

River Heights City

River Heights City PLANNING COMMISSION AGENDA

Tuesday, February 25, 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 Kennel Conditional Use Permit Application from Tammie McCormick

Public Hearing to Discuss a Conditional Use Permit from Stacey Hansen to Rent Space for a Photography Studio inside the Old School

Public Hearing to Discuss a Conditional Use Permit from David Thunell to Rent Space for an Office inside the Old School

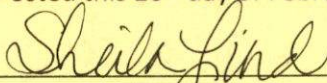
Public Hearing to Discuss a Conditional Use Permit from Amy Tidwell to Rent Space for a Pre-school inside the Old School

Discuss State Code Updates on Subdivision Review

Review Revised Applications for Subdivisions

Adjourn

Posted this 20th day of February 2025



Sheila Lind, Recorder

To join by Zoom: <https://us06web.zoom.us/j/84565449768>

Attachments for this meeting and previous meeting minutes can be found on the State's Public Notice Website (pmn.utah.gov) and at 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 25, 2025

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

Councilmember Mark Malmstrom
Recorder Sheila Lind

Others Present: Stacey Hansen, David Thunell, Shawn, Amy and Josie
Tidwell, Tammie McCormick, Bryan and Brittany Cascio

Motions Made During the Meeting

Motion #1

Commissioner Wakefield moved to “approve the minutes of the February 11, 2025, Commission Meeting, as well as the evening’s agenda.” Commissioner Ryan the motion, which carried with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.

Motion #2

Commissioner Ryan moved to “approve the Kennel Conditional Use Permit Request from Tammie McCormick to have 4 dogs with the following conditions:

1. Allowed three dogs and occasionally four,
2. Dogs let out into the fully fenced yard,
3. Dogs will be cleaned up after,
4. Review of 5-2-4 of the River Heights City Code, and
5. The Kennel Conditional Use Permit will go away when she moves from her home.

Commissioner Schaub seconded the motion, which carried with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.

Motion #3

Commissioner Wakefield moved to “approve Stacey Hansen’s Conditional Use Permit Request to locate her photography studio in the old school in the 18’x26’ room with the following conditions:

1. A signed contract would be in place with the property managers, and
2. Upon vacating the space, the Conditional Use Permit would go away.

Commissioner Ryan seconded the motion which carried with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.

45 Motion #4

46 Commissioner Wakefield moved to “approve David Thunell’s Conditional Use Permit Request
47 to locate his Total Tree Care business office in the old school with the following conditions:

- 48 1. Abide by the signed contract, and
49 2. Upon vacating the space the Conditional Use Permit would go away.

50 Commissioner Ryan seconded the motion which carried with Cooley, Lehnig, Ryan, Schaub,
51 and Wakefield in favor. No one opposed.

52

53 Motion #5

54 Commissioner Ryan moved to “approve Amy Tidwell’s Conditional Use Permit Request to
55 locate her preschool in the old school with the following conditions:

- 56 1. Obtain a River Heights City business license,
57 2. Adherence to the property manager’s contract, and
58 3. When she doesn’t renew her contract, the Conditional Use Permit would go away.

59 Commissioner Wakefield seconded the motion which carried with Cooley, Lehnig, Ryan,
60 Schaub, and Wakefield in favor. No one opposed.

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Proceedings of the Meeting

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65 The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council
66 Chambers on February 25, 2025.

67 Pledge of Allegiance

68 Adoption of Prior Minutes and Agenda: Minutes for the February 11, 2025, Planning
69 Commission Meeting were reviewed.

70 **Commissioner Wakefield moved to “approve the minutes of the February 11, 2025,
71 Commission Meeting, as well as the evening’s agenda.” Commissioner Ryan the motion, which
72 carried with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.**

73 Public Comment on Land Use: There was none.

74 Public Hearing to Discuss a Kennel Conditional Use Permit Application from Tammie

75 McCormick: Ms. McCormick explained that family members had recently moved in with her and
76 brought their dogs. She had an officer stop by to let her know that she needed a kennel permit. She
77 had three dogs living there and a fourth that would come and go.

78 Commissioner Cooley opened the public hearing. No one commented, however he read an
79 email he had received from Andrea Bullen, a neighbor, who was supportive and said Ms. McCormick
80 was responsible with her dogs and treated them well. She appreciated that she had a fully fenced
81 yard and the dogs were never let out to run around the neighborhood.

82 Commissioner Ryan (also a neighbor) agreed that she takes good care of her dogs.

83 Commissioner Cooley asked Ms. McCormick if she had read the city’s code pertaining to dog
84 care requirements. Ms. McCormick said she did not.

85 Commissioner Schaub asked Recorder Lind if there were any other comments or complaints
86 about the dogs. Ms. Lind stated that a neighbor brought it to the city’s attention that there were
87 several dogs living there and that there was sometimes a smell. Ms. McCormick said there couldn’t be
88 because they always clean up after the dogs.

80 Commissioner Ryan moved to “approve the Kennel Conditional Use Permit Request from
Tammie McCormick to have 4 dogs with the following conditions:

- 91 6. Allowed three dogs and occasionally four,
- 92 7. Dogs let out into the fully fenced yard,
- 93 8. Dogs will be cleaned up after,
- 94 9. Review of 5-2-4 of the River Heights City Code, and
- 95 10. The Kennel Conditional Use Permit will go away when she moves from her home.

96 Commissioner Schaub seconded the motion, which carried with Cooley, Lehnig, Ryan,
97 Schaub, and Wakefield in favor. No one opposed.

98 Public Hearing to Discuss a Conditional Use Permit from Stacey Hansen to Rent Space for a
99 Photography Studio inside the Old School: Ms. Hansen explained she had been a photographer in
100 business for over 15 years. Her work focused mostly on kids, families, and sports. She desired to
101 expand from a smaller space she was renting in Logan to grow her business.

102 There was no public comments.

103 Clarification was made on the building drawing that showed the room she was requesting and
104 its access. The space was one half of a school room with a partition separating the two sides. She was
105 agreeable to share a main door with David Thunell. They would both have their own individual doors
106 inside the main access.

107 Commissioner Wakefield asked Ms. Hansen if she were comfortable with the hours of the
108 building. She agreed. She said she had plans to do some remodeling to the room, which she would
109 work through with the property manager. The room didn’t have an official number yet but measured
18’x26.’

110 Commissioner Schaub asked Ms. Hansen what her operating hours would be. Ms. Hansen
111 responded, 3:00-8:00pm and weekends, as early as 9:00am. Clients would leave by 8:00 or 9:00pm at
112 the latest.

113 Commissioner Ryan asked about the building hours. It was determined that this was
114 something that would be spelled out in her contract with the property managers. The commission
115 didn’t need to put stipulations on the times.

116 Recorder Lind asked if she and the other potential renters were aware of the extreme warmth
117 in the summer months. They all said they were aware.

118 Commissioner Wakefield moved to “approve Stacey Hansen’s Conditional Use Permit
119 Request to locate her photography studio in the old school in the 18’x26’ room with the following
120 conditions:

- 121 3. A signed contract would be in place with the property managers and
- 122 4. Upon vacating the space, the Conditional Use Permit would go away.

123 Commissioner Ryan seconded the motion which carried with Cooley, Lehnig, Ryan, Schaub,
124 and Wakefield in favor. No one opposed.

125 Public Hearing to Discuss a Conditional Use Permit from David Thunell to Rent Space for an
126 Office inside the Old School: Mr. Thunell explained he was the general manager of Total Tree Care
127 and wanted to move his office from his home across the street to the old school. His plans included
128 moving a desk and a computer into the room. His business address would not be given to clients. He
129 would be the only one using the space, with the possibility of having a second employee in the future.
130 He may hold safety meetings in the space periodically. He didn’t foresee any cars parked at the
building since he would walk from across the street, as would others who may accompany him.

133 Brittany Cascio expressed support for David Thunell's request.
134 The room Mr. Thunell requested on his application had been changed.
135 He planned to work fluctuating hours and would abide by the hours dictated by the property
136 managers contract.

137 **Commissioner Wakefield moved to "approve David Thunell's Conditional Use Permit**
138 **Request to locate his Total Tree Care business office in the old school with the following conditions:**

- 139 **3. Abide by the signed contract, and**
140 **4. Upon vacating the space the Conditional Use Permit would go away.**

141 **Commissioner Ryan seconded the motion which carried with Cooley, Lehnig, Ryan, Schaub,**
142 **and Wakefield in favor. No one opposed.**

143 Public Hearing to Discuss a Conditional Use Permit from Amy Tidwell to Rent Space for a Pre-
144 school inside the Old School: Ms. Tidwell explained she had run a daycare and preschool in her River
145 Heights home for 25 years. She desired an additional space for a preschool for 2-4 kids, use it once a
146 year for a graduation, and a couple times a year for parent teacher conferences. She would hold
147 preschool classes from noon until 2:00pm but had requested 9-3 on her application. She would
148 transport the students in her van from her home to the school.

149 Brittany Cascio stated she was supportive of Ms. Tidwell's request. Her family lived next door
150 to Tidwells and said she ran her business very smoothly.

151 David Thunell expressed his support for having kids in the building.

152 Commissioner Schaub asked about how many people might show up to a graduation. Ms.
153 Tidwell responded that it would be the parents/families of 2-4 kids.

154 Commissioner Cooley asked Ms. Tidwell if she expected her student numbers to increase.
155 Josie Tidwell said their only students would be coming from the daycare in their home. She guessed
156 they might have 5-6 in next year's group. She explained they would be doing preschool activities and
157 have age-appropriate toys.

158 Commissioner Cooley asked if her students might be too noisy for the audiologist in the next
159 room. It was determined that the children would be in a structured environment and that the
160 audiologist had sound booths.

161 **Commissioner Ryan moved to "approve Amy Tidwell's Conditional Use Permit Request to**
162 **locate her preschool in the old school with the following conditions:**

- 163 **4. Obtain a River Heights City business license,**
164 **5. Adherence to the property manager's contract, and**
165 **6. When she doesn't renew her contract, the Conditional Use Permit would go away.**

166 **Commissioner Wakefield seconded the motion which carried with Cooley, Lehnig, Ryan,**
167 **Schaub, and Wakefield in favor. No one opposed.**

168 Discuss State Code Updates on Subdivision Review: Commissioner Cooley discussed his
169 recommended code changes to match state code, which detailed the number of days the city had to
170 respond to different stages of the subdivision process.

171 Commissioner Cooley pointed out that the changes in state code weren't available at the time
172 the city made their last revisions to the subdivision code.

173 Commissioner Cooley noted that many cities had included their planning commission chair on
174 their Development Review Committee (DRC). State code was specific that no council members could
175 be on the committee.

176 Commissioner Ryan expressed his support of suggested changes.

177 Mayor Wright said Attorney Jenkins was hesitant about putting the commission chair on the
ALUA and wanted to review the city's code.

179 Discussion was held on how the citizen planner would be chosen. Mayor Wright explained
180 that a name would be brought to the council for advice and consent.

181 They discussed eliminating the allowance of daycares in the old school since it required a
182 fenced area and modification to the bathroom facilities. Mayor Wright explained that he had a code
183 specialist analyze the bathroom situation and found out daycares are much more restrictive than
184 preschools. He didn't think it wise to have the city pay for renovations at this point.

185 The changes discussed would be on the March 11, 2025 agenda for a public hearing.

186 Review Revised Applications for Subdivisions: Commissioner Cooley went through and
187 explained a pre-application and checklist and then the preliminary plat application drafts. Recorder
188 Lind had given some comments. Mr. Cooley was concerned that the new applications be ready for
189 Heritage to apply.

190 Mayor Wright felt, with the help of the city engineer and public works director, they could
191 come to a final draft.

192 The Commissioners were in favor of the applications.

193 Mayor Wright read from 11-4-1:A about the preliminary plat requirements. He felt with or
194 without an updated application, the developers would still need to follow the code. Commissioner
195 Cooley said the application included some things that were less clear in the city code, such as design
196 standards and felt it was in the best interest of the developer to have the items listed.

197 Commissioner Ryan felt it was smart to list all the items at the front of the process to prevent
delays.

200 Discussion was held on listing the fees on the application. Recorder Lind had requested this to
help the application process go smoother.

201 Commissioner Cooley, Engineer Rasmussen and Public Works Director Nelson would work
202 together to fine tune the applications. Commissioner Cooley would forward a copy of the changes to
203 Attorney Jenkins for his review as well.

204 Mayor Wright reviewed 10-3-4:B and suggested including the addition of the planning
205 commission chair in the list, and adding a sentence at the end about the process for appointing a
206 citizen planner to be on the DRC.

207 Commissioner Cooley suggested modifying the General Plan to show the undeveloped
208 property on 800 South as "residential" rather than "agricultural."

209 Mayor Wright discussed Taylor's rezone request, which was denied by the City Council the
210 week before. He explained that the City Council had the ability to accept, deny, or modify a rezone
211 request. The city attorney said they could approve anything less restrictive than R-1-8 (such as R-1-10
212 or 12). Rather than start the rezone process over, Taylor's would go back to the City Council for
213 reconsideration.

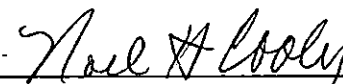
214 The meeting adjourned at 8:45 p.m.

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Noel Cooley, Commission Chair



Sheila Lind, Recorder

Public hearing date: Feb 25

River Heights City
Kennel Conditional Use Permit Application
The Keeping of Three or More Dogs

Name of Dog Owner: Tammie McCormick Date: 2/8/25

Phone #: _____ Email: _____

Address: 398 S 700 E River Heights 84321

Number of dogs requested: 4 Property for animal support (sq ft): 0.29 acres

Description of shelter provided, care of animals, etc: The dogs live inside the home they do go outside for potty & play and ~~but~~ they are let out into my fully fenced backyard. They are not out alone they are good dogs.

Prop ID: 02-140-0005

Application fee is \$100 and is nonrefundable.

Date paid 2/10/25 Check number cash By Sy

After receipt of the application and fee, the city will schedule a public hearing with the Planning Commission, within one month. Neighbors within 300 feet of your property will be notified of your request, intent and of the hearing.

If granted, the conditional use permit shall be on indefinite duration, non-transferrable but subject to revocation for violation of City Code or regulation, or failure to meet imposed conditions. Revocation will be only by majority vote of the River Heights City Council after written notice to the permit holder has been served and a hearing has been held.

River Heights City Conditional Use Application

For office use	
Date Received:	<u>2/5/25</u>
Hearing Date:	<u>2/25/25</u>
Amount Paid:	<u>100</u>
Approved _____	Denied _____

APPLICANT

Name: Stacey Hansen Photography
Mailing Address: 1231 W 6710 S HYRUM UT 84319
Phone: _____ email: _____
Please check one of the following: owner buyer renter agent other

PROJECT INFORMATION

Name: Stacey Hansen Photography Studio
Address/Location: old river heights elementary
Property Tax ID: 02-022-0007 Existing Zone: ~~residential?~~
parks/rec
What is the current use of the property? vacant
How many employees will be working at this location including applicant, immediate family, and non-family members? 1

How many vehicles will be coming and going daily, weekly, or monthly? 1-20 seasonal
I agree to abide by the River Heights City Parking Ordinance (10-14). Initial SHH
I agree to abide by the River Heights City Sign Ordinance (10-16). Initial SHH

Description of Request: See attached for dng:
Photography studio for newborns, kids, cake smash, family, senior and other photography sessions. We do in door studio photography with our own lighting, BackDrop and prop collection. Been in business for 15 years and looking for a larger studio to enable us to have adequate space.

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. Not sure how to get this. Need access to arrange.

River Heights City Conditional Use Application

For office use	
Date Received:	<u>2/10/25</u>
Hearing Date:	<u>2/25/25</u>
Amount Paid:	_____
Approved	_____ Denied _____

APPLICANT

Name: David Thunell, Total Tree Care

Mailing Address: 529 E 400 S

Phone: _____ email: _____

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

PROJECT INFORMATION

Name: Old River Heights Elementary School

Address/Location: 420 S 500 E

Property Tax ID: 02-022-0007 Existing Zone: parkus/rec

What is the current use of the property? _____

How many employees will be working at this location including applicant, immediate family, and non-family members? 1-2

How many vehicles will be coming and going daily, weekly, or monthly? 0-1

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

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

Description of Request: _____

Use of a vacant classroom in the old school as an office; clients/
customers of the business will not be given the office address or
come to this office.

SUBMITTAL REQUIREMENTS

Completed and signed application form

\$100 application fee ck #2160

8 1/2 x 11 copy of plans

Provide a Fire Protection evaluation from the fire department.

River Heights City Conditional Use Application

For office use	
Date Received:	<u>2/11/25</u>
Hearing Date:	<u>2/25/25</u>
Amount Paid:	_____
Approved _____	Denied _____

APPLICANT

Name: Amy Tidwell
Mailing Address: 680 South 400 East
Phone: _____ email: _____
Please check one of the following: owner buyer renter agent other

PROJECT INFORMATION

Name: Bright Beginnings Preschool
Address/Location: 420 S 500 E
Property Tax ID: 02-022-0007 Existing Zone: parks/rec

What is the current use of the property? _____

How many employees will be working at this location including applicant, immediate family, and non-family members? 2-4

How many vehicles will be coming and going daily, weekly, or monthly? 1-2 daily - Just me + Josie

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

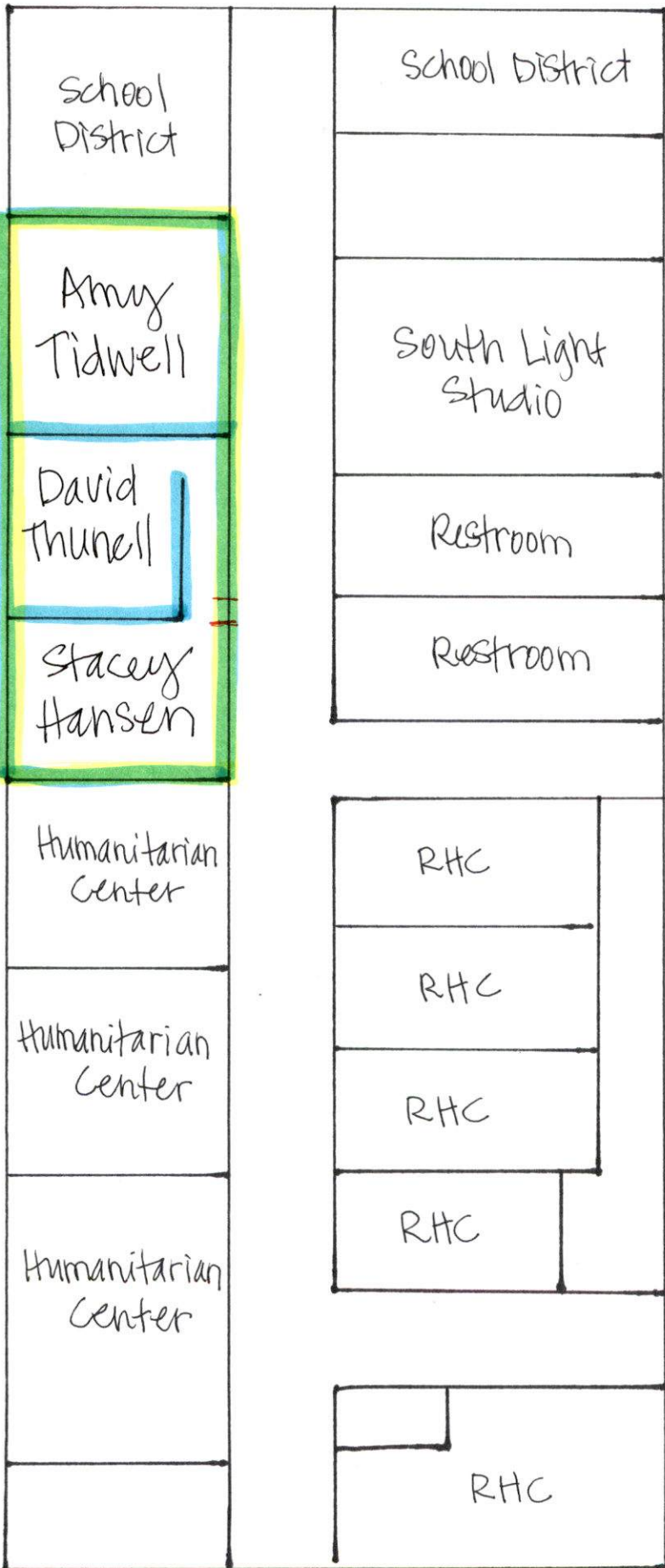
I agree to abide by the River Heights City Sign Ordinance (10-16). Initial AT

Description of Request: I would like to lease classroom #5, space #4 at the old River Heights Elementary for a Pre-K Class. Hours would be m-F 9-2:30 just for 2-3 hours at a time. All transportation would be just me + my daughter Josie. We will transport them from my in-home childcare/preschool to this classroom for the Pre-K class. I would also use part of the space for preparing my lessons. Also would be used for parent teacher meetings. It would also

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.

Be for just
2-4 children a
a time.



River Heights
Old School

400 South

500 East

Suggested Code Changes
Feb 25, 2025

10-11-6:G. Allowed Uses Specific to 420 S 500 E
7. Daycare/preschool

11-4-1.5.b b. Additional Time for Review. If the applicant does not submit a revised plan within twenty (20) 40 business days after notification by the ALUA that a modification or correction is required, the ALUA shall have an additional twenty (20 40) business days to respond.

11-4-~~1~~.C The planning commission shall review the preliminary plat and may visit the site of the proposed subdivision if deemed appropriate. The applicant must submit the application within 16 business days prior to a scheduled planning commission meeting. The planning commission must review the subdivision application within ~~15~~ 30 business days from the date a complete application has been received.

11-4-3-C.2 The DRC shall complete a review of the plat within twenty ~~20~~ 40 business days per review cycle after it is submitted for review. If the final plat complies, the city engineer shall sign the plat in the appropriate signature block. If the final plat or the construction plans do not comply, they shall be returned to the developer with comment.

11-5-2-B The Review Cycle is Capped. A maximum of three review cycles is permitted for determination of final approval. The DRC must complete each review cycle within ~~20~~ 30 business days following submittal and acceptance of the original application, and ~~20~~ 30 days for each subsequent review cycle as applicable.

11-2-1 DRC The administrative land use authority responsible for receiving, reviewing and considering final plat and minor subdivision applications. If all requirements and standards are met, the DRC shall issue final plat approval. The ~~committee~~ ^{commission} is comprised of the city attorney, public works director, city engineer, planning and zoning chair, and a citizen planner with demonstrated experience, education, certification and knowledge in city planning and land use planning. These individuals are to provide their respective expertise in the technical and policy requirements and standards regarding development applications subject to the development review provisions of this title and other city ordinances. (6-2024, 11-19-24)

10-3-4:B "add ^{person} PC chair" in the list end

Last sentence of

The mayor shall nominate + appoint a citizen planner ^{and a chairperson of the DRC} with the advice and consent of the City Council.