



**Planning and Development Services**

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**MEETING MINUTE SUMMARY**

**KEARNS METRO TOWNSHIP PLANNING COMMISSION MEETING**

**Monday, November 18, 2019 5:30 p.m.**

**\*\*Meeting minutes were approved on January 13, 2020\*\***

**Approximate meeting length:** 41 minutes

**Number of public in attendance:** 10

**Summary Prepared by:** Wendy Gurr

**Meeting Conducted by:** Commissioner Robertson

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

**ATTENDANCE**

Commissioners	Public Mtg	Business Mtg	Absent
Jeff Robertson	x	x	
Joy Nelson	x	x	
Jerry Wellman			x
Bruce Walton	x		
Joe Hatch	x	x	

**Commissioners and Staff:**

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Diana Martinez	x	x

**BUSINESS MEETING**

**Meeting began at – 5:30 p.m.**

- 1) Approval of Minutes from the October 14, 2019 meeting.

**Motion:** To approve minutes from the October 14, 2019 meeting as presented.

**Motion by:** Commissioner Hatch

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

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

- 2) Other Business Items (as needed)

*Wendy Gurr introduced the New Planning Manager, Jason Binks.*

**PUBLIC HEARINGS**

**Hearings began at – 5:33 p.m.**

**30865** – Bach Homes (Nick Mason) is requesting a Change of Site Plan approval to add 47 additional units to the existing apartment complex. **Acres:** 15.07 approx. **Location:** 5959 South Cougar Lane. **Zone:** R-

M, R-M/zc & C-2. **Planner:** Diana Martinez

*Greater Salt Lake Municipal Services District Planning and Development Services Planner, Diana Martinez provided an analysis of the staff report.*

### **PUBLIC PORTION OF MEETING OPENED**

**Speaker # 1:** Applicants Counsel

**Name:** Bruce Baird

**Address:** 2150 South 1300 East, #500

**Comments:** Mr. Baird advised the staff told you that you cannot approve this. What's the legal basis for saying you can't approve it and who has that authority. Land use authority to interpret and cannot find out for the land use authority to make the determination. Your purpose is not to interpret the code. Seems three possibilities, zoning administrator and make the decision, planning commission but against your powers, theoretically a trained chimpanzee since it's not you, and staff is telling you, you can't approve this nor does planning staff have that authority, and land use appeal authority. Pointless to go through the substance and to go through the application. Makes more sense to continue to a later date. Doesn't know who the land use authority is and determine if appeal that authority. Planning commissions powers do not have a determination of the zoning codes. Official answer from Kearns, who is the land use authority and where you would find that in the code, state code for an entity and if they want to.

**Speaker # 2:** MSD Counsel

**Name:** Jay Springer

**Address:** 257 East 200 South, Suite 500

**Comments:** Mr. Springer said it doesn't have anything to do with zoning.

*Commissioner Walton motioned to open the public hearing, Commissioner Hatch seconded that motion.*

**Speaker # 3:** Citizen

**Name:** Roger Snow

**Address:** 5977 South Parkwood Drive

**Comments:** Mr. Snow mentioned the subdivision to the west. When he built his home Carrington Square was not there and flyers going around. He knows other projects going on close to this facility on 6200 and directly across the street. 4800 and 6200 is at failure and county confirmed for traffic. 4800 is congested with high school and the oval and fitness center and he sees more congestion with this. His concern as a citizen to allow, would destroy infrastructure and traffic on 4800.

*Commissioner Robertson said not being legal authority cannot offer legal opinion it is his understanding that they have legal authority to make a decision. Mr. Beard said they might.*

*Commissioner Hatch motioned to close the public hearing, Commissioner Walton seconded that motion.*

### **PUBLIC PORTION OF MEETING CLOSED**

*Commissioners had a brief discussion regarding purpose of continuation.*

**Motion:** To recommend continuation of application #30865 to the December meeting or when staff and council have determined who the land use authority is.

**Motion by:** Commissioner Hatch

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

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

**31052** – Kearns Improvement District (KID) is requesting an approval for a one-lot subdivision. **Acreage:** 0.0517 approx. **Location:** 6109 South Cougar Lane. **Zone:** C-2. **Planner:** Diana Martinez

**31053** – Kearns Improvement District (KID) is requesting a Conditional Use approval for a Pump House. **Acreage:** 0.0517 acres. **Location:** 6109 South Cougar Lane. **Zone:** C-2. **Planner:** Diana Martinez

*Greater Salt Lake Municipal Services District Planning and Development Services Planner, Diana Martinez provided an analysis of the staff report.*

*Commissioner Nelson asked since on the same property would it effect the other application.*

### **PUBLIC PORTION OF MEETING OPENED**

**Speaker # 1:** Applicant

**Name:** Greg Anderson

**Address:** 5350 West 5400 South

**Comments:** Mr. Anderson said they purchased the property and is complete. Experiencing extreme growth. 27-inch sewer line down Cougar Lane, Carrington Square and railroad tracks and Kearns ball fields. To increase the size did a study to a 37-inch pipe. Riff station to capture a portion of the flow and down Cougar Lane to the southside of Kearns. No building above ground and contracted with a supplier and build a package plan. Hole and put entire station underground. Odor control and backup generator above ground. Decorative concrete wall around two sides and landscape to hide the wall and wrought iron fence. Minimal footprint allow for growth.

*Commissioners asked if Kennecott property is the western property. Mr. Anderson said 7000 to 4700. Currently in negotiation of 3000 units on the west side. Commissioner Hatch said abuts the Jiffy Lube and two segment concrete wall east side and north. Mr. Anderson said open visible to Jiffy Lube. Emergency generator will turn on once a week for half hour to exercise the engine.*

**Speaker # 2:** Kearns Community Council

**Name:** Roger Snow

**Address:** 5977 South Parkwood Drive

**Comments:** Mr. Snow the Kearns Community Council gave a favorable recommendation.

**Speaker # 3:** Board of Trustees for Kearns Improvement District

**Name:** Cheryle Hatch

**Address:** 5445 South Rockford Street

**Comments:** Ms. Hatch said staff has been diligent in trying to make sure accommodates the growth in the district. Important everyone flushes toilet to central valley. Looked at different options as far as cost and this is the project approved by the board. Don't want to see things out of control, they have been meeting everything and the project going on for a while.

### **PUBLIC PORTION OF MEETING CLOSED**

**Motion:** To recommend approval of application #31052 to the Kearns Metro Township Council with Staff recommendations.

**Motion by:** Commissioner Hatch

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

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

**Motion:** To approve application #31053 as presented with Staff recommendations.

**Motion by:** Commissioner Walton

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

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

**MEETING ADJOURNED**

**Time Adjourned – 6:11 p.m.**