

# River Heights City

---

## River Heights City PLANNING COMMISSION AGENDA

**Tuesday, February 11, 2025**

Notice is hereby given that the River Heights Planning Commission will hold its regular meeting beginning at **6:30 p.m.**, anchored from the River Heights City Office Building at 520 S 500 E. Attendance can be in person or through Zoom.

Pledge of Allegiance

Adoption of Previous Minutes and Agenda

Public Comment on Land Use

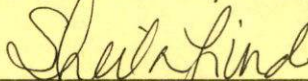
Appointment of a Chair and Vice Chair for 2025

Public Hearing to Discuss a Rezone Request from Heritage Land Development on Property 02-029-0028 (approx. 755 S 700 E) from Agricultural to R-1-8 (residential, one dwelling per 8,000 sq ft)

Public Hearing to Discuss a Rezone Request from Kelly and Kay Taylor on Property 02-028-0046 (440 E 800 S) from Agricultural to R-1-8

Adjourn

Posted this 6<sup>th</sup> day of February 2025



Sheila Lind, Recorder

To join by Zoom: <https://us06web.zoom.us/j/88991499933>

Attachments for this meeting and previous meeting minutes can be found on the State's Public Notice Website ([pmn.utah.gov](http://pmn.utah.gov)) and at [riverheights.org](http://riverheights.org).

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

# River Heights City

---

River Heights City Planning Commission  
Minutes of the Meeting  
February 11, 2025

1  
2  
3  
4  
5  
6 Present: Commission members: Noel Cooley, Chairman  
7 Heather Lehnig, tech staff  
8 Keenan Ryan  
9 Cindy Schaub  
10 Troy Wakefield  
11  
12 Councilmember Mark Malmstrom  
13 Recorder Sheila Lind  
14  
15 Excused Tech Staff Councilmember Chris Milbank  
16  
17 Others Present: See attached roll  
18  
19

20 Motions Made During the Meeting  
21

22 Motion #1

23 Commissioner Lehnig moved to “approve the minutes of the January 14, 2024, Commission  
24 Meeting with addition, as well as the evening’s agenda.” Commissioner Wakefield seconded the  
25 motion, which carried with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.  
26

27 Motion #2

28 Commissioner Lehnig moved to “recommend Heritage’s R-1-8 rezone request to the city  
29 council.” Commissioner Wakefield seconded the motion, which passed with Cooley, Lehnig, Ryan, and  
30 Wakefield in favor. Schaub opposed.  
31

32 Motion #3

33 Commissioner Schaub moved to “recommend to the City Council their approval of the Taylor  
34 rezone application from agricultural to R-1-8.” Commissioner Ryan seconded the motion, which  
35 carried with Cooley, Lehnig, Pitcher, Ryan, and Schaub in favor. No one opposed.  
36

37 Proceedings of the Meeting  
38

39  
40 The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council  
41 Chambers on February 11, 2025.

42 Pledge of Allegiance

43 Adoption of Prior Minutes and Agenda: Minutes for the January 14, 2024, Planning  
44 Commission Meeting were reviewed. Commissioner Schaub wanted to add one more condition to

45 Yanira Leon Lopez's conditional use permit. On line 60 the following was added: "CUP goes away  
46 when she moves from the home."

47 **Commissioner Lehnig moved to "approve the minutes of the January 14, 2024, Commission  
48 Meeting with addition, as well as the evening's agenda." Commissioner Wakefield seconded the  
49 motion, which carried with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.**

50 Public Comment on Land Use: There was none.

51 Appointment of a Chair and Vice Chair for 2025: Commissioner Cooley was nominated as the  
52 chair for 2025 with all in favor. Commissioner Lehnig was nominated as vice-chair with all in favor.

53 Public Hearing to Discuss a Rezone Request from Heritage Land Development on Property 02-  
54 029-0028 (approx. 755 S 700 E) from Agricultural to R-1-8 (residential, one dwelling per 8,000 sq ft):

55 Commissioner Cooley noted that in an R-1-8 zone, each lot needed to be a minimum of 8,000 square  
56 feet. A concept was submitted to the planning commission only. He asked Blaine Hamblin (of  
57 Heritage) to address the commission. Mr. Hamblin reiterated their request for a zone change from  
58 agricultural to R-1-8 on property 02-029-0028. Their other surrounding properties were already  
59 zoned R-1-8.

60 Commissioner Cooley opened the public hearing. Wayne Davis disapproved of the rezone  
61 because he understood there were springs in the area. He was also concerned with additional traffic  
62 coming onto 800 South and the noise that comes with building. It was noted that he was talking  
63 about the Taylor property.

64 Councilmember Janet Mathews asked about a traffic study that had apparently been done.  
65 She asked Blaine Hamblin if it was available, which he replied that he didn't have it. Ms. Mathews  
66 asked if the fire marshal had approved a development on this property. Commissioner Cooley  
67 reminded that the only thing they needed to discuss was whether to rezone. Questions about the  
68 development would be part of the subdivision approval process. Ms. Mathews was concerned that if  
69 they rezoned the property and then their plan didn't work, that the property would be rezoned for no  
70 reason. Commissioner Ryan felt it wouldn't matter.

71 Ken Sorensen asked how many units would be built on this property and where the access  
72 would be. He only understood there was one, between the church bowery and south of the Lois  
73 Weston home.

74 City Engineer Rasmussen advised that the Commission would listen but didn't need to  
75 respond to development questions during a rezone hearing. The questions being asked would come  
76 after a plan had been submitted. A traffic study was part of the subdivision process. The rezone  
77 process was just the Council deciding if the requested zone fits within the city's general plan and that  
78 they are okay with the intended use.

79 Karl Shupe asked what the intent was for the property. Commissioner Cooley explained that  
80 the city had determined this property could be zoned as a residential planned unit development.  
81 However, when Heritage applied for this zone, the City Council turned them down. The only other  
82 options were residential zones. Mr. Shupe asked why they would allow 8,000 square feet lots. He  
83 thought the city didn't want higher density and that River Heights valued open space.

84 Councilmember Janet Mathews reminded that the General Plan was just a suggestion. She  
85 noted that citizens had suggested larger lots, rather than smaller ones.

86 Commissioner Schaub spoke as a citizen. When the RPUD zone was declined by the Council, it  
87 was mentioned that another alternative access was for emergencies and went through the church  
88 property.

80 Blaine Hamblin noted there was more open space and walking paths with their RPUD plan  
than their R-1-8 plan.

91 Engineer Rasmussen clarified that the emergency access easement through the church  
92 parking lot is "emergency use" only, such as if the other access is blocked for any reason.

93 Ken Sorensen questioned that the church gave permission for access. Mr. Cooley stated that  
94 the church had given an easement to Heritage to come through their parking lot in case of  
95 emergency.

96 Knial Grant didn't agree with the cluster housing and appreciated the 8,000 square foot zone.  
97 He hoped the city wouldn't allow them to come back for a variance for smaller lots. He was  
98 concerned with traffic and safety.

99 Councilmember Malmstrom discussed a traffic study they kept hearing about, supposedly  
100 done by the county, but this study hadn't been provided to the city. He felt it was key for decision  
101 making.

102 Karl Shupe asked if there has been an environmental impact study on this property to see if  
103 there were wetlands. Mr. Cooley said this would be brought up during the development process.

104 Engineer Rasmussen reminded again that their discussion this evening was strictly for land  
105 use, not a development decision.

106 Commissioner Cooley closed the hearing. He asked Mr. Hamblin how many homes they  
107 estimated would be applied for. Mr. Hamblin guessed it would be around 40 homes.

108 Commissioner Cooley informed that the Council heard at the last rezone hearing that the  
109 public didn't want a PUD, so Heritage came back with a request for residential lots.

110 Commissioner Wakefield felt it would be a good idea to see the traffic study. Commissioner  
111 Cooley responded that the developers would need to get a permit from Cache County on their plan  
112 and they would do the study. Whatever the county required, the developers would be tied to.

113 Commissioner Ryan pointed out that if the county put a limit on the number of homes, it  
114 wouldn't affect the R-1-8 zone of the property. He pointed out that most of the property surrounding  
115 the property in question was R-1-8. He understood that the city couldn't request a certain zone; it  
116 was up to the property owner to apply for the zone they wanted.

117 Commissioner Schaub wanted to see a wetland study done along Spring Creek during the  
118 subdivision process.

119 **Commissioner Lehnig moved to "recommend Heritage's R-1-8 rezone request to the city  
120 council." Commissioner Wakefield seconded the motion, which passed with Cooley, Lehnig, Ryan,  
121 and Wakefield in favor. Schaub opposed.**

122 Public Hearing to Discuss a Rezone Request from Kelly and Kay Taylor on Property 02-028-  
123 0046 (440 E 800 S) from Agricultural to R-1-8; Dru Taylor (representing Kelly and Kay Taylor)  
124 requested a rezone from agricultural to R-1-8. It was their desire to build three residential homes on  
125 a minimum of ½ acre lots. He had spoken with the city's engineer and had begun a water assessment  
126 on the property, which he would gladly share with the Commission.

127 Commissioner Cooley opened the public hearing.

128 Karl Shupe asked if there had been a water study on the property because of the bog in the  
129 middle. He commended them for only having 3 lots. He asked why not rezone for larger lots.  
130 Commissioner Cooley said the Taylors were wanting to develop a minor subdivision. If they asked for  
more than three lots, it would open to a whole new set of rules.

132 Wayne Davis reiterated his concern from earlier in the meeting. He asked if the development  
133 would cause an increase in property values and was concerned about their impact on the community.  
134 Would there be an extra fire hydrant installed in this area? He asked if there would be studies done  
135 on whether the additional homes could cause water pressure reduction for other homes in the area.  
136 He was against the rezone.

137 DeNiel Spencer owned the property to the west of the Taylor property, which she kept horses  
138 on during the summer. She worried about them still having access to water. If a lane was installed  
139 next to her property it could affect her animal's access to the water.

140 Justin Robinson said he also had animals on his property and liked the open space. He was  
141 concerned about the springs in the area. He strongly advocated a water study before rezoning. Once  
142 this property developed, he worried it would trigger developments of the other open spaces. He  
143 stated that if this happened, he would move.

144 Knial Grant was against the development because he also had animals, and he wanted to keep  
145 the Taylor property how it currently was.

146 Mayor Wright pointed out the sensitive area map to the Planning Commission. The city's code  
147 addressed all the areas that had been deemed sensitive by FEMA.

148 Robert Kidd said he lived north of Taylor's property and gave some history on the properties  
149 in the area. He had had horses on this pasture and concurred that there were water issues. The  
150 excess water from the irrigation system ended up on this area and often ran for days. He realized  
151 there would be development. He appreciated that it wasn't high density or commercial. He  
152 supported the three-home suggestion.

153 Commissioners discussed the sensitive area map which noted "suspected high ground water  
154 area" on the Taylor's property.

155 Commissioners Malmstrom and Ryan had both had previous experiences where they saw the  
156 ground water situation in the area.

157 Commissioner Cooley stated there were regulations for fire hydrants, by the fire marshal. He  
158 said there wouldn't be a water pressure issue in this area.

159 Robert Kidd pointed out on the map of the area where the standing water and springers were.

160 Commissioner Cooley felt there were ways to mitigate all the water issues.

161 Justin Robinson said he was on the irrigation board and told how it affected this area.

162 Dru Taylor said he had engaged with a developer who knew about water issues. They were  
163 anticipating swales that would funnel water down to the irrigation canal, which they would improve  
164 along 800 South. They planned to build standard sized homes, not too large. They want to be good  
165 neighbors and take care of the water on their property.

166 Commissioner Ryan said it was an ideal scenario to have only three homes on the property.

167 Commissioner Cooley noted the minor subdivision code required a private lane.

168 **Commissioner Schaub moved to "recommend to the City Council their approval of the  
169 Taylor rezone application from agricultural to R-1-8." Commissioner Ryan seconded the motion,  
170 which carried with Cooley, Lehnig, Pitcher, Ryan, and Schaub in favor. No one opposed.**

171 Commissioner Cooley discussed a training guide for the Planning Commissioners and asked  
172 them to read and review it.

173 Commissioner Cooley brought up a 55+ zone, which the city didn't have, but wondered if the  
174 Commission may want to modify the RPUD zone to include the concept or draft a new zone.

175 Commissioner Cooley notified of updates in Utah Code which he came across and wondered if  
176 the city was compliant in 604.1, 604.2, 509, and 509.5 (all found in 10-9-A). He also discovered that  
177 the planning commissioners were required to have yearly training. He was planning to schedule time  
178 for this in an upcoming meeting.

179 The meeting adjourned at 7:50 p.m.

180

181

182

183

184

185

  
\_\_\_\_\_  
Noel Cooley, Commission Chair

  
\_\_\_\_\_  
Sheila Lind, Recorder

Please print your name on the roll.

Blaine Hamblin

DRU TAYLOR

LIZ Taylor

KNIAL GRANT

Ken Sorensen

Blake Wright

Justin Robinson

Angel Allman

Craig Rasmussen

Lana Hanover

Bryan Cascio

Brittany Cascio

Janet Mathews

LANCE PITCHER

DeNeil Petersen

Melissa Spencer

~~Janet Mathews~~

DEBRA TAYLOR

ANA TAYLOR

Robert Kidd

Ethan Merrill

Wayne Davis

Electronic

BreAnne Weston

Kelly Taylor

**RIVER HEIGHTS CITY**  
520 South 500 East \* 435-752-2646

**Application for Project Review**

**Type of Application**

Subdivision     Minor Subdivision     Flag Lot     Rezone     Boundary Adjustment  
 Commercial Development     Commercial Parking

**Heritage Land Development**

Applicant \_\_\_\_\_ Phone Number \_\_\_\_\_ email address \_\_\_\_\_  
470 N. 2450 W. Tremonton, UT, 84337

Mailing Address, City, State, Zip

Jay Stocking (Heritage Land Holdings & Heritage Property Solutions)  
Property Owner of Record \_\_\_\_\_ Phone Number \_\_\_\_\_

470 N. 2450 W. Tremonton, UT, 84337  
Mailing Address, City, State, Zip

**Creekside Estates**

Project Name \_\_\_\_\_  
approx 755 S 700 E, River Heights UT \_\_\_\_\_ 02-029-0028


Property Address \_\_\_\_\_ County Parcel ID Number \_\_\_\_\_  
11.31 acres \_\_\_\_\_ 30 lots

Size of Lot \_\_\_\_\_ Size of Building \_\_\_\_\_ Number of Dwellings/Units/Lots \_\_\_\_\_

Would like to develop property for single family lots *with an R-1-8 zone*  
Describe the proposed project \_\_\_\_\_

We certify we are the developer and record owner of this property and we consent to the submittal of application.

  
Developer \_\_\_\_\_ 1/10/25 \_\_\_\_\_  
Date

  
Property Owner \_\_\_\_\_ 1/10/25 \_\_\_\_\_  
Date





021  
EL  
AHAM

02-029-0023  
HERITAGE LAND  
HOLDINGS LLC

02-029-0046  
HJA LLC

02-029-0027  
CACHE COUNTY  
SCHOOL DISTRICT

02-029-0022  
HERITAGE LAND  
HOLDINGS LLC

02-301-0091  
W RILEY &  
LYA LABRUM

02-302-3102  
ANITA & CRAIG  
LINDSTROM

02-302-2301  
FRACTA

02-301-0087  
ANGELINA  
EDERSEN

02-302-4102

02-301-0084  
STEVEN F GORMAN

CAROLYN I BUNKER  
LIVING TRUST

02-302

02-029-0028  
HERITAGE PROPERTY  
SOLUTIONS LLC

02-301-COMM TERENCE

02-029-0029  
CHURCH OF JESUS CHRIST  
OF LATTER-DAY SAINTS

02-180-0115  
JACOB & EMILY  
INTERSON

02-180-0114  
JARMAN LYLE

02-180-0112  
ELAINE WINN FOLSOM  
10 REVOCABLE TRUST

02-180-8003  
PROVIDENCE CITY

02-180-0106  
DENNIS C SANT

02-180-0117  
OCT EQUITY  
LLC

02-180-0118  
NATHAN MILLER

02-180-0121  
ROBERT BREN  
CONSTANCE MAR

02-092-0069  
RICHARD S &  
KAREN A JOHNSON

02-180-0080  
TANYA HILL

**RIVER HEIGHTS CITY**

520 South 500 East \* 435-752-2646

**Application for Project Review**

**Type of Application**

Subdivision     Minor Subdivision     Flag Lot     Rezone     Boundary Adjustment  
 Commercial Development     Commercial Parking

Applicant Phone Number email address  
**Kelly & Kay Taylor**

Mailing Address, City, State, Zip

Property Owner of Record Phone Number  
**K & K Taylor Revocable Trust (settlement date Feb 11)**

Mailing Address, City, State, Zip  
**same**

Project Name  
**Rezone Parcel 02-28-0046**

Property Address County Parcel ID Number  
**440 East 800 South** **02-28-0046**

Size of Lot Size of Building Number of Dwellings/Units/Lots  
**2.32 Acres** **NA** **NA**

- Describe the proposed project
- Rezone parcel from AG to R-1-8 in preparation for a future minor subdivision application.
  - The parcel is under contract with a Feb 11 settlement date between the Bird Family Trust and the K & K Taylor Revocable Trust.

We certify we are the developer and record owner of this property and we consent to the submittal of application.  
**Kelly & Kay Taylor Jan 28, 2025**

Developer Date Property Owner Date

# Cache County Parcel Viewer (1 of 2)

Applicant property is outlined in red.

Downloaded: 10:21 pm, January 27, 2025

<https://gis.cachecounty.gov/Websites/Parcel%20and%20Zoning%20Viewer/>

