

## **Daniel Town Planning Commission Meeting**

Wednesday, March 20, 2024 at 7:00 PM

Wasatch County Services Building, Conference Room B

55 S 500 E Heber City, Utah

Quorum Present: Planning Commissioner Chair Gary Weight, Commissioners Pam Skinner, Kipp Bangerter, Bridger Wilde, T.J. McGeean, and Byron Horner were also present. Also present were Planning Director, Eric Bunker, and Clerk/Recorder Kim Crittenden, to take minutes.

Members of the Public: Nephi Trunnell, Jeff Finderlay, Heber Taylor, Cal Johnson, Kyle Loveridge, Scott Keele, Jemey Keele, and K. Banks.

Chair Weight called the meeting to order at 7:00 PM.

### **1. Public Comments**

Jeff Finderlay addressed the Planning Commission about the property that was formerly Daniel's Academy. He stated that he was interested in purchasing the property for a bed and breakfast and on-manager living quarters. It was noted that the property is not RA-5 it is currently in the P-160 Zone. He further stated that there would need to be either a zone change or a use change for the property and that this process would likely take a minimum of six months.

Josh Green then addressed the Planning Commission with a question about how a P-160 property that was five acres was allowed in the Town. Planner Bunker stated that the County had split off three five-acre parcels to sell before Daniel's incorporation but did not change the zoning, and thus the Town inherited the zoning from the County.

Kyle Loveridge addressed the Commission and asked for feedback about putting in a 15-student or less private outdoor micro-school on the Charchenko property on Big Hollow Rd before putting in an application for a Conditional Use permit for the micro-school. He stated that he had spoken to Erin Charchenko and she had stated that she would be willing to give up the current Conditional Use Permit she has for the property since she has not started her business. He stated that he was concerned that traffic might be an issue and so he was hoping to get feedback on this or any other potential concerns. There was some concern raised about using agricultural buildings to shelter children in the winter months and Mr. Loveridge stated if it was needed, they were prepared to put up a hunting-style tent with a heat source. He also stated that they would bring in an RV-style restroom each week which would be removed and emptied off-site. It was stated that he would need to turn in the Conditional Use Application on or before April 1<sup>st</sup> to have it on the meeting agenda.

### **2. Keele application for zone change to set for public hearing discussion**

Cal Johnson addressed the Planning Commission on behalf of the Keeles and stated that the Keele property located at 2530 Daniel Road has an Industrial Zone on the back

half and RA-5 on the portion closest to Daniel Road. Scott Keele then stated that he had spoken to Planner Bunker several months before asking if he could split the parcel along the current zoning and create a driveway to access the back Industrial Zone portion. It was stated that the Town Code does not allow access to an Industrial Zone property through an RA-5 Zone property. Several concerns were raised about this, including the fact that it would be further splitting an already non-conforming lot. The property rights of neighboring properties would also be affected because they purchased their land knowing that all of their neighbors were also RA-5. Additionally, bringing more industrial-type traffic into Daniel Road was raised as a potential issue. It was noted that the industrial portion currently does not have a rear access point and would need to be accessed through the property.

***Commissioner Horner moved to hold a public hearing to consider the Zone Change Application during the April 17, 2024 Planning Commission meeting. The motion was seconded by Commissioner Bangerter. A roll call vote of Horner yes, Wilde yes, McGeean yes, and Skinner yes. The motion passed.***

### **3. Trunnell application for code change to set for public hearing discussion.**

Nephi Trunnell addressed the Planning Commission and discussed his proposal to have a code change to the Daniel Town Code to allow for Commercial Condominiums in the Commercial Zone. Commissioner Wilde provided the Planning Commission with the relevant Heber City code. He stated that leasing the space had proven to be challenging, so he was trying to consider all options since construction costs are rising every month. He was asked how each unit could have separate utility meters for each unit, and Mr. Trunnell stated that he had built the building with this consideration in mind as a contingency plan, so that it was already done. It was noted that this would be a code change for the entire Town, and so no letters would go out to individual property owners, but it would be posted in the Wasatch Wave twice before the public hearing.

***Commissioner Bangerter moved to hold a public hearing to consider a code change recommendation during the April 17, 2024 Planning Commission Meeting. The motion was seconded by Commissioner Skinner. A roll call vote of Horner yes, Wilde yes, Bangerter yes, McGeean yes, and Skinner yes. The motion passed.***

### **4. Business Licenses**

- a. New
- b. Renew
  - i. Sweat Auto

The Commissioners asked if there had been any complaints about the business, and Planner Bunker stated none had been received.

***Commissioner McGeean moved to approve the Business License Renewal for Sweat Auto. The motion was seconded by Commissioner Horner. A roll call vote of Horner yes, Wilde yes, Bangerter yes, McGeean yes, and Skinner yes. The motion passed.***

## 5. Planner Report

Planner Bunker handed out his monthly report as well as several pages from the Town Code about how to make a change, or amend, the current code. He then briefly went over both with the Planning Commission. Planner Bunker was asked if the building on the old church property was an Ag Building, and he stated that it was. He continued by discussing the remaining items that needed to be addressed on the HWY 40-Haroldsen property before a permit would be issued.

Chair Weight addressed the handout in the packet that was prepared by Merry Duggin for the ARPA \$127,000 designation. There were several questions for Planner Bunker about whether this would be allocated for the Lead and Copper study that is currently underway. He stated that it could be allocated to that, and it could be used to help any homeowners who need to replace pipes but do not have the means. It was stated that the dates and parameters had changed several times, but currently, it had to be allocated by the end of April, but did not need to spend the money until 2026. It was noted that once the money is allocated to a project, it cannot be moved to or spent on another one. Commissioners were encouraged to come to the Town Council Meeting if they had further input about the ARPA funds. Chair Weight encouraged the Commissioners to study the Daniel Town Code and compare it to the Heber City and Wasatch County Codes for their industrial zones. There were also questions posed and continued discussions about how, in the same area, Heber City allows their industrial zone to end on Daniel Road, where the Daniel Town Code does not. It was stated that this discussion would continue next month with the public hearing.

## 6. Engineer Report

No report was provided.

## 7. February 2, 2024 Planning Commission Minutes Approval

***Commissioner Horner moved to approve the February 20, 2024 Planning Commission Meeting Minutes. The motion was seconded by Commissioner Skinner. A roll call vote of Horner yes, Wilde yes, Bangerter yes, McGeean yes, and Skinner yes. The motion passed.***

## 8. Adjourn

***Commissioner Wilde moved to adjourn. The motion was seconded by Commissioner Bangerter. A roll call vote of Horner yes, Wilde yes, Bangerter yes, McGeean yes, and Skinner yes. The motion passed.***

The meeting was adjourned at 8:06 PM

*Kim Crittenden*

Kim Crittenden Clerk/Recorder