

DANIEL TOWN PLANNING COMMISSION MEETING

Wednesday, October 15, 2025 at 7:00 PM

Wasatch County Services Building, Conference Room B
55 South 500 East, Heber City, Utah

Meeting Minutes

Quorum present: Chair Gary Weight, Commissioners Heber Taylor, T.J. McGeean, and Pam Skinner. Commissioners Bridger Wilde, Kipp Bangerter, and Byron Horner were excused.

Town Officers present: Planning Director Eric Bunker, and Deputy Clerk/Recorder Merry Duggin to record the minutes.

Members of the public present: Mark Skousen, Jared Howland, Scott Long, Stefanie Grady, and Robyn Pearson.

1. Public Comment (Please limit to 2 minutes)

There was no public comment.

2. Public Hearing for a rezone request for property located at 2530 S Daniels Rd. from RA-5 to Industrial, continued from the September 17, 2025 Planning Commission meeting at the request of the applicant JDCO

Commissioner T.J. McGeean moved to open the public hearing for a rezone request at 2530 S. Daniels Rd. The motion was seconded by Commissioner Pam Skinner. It passed with the following vote: Skinner, yes; McGeean, yes; Taylor, yes; Weight, yes.

Mr. Mark Skousen represented JDCO LLC, the applicant, and explained that JDCO had purchased the property (2 parcels) in approximately November 2024, and noted that the parcel fronting on Daniels Rd is zoned as RA-5, and a significant portion of the rear parcel is currently zoned as Industrial. JDCO LLC would like to rezone the entire property as Industrial to allow for access to the entire property from Daniel Rd. The owners would like to build a 2-story office building on the front parcel with an attached 12,000 square foot shop area. They would also park 5-7 dump trucks in the back, along with 3-4 pickups. The vehicles would leave about 7:30 AM and return at 5:30-6 PM.

In response to Commissioner McGeean's question regarding access, Mr. Skousen confirmed that the only access would be Daniel Rd. Commissioner McGeean stated that he was concerned about the type of traffic that would be on Daniel Rd.

Mr. Robyn Pearson questioned the need for a 2-story office building, which would be a satellite office for Hadco Construction. He also asked about water use.

Mr. Skousen replied that this office would not be a big operation and would have minimal water use in the bathroom and dust control. He emphasized that this was not the same concept as the previous owner had wanted.

Commissioner Heber Taylor responded that it might not be the same concept as the former owner wanted, but the access is the same. He stated that if the rezone is approved, the Town loses control over any future use of the access to Daniel Rd. The back lot doesn't seem accessible because Wasatch County set up a buffer zone for residential zones, and no access for Industrial through the residential.

Mr. Skousen admitted that the back property is landlocked, and he wondered if the Town would consider a development agreement that would go with the land and limit what can be done on the property.

Planning Director Bunker stated that such an agreement would have to be recorded in Wasatch County against the title to the property.

Commissioner Pam Skinner stated that she had been present at the public hearing held at the Daniel Town Council meeting on October 6, 2025, where the neighbors voiced opposition to the rezone, citing traffic that would break down the roads, noise, dust, and safety for children walking to school. She also noted that the current owners purchased the property knowing what the zoning is.

Mr. Skousen responded that a lot of the objections can be solved with mitigation, and the owners thought that the master plan would allow this use because he felt that this is what the Town is asking for.

Mr. Scott Long asked if the owners had asked the Planning Commission about this concept before the land purchase. Later in the meeting, Mr. Long admitted that he lives on Mill Rd., but if this were a request in his neighborhood, he would oppose it.

Ms. Stefanie Grady asked about the size of the proposed buildings. Mr. Skousen described a 3,000 square foot office building with a 12,000 square foot shop attached with a single bay to drive through. He stated that this is where the development agreement would come in, and he stated that the owner would be willing to work within guidelines to make a workable solution for the town.

Mr. Scott Long asked what the benefit would be to the Town? Do the benefits outweigh the objections? Mr. Skousen cited that a few jobs would be added, and there would be less traffic in the "canyon". Mr. Long responded, "Personally, I don't like it. I would not want this on my road."

Mr. Skousen reminded the Planning Commission that they represent the landowners as well as the residents of the Town, and wondered if there was a way to work out an access from a different place.

Commissioner McGeean wondered if access could be achieved from the batch plant (CMC) to get back to Airport Rd., and Commissioner Taylor wanted to respect the rules about access to Daniel Rd.

Chair Gary Weight noted that the 500-foot buffer zone to protect residential has been in place since 1999.

Planning Director Bunker stated that a development agreement would be a better alternative than a conditional use permit, but Commissioner McGeean stated that it would still be easy to miss something that doesn't favor the public.

Commissioner McGeean moved to close the public hearing, and the motion, seconded by Commissioner Skinner, passed with the following vote: Skinner, yes; McGeean, yes; Taylor, yes; Weight, yes.

Chair Gary Weight asked if the Commissioners were ready to have a vote or allow the applicant to propose a development agreement. He did not want to break the buffer zone, but he was willing to look at whether there were other possibilities.

Planning Director Bunker noted that Daniel Municipal Code 8.21 would come into play regarding setbacks, additional mitigation, etc., in addition to a development agreement.

Mr. Robyn Pearson asked if there were other properties along this road with the same issues. There are approximately 5 or 6, and he could see this as a domino effect, turning the whole area into Industrial. Perhaps the Town needs to rethink that zoning.

Chair Weight asked whether the problems could be mitigated or not. Some of the other properties are **not** using their rear property as Industrial.

Commissioner Skinner stated, "If they could just get at it some other way." She was referring to access **not** from Daniel Rd.

Commissioner Taylor moved to continue the discussion of the rezone request, and the motion, seconded by Commissioner McGeean passed with the following vote: Skinner, yes; McGeean, yes; Taylor, yes; Weight, yes.

Commissioner Skinner stated that the Commission needs more information on development agreements and to look at options. Planning Director Bunker noted that an agreement would need to be customized as to what this applicant wants to do.

3. Staker Parson Boundary line adjustment between Daniel and Independence

Mr. Jared Howland, surveyor, has been hired by Staker Parsons. He stated that the deed and the fenceline between Staker Parsons property (in Independence) and the McMillan property (in Daniel) do not match up, and he would like to have Daniel approve a boundary adjustment between the two properties (and Towns) to the fenceline. In past years, if a fenceline has been in place for 20 years, it has been recognized as the boundary between properties.

Chair Weight stated that this is not a simple process, as both towns have to agree and send the boundary change request to the Utah Lieutenant Governor's office for approval. The Towns may have no problem with it, but we must make sure that we do it properly. There is also some ambiguity about a Daniel Storm Haven water system waterline location which may be impacted. Mr. Howland stated that he saw no evidence of a waterline when he completed his survey. There are also non-exclusive easements that may be impacted. Planner Bunker stated that he believes the applicant will have to record a new plat of this section and satisfy whatever issues the County Surveyor may have. Mr. Howland agreed to plat the easements to see where they fall.

Commissioner McGeean moved to continue this item with specific instructions to the applicant with these conditions included in the staff report: 1) compliance with the current Town Code regarding lot line adjustments, 2) limit recommendations based to facts associated with this item, 3) make sure the McMillans understand the potential impacts to their property, 4) a new plat be recorded because of the inherent conditions and impact of possibly moving two municipal boundaries, if that finding is required. 5) continue this item and instruct the applicant to provide any additional documents and notice in writing of property involved in this lot line adjustment, 6) compliance with Utah code 57-1-45,10-91-103, and 17-27a-103. The motion was seconded by Commissioner Taylor and passed: Skinner, yes; McGeean, yes; Taylor, yes, Weight, yes.

Mr. Howland was provided with a copy of the staff report outlining these conditions and requirements.

4. New Business License: BMAC Construction, LLC

Mr. Brent McGuire would like to perform electrical work in the Town and requests a business license.

Commissioner McGeean moved to recommend to the Town Council that they approve a new business license for BMAC Construction LLC. The second was made by Commissioner Skinner and passed: Skinner, yes; McGeean, yes; Taylor, yes; Weight, yes.

5. Summary of Daniel Town Council meeting held on October 6, 2025

Deputy Clerk/ Recorder Duggin informed the Commissioners of the events of the Daniel Town Council meeting. There were no questions.

6. Planner Report for September 2025

Planning Director Bunker presented his report for September 2025. He noted that the Wasatch Mobile Home Park residents were being hooked into the Daniel Municipal Water System as of this date, and this was being accomplished with the assistance of funding from the Utah Division of Drinking Water. Mr. Bunker gave an update on a waterline extension

planned on Southfield Rd. The 2 bids received were both more than the Town could spend, and the project would be revised and rebid at a later date.

He also gave an update on the two complaints that our attorneys are handling. In one case, the number of animals has been diminished, but not completely resolved the issue. In the other case, there has been no response, and the Town will wait a few more days before taking any further action. Mr. Scott Long stated that dogs from this residence are escaping and killing chickens on Mill Rd.

7. Minute approval for September 17, 2025 Planning Commission meeting

Commissioner McGeean moved to approve the minutes as presented. The motion seconded by Commissioner Taylor passed: Skinner, yes; McGeean, yes; Taylor, yes; Weight, yes.

8. Adjourn

Motion to adjourn was made by Commissioner McGeean and seconded by Commissioner Taylor. It passed: Skinner, yes; McGeean, yes; Taylor, yes; Weight, yes.

The meeting was adjourned at 8:20 PM

Merry Duggin,
Deputy Clerk/Recorder
Planning Secretary