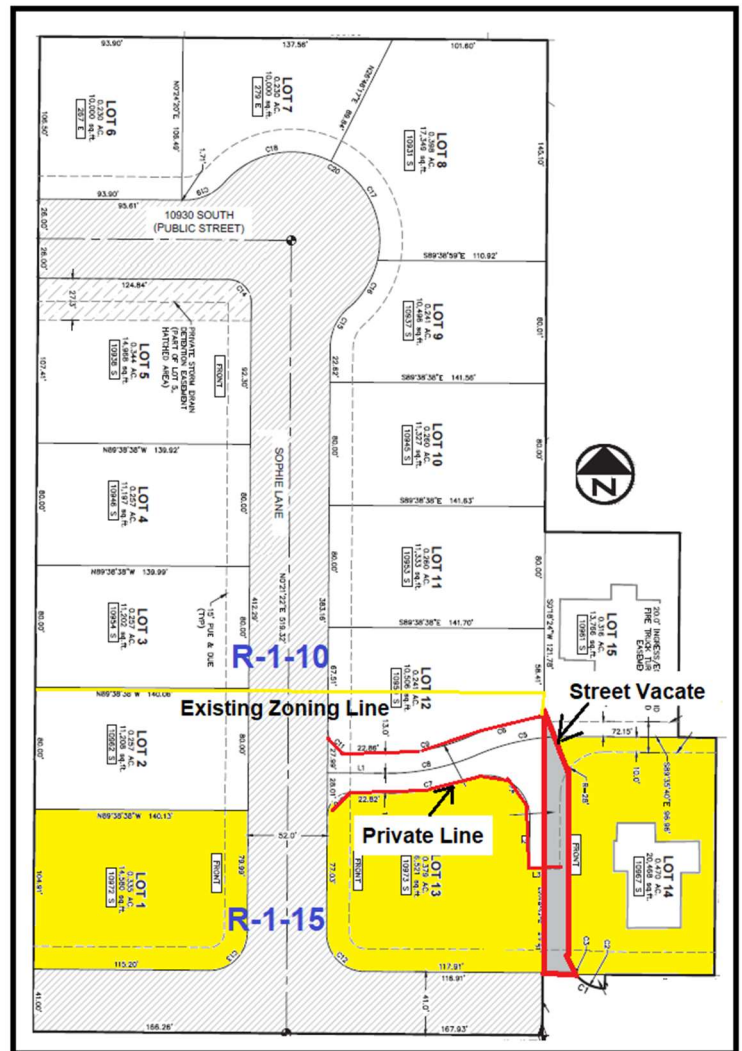
The applicant is proposing the creation of a 13-lot single-family residential subdivision on approximately 4.8 acres. In 2022, the front portion of the development was rezoned to R-1-15 based on a prior layout to allow for larger lots along 11000 South.

In 2004, the Mertlich Subdivision was recorded and created a partial width public street known as Sophie Lane. The current layout of the Brand Estates subdivision requires vacating Sophie Lane and replacing access with a private lane from the proposed subdivision rather than 11000 South.

The existing stubbed street (10930 South) that was created through the Hardcastle Estates Amended Subdivision will be connected and extended out to 110000 South. Right-of-way dedications will be required to comply with Sandy City’s street requirements. The applicant will be required to construct right-of-way improvements along both street frontages including a 2-1/2 curb and gutter, a five-foot parkstrip, and a five-foot sidewalk in order to meet the City’s required right-of-way cross section.

**Staff Concerns**

The private lane being provided to access the three existing homes in the Mertlich Subdivision will require special exception approval since the lots will not have frontage onto a public street. The proposed street is less than the required width of 52 feet. A 26 foot wide private lane is being proposed with a hammer head turn-around.



Sophie Lane is a public street and will require a vacation through City Council approval. The current configuration of the proposed subdivision also requires a rezone of the property to align with the new subdivision lot layout as the existing zone boundaries split the proposed lots, thus requiring a rezone through the City Council as well.

### **Recommendation**

Staff recommends that the Planning Commission determine that a special exception for a private lane be approved with a lesser width and preliminary subdivision review is complete for the Brand Estates Subdivision located at 285 East 11000 South based on the following findings and subject to the following conditions:

### **Findings:**

1. That the proposed lot configuration is an efficient use of the land.
2. That the proposed lot sizes and frontages conform to the requirements of the R-1-10 and R-1-15 Zones.
3. That the various City Departments and Divisions have preliminarily approved the proposed subdivision plat.
4. The Director and City Engineer support the vacation of Sophie Lane and re-alignment as a private lane. The proposal equitably balances the needs of the public and presents the most efficient use of land.

### **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 all residential lots comply with all requirements of the R-1-10 and R-1-15 Zones.
4. That the applicant completes the necessary street vacation process for Sophie Lane prior to final staff approval.
5. That the applicant completes the rezone process to align the zone boundaries with the proposed property lines of this development.
6. That the proposed private lane be constructed to a 26 foot right-of-way width to include all required street improvements.

Planner:



Thomas Irvin  
Senior Planner

ESTATES STAFF REPORT SUB10112022-006417.DOCX

Exhibit "A" – See the attached file for full information

# BRAND ESTATES SUBDIVISION

AMENDING AND EXTENDING LOTS 1 AND 3, MERTLICH SUBDIVISION  
 LOCATED IN THE SOUTHWEST AND SOUTHEAST QUARTERS OF SECTION 18,  
 TOWNSHIP 3 SOUTH, RANGE 1 EAST,  
 SALT LAKE BASE AND MERIDIAN  
 PRELIMINARY PLAT

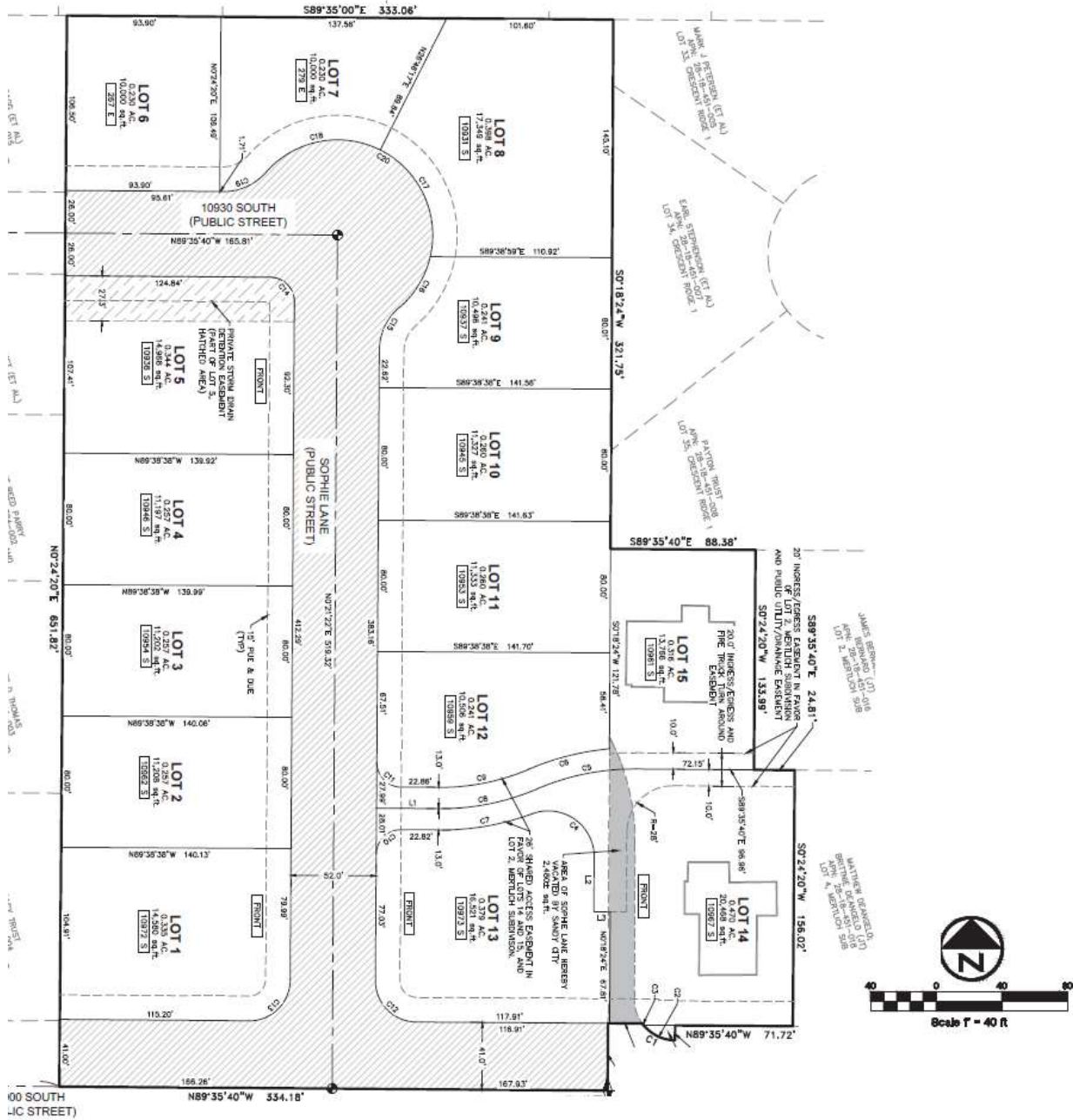


Exhibit "B"

**From:** jocurrit@gmail.com <jocurrit@gmail.com>  
**Sent:** Tuesday, May 23, 2023 7:59 AM  
**To:** Thomas Irvin <tirvin@sandy.utah.gov>  
**Subject:** [EXTERNAL] Development at 285 East 11000 South

We live at 310 Clover Ridge Drive. Our property borders the proposed new development. We support more mixed lot sizes to blend with the investments all ready made surrounding the property. Mixed lot size would also blend better with the excellent development to the west. Mix 1/3 acre and 1/2 acre lots with 1/4 acre lots. The houses will be around long after the developer leaves. This type of development would blend better with the existing community. Also we need the field mowed for fire safety and watered if there is a delay in development.

Thanks,

Dennis and Jolene Currit

Sent from my iPhone

**From:** Joseph Rodriguez <rodriguez.d.joseph@gmail.com>  
**Sent:** Tuesday, May 23, 2023 7:31 PM  
**To:** Thomas Irvin <tirvin@sandy.utah.gov>  
**Subject:** [EXTERNAL] Questions: 285 E 11000 S

Hi,

I wasn't able to join the zoom this evening. Is there a summary or recording or way to participate further?

Really wishing we had a park or some amenities instead of needless homes. Or at least don't cut down the trees.

Thanks,

Joe R.