

# Daniel Town Planning Commission Meeting

Wednesday, February 15, 2023, at 7:00 PM  
Wasatch County Services Building, Conference Room B  
55 South 500 East, Heber City, Utah

## Draft Meeting Minutes

Quorum Present: Planning Commissioner Chair Gary Weight, Commissioners Eric Bennett, Bridger Wilde, T.J. McGeean, Pam Skinner, Byron Horner, and Kipp Bangerter. Also present were Town Planner, Eric Bunker, T-O Engineering Representative Amelia Pays, and Clerk/Recorder Kim Crittenden, to take minutes.

Members of the Public: Travis Biggs, Ronda Rose, Mary Ward, Grace Chubb, Paul Peterson, Larry Ward, Jack Rose, Amy Steele, Chip Polvoorde, Christopher Polvoorde, Adam Benitez, Erin Charchenko, Amy Pulley, Dan Ford, and Brent Haight

Chairperson Weight called the meeting to order at 7:02 pm.

### 1. Public comments (please limit to 2 minutes)

No public comment.

### 2. Public hearing for a possible zone change(s) for Ellis Subdivision Parcel #s 20-2403 and 20-4525 at approximately HWY-189 and 3000 South

Commission Chair asked for a motion to open the public hearing.

***Commissioner Bennett made a motion to open the public hearing. Commissioner Bangerter seconded the motion. The motion was approved with a roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, Horner yes, and Skinner yes. The motion passed.***

Dan Ford was invited to address the Planning Commission and public attendees. Mr. Ford shared handouts about the property site plan and then discussed how the plans had been designed to steer additional traffic from 3000 South onto HWY-189 with traffic directional devices. He noted that there had been some feedback about concerns about the traffic circulation and he had met with UDOT the previous week to discuss potential traffic issues. He stated that normally UDOT requires 1,000 ft from an intersection to have an additional traffic outlet. The current distance is just short of the required 1,000 ft, but he suggested that if the Town was willing to contact UDOT and discuss the concerns of traffic being diverted back on to 3,000 there would be a good chance that an exception could be made. He pointed out that a right-hand traffic outlet was grandfathered into the property in question. He stated that a letter of Town support for the exception would likely be very helpful in gaining an exception from UDOT for the property being just shy of the 1,000 ft rule.

Mr. Ford then related discussions with the Heber City Airport Administration and potential issues with the property location being at the end of the current Heber City airport runway. He stated that the site plan was in compliance with all of the airport safety-zone regulations, including building height restrictions and the potential construction of a gas service station and other commercial development on the property. He stated that in addition to a couple of drive-through retail establishments, such as Star Bucks, they have had an interested party inquire about a potential car dealership utilizing some of the space. He then asked for questions or comments.

Commission Chair pointed out that the public hearing was for the zone-change request(s) and while he appreciated Mr. Ford bringing the concept plan to the meeting, all development issues would be dealt with in later meetings. He continued by stating that this public hearing was as to whether the Planning Commission should send a recommendation to the Town Council for a zone change from RA-5 to the requested combination of Commercial and Industrial Zones on the properties in question.

Commission Chair Weight asked for public comment. Travis Biggs from the Heber City Airport read a letter into the record (see attached). It was asked if there was anything in the plan that was provided by Dan Ford that was a problem in his opinion. Mr. Biggs stated that he was unaware of a conflict and that he was quoting FFA regulations and information about the Heber City Airport expansion plans. Mr. Biggs was asked if Heber City had considered expanding on land within the Heber City limits, for example, the current nursery located at the other end of the Heber City Airport runway. He stated that Heber City was not considering options and had no plans of expanding the airport runway safety areas to the north and into Heber City limits, near the nursery.

***Commissioner Horner made a motion to close the public hearing. Commissioner McGeean seconded the motion. The motion was approved with a roll call vote of Horner yes, Bennett yes, Wilde yes, Bangerter yes, McGeean yes, and Skinner yes. The motion passed.***

Chair Weight called for a motion on a recommendation on the zone change for the Town Council.

Commissioner Wilde asked if options about a highway services zone had been explored and Mr. Ford stated that this had been discussed with Planner Bunker. Mr. Ford stated that he was open to recommendations from the Commission as to the best zoning proposal for the concept plan.

Commissioner Wilde expressed some concerns about potential uses of the industrial zoned portion of the property and Mr. Ford stated that he would be comfortable working through any concerns and attaching any deed or use restrictions that would satisfy the Planning Commission.

***Commissioner Wilde made a motion to continue the matter. Commissioner Bennett seconded the motion. The motion was approved with a roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, and Skinner yes. The motion passed.***

**3. Public hearing for Polvoorde Conditional Use Permit for an accessory structure in excess of 1,500 sq ft on property located at 3277 South Big Hollow Road**

Commission Chair Weight asked for a motion to open the public hearing.

***Commissioner Bangerter made a motion to open the public hearing for a Conditional Use Permit located at 3277 South Big Hollow Road. Commissioner McGeean seconded the motion. The motion was approved with a roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, Horner yes, and Skinner yes. The motion passed***

Mr. Polvoorde was asked to present the plans for his accessory building. Plans had been submitted and distributed to the Planning Commission. Extra copies were available to members of the public for reference. He was asked about the intent and dimensions of the proposed building. He stated that he intended to store cars and recreational vehicles in the structure. He was asked about the size of the structure and stated that it was 98 ft by 96 ft, which was noted as well in excess of the 1,500 sq ft limit of accessory building in the Town Code, thus the need for the current Public Hearing. He stated that the height of the structure would be 34.5 ft. He was asked about the acreage of his lot and he stated that it was just under 8 acres.

Grace Chubb asked if a paint booth would be installed in the building and Mr. Polvoorde stated there would not be in the building, that he was a hobbyist and would just be maintaining vehicles in the space. He stated that he would be working on vehicles, but all noises would be contained in the structure and would not disturb neighbors. The discussion moved to the map provided and audience members posed questions about property lines, placement of the building, and other concerns. Mr. Polvoorde responded to each question and concern individually. It was asked if there would be a bathroom in the structure. He answered in the affirmative and stated it was required by the Wasatch County Health Department.

***Commissioner Horner made a motion to close the public hearing. Commissioner Bangerter seconded the motion. The motion was approved with a roll call vote of Horner yes, Bennett yes, Wilde yes, Bangerter yes, McGeean yes, and Skinner yes. The motion passed.***

Commission Chair Weight asked for a vote on the Conditional Use Permit. Discussion about why a Conditional Use Permit was required ensued and was briefly discussed again. He noted that the structure would still have to have approval from the Health Department for septic system approval and that Town Staff would still have to sign off on the application prior to a building permit being issued.

***Commissioner Wilde made a motion to approve the Conditional Use Permit for the accessory building on property located at 3277 South Big Hollow Road pending final approval from the Town Staff. Commissioner Skinner seconded the motion. The motion was approved with a roll call vote of Horner yes, Bennett no, Wilde yes, Bangerter yes, McGeean yes, and Skinner yes. The motion passed.***

#### **4. Engineer Report**

No report presented

#### **5. Planner Report**

Town Planner Bunker referred the Commissioners to his submitted report.

#### **6. Approval of January 19, 2023, Planning Commission Meeting Minutes**

Chair Weight asked for a motion to approve the meeting minutes.

***Commissioner Bennett made a motion to approve the January 19, 2023 meeting minutes. Commissioner Bangerter seconded the motion. The motion was approved with a roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean abstain, Horner abstain, and Skinner yes. The motion passed.***

#### **7. Discussion of work session meeting date(s)**

The Planning Commission discussed possible dates to meet for a work session. Ultimately it was decided that March 13, 2023, at 6:00 pm would be the best date and time. Commission Chair Weight noted that the Town Council would be invited to the meeting as well.

#### **8. Possibly set a public hearing date for consideration of change(s) to the Daniel Town Code Title 8**

It was discussed that the purpose of the public hearing would be to discuss clarifying water requirements for the Town for commercial purposes to be attached to the commercial and industrial property development in perpetuity and not be allowed to be sold off separately from the property.

***Commissioner Bennett made a motion to approve the motion for a public hearing. Commissioner Horner seconded the vote. The motion was approved with a roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, Horner yes, and Skinner yes. The motion passed.***

#### **9. Adjourn**

***Commissioner Bangerter made a motion to adjourn. Commissioner McGeean seconded the vote. The motion was approved with a roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, Horner yes, and Skinner yes. The motion passed.***

The meeting was adjourned at 8:27 pm.

*Kim Crittenden*

Kim Crittenden  
Clerk/Recorder