

# SOUTH WEBER CITY PLANNING COMMISSION MEETING

**DATE OF MEETING:** 14 January 2016

**TIME COMMENCED:** 6:33 p.m.

**PRESENT: COMMISSIONERS:**

Debi Pitts  
Rob Osborne  
Wes Johnson  
Taylor Walton  
Wayne Winsor

**CITY PLANNER:**

Barry Burton

**CITY ENGINEER:**

Brandon Jones

**CITY ATTORNEY:**

Doug Ahlstrom

**DEPUTY RECORDER:**

Elyse Greiner

**CITY MANAGER:**

Duncan Murray

**Transcriber:** Minutes transcribed by Michelle Clark

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***A PUBLIC WORK MEETING was held at 6:00 p.m. to REVIEW AGENDA ITEMS***

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**PLEDGE OF ALLEGIANCE:** Commissioner Johnson

**VISITORS:** John Boyer, Kurt Boyer, Mike Ford, Diane Ford, Karen Cordon, John P. Reeve, Nate Reeve, Michael Poff, Mike Bastian, Brent Poll, Ryan Wilde, Stephanie Harper, Emily Coombs, John Volt, Heidi Little, Stan Cook, and Jo Sjoblom.

**APPROVAL OF THE MEETING MINUTES – Commissioner Johnson**

- **10 December 2015**

Commissioner Winsor reviewed some minor amendments to the minutes.

**Commissioner Osborne moved to approve the meeting minutes of 10 December 2015 as amended. Commissioner Johnson seconded the motion. Commissioners Johnson, Osborne, Pitts, and Winsor voted yes. Commissioner Walton abstained. The motion carried.**

**APPROVAL OF THE AGENDA:** Commissioner Winsor moved to approve the agenda as written. Commissioner Pitts seconded the motion. Commissioners Osborne, Pitts, Johnson, and Winsor voted yes. The motion carried.

**DECLARATION OF CONFLICT OF INTEREST:** None

**OATH OF OFFICE – Commissioner Walton**

**2016 APPOINTMENTS:**

- **Planning Commission Chairperson:**

Commissioner Johnson moved to appoint Rob Osborne as the Planning Commission Chairperson. Commissioner Winsor seconded the motion. Commissioners Osborne, Pitts, Johnson, Walton, and Winsor voted yes. The motion carried.

- **Planning Commission Co-Chairperson:**

Commissioner Johnson moved to appoint Wayne Winsor as the Planning Commission Co-Chairperson. Commissioner Osborne seconded the motion. Commissioners Osborne, Pitts, Johnson, Walton, and Winsor voted yes. The motion carried.

- **Sketch Plan Liaison: M: Osborne S: Winsor – Johnson as sketch plan liaison**

Commissioner Osborne moved to appoint Wes Johnson as the Planning Commission Sketch Plan Liaison. Commissioner Winsor seconded the motion. Commissioners Osborne, Pitts, Johnson, Walton, and Winsor voted yes. The motion carried.

- **City Council Liaison:**

Commissioner Johnson moved to approve the schedule as amended. Commissioner Pitts seconded the motion. Commissioners Osborne, Pitts, Johnson, Walton, and Winsor voted yes. The motion carried.

Commissioner Johnson moved to open the public hearing. Commissioner Winsor seconded the motion. Commissioners Johnson, Osborne, Pitts, Walton, and Winsor voted yes. The motion carried.

**\*\*\*\*\* PUBLIC HEARING \*\*\*\*\***

**Public Hearing and Action on Preliminary Subdivision: application for Riverside Place (76 lots), located at approx. 600 E. 6650 S. (Parcels 13-018-0071 and 13-018-0072), 24.07 acres; Developer: Douglas Brady:**

Commissioner Osborne asked for public comment.

**Brent Poll, 7605 S. 1275 E.,** said the City has no plume maps to state the property at 600 E. 6650 S. is safe. He reported that the property was polluted in the mid 1980's by pollution

migrating from Hill Air Force Base (HAFB). He said nothing has been done since to remove all possible remnants of contamination. He thinks the City should pressure someone to buy up the development rights. He said because of this high groundwater, this subdivision is at risk, because pollution travels through water. He said when the Planning Commission approves a subdivision, they better be able to say the property is safe, and this property is not safe. He said this is a real problem. He has an obligation, from his attorney, to come and do this. Barry asked if Mr. Poll if he has evidence that pollution is on this property. Brent said there is proof of that. He explained how the pollution moves. He said there is nothing to stop the pollution to go all the way to the river. He said there is an open pathway that has not been shut off. He said it is going to be this way until the 2040's. He discussed exposure causing neurological problems. He would suggest having a meeting with the new council members. Barry said the City hasn't been told that there is actual pollution on this property right now. He said no one is telling us that. Brent said I am telling you that. Barry said Mr. Poll is not an expert. Commissioner Johnson asked about the status of the maps. The maps are of the development rights purchased by either the State or HAFB on lands in South Weber. Duncan explained that the Mayor is actively working on this project with HAFB and the County. Commissioner Johnson referenced the HAFB impact map. He asked if there is anything in the geotechnical report that has addressed studies for pollution. He suggested the City look into getting a detailed study. He said there are quite a few resources in the State.

**Heidi Little, 6670 S. 475 E.**, thanked Mr. Poll for his comments about the pollution. She lives on the corner of this proposed subdivision. She is concerned about safety for the children with all of the traffic that will come from adding this amount of homes.

**Commissioner Winsor moved to close the public hearing. Commissioner Johnson seconded the motion. Commissioners Johnson, Osborne, Pitts, Winsor, and Walton voted yes. The motion carried.**

**\*\*\*\*\* PUBLIC HEARING CLOSED \*\*\*\*\***

Commissioner Johnson asked about the groundwater and said the geotechnical mentioned a land drain system. He feels a land drain system needs to be required. Commissioner Osborne said it is a safety issue to require a land drain system.

**Ryan Wilde, 1691 East Harvey Road, Fruit Heights**, said they are not planning to install basements; therefore, they don't see the need for the land drain system. He said the expense is harmful to whether or not he can make it happen. He said when he purchased the property; he relied on the experts concerning the pollution.

Nate Reeve, of Reeves & Associates, said they have projects in West Weber and West Warren with a high water table. Because of the style of home, if the groundwater comes up, it doesn't affect the structure. John Reeve, of Reeves & Associates, said they have done a lot of work in South Weber. He said the gravel will help leach out the water. He doesn't feel it is practical to install a land drain system.

**Stan Cook, 6966 S. 725 E.**, said a few years ago his house was contaminated from HAFB. He has had a system installed in his house. He suggested if there is a question, install the pipes, and

then a system can be installed to help clean it up. He has property next to this proposed subdivision. He said there is surface water after a storm.

Commissioner Johnson addressed the power lines. He said there is a 50' easement. He talked to Rocky Mountain Power and they recommended with new power poles there should be a 60' easement. John Reeve said if they want to buy a larger easement, they can do that, but they need to buy the property, if they are going to impact it.

Commissioner Walton referenced the easement on Lot 32 and said there is a slight overlap. He recommends preserving the pedestrian access.

Barry said regarding the pollution issue, the City does not have any evidence there is pollution on that property. Commissioner Osborne is more concerned about Old Fort Road. Brandon said the developer was not asked to contact Mr. Stephens. He said the City needs to meet with the Stephens and other property owners. He said this development is the catalyst, but Old Fort Road is a City wide issue. Brandon said what the City is trying to do with that intersection is a sweeping "T" concept. He said the City needs the road built from 475 East to the east end of the posse grounds. He said his memo addresses the need for a development agreement. Barry said the proposal will address Ms. Little's concerns. Commissioner Johnson feels the property owners need to see the development agreement. Commissioner Osborne suggested tabling because he is getting confused as to what phase is even being approved. Commissioner Johnson isn't comfortable approving this without a development agreement. Duncan explained the first step is preliminary approval, second is development agreement. He said we can't go to the development agreement until the preliminary is approved. He said the City ordinance doesn't give the Planning Commission the authorization to approve a development agreement. Commissioner Pitts is concerned about the timeline. Brandon said it depends on feedback from property owners. He said the first step was to approve the 78' right of way, which has been done. He said the City is seeking for a meeting with the Stephens. Commissioner Johnson asked how this development will affect the posse grounds. Barry said it will not affect its usefulness, and will allow for better access.

Ms. Little suggested tabling until the property owners are contacted.

Brandon Jones, City Engineer's, memo of 13 January 2016 is as follows:

*We recommend preliminary approval be given with the following additional provisions:*

**APPROVAL w/ PROVISIONS**

1. The Development Agreement (discussed below in Item #19) must be approved by the City Council before Phase 2 will be given final approval.

2. Old Fort Road, from 475 East to the east end of the posse grounds must be built as a part of Phase 3, OR the Developer's portion of the cost (as identified in the Development Agreement) must be placed in a cash escrow account.

*We recommend the following changes be made to the preliminary plans before considering them approved:*

**PRELIMINARY PLANS**

3. Sheet #1. Lot 77 is still zoned R-LM. This should be indicated as such.
4. Sheet #1. Spaulding Dr. should be labeled and indicated that it will be vacated by the City.
5. Sheet #2. Note #1 needs to be changed to read, "Old Fort Road, from 475 East to the east end of the posse grounds, must be built as a part of Phase 3, or the developer's portion of the cost (as identified in the Development Agreement) must be placed in a cash escrow account."
6. Sheet #2. The following note should be added, "A Development Agreement, addressing the developer's responsibility in the development and construction of Old Fort Road must be approved by the City Council prior to approval of Phase 2."
7. Sheet #2. The following note should be added, "The number and exact location of manholes, fire hydrants, inlet boxes, street lights, etc. may need to be adjusted with the final approval of each phase."
8. Sheet #2. A "partial" street section for Old Fort Road was provided. For correct reference, this needs to be replaced with the full cross section of Old Fort Road as adopted by the City Council. Our office can provide that cross section.
9. Sheet #2. In the typical cross section for the 70' ROW, the thicknesses for the pavement and road base should be shown at 3" asphalt and 12" road base, but should also indicate "or as currently adopted in the City Standards."
10. Sheet #2. The developer is responsible to remove the street improvements that constitute Spaulding Dr. and construct curb, gutter and sidewalk across the current street. This should be drawn and the current note revised accordingly.
11. Sheet #2. The existing sewer line in Old Fort Road should be labeled as 30".

*We recommend that the following items be completed before final approval of Phase 1:*

#### **GENERAL**

12. We received a "temporary" will-serve letter from JUB (the engineer representing the South Weber Irrigation Company) dated November 25, 2015, indicating that it is anticipated that they will serve the subdivision. However, the letter also indicates several items still needing to be addressed before a final approval letter will be given. This letter will be needed for final approval.

#### **PLAT**

13. Streets and Addresses will be needed at the final approval of each phase. The developer may choose the street names. The addresses will be provided by our office.

14. There should be a note referencing the geotechnical report conducted by GSH, dated December 3, 2015.

#### **IMPROVEMENT PLANS**

15. It appears that the sewer will be the only utility that will need to be extended beyond the boundaries of Phase 1. However, this will need to be provided with Phase 1.

16. We have received a will-serve letter from Central Weber Sewer District. An approval letter from the District will be required in order to make this connection.

17. The culinary and secondary water lines in Firth Farms Rd. will need to be extended.

18. The drainage for Phase 1 can be drained into the existing storm drain in Firth Farm Rd. However, this needs to be extended to the northeast in order to pick up drainage in the intersection.

*The following items are mentioned for informational purposes:*

**GENERAL**

19. Development Agreement. The main provisions that should be covered by the Development Agreement are as follows:

- a. The development and construction of Old Fort Road from 475 East (including the reconstruction of the intersection as shown in the City's adopted General Plan) to the east end of the posse grounds.
  - i. This is desired to be a 3-party agreement between the City, the Developer and the Stephens (the majority property owner on the north side of the street).
  - ii. This should include a proportionate share analysis that would address the obtaining of the necessary property for the ROW as well as the cost share associated with construction of the road and all necessary improvements.
- b. The vacation of Spaulding Drive.
- c. The possibility of the detention basin being eliminated in the future once a regional detention basin is constructed downstream providing sufficient volume to cover its removal from the system.

20. Culinary Water. This subdivision is proposing 76 new residential lots / ERC's, which requires an additional 34.048 AF of culinary water supply. On July 28, 2015, the City Council approved the purchase of an additional 140 acre-feet (AF) of culinary water from Weber Basin. This amount covered a 99 AF deficit and provided an excess of 41 AF for future development. With the approval of this subdivision, that will leave the City with an excess of 6.952 AF (or approx. 15 ERC's).

21. Geotechnical Report. A report conducted by GSH (dated December 3, 2015), was provided. We recommend that all provisions and recommendations contained in this report be followed, with the following items emphasized:

- a. *"it is recommended that the top of the lowest habitable slab be kept a minimum of 3.0 feet above the existing groundwater level. If a land drain is constructed within the development, the top of slabs within the lowest habitable level are recommended to be 1.5 feet above the level controlled by sub drains tied into land drains within the development."* Basements are NOT being proposed in any part of the development. No further action is needed unless the developer changes his mind. In that event, the provisions of the Geotechnical Report would need to be followed.
- b. Some of the on-site soils are not suitable for trench backfill. We recommend that imported granular backfill meeting AASHTO Type A-1a gradation be used as the trench backfill unless a qualified Geotechnical Engineer can verify that the native material meets this requirement.
- c. 3" of asphalt of 12" of road base are recommended for the street pavement. This is greater than the minimum required by the current City Standard. We recommend that these thicknesses be required.

**Commissioner Winsor moved to approve the Preliminary Subdivision: application for Riverside Place (76 lots), located at approx. 600 E. 6650 S. (Parcels 13-018-0071 and 13-0180072), 24.07 acres; Developer: Douglas Brady subject to Brandon Jones memo of 13 January 2016 and Barry Burton's memo of 7 January 2016. Commissioner Walton**

**seconded the motion. Commissioners Osborne, Pitts, Walton, and Winsor voted yes. Commissioner Johnson voted no. The motion carried 4 to 1.**

Brandon said it has been the intention of the City staff to contact the property owners all along in relation to the proposed Old Fort Road development. He said the City just hasn't spoken to everybody yet.

**Discussion on Wynn, Boyer, and Poff properties with the Fords/ Reeve & Associates:**

Duncan said the history of the property is that there was a prior developer in which the property was rezoned approximately two years ago for multi-family housing and the remainder was rezoned for single family residential. No action has been taken for a little over a year, and now there is a new developer, who would like to develop. He said this property is west of 6650 South. Duncan discussed dedicating land for a trail and complete trail improvements. He said the developer would like to keep the same zoning. The subdivision plat would remain similar to the previously presented plat. He said essential to the development is access through a landowner's property as a major access. He said the developer would like to move forward with the same process that the last developer started. He said this would go before Sketch Plan etc. to finish the process of the prior developer. Commissioner Winsor asked about any agreements made for access from 475 East. Duncan said the zone change was approved and recorded against the property.

Nate Reeve, of Reeves & Associates, said this project was started almost 12 years ago. He said it is a great location. The geotech study has been completed. He said Mike and Diane Ford are in attendance tonight. He said they will follow and adhere to Ordinance 13-18A and Ordinance 13-18B. He said there will be eight acres of high density and constructed as one phase. Mr. Reeve said the trail will follow as close as it can to the master plan and will be asphalted. Barry asked about ownership of property. Nate said all three properties are under contract with the Fords. Diane Ford said there will be architectural standards. She has been working with an architect on the apartments. She really wants a country feel to them. She said the high density units are only two apartments high. She said there will be green space.

**Michael Poff, 6591 S. 475 E.,** said there is an importance to development agreements. He said Full Circle Homes has a vision and feels they will do a great job. He said in the future, development agreements will help with developer's promises. He also thanked Commissioner Osborne for what he has done with Highmark Charter School and what the city staff has done in getting a Maverik. He said Old Fort Road will eliminate driveway access.

**PUBLIC COMMENTS:**

**Mike Bastian, 7721 S. 1750 E.,** asked if the Planning Commission has discussed the need for a sidewalk on 1900 East by the school bus stop. He said property would need to be purchased from the Checketts in order to install sidewalk. Commissioner Osborne said it has been discussed.

**PLANNING COMMISSION COMMENTS:**

**Commissioner Johnson:**

**Trails Committee:** He is working on getting individuals to serve on the trails committee. The City staff will be installing the sewer line along Old Fort Road this summer. Duncan said the City staff will be contacting property owners. Discussion took place regarding a possible trail going under Highway 84. Michael Poff said there is funding available through emergency management and suggested the City look into that.

**Commissioner Winsor:**

**Irregular Lots:** He asked about the status of irregular lots. Barry is working on it.

**Traffic Study by Maverik:** It was suggested requesting a traffic study from UDOT for a street light at the intersection of South Weber Drive and the frontage road.

**Water Concerns:** Commissioner Winsor is concerned about getting something in place to require a developer to get water in place before construction.

**Commissioner Pitts:**

**Maverik Traffic Concerns:** Commissioner Pitts questioned the right turn arrows going east. Duncan explained the issue with individuals being confused as to who is turning right on which street. He said there is a lack of clarity. Brandon said it was UDOT’s requirement for the right turn arrows. She drives this area daily and has seen several near misses. Barry suggested making a request to UDOT. Brandon suggested requiring a signal study.

**Commissioner Osborne:**

**Highmark Charter School:** He has been contacted by Highmark Charter School concerning the City’s retention pond to the west of the school. The charter school is willing to grass and maintain it. Duncan said there is a pipe that comes in on the south end that puts water in it. There is also a ditch in the middle of it. Commissioner Osborne said it is a way of making the retention pond look nicer. Brandon said it will fill with water.

**ADJOURNED:** Commissioner Johnson moved to adjourn the Planning Commission meeting at 8:20 p.m. Commissioner Pitts seconded the motion. Commissioners Johnson, Osborne, Pitts, Walton, and Winsor voted yes. The motion carried.

**APPROVED:** \_\_\_\_\_ Date

**Chairperson: Rob Osborne**

\_\_\_\_\_  
**Transcriber: Michelle Clark**

**Attest:** \_\_\_\_\_  
**Deputy Recorder: Elyse Greiner**

# SOUTH WEBER CITY PLANNING COMMISSION MEETING WORK MEETING

**DATE OF MEETING:** 14 January 2016

**TIME COMMENCED:** 6:03 p.m.

**PRESENT: COMMISSIONERS:**

**Debi Pitts  
Rob Osborne  
Wes Johnson  
Wayne Winsor  
Taylor Walton**

**CITY PLANNER:**

**Barry Burton**

**CITY ENGINEER:**

**Brandon Jones**

**CITY ATTORNEY:**

**Doug Ahlstrom**

**CITY MANAGER:**

**Duncan Murray**

**DEPUTY RECORDER:**

**Elyse Greiner**

**Transcriber: Minutes transcribed by Michelle Clark**

**VISITORS:** Nate Reeve, John Boyer, Kurt Boyer, Mike Ford, Diane Ford, Karen Cordon, John P. Reeve, Nate Reeve, Michael Poff, Doug Ahlstrom, Mike Bastian, Ryan Wilde, and Brent Poll.

The City staff and Planning Commission members introduced themselves to newly appointed Planning Commission member Taylor Walton. Taylor Walton said he is currently working at HAFB in civil engineering and has lived in South Weber for three years.

**Approval of Meeting Minutes of 10 December 2015: (no discussion on this item)**

**Public Hearing and Action on Preliminary Subdivision: application for Riverside Place Subdivision (76 lots), located at approx. 600 E. 6650 S. (Parcels 13-018-0071 and 13-018-0072), 24.07 acres; Developer: Douglas Brady:** Barry Burton, City Planner, said this property has been rezoned. This property has been known as the Spaulding property. Part of this property is in the patio zone and part in residential moderate (RM Zone). Everything coincides with the zoning ordinance. There are easements for the power lines, which create issues with Lot 72, 73, 42, & 49. This has been reviewed by the Public Works Department to help make snow plowing a little bit easier. Probably the major issue is Old Fort Road. The north side of development fronts on Old Fort Road. He said they are hoping that this development will take pressure off of 475 East. Barry said 6650 South is a sub standard road. In order to handle traffic from this subdivision and other traffic, the street needs to be widened and will involve two existing homes (west of the development), Stephen's property, and Rocky Mountain Power's substation. Barry said the City will need to be involved with negotiations and a development

agreement will need to take place. He explained that all the frontage of Old Fort Road is in phase 4. He said the phasing and development agreement need to be done appropriately so the City isn't left with issues. Barry discussed two provisions which include: (1) approving the preliminary plat with the requirement that the development agreement must be approved by the City Council before Phase 2 will be given final approval, and (2) Old Fort Road, from 475 East to the east end of the posse grounds must be built as a part of Phase 3, OR the Developer's portion of the cost (as identified in the Development Agreement) must be placed in a cash escrow account.

Brandon Jones, City Engineer, referred to his memo of 13 January 2016 and stated *he recommends the following changes be made to the preliminary plans before considering them approved:*

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share associated with construction of the road and all necessary improvements.

b. The vacation of Spaulding Drive.

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b. Some of the on-site soils are not suitable for trench backfill. We recommend that imported granular backfill meeting AASHTO Type A-1a gradation be used as the trench backfill unless a qualified Geotechnical Engineer can verify that the native material meets this requirement.

c. 3" of asphalt of 12" of road base are recommended for the street pavement. This is greater than the minimum required by the current City Standard. We recommend that these thicknesses be required.

Commissioner Winsor is concerned about the groundwater. Brandon said the depth of the groundwater is between 7 ft. to 10 ft. He doesn't have any concerns if they are not doing basements. He said if they choose to install basements in the future, he would suggest going back to the geotechnical report, but he doesn't feel there are significant issues with the geotechnical report. He said some of the on-site soils are not suitable for trench backfill. He would recommend that imported granular backfill meeting ASSHTO Type A-1a gradation be used as the trench backfill unless a qualified geotechnical engineer can verify that the native material meets this requirement.

Commissioner Osborne questioned if the City is at the point to request a developer bring their culinary water. Brandon said not yet, but that is an upcoming project. Commissioner Osborne said developments impact the City and that is a concern. Doug Ahlstrom, City Attorney, said this application came in prior to any requirement for water. Brandon said after it is adopted, anyone pulling a building permit will be subject to the impact fee. Duncan said the city staff is actively working on this. Brandon referred to item #20 of his memo.

**Discussion on Wynn, Boyer, and Poff properties with the Fords/ Reeve & Associates  
(No discussion on this item)**

**ADJOURNED: 6:30 p.m.**