

**Project Narrative  
for**

**Taco Bell  
Minor Partition**



**August 2023**

## I. General Project Description

Brad Picking is seeking approval to partition the property he owns into two parcels. The property is known as tax lot 203, Township 2 South, Range 4 East, Section 14 containing approximately 1.62 acres. The property is zoned C-2, General Commercial. The property contains a Taco Bell drive-through restaurant at 37317 Highway 26 and a second building containing a O'Reilly Auto Parts store at 37401 Highway 26 and other businesses.

The proposed partition will divided the subject property into two parcels: Parcel 1 to contain 29,614 square feet (0.68 acres) and the Taco Bell and associated parking and Parcel 2 to contain 41,085 square feet (0.943 acres ) containing the other building and parking.

## II. Application Approval Requests

The applicant requests the following approvals with this application:

- Type I Minor Partiton

## III. Items Submitted With This Application

- Land Use Application
- Exhibit A - Project Narrative
- Exhibit B - Surveyor Plans

## 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
17.44.	General Commercial
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 C-2, General Commercial.*

### 17.44.00 GENERAL COMMERCIAL - C2

#### SECTION 17.44.30 DEVELOPMENT REQUIREMENTS

A.

Lot Area	No minimum
Lot Dimension	No minimum
Setbacks <sup>1</sup>	
Front	10 ft. minimum; 50 ft. maximum
Side	None
Rear	None
Corner	15 ft.
Outside Display/Sales Lot Area	80% maximum
Lot Coverage—Impervious Area	No maximum
Landscaping	20% (includes required civic space in Section
Structure Height	55 ft.
Off-Street Parking	See Chapter 17.98
Design Review Standards	See Section 17.90.120

*Footnote:*

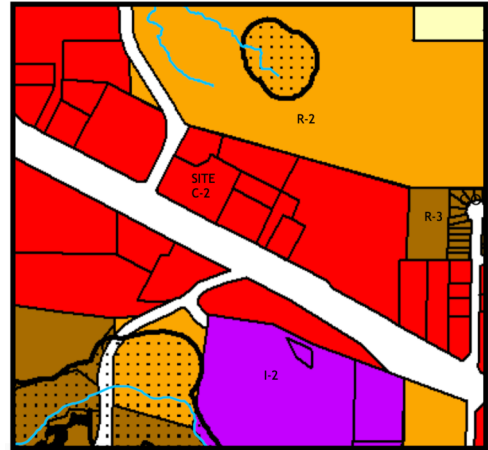
<sup>1</sup> Unless abutting a more restrictive zoning district, or as required under Section 17.90.120 Design Standards for C-2.

***Response:*** All buildings are existing and the proposed partition complies with all applicable development standards.

B. *Special Setbacks—Side or Rear Yard Abutting a More Restrictive District.*

1. Property abutting a more restrictive zoning district shall have the same yard setback as required by the abutting district. An additional ten feet shall be added for each ten foot increment in building height over 35 feet;
2. Measurement of the height transition area shall be made between the foundation of the proposed building and the property line of the abutting district;
3. When the proposed structure has different sections that have different heights, the height transition area shall be measured for each vertical surface as if it were to be freestanding. The building then must be located on the site so that no section is closer to the abutting property line than it would be if the section was free-standing;
4. The required buffering and screening and utilities may be located within the height transition area. Off-street parking, accessory structures and incidental development may be located within the height transition area but not any areas designated as buffering and screening area.

**Response:** As shown on the sketch to the right, the subject property abuts a R-2 zoned property along its northern border and a R-3 zoned property along a portion of its eastern border. The site abuts C-2 zoned property along western border and the rest of the eastern line. The portion of the property included in Parcel 1 to contain the Jiffy Lube is completely surrounded by C-2 zoned property.



## 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 reviewed above, the proposal complies with all setbacks and dimension standards in the C-2 zone. 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:** *All buildings on the subject property are existing and contain adequate public facilities. 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:** *The proposed partition will not affect traffic volumes. The proposal complies with this criteria.*

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

**Response:** *The proposed partition does not preclude redivision of the parcels in the future. Any redivision will be required to comply with all applicable standards. The proposal complies with this criteria.*

## **V. Conclusion**

The applicant requests Type I minor partition approval to divide the subject property (T2S R4E Section 14 tax lot 203) into two parcels. The purpose of the partition is to divide the property containing the existing Taco Bell 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.