



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: July 20, 2016

NAME OF PROJECT: The Kantons at Village Green PUD

NAME OF APPLICANT: Oakwood Homes of Utah LLC

AGENDA ITEM: Plat Amendment

LOCATION: 669 West Augusta Drive

ZONING DESIGNATION: R-1-15 zone

ITEM: 4

Berg Engineering, agent for Oakwood Homes of Utah LLC, is requesting a Plat Amendment of The Kantons at Village Green PUD. The proposal will adjust the western property line of the development along the Max and Susette Gertsch property. The property is located at 669 West Augusta Drive and is located in the R-1-15 zone.

BACKGROUND:

Oakwood Homes of Utah is proposing a plat amendment The Kantons at Village Green Planned Unit Development. The proposal would adjust a portion of the western boundary of the PUD with the neighboring property owners Max and Susette Gertsch. Oakwood Homes and the Gertschs would exchange an equal amount of property as a land swap but the exchange requires a plat amendment because The Kantons is a recorded plat. If the plat amendment is approved, then the Gertschs would have the ability to ask for approval of the Fox Pots subdivision.

A plat amendment is a legislative item and City Council is not obligated to allow any changes even if they feel that the applicant met the requirements of the Code. This decision is entirely at the discretion of the City Council as long as the two findings required by State Code, as listed below, are met.

ANALYSIS:

In order for the Land Use Authority to approve a plat amendment Utah State Code dictates that

(a) there is good cause for the vacation, alteration, or amendment; and

(b) no public street, right-of-way, or easement has been vacated or altered.

The aforementioned (a) could be interpreted as having good cause because of the reduction of density, potential traffic and increased open space. As for (b) no public street, right-of-way, or easement will be altered if this amendment is approved.

PROPOSED FINDINGS:

- Equal amounts of property would be exchanged between the two property owners
- The Kantons at Village Green would still comply with the 50% open space requirement
- No public street, right-of-way, or easement will be vacated or altered

ALTERNATIVE ACTIONS:

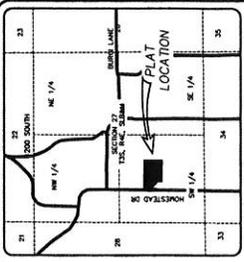
1. (Conditional) Approval. This action can be taken if the Planning Commission feels there is good cause to approve the proposal.
 - a. Accept staff report
 - b. Reasons for approval (findings)
 - c. Place condition(s) if needed

2. Continuance. This action can be taken if the Planning Commission feels that there are unresolved issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again

3. Denial. This action can be taken if the Planning Commission feels that the request does not meet the intent of the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

POSSIBLE CONDITION:

1. None recommended.



AREA LEGEND	
	PUD INDIVIDUAL OWNERSHIP AREA
	LIMITED USE COMMON SPACE
	GENERAL COMMON AREA
	PUBLIC TRAIL EASEMENT
	ACCESS EASEMENT FOR UNIT 33

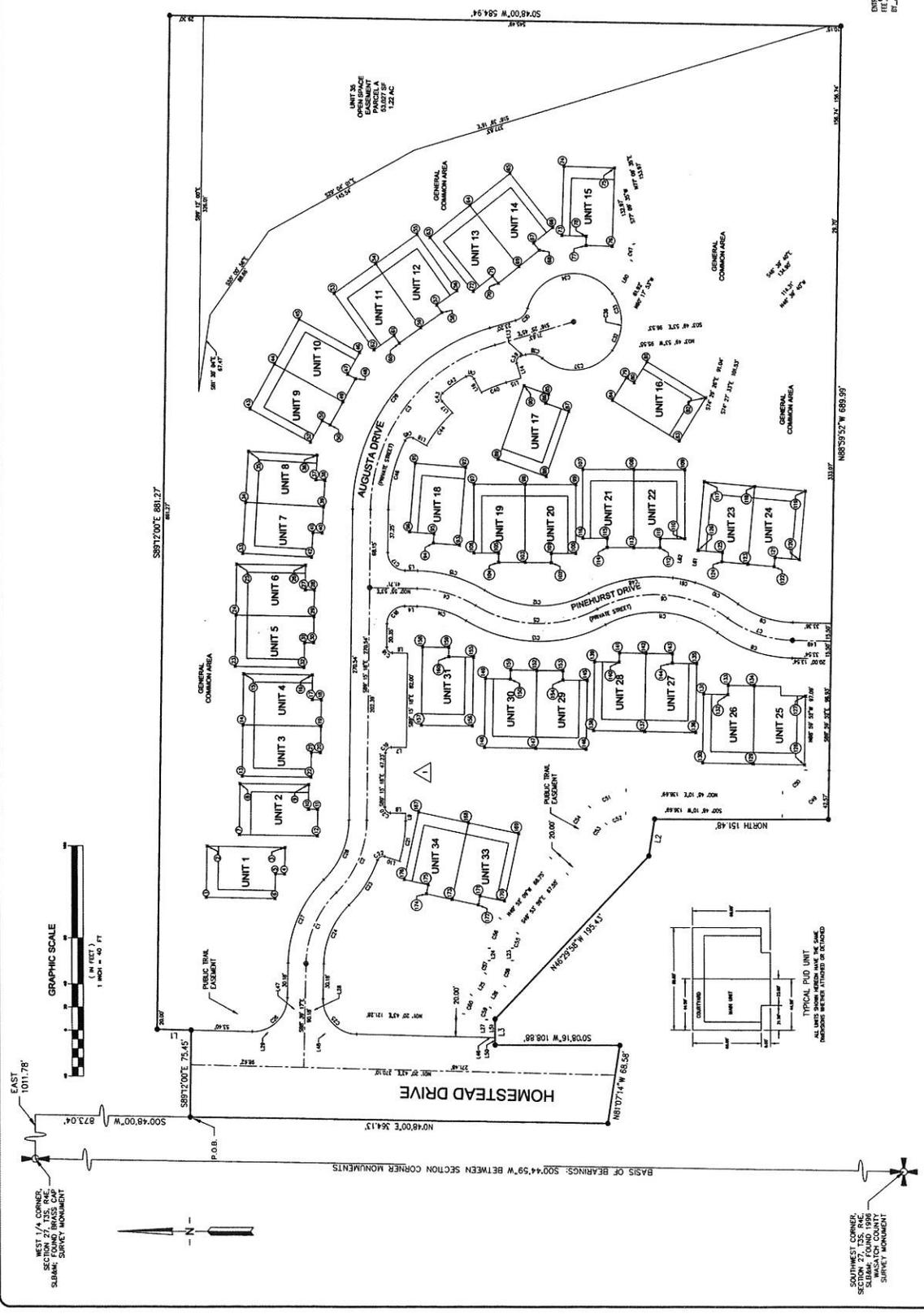
PLAT REVISIONS	
1	UNIT 33 IS SHOWN ON THE MAP AS BEING ADJACENT TO THE COMMON AREA AND NOT BEING ADJACENT TO THE COMMON AREA.
2	REVISED THE NAME OF THE COMMON AREA TO BE COMMON AREA AND NOT BEING ADJACENT TO THE COMMON AREA.

417897
 15-029
 L15-029
 THE KANTONS AT VILLAGE GREEN PUD
 (THIRD AMENDMENT TO THE KANTONS AT MIDWAY PUD)
 PREPARED BY: JAMES W. HARRIS, P.E.
 PROJECT: WASHINGTON COUNTY RECORDS 2015-0001-0001-0001

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LOCATED IN THE
 SOUTHWEST CORNER OF SECTION
 27, T4N, R4E, S1/4M
 RANGE 4 EAST, SUBMER
 WASATCH COUNTY, UTAH

PROJECT: L15-029
 SHEET: 2 of 2



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