

# River Heights City

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## River Heights City PLANNING COMMISSION AGENDA

**Tuesday, January 14, 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

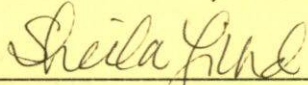
Public Hearing to Discuss a Conditional Use Permit Request from Yanira Leon Lopez, of 585 E 400 S, for an In-Home Daycare

Presentation of Development Plans for Parcel 02-028-0046, Located at Approximately 455 E 800 S

Review of Subdivision Checklist

Adjourn

Posted this 9<sup>th</sup> day of January 2025



Sheila Lind, Recorder

To join by Zoom: <https://us02web.zoom.us/j/86566817749>

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

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River Heights City Planning Commission  
Minutes of the Meeting  
January 14, 2025

Present: Commission members: Noel Cooley, Chairman  
Heather Lehnig  
Keenan Ryan  
Cindy Schaub  
Troy Wakefield

Mayor Blake Wright  
Recorder Sheila Lind  
Tech Staff Councilmember Chris Milbank

Others Present: Yanira Leon Lopez, Alexandra Aponte, Dru and Liz Taylor,  
Jim Andersen, Alan and Leslie Rigby, and Debra Banov

## Motions Made During the Meeting

### Motion #1

Commissioner Ryan moved to “approve the minutes of the December 10, 2024, Commission Meeting, as well as the evening’s agenda.” Commissioner Schaub seconded the motion, which carried with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.

### Motion #2

Commissioner Schaub moved to “approve the Conditional Use Permit Application dated December 10, 2025, from Yanira Leon Lopez with the following conditions: maximum of eight children, hours of operation between 5:00am and 5:00pm, drop off and pick up times staged, and when she moves from the premise the permit will go away. Commissioner Ryan seconded the motion, which carried with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.

## Proceedings of the Meeting

The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers on January 14, 2025.

### Pledge of Allegiance

Adoption of Prior Minutes and Agenda: Minutes for the December 10, 2024, Planning Commission Meeting were reviewed.

Commissioner Ryan moved to “approve the minutes of the December 10, 2024, Commission Meeting, as well as the evening’s agenda.” Commissioner Schaub seconded the motion, which carried with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.

45 Public Comment on Land Use: There was none.

46 Public Hearing to Discuss a Conditional Use Permit Request from Yanira Leon Lopez, of 585 E  
47 400 S, for an In-Home Daycare: Yanira Leon Lopez explained, through an interpreter, she is renting a  
48 home in River Heights and would like permission to have a daycare. She would take no more than  
49 eight children between the hours of 5:30am and 5:00pm. Parents would pull into her driveway to  
50 drop their children off at staggered times. There was no public comment.

51 It was verified that the owner of the home had signed the application. No written comments  
52 had been submitted.

53 It was further explained that Ms. Lopez would watch children from ages 1-12. She would take  
54 the school age children to school and only have the babies during the day. Her mom would be living  
55 with her and help with the children. The backyard of the property was fully fenced. The home had  
56 passed a fire inspection for a daycare.

57 Mayor Wright asked if the eight children included the school children. Ms. Lopez affirmed.

58 **Commissioner Schaub moved to “approve the Conditional Use Permit Application dated**  
59 **December 10, 2025, from Yanira Leon Lopez with the following conditions: maximum of eight**  
60 **children, hours of operation between 5:00am and 5:00pm, drop off and pick up times staged, and**  
61 **when she moves from the premise the permit will go away. Commissioner Ryan seconded the**  
62 **motion, which carried with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.**

63 Commissioner Cooley explained to Ms. Lopez that the conditional use permit would become  
64 effective at their next meeting after the minutes were approved.

65 Ms. Lopez asked if she could begin watching children before January 28<sup>th</sup>. Recorder Lind  
66 invited her to come into the office tomorrow and she would work with her.

67 Presentation of Development Plans for Parcel 02-028-0046, Located at Approximately 455 E  
68 800 S: Commissioner Cooley stated the Taylors were invited to address the commission for the  
69 purpose of presenting their idea and gaining direction.

70 Dru Taylor said his parents had entered a 30-day due diligence agreement and were  
71 interested in the feasibility of building three homes on the property. His handout showed photos of  
72 the property, and street, and included a couple examples of layouts of the land. He explained their  
73 plan to have groundwater tests done, stub water and sewer to each lot, and address irrigation issues  
74 on the property.

75 Mr. Taylor asked if the property could be rezoned to R-1-12. He was told they could apply for  
76 a rezone at the city office. Commissioner Ryan pointed out that the surrounding residential zones  
77 were R-1-8. Applying for R-1-8 would not restrict their lot sizes if they wanted to go larger. Mayor  
78 Wright pointed out that the General Plan would need to be amended since it showed the property as  
79 agricultural. He recommended they request R-1-8, to set precedence for the other properties.

80 Commissioner Wakefield was concerned about the idea of a flag lot. It was determined that  
81 their development would be considered as a minor subdivision.

82 Commissioner Cooley advised the Taylors to review the code addressing private lanes. Mayor  
83 Wright pointed them to 11-6-4:A.2. In the case of a private lane the property owners would take care  
84 of the street.

85 Mayor Wright suggested having all the lots access the private road (option 1). Mr. Taylor  
86 agreed. A 26’ right of way was required with two or three houses.

87 Mr. Taylor asked about municipal requirements. Mayor Wright said the fire marshal might  
88 require a turnaround on lot 2. They discussed the distance needed from a hydrant.

Commissioner Cooley suggested they meet with the city engineer on the requirements.

Commissioner Lehnig asked about the need for a sidewalk along 800 South. Commissioner Cooley said this would be decided by the mayor and council. Mayor Wright said Taylor's would be responsible for curb, gutter, sidewalk, and any required asphalt.

Councilmember Milbank suggested they pipe the irrigation ditch.

Mr. Taylor asked about the application to approach the DRC. Commissioner Cooley said they would apply for a minor subdivision, which would initiate the process.

Commissioner Cooley explained that the first step was to apply for a rezone. The commission would then hold a public hearing and make a recommendation to the city council. After the council's approval, they would apply for the minor subdivision.

Mayor Wright reiterated that they should get with the city engineer right away.

Commissioner Schaub suggested no basements if they found a high-water table. Mr. Taylor agreed.

Commissioner Cooley said the DRC would need to have a detailed preliminary plat. The new timeline was very short, based on guidelines from the state. The plan would need to conform to every requirement in the city code.

Review of Subdivision Checklist: Commissioner Cooley stated the council didn't approve the RPUD zone for Heritage. Due to this, he drafted a more customized subdivision list for their property. Commissioner Ryan noted the process for subdivisions and PUDs was basically the same.

Commissioner Cooley reminded the commissioners that they would only have one cut at reviewing applications, in their role as the ALUA, before it was out of their hands.

Commissioner Cooley informed that a chair and vice chair would need to be appointed at their next meeting for 2025. He said he wouldn't be able to attend the next meeting but would support any other commissioners who wanted to serve as chair.

Recorder Lind stated that Heritage had turned in a rezone application and was hoping to get on the Commission's next agenda.

The meeting adjourned at 7:35 p.m.

  
Sheila Lind, Recorder

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Noel Cooley, Commission Chair

# River Heights City Conditional Use Application

For office use	
Date Received:	<u>12/10/24</u>
Hearing Date:	<u>1/14/25</u>
Amount Paid:	<u>100-</u>
Approved	Denied

### APPLICANT

Name: Yanira León Lopez

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ email: \_\_\_\_\_

Please check one of the following:  owner  buyer  renter  agent  other

### PROJECT INFORMATION

Name: Yanira León Lopez

Address/Location: 585 E 400 S, River Heights 84321

Property Tax ID: \_\_\_\_\_ Existing Zone: R-1-8

What is the current use of the property? Day care residential

How many employees will be working at this location including applicant, immediate family, and non-family members? 2 (applicant & mother) lives in home

How many vehicles will be coming and going daily, weekly, or monthly? 5 cars

I agree to abide by the River Heights City Parking Ordinance (10-14). Initial YLL

I agree to abide by the River Heights City Sign Ordinance (10-16). Initial YLL

Description of Request: My name is Yanira León Lopez and I own a daycare. I care for 8 children. I'll be moving to the property in River Heights by January and I wanted to explain the plan on how things work. Daily 5 vehicles would come to leave and pick up kids; this mentioned will not occur at the same time, vehicles will come and go at different times. This will be done in the drive way to prevent vehicle congestion and or blocking areas and unauthorized properties. Everything will be organized properly for the best of everyone.

### SUBMITTAL REQUIREMENTS

Completed and signed application form

\$100 application fee

8 1/2 x 11 copy of plans

Provide a Fire Protection evaluation from the fire department.

# Taylor Family Home Plans “Bird Family Trust Property”

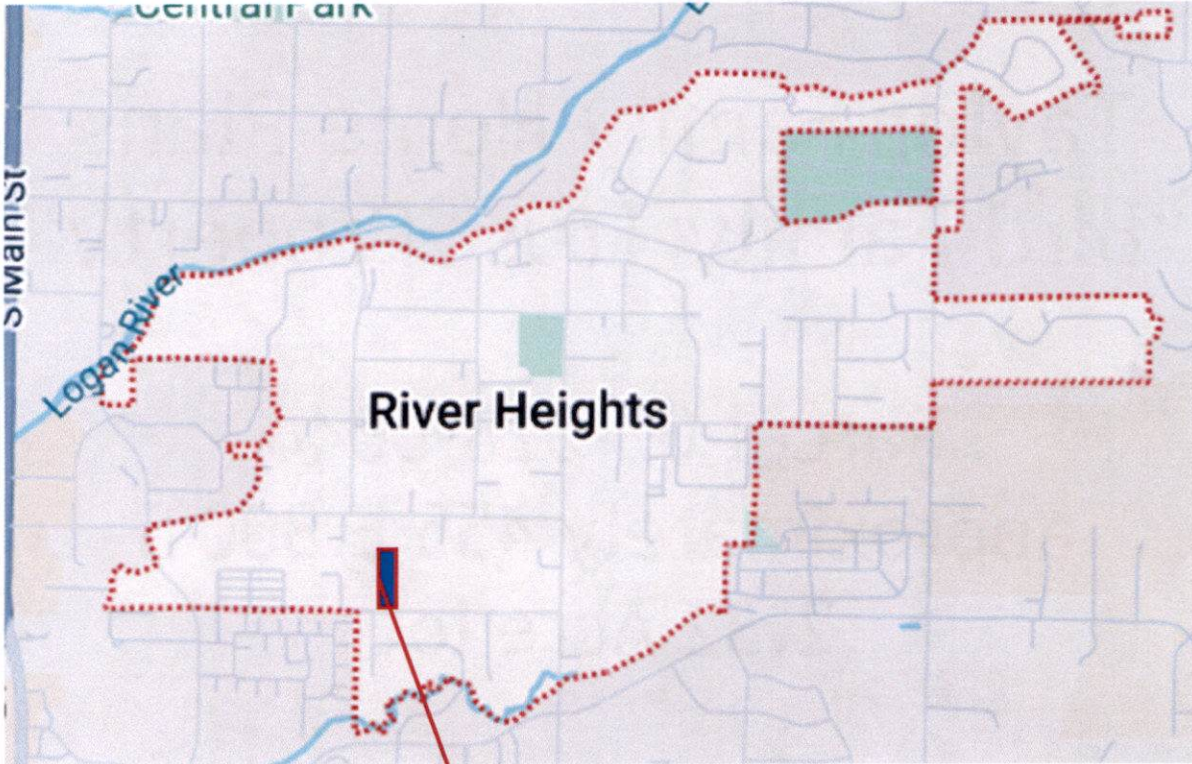
Parcel 02-028-0046  
approximately 455 E 800 S  
2.32 Acre lot

## **Initial Discovery Meeting**

Kelly & Kay Taylor  
Dru & Liz Taylor  
Ivan & Debra (Taylor) Banov

Jan 14, 2025

# Location in River Heights



# A Few Photos



South View, Mid Property



South View, Top of Property



Southwest Corner



Southwest Corner



Irrigation Ditch



# 800 South



West View



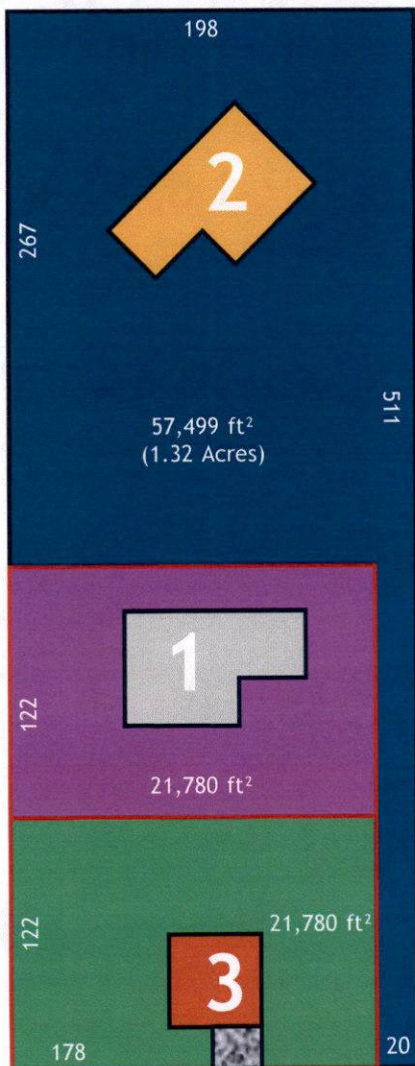
East View

**Objective:**

Determine feasibility of adding 3 homes to serve as residences of Taylor families on the Bird Family Trust lot (parcel 02-028-0046) located at approximately 455 E 800 S.

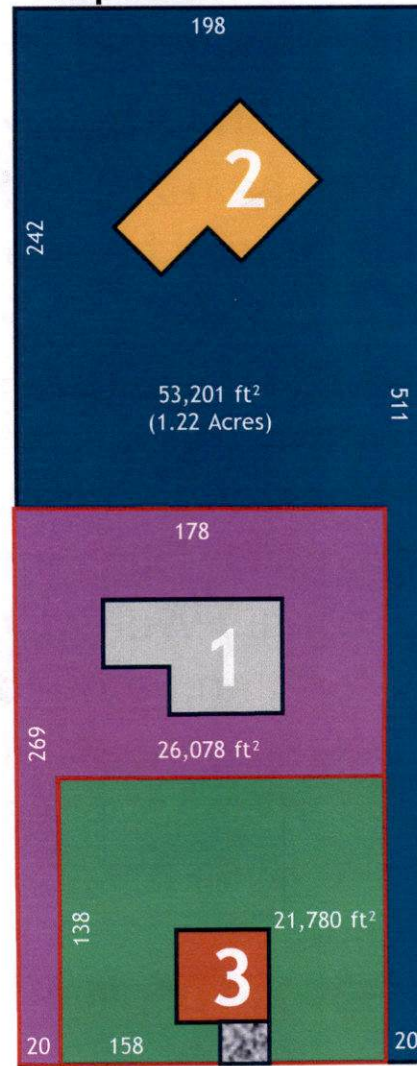
# 2 Layouts for Consideration

Option 1  
3 Homes  
Shared Private Lane



800 South

3 Homes  
Option 2  
Separate Drives



800 South

Scale: 1 in = 100 feet



### **Property Summary:**

- 1) Under contract, in Due Diligence until Feb 7.
- 2) 2.32 acres, 200' x 511', 20' elevation.
- 3) 200' width borders 800 South.
- 4) High water table.
- 5) Not in a flood zone.
- 6) 800 South irrigation ditch runs along the property.
- 7) Located north of Stone Creek neighborhood

### **Question for the Planning Commission:**

- 1) Can land be rezoned from AG/GB to R-1-8, 10, or 12?
- 2) Can the parcel be subdivided into 2 lots accessed by one private lane (11-6-4)?
- 3) Would this constitute a Flag Lot and need a Conditional Use Permit?
- 4) Confirmation of municipal requirements:
  - a. Irrigation Ditch Improvement
  - b. Culinary Water Connection
  - c. Storm and ground water management
  - d. Sewer Connection
  - e. Open Space Preservation
  - f. Fire Systems
  - g. Other?
- 5) Where is the application for the DRC?
- 6) Who is the City Attorney? Contact info?
- 7) Who is the Citizen Representative on the DRC?

# Summary

## Potential Plan

- 1) Receive guidance from Planning Commission.
- 2) Water Table Assessment.
- 3) Complete purchase after Due Diligence, Feb 7.
- 4) Rezone application to the Planning Commission.
- 5) Apply for a Conditional Use Permit for Flag Lots.
- 6) Submit Minor Subdivision application to DRC.
- 7) Stub utilities to 3 home sites.
- 8) Address irrigation water issues on the property.
- 9) Add any necessary municipal requirements.
- 10) Lay driveways/private lane(s).
- 11) Begin Home 1 as soon as possible.
- 12) Begin Homes 2 & 3 when financing is completed.
- 13) Plant beautiful trees, shrubbery, and grasses.
- 14) Preserve open and quiet spaces for residential living. (2-4-3 , 2-4-1)

## Contact Information:

### Kelly & Kay Taylor

kellytaylor2007@gmail.com, 214.882.3825

kjtaylor2000@tx.rr.com, 972.345.5801

### Dru & Liz Taylor

jayd623@gmail.com, 972.345.5860

liztaylor105@gmail.com, 435.757.9971

### Ivan & Debra (Taylor) Banov

debrataylor22@gmail.com, 972.977.6325

ivan\_Banov@hotmail.com, 715.781.4685

Yes

No

### Subdivision Review Check List



1. Has application been received and fees paid?



2. Is the property of the requested subdivision located in the appropriate zone? Is land zoned for the type of subdivision?



3. Has Seven (7) 11"x17" hard copies and one (1) digital copy in pdf format of the preliminary plat shall be submitted to the city for review by the ALUA.?



4. Does the Preliminary Plat show the Basic Information of 11-4-2-F.1



5. Does information on the preliminary plat provided show the existing Conditions as stated in 11-4-2-F.2?



6. Is a site analysis included in the preliminary plat? See 11-4-2.F.3



7. Is a site visit completed and AULA is satisfied? See 11-4-2-F.4



8. Proposed Plan: The preliminary plat shall also show all appropriate and pertinent information required to facilitate a thorough review process. See 11-4-2-F.5.



9. Standards: Does the layout of streets, sewers, water mains, lots sizes meet the River Heights design standards?



10. Has applicant provided all the necessary agreements with utility, county fire marshal, and any service provider for River Heights City?



11. Does the AULA (P&Z) have any concerns that need to be addressed and written to past to the DRC?

Yes

No

### RPUD Subdivision Review Check List



1. Has application been received and fees paid?



2. Is the property of the requested subdivision located in the RPUD zone?



3. Regulation: Does the preliminary plat meet and show all the requirements as stated in RPUD 10-10-2?



4. Does the preliminary plat meet all the requirements of the subdivision ordinance 11-4-2?



5. Does the Preliminary Plat show the connection of the existing stormwater system at the southwest corner of Cache County School District school to be conveyed to Spring Creek?



6. Has applicant obtained an expanded easement from Cache County School District for a water line from 600 South to subdivision property?



7. Has applicant shown the permission and permit obtained from Cache County to install sewer line on 600 East to 800 South?



8. Has applicant have a written approval from Waste Management for location of dumpster?



9. Does the preliminary plat design show compliance to section 2 .special conditions in the subdivision development agreement?



10. Have the additional requirements of 10-10-4.A thru 10-10-4-D been submitted and reviewed by the Planning commission?



11. Open Space: Does the preliminary plat show and meet the requirements of 10-10-5.A thru 10-10-5-E?



12. Does the AULA (P&Z) have any concerns that need to be addressed and written to past to the DRC?

Yes	No	<b>Subdivision Review Check List - Behind Church</b>
<input type="checkbox"/>	<input type="checkbox"/>	1. Has application been received and fees paid?
<input type="checkbox"/>	<input type="checkbox"/>	2. Is the property of the requested subdivision located in the appropriate zone? Is land zoned for the type of subdivision?
<input type="checkbox"/>	<input type="checkbox"/>	3. Has Seven (7) 11"x17" hard copies and one (1) digital copy in pdf format of the preliminary plat shall be submitted to the city for review by the ALUA.?
<input type="checkbox"/>	<input type="checkbox"/>	4. Does the Preliminary Plat show the Basic Information of 11-4-2-F.1
<input type="checkbox"/>	<input type="checkbox"/>	5. Does information on the preliminary plat provided show the existing Conditions as stated in 11-4-2-F.2?
<input type="checkbox"/>	<input type="checkbox"/>	6. Is a site analysis included in the preliminary plat? See 11-4-2.F.3
<input type="checkbox"/>	<input type="checkbox"/>	7. Is a site visit completed and AULA is satisfied? See 11-4-2-F.4
<input type="checkbox"/>	<input type="checkbox"/>	8. Proposed Plan: The preliminary plat shall also show all appropriate and pertinent information required to facilitate a thorough review process. See 11-4-2-F.5.
<input type="checkbox"/>	<input type="checkbox"/>	9. Standards: Does the layout of streets, sewers, water mains, lots sizes meet the River Heights design standards?
<input type="checkbox"/>	<input type="checkbox"/>	10. Has applicant provided all the necessary agreements with utility, county fire marshal, and any service provider for River Heights City?
<input type="checkbox"/>	<input type="checkbox"/>	11. Does the Preliminary Plat show the connection of the existing stormwater system at the southwest corner of Cache County School District school to be conveyed to Spring Creek?
<input type="checkbox"/>	<input type="checkbox"/>	12. Has applicant obtained an expanded easement from Cache County School District for a water line from 600 South to subdivision property?
<input type="checkbox"/>	<input type="checkbox"/>	13. Has applicant shown the permission and permit obtained from Cache County to connect to county road and install sewer line on 600 East to 800 South?
<input type="checkbox"/>	<input type="checkbox"/>	14. Does the AULA (P&Z) have any concerns that need to be addressed and written to past to the DRC?