



**Planning and Development Services**

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

**\*\*Notice of this meeting posted December 21, 2023 to <https://www.utah.gov/pmn/sitemap/notice/881029.html> and notices mailed out December 22, 2023\*\***

**MEETING MINUTE SUMMARY**

**KEARNS PLANNING COMMISSION MEETING**

**Wednesday, January 3, 2024 5:30 p.m.**

**\*\*Meeting minutes were approved on February 5, 2024 with one amendment\*\***

**Approximate meeting length:** 2 hours 13 minutes

**Number of public in attendance:** 7

**Summary Prepared by:** Wendy Gurr

**Meeting Conducted by:** Commissioner Taylor

*\*NOTE:* Staff Reports referenced in this document can be found on the State and County websites, or from Planning & Development Services.

**ATTENDANCE**

Commissioners	Public Mtg	Business Mtg	Absent
David Taylor (Vice Chair)	x	x	
Joy Nelson	x	x	
Joe Hatch (Chair)			x
Laura Koester	x	x	
Gray Thomas	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Brian Tucker	x	x
Curtis Woodward	x	x
Jeff Miller	x	x
Gordon Bennett	x	x
Lisa Watts Baskins	x	x
Nathan Bracken	x	x

**BUSINESS MEETING**

**Meeting began at – 5:30 p.m.**

- 1) Welcome and Approval of the Agenda. (Motion/Voting)

*Commissioner Taylor read the Chairs Opening Statement.*

*Commissioner Nelson motioned to approve the agenda, Commissioner Thomas seconded that motion.*

- 2) Election of Chair and Vice Chair 2024. (Motion/Voting)

Election of Chair for 2024

**Motion:** To nominate Commissioner Taylor as Chair for 2024, Commissioner Taylor accepted that nomination.

**Motion by:** Commissioner Thomas

**2<sup>nd</sup> by:** Commissioner Nelson

**Vote:** Commissioners voted unanimous in favor (of commissioners present).

Election of Vice Chair for 2024

**Motion:** To nominate Thomas Commissioner as Vice Chair for 2024, Commissioner Thomas-accepted that nomination.

**Motion by:** Commissioner Thomas

**2<sup>nd</sup> by:** Commissioner Koester

**Vote:** Commissioners voted unanimous in favor (of commissioners present).

3) 2024 Planning Commission Meeting Schedule. (Motion/Voting)

**Motion:** To approve the 2024 Planning Commission Meeting Schedule with one amendment to January third as a Wednesday.

**Motion by:** Commissioner Koester

**2<sup>nd</sup> by:** Commissioner Nelson

**Vote:** Commissioners voted unanimous in favor (of commissioners present).

4) Approval of the September 18, 2023 Planning Commission Meeting Minutes. (Motion/Voting)

**Motion:** To approve the September 18, 2023 Planning Commission Meeting Minutes.

**Motion by:** Commissioner Nelson

**2<sup>nd</sup> by:** Commissioner Thomas

**Vote:** Commissioners voted unanimous in favor (of commissioners present).

5) Other Business Items (as needed)

*Commissioners and counsel had a brief discussion regarding a car wash property that was approved and filed under the old code and lapsing. An update should be provided of what's coming down the pipeline at the beginning of each Planning Commission Meeting.*

*Discuss 2024 training at the next meeting and specific, receive OPMA Training, attorneys rules of order and procedure, and the general training provided by Smith Hartvigsen.*

### **LAND USE APPLICATION(S)**

**Meeting began at 5:52 pm**

**CUP2021-000479** – Planning Staff, in cooperation with Shivam Shaw, is requesting an amendment to the original conditions of approval of an Office Warehouse project to align better with the updated Kearns Zoning Ordinance. **Acres:** 3.47. **Location:** 5147 West Liberator Drive. **Zone:** M-2 (Manufacturing). **Planner:** Gordon Bennett (Motion/Voting)

*Greater Salt Lake Municipal Services District Senior Planner Curtis Woodward provided an analysis of the Staff Report.*

*Commissioners and staff had a brief discussion regarding a reduction of parking minimums and limiting small businesses, walkability, and limited mobility.*

## PUBLIC PORTION OF MEETING OPENED

**Speaker # 1:** Applicant

**Name:** Shivam Shah

**Address:** 5176 West Liberator Drive

**Comments:** Mr. Shah said he figured a way out to work. Doesn't want the city to police the park and already has a team and doesn't want to limit the small business growth. A and b are highest traffic, always parking. Hate to limit it but feels there is a way out and if we can restrict. Leases with strict CC&R's, no risqué businesses, fiduciary responsibility. All fences are screened and cameras.

*Commissioner motioned to open the public meeting, Commissioner seconded that motion.*

**Speaker # 2:** Kearns Community Council

**Name:** Roger Snow

**Address:** 5977 South Parkwood Drive

**Comments:** Mr. Snow said he has comments on A and B. Diesel shops come in Kenworth or small truck. Parts outside and turning to body shops. Cars stored overnight in stored areas.

*Commissioners and counsel discussed conditions imposed running with the land, restrictive conditions, and 19.34.030.*

**Speaker # 3:** Citizen

**Name:** Roger Mickelson

**Address:** 4909 South Warehouse Road

**Comments:** Mr. Mickelson said he is the owner of Peak Mobile Communication. He has lifted the whole industrial park, and he wants a community.

*Commissioner motioned to close the public meeting, Commissioner seconded that motion.*

## PUBLIC PORTION OF MEETING CLOSED

**Motion:** To approve application #CUP2021-000479 Planning Staff, in cooperation with Shivam Shaw, is requesting an amendment to the original conditions of approval of an Office Warehouse project to align better with the updated Kearns Zoning Ordinance with staff recommendations with condition one met and no longer necessary.

**Motion by:** Commissioner Thomas

**2<sup>nd</sup> by:** Commissioner Nelson

**Vote:** Commissioners voted unanimous in favor (of commissioners present)

## PUBLIC HEARING(S)

**OAM2023-001019** – Planning Staff is requesting an ordinance amendment to Table 19.32.030 to remove Self-Service Storage Facilities from the allowed uses list in the Commercial Zones. **Location:** Kearns Metro Township. **Planner:** Jeff Miller (Motion/Voting)

*Greater Salt Lake Municipal Services District Planner Jeff Miller provided an analysis of the Staff Report.*

*Commissioners and staff had a brief discussion, why self-storage facilities were only considered and not others in the Commercial zones.*

*Commissioner Thomas motioned to open the public hearing, Commissioner Nelson seconded that motion.*

## **PUBLIC PORTION OF HEARING OPENED**

**Speaker # 1:** Kearns Community Council

**Name:** Roger Snow

**Address:** 5977 South Parkwood Drive

**Comments:** Mr. Snow said limited on space, most good commercial the better. Already has self-storage in three areas and one on the edge of Kearns. If we don't get taxable base commercial, we won't be Kearns.

*From Chat:*

*from Greg to everyone: 6:46 PM*

*Assuming existing Self storage in C-1 are not affected?*

*from Greg to everyone: 6:47 PM*

*What about an existing self-storage that expands to adjacent property?*

*from Brian Tucker (internal) to everyone: 6:49 PM*

*Outdoor self-storage has already been eliminated as a use. The remaining use is indoor self-storage.*

*from Greg to everyone: 6:49 PM*

*Will variances be allowed?*

*from Greg to everyone: 7:07 PM*

*Expanding vertical is allowed?*

**Speaker # 3:** Citizen

**Name:** Roger Mickelson

**Address:** 4909 South Warehouse Road

**Comments:** Mr. Mickelson asked why Commissioner Thomas is excited. Landowner and supply and demand, what is the balance, his land is vacant what can he do and be beneficial. Doesn't want to restrict landowners and make multi use if everything fits, caution to uses.

*Commissioner Thomas explained storage takes up a lot of space with potential for 5-10 small businesses and creates a taxable sales tax base. If there is supply and demand and what maximum dollars per square foot, must consider and able to tax.*

*Commissioners and counsel had a brief discussion regarding storage downtown and limited space. Mixed use would require additional discussion.*

*Mr. Tucker and counsel advised a variance won't allow you to expand an existing structure, use outside of the footprint is not allowed. Expanding vertical is on a case-by-case basis.*

*Commissioner Thomas motioned to close the public hearing, Commissioner Nelson seconded that motion.*

## **PUBLIC PORTION OF HEARING CLOSED**

**Motion:** To recommend approval of file # OAM2023-001019 Planning Staff is requesting an ordinance amendment to Table 19.32.030 to remove Self-Service Storage Facilities from the allowed uses list in the Commercial Zones to the Kearns Council as proposed with staff recommendation Option 1.

**Motion by:** Commissioner Nelson

**2<sup>nd</sup> by:** Commissioner Thomas

**Vote:** Commissioners voted unanimous in favor (of commissioners present)

**OAM2023-001050** – Proposed amendment to the Kearns Subdivision Ordinance, Title 18 of the Kearns Municipal Code, to comply with review timeframes, review cycle limits, land use authority designations and other amendments mandated by SB 174. **Planner:** Brian Tucker (Motion/Voting)

*Lisa Watts Baskin with Smith Hartvigsen provided a presentation.*

*Greater Salt Lake Municipal Services District Planning Manager Brian Tucker provided an analysis of the amendments.*

*Commissioners, staff, and counsel had a brief discussion regarding approval authority and previous discussions, discretion on making sure the code is right, and 15-day review period.*

*Commissioner Thomas motioned to open the public hearing, Commissioner Nelson seconded that motion.*

#### **PUBLIC PORTION OF HEARING OPENED**

*No one from the public was present to speak.*

*Commissioner Thomas motioned to close the public hearing, Commissioner- Nelson seconded that motion.*

#### **PUBLIC PORTION OF HEARING CLOSED**

**Motion:** To recommend approval on file #OAM2023-001050 Proposed amendment to the Kearns Subdivision Ordinance, Title 18 of the Kearns Municipal Code, to comply with review timeframes, review cycle limits, land use authority designations and other amendments mandated by SB 174 to the Kearns Council as proposed with staff recommendations and Option 2.

**Motion by:** Commissioner Nelson

**2<sup>nd</sup> by:** Commissioner Thomas

**Vote:** Commissioners voted unanimous in favor (of commissioners present)

*Commissioner Thomas motioned to adjourn, Commissioner Nelson seconded that motion.*

#### **MEETING ADJOURNED**

**Time Adjourned – 7:43 p.m.**

