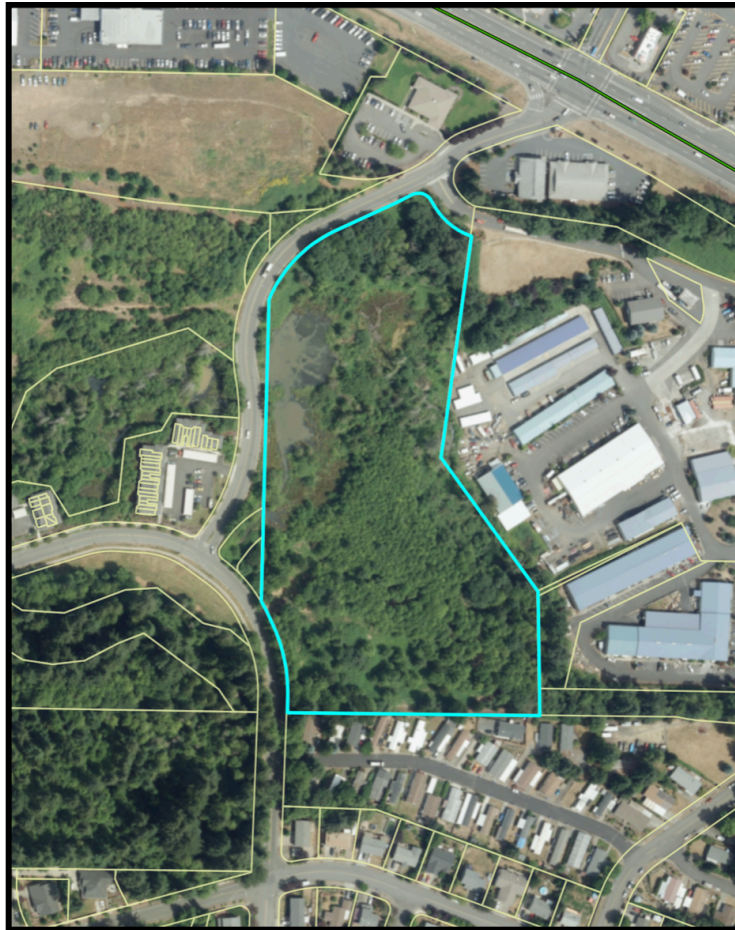


**Project Narrative  
for**

**TICKLE CREEK VILLAGE  
37101 Dubarko Road**

**Minor Partition**



**April 2022**



## I. General Project Description

Dubarko Development Corp is seeking approval to partition the property they own into two parcels. The property is known as tax lot 3100, Township 2 South, Range 4 East, Section 14 and contains approximately 10.32 acres. The property is split zoned with the northern portion zoned R-2, Medium Density Residential and the southern portion zoned R-3, High Density Residential. Much of the property is located within the Flood and Slope Hazard Overlay and a pond/wetland is located in the center of the property.

The southern 4.23 acres of the property (37201 Dubarko Road) was approved by the City of Sandy with File No. 19-038 DR/FSH/VAR/TREE to contain 67 dwelling units in 25 buildings and associated parking and site improvements. As noted in that application, the applicant intends to partition the property in order to segregate the development site from the remainder of the property.

The proposed partition will divided the subject property into two parcels: Parcel 1 to contain 4.44 acres and the approved condominium project and Parcel 2 to contain 5.88 acres and the rest of the property. As shown on the City's Zoning Map, a significant portion of Parcel 2 is encumbered by the FSH Overlay and only a small portion of the most northerly portion of this parcel has development potential. Future development of this parcel will require an evaluation and mapping of restricted development areas on this parcel prior.

## II. Application Approval Requests

The applicant requests the following approvals with this application:

- Type I Minor Partiton

## III. Items Submitted With This Application

- Signed Land Use Application
- Exhibit A - Project Narrative
- Exhibit B - Proposed Partition Sketch
- Exhibit C - Preliminary Surveyor Partition Plat

## IV. Review of Applicable Approval Criteria

Development applications are required to meet development standards set forth in the Sandy Development Code, codified as Title 17 of the Municipal Code. The following section addresses all applicable review criteria. Pertinent code provisions are cited below followed by a response in *italics* identifying how the proposal complies with this standard. The following code chapters have been reviewed in this narrative:

<u>Section</u>	<u>Title</u>
17.30	Zoning District
17.100.40	Minor and Major Partitions

### 17.30.00 ZONING DISTRICT DESIGNATIONS

*Response: The subject property is identified on the City of Sandy Zoning Map to be zoned R-3, High Density Residential.*

### **17.30.20 RESIDENTIAL DENSITY CALCULATION PROCEDURE**

The number of dwelling units permitted on a parcel is calculated after the determination of the net site area and the acreage of any restricted development areas (as defined by Chapter 17.60). Limited density transfers are permitted from restricted development areas to unrestricted areas consistent with the provisions of the Flood and Slope Hazard Area Overlay District, Chapter 17.60.

*Response: This section has been reviewed to confirm Parcel 1 containing the approved condominium project complies with the density range when the project was approved. As noted above, this project was approved to contain 67 units in 25 buildings. The development site as originally designed contained a gross site area of 4.23 acres. After subtracting 26,367 square feet (0.6 acres) of restricted development area (RDA) results in an unrestricted site area (USA) of 3.63 acres requiring a minimum of 36 units and a maximum of 73 units.*

*The R-3 zone requires a minimum of 10 and allows a maximum of 20 units per net acre. The minimum density is calculated by multiplying the USA x the required minimum density (3.63 acres x 10 = 36.3 units rounded down to 36 units)*

*The maximum density is determined by these two formulas using the lesser number of units.*

- a. *NSA (in acres) x Maximum Density of Zoning District (units/acre).  
(3.63 acres x 20 units/acre = 72.6 (rounded up to 73 units)).*
- b. *USA (in acres) x Maximum Density of Zoning District (units/acre) x 1.5 (maximum allowable density transfer based on Chapter 17.60)  
(3.63 x acres x 20 units/acre x 1.5 density transfer = 108.9 units (rounded to 109 units))*

*Parcel 1 as proposed contains a gross area of 4.44 acres. As shown on the submitted partition sketch, the majority of the additional area included in this parcel lies within a restricted development area and does not affect allowable density on this parcel. The net area of this parcel is essentially the same as in the approved design. The proposal complies with the required density range.*

## **17.100 LAND DIVISION**

### **17.100.40 - MINOR AND MAJOR PARTITIONS**

Approval of a partition is required for a land division of three or fewer parcels in a calendar year. Partitions, which do not require creation or extension of a street for access, is classified as a Type I minor partition. Partitions, which require creation or extension of a street for access, are classified as Type II, major partitions.

*Response: Based on the definition in this section, because all streets adjacent to the subject property are existing, the proposed land division is classified as a Type I, Minor Partition.*

B. Application Requirements. Partition applications shall be made on forms provided by the planning department and shall be accompanied by:

1. Eight copies of the tentative plan for the minor or major partition;
2. The required fee;
3. Any data or narrative necessary to explain the application;
4. List of affected property owners.

*Response: The proposed Minor Partition is classified as a Type I application and does not require notice. The application package includes the rest of the items in this section.*

C. Tentative Partition Plan. The tentative plan shall be a minimum of eight and one-half by 11 inches in size and shall include the following information:

1. The date, north point, engineering scale, and legal description;
2. Name and address of the owner of record and of the person who prepared the partition plan;
3. Zoning, size and dimensions of the tract to be partitioned;
4. Size, dimensions and identification of proposed parcels (Parcel 1, Parcel 2, Parcel 3);
5. Approximate location of any structures on the tract to be partitioned, including setbacks to proposed parcel boundaries;
6. Location, names and widths of streets, sidewalks and bikeways within the tract to be partitioned and extending 400 feet beyond the tract boundaries;
7. Location, width and purpose of existing and proposed easements on the tract to be partitioned;
8. Location and size of sanitary sewer, water and stormwater drainage facilities proposed to serve the property to be partitioned;
9. Natural features such as waterways, drainage area, significant vegetation or rock outcroppings;
10. Approximate topography, particularly noting any area of steep slope;
11. A plan for future parcel redivision, if the proposed parcels are large enough to be redivided under the comprehensive plan or zoning designation.

*Response: All applicable items in this section are included on the proposed partition tentative plat.*

D. Approval Criteria. The Director or Planning Commission shall review the tentative plan for a minor or major partition based on the classification procedure (Type I, II or III) and the following approval criteria:

1. The proposed partition is consistent with the density, setback and dimensional standards of the base zoning district.

*Response: As previously reviewed with approval of File No. 19-038 and detailed in this narrative above, the proposed partition is consistent with the density, setback, and dimensional standard of the base zoning district. The proposal complies with this criteria.*

2. The proposed partition is consistent with the design standards set forth in this chapter.

**Response:** As reviewed in this narrative and shown on the submitted tentative partition plan, the proposal is consistent with the design standards in this chapter. The proposal complies with this criteria.

3. Adequate public facilities are available or can be provided to serve the proposed partition.

**Response:** Parcel 1 is served by all public facilities from Dubarko Drive. Future development of Parcel 2 will be serviced by facilities in Ruben Lane and the public portion of Freightway Lane. The proposal complies with this criteria.

4. All proposed improvements meet City standards.

**Response:** No improvements are proposed with approval of the partition request.

5. Traffic volumes shall not exceed average daily traffic (ADT) standards for local streets as detailed in Chapter 17.10, Definitions.

**Response:** Neither Dubarko Road or Ruben Lane are local streets. Traffic requirements were evaluated and approved for Parcel 1 with File No. 19-038. As noted above, Parcel 2 has limited development potential due to restricted development areas with the FSH Overlay portion of this parcel. The proposal complies with this criteria.

6. The plan preserves the potential for future redivision of the parcels, if applicable.

**Response:** Future redivision of either parcel will be limited if not impossible. The proposal complies with this criteria.

## V. Conclusion

The applicant requests a Type I minor partition approval to divide the subject property (T2S R4E Section 1400 tax lot 3100) into two parcels. The applicant has submitted this application primarily with the intent of creating a parcel for the approved Tickle Creek Condominium project separate from the rest of the property. As demonstrated in this narrative, the proposal complies with all relevant code standards and the applicant respectfully requests this application be approved.