

1 Minutes of the **Regular Meeting** of the **Riverdale Planning Commission** held Tuesday, **February 14,**
2 **2006** at 6:30 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive, Riverdale, Utah.

3
4 **Members Present:** Don Farr, Chair
5 Don Hunt
6 Allen Miller
7 Norm Searle
8 Bart Stevens
9 Kathy Tanner

10 **Others Present:** Randy Daily, Community Development Administrator
11 Jan Ukena, City Planner
12 Steve Brooks, City Attorney
13 Doug Illum, Fire Chief
14 Dave Hansen, Police Lieutenant
15 Michelle Douglas, Planning Commission Secretary
16 John Noorlander Carla Noorlander Roy Miller
17 Marsha Vogrinic Philip Paskett Van Gilbert
18 Toni Gilbert Gary Griffiths Marian Griffiths
19 Sterling Bennion Pat Crezee Kevin Crezee
20 Cherie Crezee Perry Hunter Robert Bommer
21 Joyce Hamilton Robert Hamilton Kiley Cox
22 Ruth Van Erden Ken Reed Delbert Helm
23 Sheila Helm Brian Jackson Terry Fausett
24 Mellody Fausett Elgin Charlesworth Lee Cammack
25 Ivan Ray Jim Dance Jody Dance
26 Michael Haggerty Michelle Haggerty Cort Walker
27 Richard Morrison Gary Phillis Barbara Phillis
28 Lee Kapaloski Robert Barton David Coles
29 Scott Paxman Kim Morrison Kathy Eskelsen
30 Jared Wright Stacey Haws Clay Schmalz
31 Ray Gibbons Alice Gibbons Devin Fausett
32 Ron Pollard Greg Baptist Eileen Poulsen
33 Kent Hill Lorin Parks Leland Marttineau
34 Bob Jones
35

36 Chair Farr called the meeting to order and welcomed all those in attendance. He acknowledged that
37 all members were in attendance and welcomed Staff.
38

39 **Consideration of Minutes**

40 **Motion** Commissioner Hunt moved to approve the minutes of the preplanning work session of
41 January 10, 2006 as proposed; for approval of the minutes of the preplanning work
42 session of January 24, 2006 as proposed; and for the regular meeting of January 24,
43 2006 as proposed; and to waive the reading. Commissioner Tanner seconded the motion;
44 the motion passed unanimously.
45

1 **Conditional Use Permit for an Automotive Business Office located at 4600 South 900 West,**
2 **Bommer Motor Company**

3 Mr. Robert Bommer was present at the meeting to discuss his conditional use permit for an
4 automotive business office located at 4600 South 900 West, which is the old OEM site that is
5 located next to Petersen Marine.

6
7 Mr. Bommer informed the Commission that the proposed business location is a location where he
8 would store his paperwork, have a desk and a filing cabinet. He went on to say he takes his business
9 to other dealerships, which is wholesaling automobiles.

10
11 Chair Farr inquired if Mr. Bommer's business included the sale of automotive parts. Mr. Bommer
12 indicated that it does not; he only wholesales automobiles. It was inquired if Mr. Bommer brings
13 the automobiles to his place of business. Mr. Bommer informed the Commission that he does keep a
14 few automobiles at the location sometimes; however, the majority of his business is conducted at
15 the Salt Lake City Auction.

16
17 Chair Farr referred to the photograph, which was provided to the Commission. He inquired if the
18 items in the parking area were his. Mr. Bommer explained the items in the parking area were boats
19 for Petersen Marine and the other items were automobile for Ken Garff's impound lot. He noted
20 that he only has the outer part of the parking area, which is to the far west.

21
22 **Motion** Commissioner Tanner moved to approve the Conditional Use Permit for Bommer Motor
23 Company located at 4600 South 900 West with the condition of **limited** display area and
24 there not be more than two customers at one time. Commissioner Miller seconded the
25 motion. The motion passed unanimously.

26
27 **Final Site Plan for Check City located at 985 West Riverdale Road.**

28 Mr. Cort Walker was present at the meeting to discuss the final site plan for Check City located at
29 985 West Riverdale Road.

30
31 Chair Farr said it appears the final site plan has everything in order. The City has a letter from
32 UDOT approving an access onto Riverdale Road. In addition, the City's Engineer has provided a
33 letter of their approval for the site plan. Mr. Walker added they also have an additional letter of
34 approval from UDOT allowing them to connect into the sewer on Riverdale Road after hours.

35
36 Commissioner Tanner questioned what type of signage would be utilized for the site. She asked if
37 there would only be signage on the building or would there be additional signage. Mr. Walker
38 informed the Commission he is not aware of any additional signage other than the signage on the
39 building. However, at some time, there may be a monument sign.

40
41 It was inquired how many tenants the building would accommodate. Mr. Walker explained the
42 building was designed to accommodate four tenants. As of right now, they have three tenants:
43 Check City, Supercuts and Verizon; they are looking at a fourth tenant.

1 Chair Farr inquired if the one front entrance would be okay. Mrs. Ukena explained to the
2 Commission that UDOT has approved the access; in addition, a piece of property cannot be
3 landlocked.

4
5 Commissioner Hunt said he realized the issues have been addressed; however, he had a question
6 which correlated with the Riverdale Road widening project. He inquired when the widening project
7 takes place, will it have any affect on the proposed project. Mr. Walker indicated that he is not
8 with the architectural firm, and he did not have the answer to that question.

9
10 Mrs. Ukena informed the Commission her understating is they will be removing the merge lane at
11 1050 West and that lane will become the third lane, which should not affect Check City's site.
12 However, things change all the time.

13
14 Commissioner Hunt inquired if the site plan were affected, how would it specifically affect the
15 landscaping and parking. Mrs. Ukena explained that the Commission could not base their decisions
16 on "what could happen in the future." It would be a taking by the State. Mrs. Ukena indicated the
17 site's landscaping could be impacted; she said the landscaping could drop down to 18 percent at the
18 most and she did not believe the parking would be affected at all.

19
20 **Motion:** Commissioner Miller moved to recommend to the City Council final site plan approval for
21 Check City located at 985 West Riverdale Road. Commissioner Searle seconded the motion.
22 The motion passed unanimously.

23
24 **Public Hearing for a proposed application to develop a Planned Residential Unit Development**
25 **(PRUD), Peacock Ridge, located at approximately 5633 South 1200 West**

26 **Public Hearing**

27 Chair Farr explained a public hearing is necessary to receive comments from the citizens of
28 Riverdale concerning the proposed application to develop a Planned Residential Unit Development
29 (PRUD), Peacock Ridge, located at approximately 5633 South 1200 West.

30
31 He went on to say he would like to make a note that the City has done all necessary public
32 notifications and he affirmed that he had proof of publication. Chair Farr explained to all those in
33 attendance that a public comment sheet has been provided; and if an individual would like to speak,
34 he asked that they fill out the sheet and turn it in. In addition, if an individual is speaking for a
35 group, could they please place everyone's name that is being spoken for on the one public comment
36 sheet. He then opened the public hearing for public comment at approximately 6:45 p.m.

37
38 Chair Farr invited staff to present the proposed development to the Planning Commission and all
39 those in attendance. Mrs. Ukena informed all those in attendance that the proposed development,
40 Peacock Ridge, is located at approximately 5633 South 1200 West; the property is zoned R-2; the
41 proposed development will be accessed by a road that will come into the existing cul-de-sac on 1200
42 West and it will have an additional access by taking out lot 67 of the Craig Dale Subdivision. Mrs.
43 Ukena indicated that the density of the proposed subdivision is not a problem; if Mr. Hill proposed a
44 subdivision under the regular R-2 standards, he could develop more homes. She explained that Mr.
45 Hill's proposed density for Peacock Ridge is 28 homes.

1 Mrs. Ukena referred to a document, which the City received from the Davis-Weber Canal Company
2 on Monday, February 13, 2006, and the Planning Commission just received this evening. The
3 document is a 1988 land study from Mike Lowe, whom she believes is the State Geologist at this
4 time. Mrs. Ukena noted the study outlines the areas for possible slope failure. Mrs. Ukena
5 presented Mr. Hill with a copy of the study at this time.
6

7 Chair Farr said at this time he would turn the time over to the petitioner so he may explain what he
8 is doing. He asked all those in attendance that they allow the petitioner to talk and then those in
9 attendance would have the opportunity to make their comments and ask their questions.
10

11 Mr. Kent Hill addressed all those in attendance. He explained they originally started the proposed
12 project two years ago. He went on to say they bought the property and came into the Planning
13 Commission and asked some basic questions and the Planning Commission said if they did some
14 things, it would be okay to build on the property. Mr. Hill stated they did those things and
15 answered all the questions. He went on to say they asked Mr. Daily and he (Mr. Daily) did not see
16 any problems so they closed on all the properties. Mr. Hill recalled they had a yard meeting in the
17 community and they got crucified.
18

19 Mr. Hill explained since the yard meeting, they have done a lot of work. He noted they are aware of
20 their concerns. There was a canal break in 1999, and they know what caused the canal to break.
21

22 Mr. Hill introduced the individuals of the team that were present and would be available to explain
23 and answer questions pertaining to the proposed development. Mr. Lorin Parks; Bob Barton,
24 Earthtec; Kent Hill; Leland Marttineau, Pinnacle Engineering; and Perry Hunter, real estate expert
25 and appraiser.
26

27 Mr. Hill informed all those in attendance they offered to sell their property to the City, the Canal
28 Company, and the adjacent property owners. He explained they offered the property under market
29 value (approximately \$17,000 per 1/3 acre), and they received one phone call. He went on to
30 explain the phone call was not to purchase the property but to ask a question. Mr. Hill indicated if
31 someone wants to buy the property, they will sell it; however, their last option is to develop the
32 property, which is their right.
33

34 Mr. Hill said they have looked at what is the best way to develop the property, which in his opinion
35 is a PRUD, because it puts the least amount of improvements on the property; the majority of the
36 dwellings would be on one side; and it would allow them to control the landscaping of the property.
37 In addition, it controls any other development on the property.
38

39 Mr. Hill said they feel the project has some advantages to the City as well. It would reduce the
40 potential of fire damage. He pointed out that he has seen problems with people going up on the
41 hillside and individuals partying up in the area in question.
42

43 Mr. Hill noted there are some current runoff problems on the hillside. By doing the proposed
44 development, Mr. Hill indicated it would address and solve those runoff problems. In addition, the
45 proposed road runs along the bottom, on the front side of the hill, and the road would add to the
46 stability of the hillside; and it would correct some of the problems that have been created.

1 Mr. Hill informed all those in attendance that they met with the Canal Company about a week ago;
2 however, the Canal Company has not had a chance to look at all of their information. He explained
3 they have tried for approximately a year to meet and talk with the Canal Company.
4

5 Mr. Hill stated that a lot of people in the room know him, and he does not want to cause any
6 problems.
7

8 Mr. Leland Marttineau, Pinnacle Engineering, addressed all those in attendance. He explained the
9 proposed subdivision is done in two phases. It is planned to have a row of houses, recreation areas,
10 and the proposed plan shows a connection to the existing cul-de-sac. In addition, the road would
11 come and connect to 1200 West in Phase 2, which has additional recreational areas and open space.
12 Mr. Marttineau added one of the reasons the road goes all the way through the development is to
13 provide better access.
14

15 Mr. Marttineau indicated one of the things they were required to address was off-street parking.
16 He pointed out that they have enlarged each driveway to 30 feet wide so each lot would have three-
17 car parking.
18

19 Mr. Marttineau explained in order to make the development possible, they would have to put in place
20 a retaining wall for the roadway. He went on to show the Commission and those in attendance a
21 typical detail of the wall. Mr. Marttineau explained the road would be placed next to the wall, which
22 would retain some of the dirt. He added the homes would be built in three levels; the first level
23 would be the garage; the second level would be a living level and that is where an individual would
24 come out onto the back yard, which would have a retaining wall foundation based on the existing
25 slopes.
26

27 Discussion followed regarding the stability of the hillside. Mr. Marttineau indicated that was
28 another thing they had to address - whether or not the hillside was stable or not. Mr. Marttineau
29 stated that the geotech concluded that it is stable. However, people have expressed concern with
30 adding in the road, and it would not be stable. Mr. Marttineau discussed mudslides, what occurs and
31 the effects of mudslides. He concluded by explaining when more weight is added at the bottom end
32 of the hill, the more stability there would be, and they believe it would help the situation.
33

34 Mr. Marttineau informed all those in attendance that the proposed plan is the tenth preliminary
35 site plan and the plan is workable for more people. He stated in going through negotiations with the
36 Planning Commission and Staff, they have tried to address all of the concerns and at some point,
37 they have to propose something they know will work.
38

39 Mr. Bob Barton, Earthtec, addressed those in attendance and explained how they got involved with
40 the proposed project. He referred to the land study compiled by Mike Lowe from 1988, and he
41 explained the study takes into account everything from Riverdale City to the mouth of Weber
42 Canyon.
43

44 Mr. Barton explained the first thing they did was bring in a geology firm and determine if the
45 property has deltic deposits, which are water deposits. He went on to explain one of the reasons
46 the area is considered a land slide zone is because deltic deposits occur over a long period of time.

1 Mr. Barton went on to say in evaluating the property, they found two springs on the site. In
2 addition, the geology firm gave some criteria for developing the site and it was determined that the
3 toe of the slope had already been compromised.

4
5 Mr. Barton indicated the report was prepared and sent to the Utah Geological Survey (UGS); after
6 the UGS reviewed the report, it was determined that the UGS wanted some more information and
7 they wanted the report reviewed independently, which was already done. Mr. Barton stated they
8 received the report back, modified it, reanalyzed it, and sent it back to UGS.

9
10 Mr. Barton noted that the Canal Company has had Terracon Consulting Engineers doing a study as
11 well; however, they have not seen it. He went on to say if the site becomes saturated, it will
12 become borderline. Mr. Barton indicated the owners of the property are willing to work with the
13 Canal Company, and they do not want to compromise the area.

14
15 Mr. Barton presented a grid of the retaining wall that would be going back into the hillside, which
16 he referenced as a "MSC wall". He explained the retaining wall is not a regular retaining wall; if the
17 wall tried to push out, the wall would hold because of its design. He explained to all those in
18 attendance how the wall would be designed; he explained that the retaining wall material would be
19 similar to what was completed at Ruby River and the viaduct.

20
21 Discussion followed regarding draining. Mr. Barton explained that the two spring systems would
22 have to have a drainage system. In addition, the block wall and every house would have to have a
23 drainage system behind them as well.

24
25 Mr. Barton explained that each house will be specifically designed in order to have enough retainage
26 in order to support its required mass. Furthermore, during all construction, they will have engineers
27 on site to monitor all phases of the construction of the dwellings.

28
29 Mr. Barton said their analysis shows the entire hillside shows it will support the hillside; however,
30 they will have to grade the site to prevent mudslides.

31
32 Mr. Marttineau added with water being a concern, they designed a system that would go through
33 the road down to 1200 West to an existing storm drain. In addition, they will provide connections
34 for land drains so they will provide subsurface land drains for each home.

35
36 Mr. Perry Hunter addressed those in attendance regarding real estate values and appraisals. He
37 explained evaluations take into account how the dwellings are built and affected by adverse
38 conditions around them. In his opinion, the proposed development would increase the value of the
39 homes around it. He noted that the proposed project was over engineered; however, they could
40 build 40 homes under the R-2 designation and they are only proposing to build 28 homes. He said
41 they are concerned about doing the development right.

42
43 Mr. Lorin Parks explained when they first approached the City, they didn't know an engineer and
44 they asked Mr. Daily for his recommendation; the first name he mentioned was Earthtec. He
45 explained that is why they went to Earthtec. Next, they went to Applied Geotech (Applied
46 Geotechnical Engineering Consultants), and they provided Applied Geotech with Earthtec's and Hill

1 Air Force Base's findings. He noted that Applied Geotech referenced Roy Water, the Davis-Weber
2 canal failure, the Pinebrook Subdivision, the baseline assessment, and the current topography,
3 which was prepared by Pinnacle Engineering. He said Applied Geotech did quite a bit of study and
4 then the report was forwarded to the State.

5
6 Mr. Parks referred to the Canal Company; he said they would like to applaud them for the work they
7 have done. He went on to say they have looked at the canal and it is completely piped in the area.
8 He referenced a quote in a letter sent to the City from Mr. Ivan Ray, Davis-Weber Canal Company,
9 which indicates the hillside is stable even under the most seismic conditions. Mr. Parks said he
10 thinks that means under earthquake conditions.

11
12 Mr. Parks referred to the Planning Commission minutes of May 11, 2004, and quoted the previous
13 Chair, Chair Limburg, "as far as a PRUD development, it is a good space..." Mr. Parks indicated that
14 they feel it is a good development too; it fits within the City's General Plan; under the R-2 zoning;
15 and they could put more dwellings in the proposed development. He finalized by indicating they
16 have answered all the questioned raised by the Planning Commission and Staff.

17
18 Chair Farr addressed the public; he indicated the time would be turned over to the public so they
19 may address their concerns or ask questions. He asked that individuals keep their comments to
20 three to five minutes unless an individual is speaking for a group of residents then he asked that
21 they keep it under a good timeframe.

22
23 **Ivan Ray, Davis-Weber Canal Company, 138 West 1300 North, Sunset**

24 Mr. Ivan Ray, Davis-Weber Canal Company, addressed the Planning Commission and indicated their
25 engineer Mr. Lee Cammack, J-U-B Engineers, was in attendance as well. He explained they have
26 been in consultation with the petitioners, Mr. Cammack and Mr. Pete Page. He went on to say the
27 reason they are present at the meeting is there are similar concerns that the residents are safe
28 and protected.

29
30 Mr. Ray explained they have completed a lot of work on the canal and they realize in the past the
31 canal was negligent; however, they have done the work. He went on to say they received a call from
32 Mr. Dave Marble, Dam Inspector of Echo Dam; and he explained they have been in consultation
33 with Mr. Marble since the mudslide occurred in South Weber. Mr. Ray gave details of the mudslide
34 in South Weber and explained when the mudslide occurred there was not any water in the canal at
35 that time. In addition, when they got into the repair of the canal, subsurface springs were found -
36 eight above the hill and 15/16 below.

37
38 Mr. Ray indicated that the Canal Company is a participant in the modification of the Echo Dam,
39 which is a 32 million dollar project, and Mr. Marble has expressed concern regarding the seismic
40 instability of the hillside. Mr. Marble informed Mr. Ray they would not want to put cuts into the
41 hillside. He noted in talking with Mr. Kent Hill, their development would place cuts into the hillside
42 about four feet (Mr. Hill corrected Mr. Ray and indicated the cuts would be approximately five
43 feet).

1 Mr. Ray explained Mr. Lee Cammack would present a synopsis and explain what is holding the pipe in
2 place. Finally, Mr. Ray indicated they have documentation, which they would like to present to the
3 Commission as a part of the record.

4
5 **Lee Cammack, J-U-B Engineering**

6 Mr. Lee Cammack, J-U-B Engineering, addressed the Planning Commission; he indicated their office
7 is located in Kaysville, Utah. He explained that Terracon is an engineering subcontractor for the
8 Canal Company and they have completed a lot of work. In addition, a lot of study has been
9 completed since 1999 and reports have been prepared and are on file in the State Engineers Office.
10 Mr. Cammack noted that those reports are available to the public and the petitioners have access
11 to those reports.

12
13 Mr. Cammack said they made a site visit to the area since their visit with the petitioner, and they
14 have concerns with the site. Mr. Cammack reported to the Commission the following concerns
15 regarding the site: he noted there is evidence of surface sliding, referred to previously by Mike
16 Lowe and the UGS. He stated based on their information, which they may not have all of the
17 information, the trenches utilized for the petitioner's study, ranged from five feet to 15 feet; and
18 based on their experience, trenches need to be deeper than what was dug to find irregularities to
19 find a more pervious layer. Mr. Cammack reiterated that they may not have all of the information.

20
21 Mr. Cammack recalled as previously mention by Mr. Ray, the Canal Company has gone to great
22 expense to improve the canal and if the hillside does become instable, the pipe could give away. Mr.
23 Cammack said if the pipe did give away, it could affect multiple entities, which he identified.

24
25 Mr. Cammack indicated there are valid concerns for the Planning Commission to look at, and he
26 asked that they get that information prior to making a decision. Chair Farr inquired if Staff has
27 received those concerns. Mr. Cammack indicated they have not as of yet; however, it will be
28 provided.

29
30 **Cherie Crezee, 5509 South 1200 West (also speaking for John and Carla Noorlander, 5648**
31 **South 1200 West)**

32 Mrs. Cherie Crezee addressed the Planning Commission regarding the concerns she and others in
33 the area have with Mr. Kent Hill's proposed PRUD, Peacock Ridge. She indicated that she had more
34 questions arise as the petitioners gave their presentation in addition to her other questions. She
35 inquired if she would have time to address all of her concerns. Chair Farr asked that she address
36 her original concerns, and they would see where they were at in regards to time.

37
38 The following is a transcription of the document provided by Mrs. Cherrie Creeze, which was
39 entered into the record.

40
41 Ladies and Gentlemen of the Planning Commission:

42
43 My name is Cherie Crezee. I am a resident of Riverdale City. My family currently resides at 5509
44 South 1200 West, which is the home next to the house currently owned by the developers at 5505
45 [South 1200 West]. It is my understanding this home was purchased with the intent of demolishing
46 it in order to make a through road for the Peacock Ridge PRUD.

1
2 I am here because I strongly oppose the construction of the Peacock Ridge PRUD. I feel it will
3 greatly impact our family, home and neighborhood.

4
5 I do not want to be a corner lot. We will be surrounded by road on 3 sides! Front, side and back.

6
7 Riverdale City's Health and Sanitation Ordinance, Chapter 5, "Nuisances" states: "An act which
8 affects three (3) or more persons in any of the ways specified in this subsection is still a nuisance
9 regardless of the extent to which the annoyance or damage inflicted on individuals is unequal...

10 [4. Nuisances] A condition which:

11 a. Wrongfully annoys, injures, or endangers the comfort, repose, health or safety of others; or
12 c. In any way renders other persons insecure in life, or in the use of property, and which affects
13 the rights of an entire community or neighborhood, although the extent of the damage may be
14 unequal." (1)

15
16 According to the plan presented by the developers at the Planning Commission meeting on January
17 10th [2006], it appears the proposed road will be less than 20 feet from our bedrooms, with only a 4
18 foot concrete wall and fence separating the two properties. Because of the elevation change from
19 1200 West to the top of the proposed road site, I fear for our safety and feel there is a real
20 potential for a vehicle to loose control and end up on our yard or home.

21
22 In addition, I am concerned about the integrity of our own yard once construction begins.

23
24 I believe the proposed road at 5505 [South] will be a nuisance in regards to increased traffic on 3
25 sides of our home, noise, and lights, which will shine in our bedroom windows as cars ascend and
26 descend the hill. I also wonder about vehicle emissions and air quality around our home if
27 surrounded on 3 sides by roads and the possible effects it will have on our health as we have
28 asthmatics in our family.

29
30 My next concern is the TCE plume that extends through the proposed development and into our
31 neighborhood.

32
33 [Hill Air Force Base] HAFB currently measures TCE in 2 forms; vapor and ground water. At this
34 time, there are several homes in and around the plume boundaries that are monitored at least
35 annually for TCE. Vapor concentrations are high enough in some of our neighbor's homes that they
36 have had vapor mitigation systems installed. (2)

37
38 There are currently 5 wells in and around the plume being monitored for TCE in ground water; in
39 addition, to the "holding pond" and "seep/spring" located on the developer's property. (3)

40
41 In a phone conversation I have with Mark Roginske, P.E. at HAFB on February 13, he explained
42 HAFB is "in the process of establishing an easement with the property owner to pipe the water
43 from the garage spring to the cul-de-sac at the end of 1200 West." There it will join "piping that
44 begins in the cul-de-sac and runs... (to the)... air stripper treatment system just off of 1150 West."
45 The project should be completed in the "next 6 weeks."

46

1 Where as, I do appreciate the efforts of the developers to work with HAFB to contain the
2 contamination on their property I will question if building in the plume will:

- 3 1) Place new home owners at risk for contamination, and
- 4 2) Increase the equipment, maintenance and operational costs for HAFB?

5
6 According to Jarrod D. Case, P.E. at HAFB, the "off-base (Riverdale) portion for the operable unit 6
7 treatment system cost 1.6 million dollars." The operating cost "off-base (Riverdale) portion was
8 approximately \$80,000". (4)

9
10 I am aware that the government currently covers these costs, but ultimately, isn't us the taxpayers
11 who pay?

12
13 I am concerned about the integrity of the hill being compromised. In several of the conversations I
14 have had personally with Mr. Pars and Mr. Hill over the last 2 years, they have repeatedly insisted
15 the homes will stabilize the hill not weaken it. (5)

16
17 On April 11, 2005, I called and notified Randy Daily of a potential slide on the hill located behind
18 the home at 5505 South [1200 West]. Mr. Daily notified Kent Hill who did in fact respond that day.
19 Mr. Hill stated the area was not a slide but "flaking" due to a pond on top of the hill. I disagree. I
20 believe there is a slide on the hill.

21
22 On April 13th [2005], Francis Ashland, Senior Geologist, and Chris DuRoss, from Utah Geological
23 Survey came to our home. After going up on the hill, they reported the area is in fact a slide
24 measuring approximately 20 feet by 15 feet and approximately 2 feet deep. Mr. Ashland stated to
25 me he didn't think our property was in immanent danger. In his report, dated May 5, 2005, Mr.
26 Ashland and Mr. Greg N. McDonald wrote:

27
28 "We believe geologic hazards associated with slope stability have not been adequately
29 addressed for the Riverdale housing development and warrant further evaluation."

30
31 "Western GeoLogic states no evidence exists for past landsliding at the site. However,
32 the slope on which the proposed development is located has experienced numerous
33 historical landslides documented by Lowe (1988), including two to three on the site and
34 several more within a few hundred feet of the site. The inventoried slides are primarily
35 slump/earth-flow types that occurred during the spring of 1983 (M. Lowe, Utah Geological
36 Survey, verbal communication, 2005). Ashland and DuRoss observed evidence for the
37 landslides at the site as well as more recent shallow soil-slip landslides. Larger, deep-
38 seated, rotation-type landslides have also been mapped along the bluff including Riverdale
39 (Lowe, 1988: Yankee and Lowe, 2004)." (6)

40
41 To me, this clearly spells out that there are slides on the hill. To ignore this fact, in my opinion is
42 irresponsible.

43
44 This far, I've not noticed any more movement to the slide I reported, but question if that will
45 change once development begins. I worry someone working on the development, either on the
46 proposed road or home in that area will be put in harms way.

1 There have been two significant slides along the hillside in the last 7 years. We are less ~~that~~ [than]
2 3 miles north of the slide that occurred in South Weber 1 year ago and approximately one quarter
3 mile south of the canal breach of 1999. It seems logical that this entire stretch of hillside from
4 South Weber to Roy is made of the same "geologic material" which the Utah Geological Survey
5 reports as being "sand, silt and clay from the Lake Bonneville Weber River Delta." (7)

6
7 Thankfully, no lives were lost in either slide but it has cost a significant amount of money to remedy
8 the damage done.

9
10 If the integrity of the hillside is compromised by this development, is there a possibility the canal
11 could breach again? A letter I receive from Mr. Ivan J. Ray, manager of the Davis and Weber
12 Counties Canal Company indicates millions of dollars have been spent to enclose and strengthen the
13 canal. But that strength is dependent upon the hillside as it is both above and below the canal. (8)

14
15 In closing, I would like to reiterate my opinion that this proposed development will be a detriment
16 to my family, neighborhood and surrounding community as it is a potential threat to our safety,
17 health and financial well being. I encourage you to prevent any potential for repeat catastrophic
18 events similar to the mud slides in 1999 and 2005. The amount of money already spent is ghastly;
19 any potential loss of life would be unforgivable. Please vote against the proposed Peacock Ridge
20 PRUD.

21
22 **Kevin Crezee, 5509 South 1200 West, (also speaking for Marian Griffiths, 5352 South 1345**
23 **West; Pat Crezee, 5515 South 1200 West; Marsha Vogrinic 5521 South 1200 West; Joyce**
24 **Hamilton, 5538 South 1200 West; and Gary Phillis & Barbara Phillis, 5512 South 1200 West)**

25 The following is a transcription of the document provided by Mr. Kevin Creeze, which was entered
26 into the record.

27
28 Ladies and Gentlemen of the Planning Commission. Thank you for the opportunity to speak today
29 about the proposed Peacock Ridge PRUD. I would like to discuss some of the concerns that I have
30 about ~~to~~ the proposed development.

31
32 In the PRUD ordinance ~~is~~ [it] states its purpose is to allow more flexibility and to encourage new
33 and imaginative designs of neighborhoods. Also, that substantial compliance with zone regulations
34 and other provisions requiring standards related to public health, safety and general welfare should
35 be observed.

36
37 It is my understanding that PRUD developments have added flexibility in exchange they should also
38 be considered a benefit to the community, including common/open space beyond what is considered
39 unbuildable property. Also, that PRUD's should not be used solely for the benefit of the developer.
40 It is my opinion that this development fails to meet the imposed standard for creativity and
41 availability for open space that is not already considered unbuildable. Secondly, the development
42 resembles a conventional subdivision that only benefits the developers through the flexibility of a
43 PRUD.

44
45 It is my understanding that the home at 5505 South 1200 West will be demolish[ed] and an access
46 road built in its place that would require the Craig-Dale Subdivision plat to be revised.

1
2 I would like to voice my objection as a resident of the subdivision to altering, changing, or amending
3 of the Craig-Dale Subdivision plat pursuant to Utah State Law [Code] §10-9A-608.

- 4
5 • Under Section 6 it states: (6) Subject to Section 2, if the application proposes to vacate,
6 alter or amend a subdivision plat, or any street or lot contained in a subdivision plat, the
7 Planning Commission shall consider the issue at a public hearing after giving the notice
8 required by Section 10-9A-208 as applicable.
9 • I would encourage the Planning Commission not to approve any altering, changing, or
10 amending of the Craig-Dale Subdivision plat and seek input from the residents in attendance
11 here tonight. I am unsure if this would require a second public hearing and may need
12 further clarification.

13
14 I would like to specifically address some evaluation points from Section 10-22-6 and applicable
15 information from the Subdivision Ordinance in Chapter 21.

16 A. Building Design:

- 17 • The building plan does not allow for a safe slide run out in placement of homes as
18 recommended.
19 a. Reference: The Earthtec Geotech addendum I report dated August 30,
20 2005 states: The Utah Geological Survey has indicated that run out of
21 slides should be considered in home siting; however, this site does not
22 offer room to provide a set back from the toe of the steep slope to
23 protect homes from a slide run out. Our estimated run out distance is
24 20-60 feet beyond the special study zone.
25 b. Reference: Excerpts from UGS letter to Ms. Ukena dated November 14,
26 2005 notes that lots are within the potential landslide run out zones and
27 mentions the hazards of both a deep seated and shallow slides. It closes
28 the paragraph with the following statement. "Therefore, to approve the
29 development, the hazard must either be accepted or alternate mitigation
30 measures used".
31 c. Does approval of this plan place new owners and neighbors at risk by not
32 factoring in the safe placement of the new homes?

33 B. Streets:

- 34 • The proposed road would create 2 homes surround by roads on 3 sides.
35 • The current set backs from the rear property line is inadequate on the proposed
36 map. The roadways create double cornered lots.
37 o The new roads would restrict my property rights to build, unless the new
38 road is set back from property lines. Any future garage on that side of the
39 property would be in violation of corner lot requirements.
40 o The road set back does not take into consideration multiple utility
41 easements.
42 • The road would create double fronting or interior lots of ~~the~~ all the homes
43 bordering the proposed development on 1200 West.
44 o Section 10-29 [21]-9 (K)(3) [Lots], Design Standards states, "Interior lots
45 abutting on more than one street shall be prohibited except where unusual
46 conditions make other designs undesirable".

- 1 o I am concerned with the installation of this road, and I do not want to
- 2 create nonconforming lots to subdivision standards.
- 3 • The amount of effort to compact soil to 98% may cause cracking of foundations
- 4 in homes adjacent to the property. Natural fill may be difficult to compact and
- 5 is noted on page 8 of the geotechnical report.
- 6 • The road does not meet minimum standard width of 60 feet as specified in
- 7 Section 10-29 [21]-9 (D) [Minor Residential Streets].
- 8 o There have not been any Natural Hazards or Geotech studies on the north
- 9 end of the property to even verify a road can be safely build.
- 10 o Phase I is dependent on the road being a through road as required for Fire
- 11 Protection; therefore, Phase I is dependent on Phase II.
- 12 • My concerns are that there is not enough information to say if this
- 13 development is feasible at this time, based upon the dependency
- 14 of the road being built and lack of any studies on the North end
- 15 of the property to evaluate its safety.
- 16 o Page 3 of the geotech report states the "Homes adjacent to the site have
- 17 graded yards such that the toe of the slope has been significantly
- 18 steepened. On some lots these cuts would slump resulting in long term
- 19 issues for the access road."
- 20 • In my opinion because it is unknown if the road can be safely built or
- 21 maintained. The approval of this proposed development is questionable.
- 22 C. Landscaping:
- 23 a. There are many areas in the geotechnical report that are very concerning
- 24 related to the effect of water on the hillside and slope stability.
- 25 • Page 1 of the geotech report states: "Steep slopes on the west of the property
- 26 are marginally stable and we recommend they be delineated as a special study
- 27 zone. This area should not be developed, including landscaping which requires
- 28 irrigation, unless specific geotechnical studies are made which are designed for
- 29 the planned residence on the effected lot. No fill should be placed at the top of
- 30 the slope or on the face slope. No excavation should be conducted which
- 31 steepens the toe of the slopes in the special study zone. Buttress fills at the
- 32 toe are acceptable."
- 33 • Page 6 of the geotech report states "To help reduce the risk of slope instability,
- 34 the existing slopes should not be steepened nor should the height of the slope
- 35 be increased unless slope stabilization is developed."
- 36 o Reference UGS letter November 14, 2005, page 1 "Most of the "pads"
- 37 (presumably referring to building pads) shown on the plat are partially on the
- 38 toe of the slope and within the special study zone."
- 39 o Reference AGEC report March 20, 2005, Conclusions #2, Any proposed
- 40 modification to the existing slopes should be evaluated on any individual
- 41 basis to determine if the modification will provide the appropriate factors
- 42 of safety against slope failure. If appropriate factors of safety can't be
- 43 maintained, the proposed modification should not proceed. This type of
- 44 evaluation would require site-specific subsurface information.
- 45 o Will every home in the proposed PRUD be geotechnically engineered to
- 46 address the above concerns regarding slope stability during excavation?

- 1 ○ Existing home[s] may be looking at upwards of 16 plus foot walls of concrete.
- 2 • The geotech report states "No evidence of past land sliding on the property, but
- 3 there are steep slopes at the site that are marginally stable".
- 4 ○ The studies have only been conducted in [the] south end (Phase I of the
- 5 proposed development) and do not address unknown development hazards
- 6 associated with the North end of the property.
- 7 • The geotech report states "Development which extends into the special study
- 8 zone may require slope retainage and additional below grade drainage systems."
- 9 • Page 13 concerning surface water in the geotechnical report states, "water
- 10 collection should be collect, but should not be discharged onto the slope."
- 11 ○ Will the grading and drainage plans be required to be reviewed and approved
- 12 by a geotechnical engineer?
- 13 ○ Will all surface drainage be captured and routed as to not saturate the slope
- 14 including, but not limited to roof drains, patios, landscaping?
- 15 ○ In my opinion the geotech study fails to address surface water from above
- 16 and directly adjacent to the canal.
- 17 • Reference UGS review November 24, 2005, states: The geologic evidence for
- 18 historical, mostly shallow landslides in the slope, both above and below the canal,
- 19 indicates that transient, shallow water perched ground water tables develop in
- 20 slopes due to rainfall, snowmelt, and in the past canal leakage.
- 21 ➤ The above mentioned excerpts from the geotech study raise severe concerns in how
- 22 above and below ground water is handled, captured, and contained to maintain the
- 23 "marginal stability" of the hillside as stated in the geotechnical studies and reviews.
- 24
- 25 • Page 7 of the geotechnical report states, "Steep slopes located below the canal
- 26 become only marginally stable or unstable if saturated".
- 27 ○ Completed saturation of Section 3 would cause it to become unstable even in
- 28 a minor earthquake as represented by stability test in Addendum I to the
- 29 geotech study.
- 30 ○ In my opinion the Global failure models on slope stability appear that they
- 31 will undercut the canal. My concern is that this may need further
- 32 examination and study to prevent such a disaster.
- 33

34 Looking at slope stability and geotechnical make up of the hillside.

35 Mr. Crezee noted that the makeup of the hillside was already referred to and briefly went over

36 this portion of his presentation.

- 37 • The geologic hazards report on the south end of [the] property lists the make
- 38 up of the hillside as:
- 39 ○ Poorly bedded sand
- 40 ○ Sandy gravel
- 41 ○ Gravelly sand
- 42 ○ Fine sand with silt
- 43 ○ Gravel
- 44 ○ Sandy silt
- 45 ○ Gravelly sandy silt

- 1 • Note: The southern part of [the] site is heavily vegetated on the photos, possibly due to
2 shallow ground-water conditions.
3
- 4 • Utah Geological Survey - information
- 5 ○ Why do slides occur? (Direct quote from reference UGS Series 74)
- 6 ▪ Landslides most often occur as ground water builds up in a slope due
7 to rain, snowmelt, or landscape irrigation. This water increases the
8 weight of the material in the slope, increases pore pressure,
9 hydrates and expands clay minerals, dissolves minerals that may hold
10 particles together, and decrease the strength of the material, all of
11 which weaken the slope.
- 12 ▪ Steepening of a slope or removal of support at the toe by stream or
13 erosion or excavation also decreases slope stability. Stress
14 increases in a slope that is loaded with embankments, fills, buildings,
15 or waste dumps particularly when loads are near the top of the slope.
16 Also, the pore pressure from ground water in a slope increases
17 during vibration of large machines or earthquakes... Landslides that
18 have not moved for years commonly reactivate if groundwater levels
19 change dramatically, particularly when water penetrates old ground
20 cracks, or construction activity creates slope modification that
21 reduces stability.
- 22 ○ Loading the crest or excavating the toe of a slope can produce landslides as
23 illustrated in the human induced picture reference.
- 24 ○ Loading of the slope is a particular concern of mine considering the
25 placement of houses in the special study and slide run out zone. Also, the
26 loading the slope of the backyards for the current residents in light of the
27 previously mentioned questions about potential problems with the road.
28
- 29 • As a comparison, the South Weber information.
- 30 ○ Similar hillside makeup: sand, silt and clay. Shallow ground water
31 characterizes the slope. The vegetation types indicated that shallow ground
32 water was present in the hillside adjacent to the landslide particularly to the
33 east. Records from the national weather service stations indicate the
34 Layton - South Weber - Ogden area received 148% of normal precipitation
35 for the period since September 1, 2004, prior to the landslide. In addition,
36 that area received greater than normal precipitation last year. An additional
37 0.72 inches of rain fell on the day of the landslide.
- 38 ○ The current Geotech piezometer water testing on the south end of the
39 property was ~~completed~~ [completed] in June through August, but according
40 to the UGS document dated November 14, 2005, Utah shallow water levels
41 generally peak around April or May.
42
- 43 • In my opinion there are too many unanswered question[s] related to the stability
44 and ability to safely build the proposed subdivision to protect the current and
45 future residents in the neighborhood. The direct comparison to the South
46 Weber slide has many similarities in the makeup and water conditions mentioned

1 previously. I feel this is a great example of what we are all working to prevent.
2 There is no geotechnical data or reports to suggest the road or any development
3 of the north end of the property would be feasible. I would like to thank the
4 Commission for the time to present and would ask them to consider all of the
5 concerns and safety issues expressed about the proposed Peacock Ridge PRUD
6 development. Based on what I have read and learned in regards to the proposed
7 development, I would encourage the Commission to deny the application for a
8 PRUD.
9

10 **Ron Pollard, 5533 South 1175 West**

11 Mr. Ron Pollard addressed the Planning Commission regarding the proposed Peacock Ridge PRUD. He
12 stated he concurs with Mr. and Mrs. Crezee and the geology of the hill. He went on to say he has
13 worked in South Weber for 30 years, and he has seen the hillside. He pointed out that the hillside
14 is covered with trees and heavy vegetation and the hill has slid time and time again.
15

16 Mr. Pollard noted there was a time when the Washington Terrace hillside portion of Riverdale slid
17 and three box cars and home was washed into the Weber River and the Ogden Canyon is subsiding
18 as well.
19

20 Mr. Pollard referred to the Davis-Weber Canal flood in 1999. He noted that the water cut through
21 the soil like butter. He referenced the slide in South Weber and pointed out that the slide took
22 out a barn and the road was closed for six month.
23

24 Mr. Pollard informed the Commission that he spoke to Dr. Hernandez, Weber State University,
25 regarding the proposed PRUD; he said that Dr. Hernandez indicated to him that he has the right to
26 be concerned regarding the proposed development and when an individual cuts into the hill; it would
27 be compromised.
28

29 The Commission recessed for a break from 8:07 p.m. to 8:13 p.m.
30

31 **Gary Phillis, 5512 South 1200 West**

32 Mr. Gary Phillis addressed the Planning Commission regarding the proposed Peacock Ridge PRUD. He
33 pointed out it has been dry for several years and the engineers only cut in five feet when they
34 conducted their study. He noted that it has not really been tested for a really wet or regular year.
35

36 Mr. Phillis said the hill has a lot of habitat, and he expressed concern about leaving something for
37 our grandchildren; he stated, "We are our brother's keeper."
38

39 **Ruth Van Erden, 5533 South 1200 West**

40 Ms. Ruth Van Erden addressed the Planning Commission regarding the proposed Peacock Ridge
41 PRUD. She stated she believed Mr. and Mrs. Crezee covered everything.
42

43 Ms. Van Erden addressed the TCE plume that is present in the surrounding area. She noted the last
44 time TCE levels were tested in her dwelling, the level was .13; in November 2005, the TCE levels
45 were tested again, and the level was .15. Ms. Van Erden informed the Planning Commission that .43
46 is the danger level; however, Hill Air Force Base (HAFB) still wants to talk mitigation. She stated

1 that she has asked HAFB to wait another six months to determine if mitigation is necessary. Ms.
2 Van Erden said her concern is how will cutting into the hill and the water affect the TCE level?

3
4 Furthermore, Ms. Van Erden indicated she was never offered to buy the property behind her home.

5
6 **Greg Baptist, 1738 West 1275 North, Farr West (speaking for Patricia Crezee, 5515 South**
7 **1200 West)**

8 Mr. Baptist addressed the Planning Commission regarding the proposed Peacock Ridge PRUD. He
9 informed the Planning Commission that he was asked to speak for his Aunt Pat (Patricia Crezee). He
10 indicated that he has spoken to all the engineers except the geotech. He explained that according
11 to Mr. Bill Gordon, it has been questioned how the site will be graded and what kind of slope is being
12 proposed. Mr. Baptist indicated it is his recommendation to the Planning Commission that the
13 petitioner should put together a grading plan before approving or denying the application.

14
15 **Eileen Poulsen, 1179 West 5525 South**

16 Mrs. Poulsen addressed the Planning Commission regarding the proposed Peacock Ridge PRUD. She
17 said she only heard of two springs in the hillside spoke of this evening. She pointed out that people
18 have lived in the area for 25 years; such as the Pierces, and all of a sudden their basement was
19 flooding and they had to get a sump pump.

20
21 Mrs. Poulsen explained they built an extension on their dwelling, and Mr. Daily was at her home with
22 a tape measure, and she had to have a clearance of 30 feet, which took their addition back five
23 feet. Mrs. Poulsen stated her question is, how can the petitioner have five feet between their
24 proposed dwellings?

25
26 Mrs. Poulsen recalled when the Glen Cooley home burnt to the ground, they all stood there helpless
27 and watched it burn to the ground when a fire truck could not get to the home.

28
29 **Bob Jones, 5633 South 1150 West**

30 Mr. Bob Jones addressed the Planning Commission regarding the proposed Peacock Ridge PRUD. Mr.
31 Jones informed the Planning Commission he has springs when there is a wet year. He went on to say
32 three houses from his home, the property is only slightly contaminated and they finally piped the
33 property. Mr. Jones said if there is another wet year, he will have water in his basement and his
34 basement is only half in the ground.

35
36 Mr. Jones also recalled the house fire of Mr. Glen Cooley. He noted he was a career fire fighter
37 for Ogden City, and they would have taken lines into the home. Furthermore, they would not have
38 had the fire truck under the power lines, which put fire fighters lives in danger.

39
40 **Devin Fausett (speaking for Terry and Mellody Fausett, 5567 South 1200 West)**

41 Mr. Devin Fausett addressed the Planning Commission regarding the proposed Peacock Ridge PRUD.
42 He informed the Planning Commission that he was speaking for his parents (Terry and Mellody
43 Fausett) who live on 1200 West. He noted that he works in real estate and in his experience, two
44 outlets are needed for a subdivision.

1 Mr. Fausett indicated that he spoke with Mrs. Ukena and the proposed lots are only spaced
2 approximately five feet apart. Mr. Fausett referred to Title 10, and he stated the minimum
3 distance between structures shall be ten feet (10') for single-story buildings, fifteen feet (15') for
4 two (2) story buildings and twenty feet (20') for three (3) or more story buildings. [Minute note -
5 this reference is not in reference to the PRUD ordinance; it is in reference to Group Dwellings,
6 Chapter 24]

7
8 Mr. Fausett said it was his understanding Phase I would be completed and then Phase II; he
9 questioned without Phase II, where would the water be drained to.

10
11 **Van Gilbert, 5579 South 1200 West**

12 Mr. Van Gilbert addressed the Planning Commission regarding the proposed Peacock Ridge PRUD.
13 He stated he is opposed to the proposed development. If the proposed development is approved he
14 will be looking at a 16-foot wall.

15
16 In addition, there are water issues. Mr. Gilbert explained when he put in his garage, he hit a spring.
17 Mr. Gilbert stated there is deep water running through the area and it is right where the building
18 lots are proposed.

19
20 Mr. Gilbert said to the Planning Commission, if you do approve the proposed PRUD, he would suggest
21 that the drainage for Phase I be completed. He pointed out that builders all over the country go
22 bankrupt and whoever the engineers are, they engineer developments, and walk away. The people
23 down below are left "SOL". He said he would highly recommend the Commission turn the application
24 down.

25
26 **Ken Reed, 5595 South 1200 West**

27 Mr. Ken Reed addressed the Planning Commission regarding the proposed Peacock Ridge PRUD. Mr.
28 Reed indicated that he concurred with what Mr. Van Gilbert just said; who is going to be liable for
29 any problems that come up. He indicated that the Phase I and Phase II thing is something that
30 came up before and the petitioner should have to do everything first [with Phase I] before they
31 have any building pads.

32
33 Mr. Reed said his question is if the petitioners build 10 or 20 homes before they befall any
34 catastrophe, who will be liable. He noted that he was aware there would be an association; however,
35 there would only be 28 homes. Where would they get the money [with only 28 homes] to maintain
36 this property? He suggested if every homeowner paid \$100 a month that would only be \$2,800 a
37 month. He questioned if \$2,800 a month would maintain this property and how much money it would
38 take an association to maintain the property.

39
40 Mr. Reed recalled that the petitioner said they could build 40 homes in the area. He asked that the
41 petitioner "be a little bit up front; the hillside goes straight up."

42 **Carla Noorlander, 5648 South 1200 West**

43 Mrs. Carla Noorlander addressed the Planning Commission regarding the proposed Peacock Ridge
44 PRUD. She inquired who would be responsible for providing a property bond for when their property
45 is damaged by the heavy equipment that comes in and damages their homes and/or when the
46 property slides.

1 Mrs. Jan Ukena indicated she had taken notes of a lot of things that need to be addressed. She
2 went on to say some things she was disappointed in; however, she appreciated everyone because she
3 hates personal attacks. Mrs. Ukena pointed out that phasing is a concern and Mr. Hill knew Phase I
4 includes the completion of the road.

5
6 Mrs. Ukena indicated the Planning Commission could: recommend approval of the application. They
7 could table the application; they have a lot of things they need to read, absorb, and ask. They could
8 approve the application tonight if they get all of their questions answered. Or, they could deny the
9 application based on the facts.

10
11 Mrs. Ukena explained the Planning Commission is a recommending body. They listen to everyone's
12 comments and everything is forwarded to the City Council and they have the final say. She went on
13 to explain what a PRUD is. A PRUD overlays an existing zone and can take on several different
14 forms. She noted that PRUDs do not follow any regular subdivision rules.

15
16 Chair Farr said at this time, they would like to turn the time over to the petitioners so they may
17 have an opportunity for rebuttal.

18
19 Mr. Lorin Parks indicated they have made every effort to listen to all the concerns, particularly the
20 Crezees. He noted that the Crezees have kind of been the neighborhood watch and they are glad
21 they are here. They feel the more the public is informed, the better it is.

22
23 Mr. Kent Hill informed all those in attendance that seven geotechnical reports have been completed
24 and all of the reports say the hillside is stable. He indicated that prior to piping the canal, the
25 canal was leaking a huge amount and the City has the report, which refers to the leakage. Mr. Hill
26 said they have learned some things tonight and they will go back and study those things.

27
28 Mr. Leland Marttineau said he would like to address some items. He said as far as the proposed
29 road behind the existing properties and traffic falling down onto the properties, there is a crash
30 barrier on the proposed road to keep the traffic off the property.

31
32 Another issue, in regards to the canal and the hill is holding up the pipe. Mr. Marttineau explained
33 the issue has to be addressed. He stated, correct me if I am wrong, there is a portion of the hill
34 that is holding up the pipe and they are not proposing to cut in that area. He questioned if Craig-
35 Dale can cut here (Mr. Marttineau referenced a specific point), what is the difference with us
36 cutting here.

37
38 Mr. Marttineau referred to vacating the easements located on lot 67, 5505 South 1200 West. He
39 indicated there is a process of honoring those easements, and they will do so and there is not an
40 issue with the easements.

41 Mr. Marttineau indicated it was mention there are issues with some of the lots in the Craig-Dale
42 Subdivision in that there have been cuts into the toe of the slope and the cuts could slump resulting
43 in issues for the access road. Mr. Marttineau stated they are not intending on having the wall out
44 into the air; they will address that.

45

1 Furthermore, it was said fills are not recommend on the site; however buttress fill on the site is
2 recommended. He noted that the difference between the nonrecommended fill and the buttress
3 fill is the buttress fill is on the downhill side. Mr. Marttineau informed everyone in attendance
4 that Phase I has a different slope than Phase II. He noted that each homes in Phase II would
5 require a specific geotech.

6
7 Mr. Marttineau pointed out it has been said there are many similarities between South Weber and
8 the area in question, and he would say yes, there are; however, when you get to the area in South
9 Weber, the area has approximately 25 springs and is steeper.

10
11 Mr. Marttineau informed all those in attendance that the proposed plan is a conceptual plan and the
12 plan is not complete. The petitioners need to know if the City will accept the plan before a more
13 detailed plan is prepared.

14
15 Discussion followed regarding storm drainage. Mr. Marttineau said the proposed storm drain could
16 easily pipe all the ground water. He said it was expressed as a concern if they would get all of the
17 infrastructure completed in Phase I; he noted they could get a bond or pay escrow up front in case
18 something happened.

19
20 Mr. Bob Barton indicated he thought Mr. Marttineau addressed a lot of the concerns. He went on
21 to say they do not know how Phase II would sit. The area in Phase II is a lot steeper, and they will
22 have to drill deeper holes; he added that springs do move.

23
24 Mr. Barton said a lot of good comments have been made and there are a lot of thing that have to be
25 decided. He indicated that it doesn't do any good to put something in that could come crashing
26 down. He went on to say the problem with the hill is it is what it is. In regards to the stability,
27 they need to enhance it not decrease it. Mr. Barton reiterated what Mr. Marttineau said; the plan
28 is conceptual, and they do not what to put \$40,000 into a plan unless they know it will go through
29 (be approved).

30
31 **Motion** With no further public comment forth coming, Commission Tanner moved to close the public
32 hearing. Commissioner Miller seconded the motion. The motion passed unanimously. The
33 public hearing closed at approximately 8:57 p.m.

34
35 Commissioner Tanner indicated she heard a lot of questions about financial responsibility and
36 reliability. She said she has not heard anything about that in regards to the road or residents.

37
38 Mrs. Ukena informed the Commission that she and Mr. Daily discussed this issue. If the project
39 were approve, it would be a condition that the PRUD association would be required to acquire
40 insurance to cover all adverse impact to adjacent property owners; the PRUD association would be
41 responsible for any adverse impact to adjacent properties for the life of the PRUD association; the
42 PRUD association would be required to have a yearly audit report to be supplied to the Community
43 Development Director of Riverdale City; and any other conditions the Planning Commission requires
44 or sees fit to add.

1 Mr. Lorin Parks said they would follow whatever recommendation came from Staff. He noted that
2 they have made every effort to be up front, and they would continue to do so.

3
4 Commissioner Tanner expressed concern with the amount of watershed there would be running off
5 a slope of a hillside with 28 homes. She questioned if the capacity of the propose storm drain could
6 in fact handle that amount of water. Mrs. Ukena informed the Commission that the proposed storm
7 drain would have to be engineer designed and the City's engineer would have to approve it. She
8 went on to explain the petitioners would be responsible to make it work; they would have to increase
9 it.

10
11 Chair Farr referred to where the two properties adjoin (the petitioner's property and the Canal
12 Company's property). He inquired if the petitioners were making any attempts of correlating their
13 efforts with the Canal Company regarding retainage of on-site water and removal of such. Mr.
14 Parks explained they have contacted the Canal Company and have asked that they work together;
15 they have no problem working together.

16
17 Mrs. Ukena clarified that Chair Farr was referring to the top portion of the petitioner's property
18 where it comes together with the Canal Company's property. He acknowledged that he was. Mr.
19 Parks informed the Commission they have walked to the top of their property and the Canal
20 Company has a barrier at the top. He would assume they have made provision to prevent any runoff.

21
22 Commissioner Tanner expressed concern regarding the crash barrier. Furthermore, she asked for
23 clarification on the proposed driveways. She recalled that all of the proposed driveways are on a
24 considerable slope; a 20 percent slope. Mr. Marttineau noted that the driveways are on a 10
25 percent slope. He explained the crash barrier has not been engineered as of yet but it will be.

26
27 Commissioner Tanner inquired who would determine if the test holes need to be deeper. Mr. Barton
28 indicated they would determine that in conjunction with the Canal Company. He noted they do not
29 have access to the canal road.

30
31 Commissioner Hunt pointed out several homeowners mentioned the wall (the wall in conjunction with
32 the proposed road); he inquired what the height of the wall would be with the crash barrier. Mr.
33 Marttineau explained the wall would average five feet with an addition three feet for the crash
34 barrier for Phase I. He went on to explain there is one section of the wall that would be up to 20
35 feet. Mr. Marttineau indicated there would be deeper spots where they would get away from the
36 toe of the slope.

37
38 Commissioner Hunt inquired what the slope and grade of the road would be. Mr. Marttineau
39 indicated the slope of the road is four percent per City Code.

40
41 Commissioner Hunt indicated the Planning Commission has the petitioner's site plan and their
42 geotechnical report. He went on to say then the residents bring in other information that the
43 Planning Commission needs to digest; he thinks they need to evaluate it to protect the residents.

44 Mr. Hill said he thinks that is why Staff had the State review the geotechnical reports. He added
45 that is why there are seven reports and all of the reports have said the same thing. Mr. Marttineau

1 informed the Planning Commission in reading the geotechnical reports, some are site specific and
2 some are general.

3
4 Commissioner Miller referred to fire safety issues. He asked Chief Illum if the City's fire
5 apparatus would be able to get through the area now. Chief Illum informed the Planning Commission
6 they would not be able to access the area they way it is proposed now; the only way they would be
7 able to access the proposed development would be the canal road.

8
9 It was recalled that Chief Illum recommended the road had to be able to support a 73,000-pound
10 truckload. It was inquired what would happen if Chief Illum had to have two or three trucks on the
11 proposed road at one time. Chief Illum indicated that was a good question; he has not seen the
12 engineering.

13
14 Chief Illum said he also recommended that the fire hydrants be a spacing of 300-feet. He
15 explained he made that recommendation because he perceives the proposed development as high-
16 density housing. He went on to say, there is no way he could get a fire truck through the proposed
17 development without damaging one of his trucks or anything else without the road going through.

18
19 Commissioner Hunt inquired if the proposed PRUD would require an amendment to the Craig-Dale
20 Subdivision or create a nonconforming lot. Mrs. Ukena said when she first looked at the proposal,
21 she didn't think so because they are not changing any property lines, altering, or amending the
22 subdivision. However, because some of the residents think they are, she will go back and review
23 State Code. In regards to a nonconforming lot, the City's code is very specific and that will have to
24 be addressed.

25
26 Commissioner Miller pointed out that only one or two residents referred to the TCE plume. Mrs.
27 Ukena explained the City invited Hill Air Force Base to come to the public hearing. However, they
28 declined to come to the public hearing this evening (they indicated could not be on either side) even
29 though there is a testing site on the property in question. They informed Mrs. Ukena this is not a
30 major concern.

31
32 Mrs. Ukena indicated the petitioners have also spoken to Hill Air Force Base (HAFB), and they have
33 asked them to monitor the site as they do excavation. Mr. Hill added they talked to HAFB about
34 doing something around the foundations of the proposed homes to monitor for radon gas.

35
36 Mrs. Ukena informed the Planning Commission she sits on the HAFB RAB Board and one of the
37 things she would like is to have them come and talk to the Commission about the TCE plume. She
38 explained HAFB has equipment on-site and all of the waterlines and pipes belong to them.

39
40 Chair Farr said he lives in the area and once TCE is present on a piece of real estate, it has to be
41 disclosed. Chair Farr indicated it is his understanding that property values go down when TCE is
42 present; he inquired if Mr. Hill has taken that into consideration. Mr. Hill informed the Commission
43 they have discussed this issue; in addition, they have discussed it with HAFB. He went on to say
44 HAFB told them in studies, property values did not go down. He added that HAFB said they would
45 help them put in the systems.

1 Chair Farr pointed out one of the residents brought up distance requirements between homes in a
2 PRUD. Mrs. Ukena stated that is a good question; she could not find those requirements in the
3 PRUD ordinance. She noted she was quickly trying to find it; however, she could not. She informed
4 the Planning Commission she would have to refer to Title 10 and find those requirements.
5

6 It was inquired if the garage (level one of the proposed homes) would be considered an actual level.
7 Mrs. Ukena explained building code would dictate what would be considered a level. Chief Illum
8 mentioned that Fire Code would stipulate that the home was a three-level home. Mrs. Ukena added
9 that in addition to Building and Fire Code, the City's zoning code would dictate it as a two-level
10 home. Mrs. Ukena stated that she and Chief Illum would have to get together regarding this issue.
11

12 Chair Farr noted there was a concern raised regarding removal of snow; how are they going to
13 remove snow? Mr. Hill informed the Commission that the snow would be pushed to both sides. Mrs.
14 Ukena added that the road would be a private road; however, if it is determined that the snow load
15 added weight to the road, in addition to the water run off, it could be a condition that the snow be
16 hauled off-site.
17

18 It was pointed out that other concerns are phasing of the project and the possibility the project
19 could run out of money prior to its completion. Chair Farr said he knows the City places
20 bonds/escrows on developments; could the City be stricter? Mr. Brooks acknowledged the City
21 does utilize bonds and escrows but "bonding in the real world" is utilized to get a project done,
22 which is feasible. However, for down the road when an engineer is gone, that is not.
23

24 **Motion:** Commissioner Tanner stated in consideration of the amount of information the Commission
25 received this evening, she would recommend that the Commission table the item to be able
26 to take the input they received into consideration. Commissioner Hunt seconded the motion.
27 The motion passed unanimously.
28

29 **Review of Title 10, Landscape Ordinance, per City Council's request**

30 Chair Farr indicated in consideration of the public hearing that has been set for February 28, 2006,
31 to discuss this particular item, the Commission would not be discussing the agenda item at this time.
32

33 **Discretionary Business**

34 Commissioner Tanner referred to a letter to the Editor in the Standard Examiner regarding a fine,
35 which Wal-Mart in Riverdale City received due to their storm drainage system. Mr. Daily informed
36 the Commission that incident has to do with the old Wal-Mart parking lot and it was something that
37 was missed. He went on to explain Mr. Moulding handles those situations and he deals with it all the
38 time.
39

40 Commissioner Miller inquired if he could get copies of all of the information that the Canal Company
41 would be providing to the City. It was indicated that all Commission members could have copies of
42 all information as well as the minutes of May 11, 2004.
43

44 Mr. Daily informed the Commission that he had some major concerns with some of the things that
45 were said tonight. He said if any of the Commission members have any questions, they could call
46 him.

1
2 Commissioner Hunt questioned if all the geotechnical studies were site specific. Mrs. Ukena
3 explained that the Hill Air Force Base and Canal Company study are not.

4
5 Discussion followed regarding contamination on the hillside. Mrs. Ukena indicated if there is
6 contamination on the hill, it would be coming from Hill Air Force Base. In addition, there is a
7 holding pond on the north side of the property and it has to be engineered to hold the water and
8 metered out.

9
10 Mrs. Ukena informed the Commission that they could base their recommendation that all the
11 studies are completed. Commissioner Farr stated the study he is concerned about is the 1988
12 Study from Mike Lowe. Mr. Daily explained the City never adopted that specific study. The study
13 went to a public hearing; however, the citizens came in and said the City would be devaluating their
14 property if they did adopt the study.

15
16 With no further business to come before the Commission at this time, Commissioner Miller moved
17 to adjourn the meeting. Commissioner Tanner seconded the motion. The motion passed
18 unanimously. The meeting adjourned at approximately 9:46 p.m.

19
20 Attest: Approved:
21
22
23
24 _____
25 Michelle Douglas Don Farr
26 Planning Commission Secretary Chair