



Public Works  
Planning & Development Services Division  
<http://www.utah.gov/pmn/index.html>

**Kearns Township Planning Commission**  
**Public Meeting Agenda**  
**July 11, 2011**  
**3:30 P.M.**

THE MEETING WILL BE HELD IN THE COUNTY COUNCIL CHAMBERS, COUNTY GOVERNMENT CENTER, MAIN FLOOR, ROOM #N1100, 2001 SOUTH STATE STREET.  
**ANY QUESTIONS, CALL 468-2000**

*REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 468-2120 OR 468-2351: TDD 468-3600.*

The purpose of the Planning Commission Meeting is to allow the Planning Commission to hear staff, applicant, public, and other agency comments and recommendations prior to making decisions and/or recommendations on land use applications and projects on file with Salt Lake County. The Planning Commission may take action on any agenda item which may include: approval, approval with conditions, denial, continuance or a recommendation to other bodies or agencies as applicable. Public comment is not normally taken on items listed on the business portion of the agenda.

**Business Items - 3:30 P.M.**

Open

**Decision Items - 4:00 P.M.**

**Conditional Use**

25621 – (Continued Item) Applicant Garbett Homes is proposing a 12 lot PUD on a 2.09 Acre property located at 5093 S. Heath Avenue - Zone: R16 (Residential) - Kearns Community Council - Planner: Travis Van Ekelburg.

**Adjournment**

## **Rules of Conduct for the Planning Commission Meeting**

- First: Applications will be introduced by a Staff Member.
- Second: The applicant will be allowed up to 15 minutes to make their presentation.
- Third: The Community Council representative can present their comments.
- Fourth: Persons in favor of, or not opposed to, the application will be invited to speak.
- Fifth: Persons opposed to the application will be invited to speak.
- Sixth: The applicant will be allowed 5 minutes to provide concluding statements.

- Speakers will be called to the podium by the Chairman.
- Because the meeting minutes are recorded it is important for each speaker to state their name and address prior to making any comments.
- All comments should be directed to the Planning Commissioners, not to the Staff or to members of the audience.
- For items where there are several people wishing to speak, the Chairman may impose a time limit, usually 2 minutes per person, or 5 minutes for a group spokesperson.
- After the hearing is closed, the discussion will be limited to the Planning Commission and the Staff.

## **Planning Commission Chairman – Opening Statement**

A copy of today's agenda and a sign-in sheet are located on a stand at the back of the room. Please note your participation in today's meeting by filling out the form.

The Planning Commission is a voluntary citizen board. The Commission's function is to hear and decide applications for conditional uses and preliminary subdivision plats; and to make recommendations to the County Council for zoning changes or changes to ordinances or general plans.

The Commission's decisions are based on information from field observations, the recommendations from the Planning Staff and other agencies indicating compliance with the general plan and relevant ordinances, the Community Council recommendation as a representation of community concerns, and the information presented at the public meeting. All information presented at today's meeting is recorded, so please speak directly into the microphone, and state your name and address prior to making your comments.

The agenda is divided into 2 main categories: Hearings and Decisions

Hearing Items: are those for which public comment is requested so that the Planning Commission and the applicant can be made aware of all of the issues of concern with regards to the request. No decision will be made for items listed for hearing only.

Decision Items: those applications which have had a hearing or which are substantially in compliance with both ordinance and development standards. A decision or recommendation will be rendered by the Planning Commission for these items.

The meeting will proceed as outlined in the Rules of Conduct printed on the back of the agenda.



**STAFF REPORT**

Executive Summary									
<b>Hearing Body:</b>	Kearns Planning Commission								
<b>Meeting Date and Time:</b>	Monday, July 11, 2011	04:00 PM	<b>File No:</b>	2	5	6	2	1	
<b>Applicant Name:</b>	Garbett Homes	<b>Request:</b>	Conditional Use						
<b>Description:</b>	Planned Unit Development								
<b>Location:</b>	5093 S Heath Ave								
<b>Zone:</b>	R-1-6 Residential Single-Family	<b>Any Zoning Conditions?</b>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>			
<b>Planning Commission Rec:</b>	Not Applicable								
<b>Community Council Rec:</b>	Not yet received								
<b>Staff Recommendation:</b>	Approval with Conditions								
<b>Planner:</b>	Travis Van Ekelenburg								

**1.0 BACKGROUND**

**1.1 Summary**

This is an application to develop the 2.09 acres that remains from a parcel owned by the Church of Jesus Christ of Latter Day Saints at 5093 S. Heath Avenue. The original parcel was just over 6.5 acres; 4.45 acres of which was sold to the Calvary Baptist Church for the construction of their church building. Because there are no stub streets entering into the property (being bounded by train tracks on the northeast, the church on the southeast, homes on the northwest, and Heath Ave on the southwest), it is difficult to develop with a density similar to the subdivision to the northwest without the use of either variances or the flexibility inherent in the Planned Unit Development ordinance. The adjacent subdivision (Chapel View) has 12 lots and contains 2.0 acres. The proposed P.U.D. Subdivision has 12 lots and contains 2.09 acres. Chapel View subdivision, however, had a stubbed street to the north, allowing development with a lesser amount of public street improvements than will be required for this property.

**1.3 Neighborhood Response**

As of the date of preparation of this report, no response has been received from adjoining neighbors.

**1.4 Community Council Response**

As of the date of preparation of this report, no response has been received from the community council.

**2.0 ANALYSIS**

## 2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `A`:</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		<p>Discussion: The Planned Unit Development chapter of the County code allows flexibility in design, such that setbacks, building heights, etc. can be altered by the planning commission if "the contemplated arrangement of buildings and uses makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this chapter."</p> <p>In this case, the applicant is proposing building heights that comply with the R-1-6 zone. The site plan as proposed includes rear yard setbacks that comply (15 feet). Front yards as proposed are 20' (25' is required in the R-1-6 zone). Side yards as proposed vary somewhat, with the applicant asking for minimum side yards facing the street on the two corner lots of 10' rather than 20'. They also show some interior side yards as narrow as 5 feet, with others as great as 20 feet. In harmony with the intent of the P.U.D. chapter, the planning commission has the authority to approve setbacks that achieve the intent of the ordinance and protect the abutting property owners while allowing flexibility to the applicant.</p> <p>Lot sizes are also allowed to vary, provided that the overall density is in harmony with the restrictions of the R-1-6 zone.</p> <p>Summary: The only limitations to what can be approved in a P.U.D. are land use and density, therefore this application meets the standard.</p>
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `B`:</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i>
		<p>Discussion: The street will be built to County Standard for a public street with integral curb, gutter, and sidewalk. Other regulations, such as the County Subdivision Ordinance, will apply to this project as well.</p> <p>Summary: The project will comply with all applicable ordinances as reviewed by County agencies.</p>
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `C`:</u> <i>The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i>
		<p>Discussion: Standard road improvements will be in place, and the additional traffic added to the local street system will not exceed the amount called for under the County Plan.</p> <p>Summary: The application will be required to comply with the requirements of the County Transportation Engineer to ensure compliance with this standard.</p>

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard 'D':</u> <i>The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i>
		Discussion: There is no evidence, based on observations of this property or on history of nearby properties that any of the above issues cannot be addressed by the applicant as they submit the necessary drawings, plans, and studies to obtain approval from the County Report Date: 5/27/11 Page 3 of 4 File Number: 25621 agencies responsible for regulating the above issues. These will be addressed through the subdivision plat review process.  Summary: The subdivision review process will ensure compliance with this standard.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard 'E':</u> <i>The proposed use and site development plan shall not significantly impact the quality of life of residents in the vicinity.</i>
		Discussion: The construction of single family dwellings of size, density, and configuration that is similar to the existing housing stock in the vicinity will not significantly impact the quality of life of residents in the vicinity given that the planning commission is empowered to impose conditions of approval in order to mitigate any anticipated negative impacts.  Summary: Through the conditional use approval, any anticipated negative impacts will be addressed sufficient to comply with this standard.

## 2.2 Zoning Requirements

The R-1-6 zone requires minimum lots of 6,000 square feet, each lot being a minimum of 60 feet wide. As proposed the average lot size in the development will be above 6,000 square feet, with lot sizes ranging from approximately 5670 square feet to approximately 8600 square feet. Lot widths as proposed vary from 54 feet to 65 feet. Minimum setbacks are: Front - 25 feet, Rear - 15 feet, Interior Side - 8 feet, Streetfacing side - 20 feet.

## 2.3 Other Agency Recommendations or Requirements

Other agencies have seen the preliminary site plan, and have expressed that their codes and ordinances will be applied as technical drawings are submitted. Initial evaluations are that no outstanding or insurmountable issues are apparent at this time.

## 2.4 Other Issues

At this time, the applicant is seeking (and staff is recommending) a preliminary review and decision only. Because this application involves using the P.U.D. ordinance as a vehicle to promote infill development, the staff feels that a preliminary decision by the planning commission regarding the number of units, minimum setbacks, building heights, and any other generally applicable conditions of approval deemed necessary by the planning commission should be obtained prior to the submittal and review of technical plans. The planning commission will have an opportunity to review the preliminary subdivision plat to ensure compliance with the preliminary approval at a later date.

## 3.0 STAFF RECOMMENDATION

### 3.1 Staff recommends **APPROVAL** of the proposed **Conditional Use** with the following conditions:

- 1 )This approval is a preliminary conditional use approval for a planned unit development of 12 units, with the subdivision plat to be reviewed by the planning commission to ensure compliance with the intent of this approval at a later date.
- 2 )Minimum setbacks for this development are as follows:
  - Front yard: 20 feet
  - Rear yard: 15 feet
  - Interior side yards: 6 feet
  - Street-facing side yards: 10 feet
  - Side yards abutting neighboring properties: 8 feet
- 3 )Building heights are limited to 2 stories, with a maximum height of 30 feet.

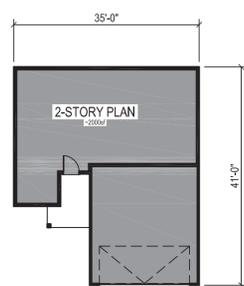
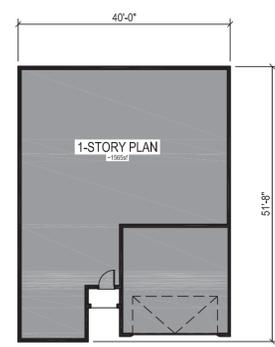
### **3.2 Reasons for Recommendation**

- 1 ) As stated above, the approval of a P.U.D. is a reasonable vehicle through which the subject property can be developed in a density pattern similar to the adjoining lots while allowing some flexibility in design and layout.



Street Profile  
42' Total

PL	Sidewalk	Curb	Asphalt	Curb	Sidewalk	PL
1'	5'	2.5'	25'	2.5'	5'	1'



# KEARNS (K2)

# SITE PLAN & TYP. FOOTPRINTS

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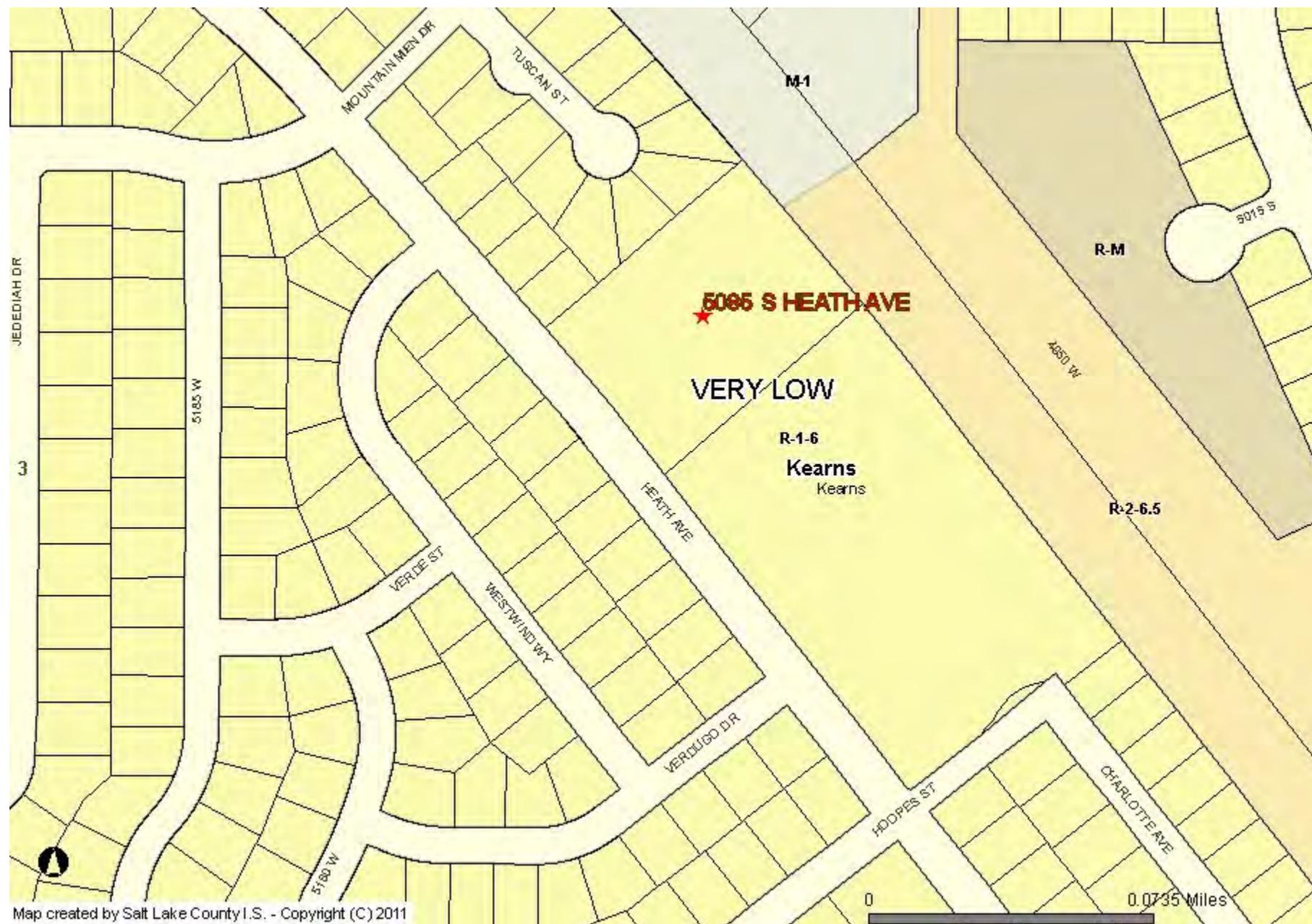
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HEATH AVENUE  
SALT LAKE CITY, UTAH  
K T G Y JOB # 20100478.00

DATE: 04.15.2011

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