



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for preliminary plan approval of Staker Farmstead Estates Cluster Subdivision.
Type of Decision:	Administrative
Agenda Date:	Tuesday, May 09, 2017
Applicant:	E. Hal Christensen, Applicant; Val and Linda Staker, Owners
File Number:	LVS040417

Property Information

Approximate Address:	2665 S 3500 W
Project Area:	13.12 acres
Zoning:	A-1
Existing Land Use:	Agricultural
Proposed Land Use:	Residential
Parcel ID:	15-088-0035
Township, Range, Section:	Township 6 North, Range 2 West, Section 33

Adjacent Land Use

North:	Residential	South:	Agricultural
East:	Residential	West:	Agricultural

Staff Information

Report Presenter:	Steve Burton sburton@co.weber.ut.us 801-399-8766
Report Reviewer:	RK

Applicable Ordinances

- Title 104, Zones, Chapter 5, Agricultural (A-1) Zone
- Title 106, Subdivisions
- Title 108, Standards, Chapter 3, Cluster Subdivisions

Development History

- The Western Weber Planning Commission reviewed and unanimously endorsed the Sketch Plan on March 14, 2017.

Background

The applicants have submitted a request for preliminary plan approval of the Staker Farmstead Estates Cluster Subdivision, a cluster subdivision consisting of 18 building lots, 4 open space parcels and 2 common areas. The proposed subdivision is located at approximately 2665 S 3500 W, Ogden, UT and is in the A-1 zone. Public roads will be created with this proposal to provide access to each lot and the design will create connectivity to the surrounding area for future development.

The applicants are requesting a 50 percent bonus density based on meeting the purpose and intent of the cluster subdivision chapter, for up to a ten percent bonus density; providing and implementing an approved roadway landscape and design plan, for up to 20 percent bonus density; providing common area that offers easily accessible amenities such as trails, parks, or community gardens, that are open for use by the general public, for up to a 15 percent bonus density; providing for the development of excess sewage treatment capacity, for up to a five percent bonus density. With the 50 percent bonus density, the applicant will be able to add an additional 6 lots to the 12 base lots, for an overall density of 18 lots.

The proposal has been reviewed against the current subdivision ordinance, the standards in the A-1 zone, and the cluster subdivision standards. The proposed subdivision, in compliance with the recommended conditions, conforms to the zoning, subdivision, and cluster subdivision requirements including adequate frontage and access along future dedicated county roads, adequate lot width, and lot area. As part of the preliminary plan requirements and approval procedure, the preliminary plan must be presented to the Planning Commission for their review and recommendation.

If the Planning Commission's recommendation is not appealed to the County Commission within 15 days of the Planning Commission's recommendation, then the Planning Commission's recommendation shall stand as the County's decision on preliminary approval.

The proposed application has been reviewed against certain standards in the Uniform Land Use Code of Weber County, Utah (LUC). The following is staff's evaluation of the request.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating lots for the continuation of single-family residential development that is currently dominant in the area and by encouraging residential cluster style development with a minimum 30% open space.

Zoning: The subject property is located in the Agriculture (A-1) Zone. The purpose of the Agricultural (A-1) zone is identified in the LUC§104-5-1 as:

"The purpose of the A-1 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment."

Cluster subdivisions, in accordance with the Land Use Code, are permitted in the A-1 Zone.

The proposal has been reviewed against the adopted zoning and subdivision ordinances to ensure that the regulations and standards have been adhered to. The following is a brief synopsis of the review criteria and conformance with the LUC.

Cluster subdivision design and layout standards: The minimum lot width requirement for cluster subdivision lots in the A-1 zone is 60 feet per LUC§ 108-3-7(2)(c). The proposed cluster subdivision meets the open space width requirements per LUC§108-3-4(1).

The applicant has proposed three clusters within the subdivision. Two of the three clusters consist of seven lots, which exceeds the one-third design requirement as outlined in LUC§ 108-3-4(2) which states:

"In a subdivision consisting of fewer than 60 lots, each cluster shall contain no less than three lots and no more than one-third of the total number of lots in the subdivision."

The applicant is requesting the County to increase the number of lots in the two clusters to seven lots instead of six. This request is allowed per LUC§108-3-4(2)(a)&(b) which states:

"The county may approve up to a five lot increase in the number of lots in a cluster if:

- a. The total number of lots cannot be equally divided into thirds and leaves a remaining number of lots that does not meet the standard for the minimum number of lots in a cluster; or*
- b. There are unusual circumstances, such as complications involving topography, infrastructure, geotechnical, or geologic conditions, which warrant an increase."*

In order to allow for the maximum amount of lots in the A-1 zone and with up to a 50% bonus density in the cluster subdivision, the applicant is requesting the flexibility within the two clusters due to the open space design criteria in the cluster subdivision code and the current parcel configuration.

The proposed lot sizes vary from 10,547 square feet to 29,009 square feet. The minimum lot size can be reduced below 15,000 square feet based on meeting the criteria outlined in LUC§108-3-7 which states:

A lot's minimum area is reduced to 6,000 square feet if:

The lot lies within a cluster subdivision that is adjacent to an undeveloped parcel. A parcel is considered undeveloped if it:

- i. Does not contain an existing dwelling; or*
- ii. Contains an existing dwelling that lies further than 150 feet away from all external boundaries of the proposed or subject cluster subdivision.*

The proposed cluster subdivision is adjacent to multiple undeveloped parcels to the north and south of the current parcel's boundaries, meeting the requirement to reduce lot size to 6,000 square feet. All lots within the proposed cluster subdivision meet the area and width requirements.

Bonus Density Requirements: The LUC§ 108-3-4 states that the minimum preserved open space requirement in the A-1 zone is 30 percent. The LUC§ 108-3-8(2) states that the county may grant a bonus density of up to 50 percent if the applicant preserves an open space percentage above the 30 percent requirement. The applicant is proposing to preserve 50 percent open space; which will allow up to a 50 percent bonus density to be granted. The applicant is proposing to be granted the 50 percent bonus density based on a combination of the following, as outlined in LUC§108-3-8:

- a.) If a cluster subdivision meets the purpose and intent of the cluster subdivision chapter, up to a ten percent bonus density may be granted.*

"The purpose of this chapter is to provide flexible development standards to landowners that are committed to developing safe, attractive, conservation oriented neighborhoods that are thoughtfully designed and arranged in a manner that considers, gives deference to, and ultimately protects natural topography, environmentally sensitive areas, wildlife habitat, and agriculturally productive lands. It is intended to benefit those that create cluster subdivisions by offering an inherent gain in the form of reduced infrastructure costs and the possibility for a substantial increase in residential density in the Western Weber Planning Area. It is equally intended to benefit the residents of Weber County by promoting public welfare through the reduction of long-term infrastructure maintenance costs and the permanent preservation of the county's functional open spaces, picturesque landscapes, and rural character."

- b.) If a cluster subdivision provides and implements an approved roadway landscape and design plan that includes, but is not necessarily limited to, vehicle and pedestrian circulation, lighting, and street trees of an appropriate species, size of at least a two-inch caliper, and quantity of not less than eight trees for every 100 feet of road length, up to 20 percent bonus density may be granted.*

The applicant has provided a roadway landscape and design plan including sidewalk, curb, and gutter on both sides of the proposed street as well as street trees of the correct caliper, which will be planted according to §108-3-8 (b). The applicant has also provided a streetlight plan consisting of two street lights erected at the east and west end of the proposed development (Exhibit B).

- e.) If a cluster subdivision provides common area that offers easily accessible amenities such as trails, parks, or community gardens, that are open for use by the general public, up to a 15 percent bonus density may be granted.*

The applicant has proposed to implement walking trails consisting of sidewalks within the common area strips located between clusters of lots. A condition of approval has been added to the staff recommendation to show the exact location of the proposed trails within the common areas between clusters.

- i.) If a cluster subdivision provides for the development of excess sewage treatment capacity, up to a five percent bonus density may be granted.*

The applicant has proposed to provide for the development of excess sewage treatment capacity by providing a 10" sanitary sewer pipe. The standard sanitary sewer pipe in this area is 8". The design for the increased pipe size will need to be approved with the final subdivision improvement plans.

Culinary water and sanitary sewage disposal: Will Serve letters have been provided by the Taylor West Weber Water Improvement District and the Central Weber Sewer Improvement District regarding culinary water and sanitary sewer disposal. Hooper Irrigation Company has also provided a Will Serve letter regarding secondary water (see Exhibit C).

Additional design standards and requirements: The proposed cluster subdivision will have a 60' width dedicated county road extending through the subdivision to the adjacent property to provide future connectivity to the surrounding area.

The applicant has provided a project notification form from the Utah State Department of Environmental Quality Division of Drinking Water as part of the preliminary plan. A capacity assessment letter will be required prior to receiving final approval from the planning commission. A construct permit from the Utah Department of Environmental Quality Division of Drinking Water will be required prior to the subdivision receiving final approval from the County Commission.

As stated in LUC §108-3-9, *the applicant, prior to recording a final plat of the cluster subdivision, shall:*

1. *Establish a homeowners association and submit for the county's review the necessary articles of incorporation, bylaws, and declaration of covenants, conditions, and restrictions that provide for:*
 - a. *Compliance with Utah State Code;*
 - b. *The reason and purpose for the association's existence;*
 - c. *Mandatory membership for each lot or home owner and their successors in interest;*
 - d. *The perpetual nature of the easements related to all dedicated open space parcels;*
 - e. *Responsibilities related to liability, taxes, and the maintenance of recreational and other infrastructure and facilities;*
 - f. *Financial obligations and responsibilities, including the ability to adjust the obligations and responsibilities due to change in needs;*
 - g. *Association enforcement remedies; and*
 - h. *A notification of the county's ability to enforce the terms of the owner's dedication on the subdivision dedication plat.*
2. *Register the homeowners association with the State of Utah, Department of Commerce.*

This requirement has been added to the staff recommendation as a condition of approval.

Review Agencies: To date, the preliminary plan for the proposed cluster subdivision has been reviewed by the Surveyor's Office. A condition of approval has been added to ensure that all conditions of the Review Agencies, including the Engineering Division and the Fire District, will be addressed prior to final plat submittal.

Tax clearance: There are no outstanding tax payments currently related to these parcels.

Public Notice: A notice has been mailed not less than seven calendar days before preliminary approval to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC §106-1-6(b).

Staff Recommendation

Staff recommends preliminary plan approval of the Staker Farmstead Estates Cluster Subdivision, consisting of 18 building lots, 4 open space parcels and 2 common areas. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A capacity assessment letter will be required prior to receiving final approval from the Planning Commission and a construct permit from the Utah Department of Environmental Quality Division of Drinking Water will be required prior to the subdivision receiving final approval from the County Commission.
2. The applicant will be required to establish a declaration of covenants, conditions, and restrictions prior to recording a final plat of the cluster subdivision, as stated in LUC §108-3-9.
3. A guarantee of Improvements will be required as outlined in LUC § 106-4-3.
4. The applicant must label 'Open Space Parcel 3' and 'Open Space Parcel 4' as common area to be owned by the homeowners association as outlined in LUC §108-3-6 (1) (b).
5. The applicant must provide a site plan for the proposed sidewalk trails within the common areas prior to receiving final approval from the Planning Commission.

This recommendation is based on the following findings:

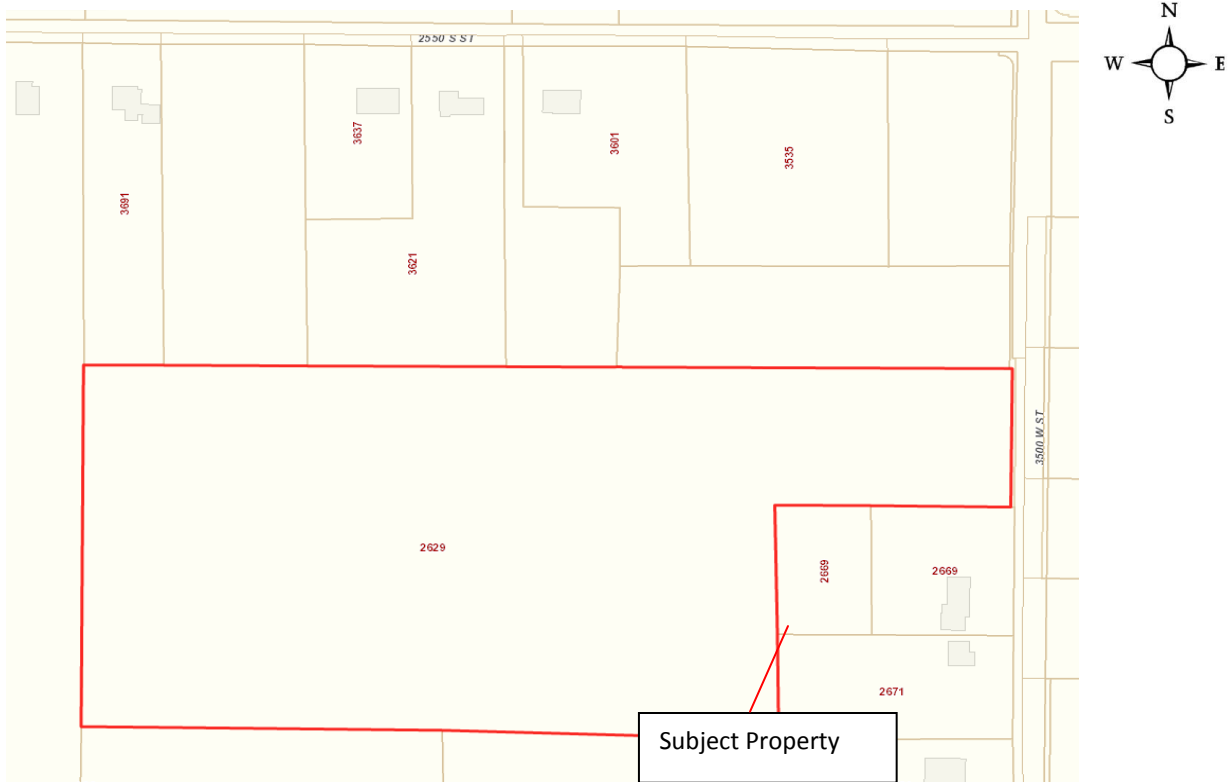
1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable County ordinances.
3. Up to a ten percent bonus density may be granted for meeting the purpose and intent of the cluster subdivision.
4. Up to 20 percent bonus density may be granted based on providing and implementing an approved roadway landscape and design plan.

5. Up to a 15 percent bonus density may be granted based on providing common area that offers easily accessible amenities such as trails, parks, or community gardens, that are open for use by the general public.
6. Up to a five percent bonus density may be granted based on providing for the development of excess sewage treatment capacity.
7. The proposed subdivision will not be detrimental to public health, safety, or welfare.
The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

- A. Proposed preliminary plan
- B. Street landscape and lighting design
- C. Will serve letters

Map 1



Map 2

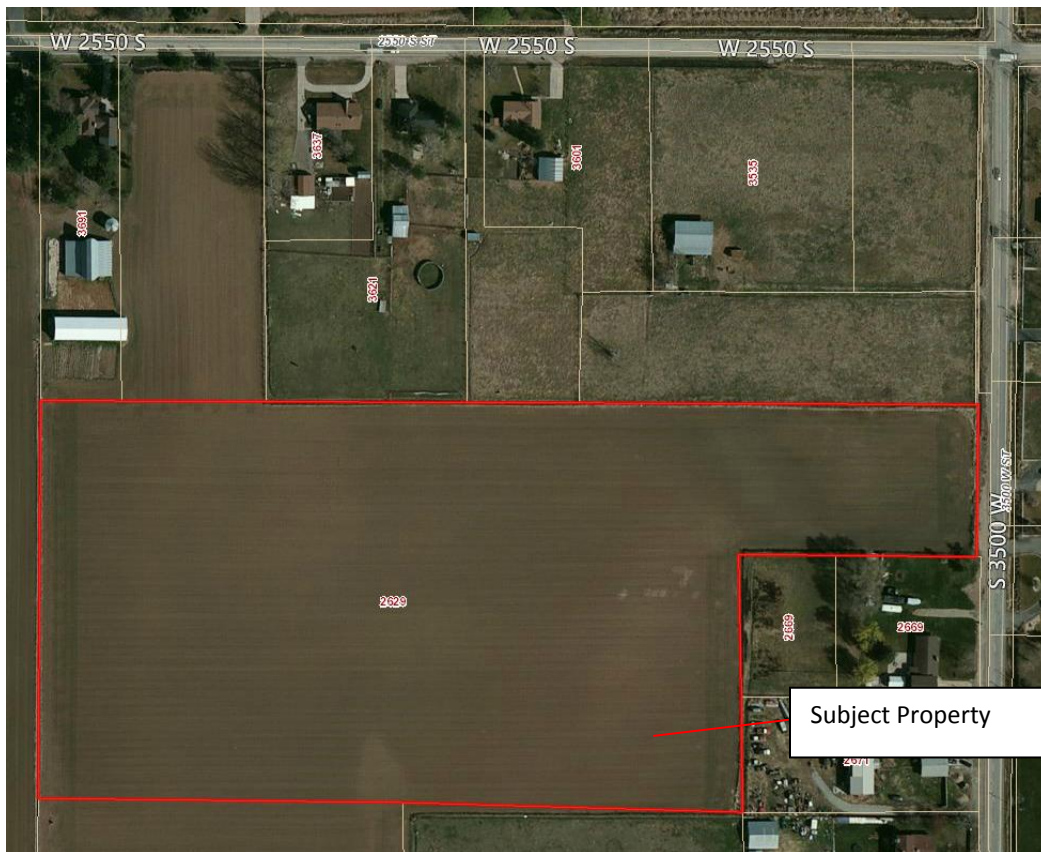
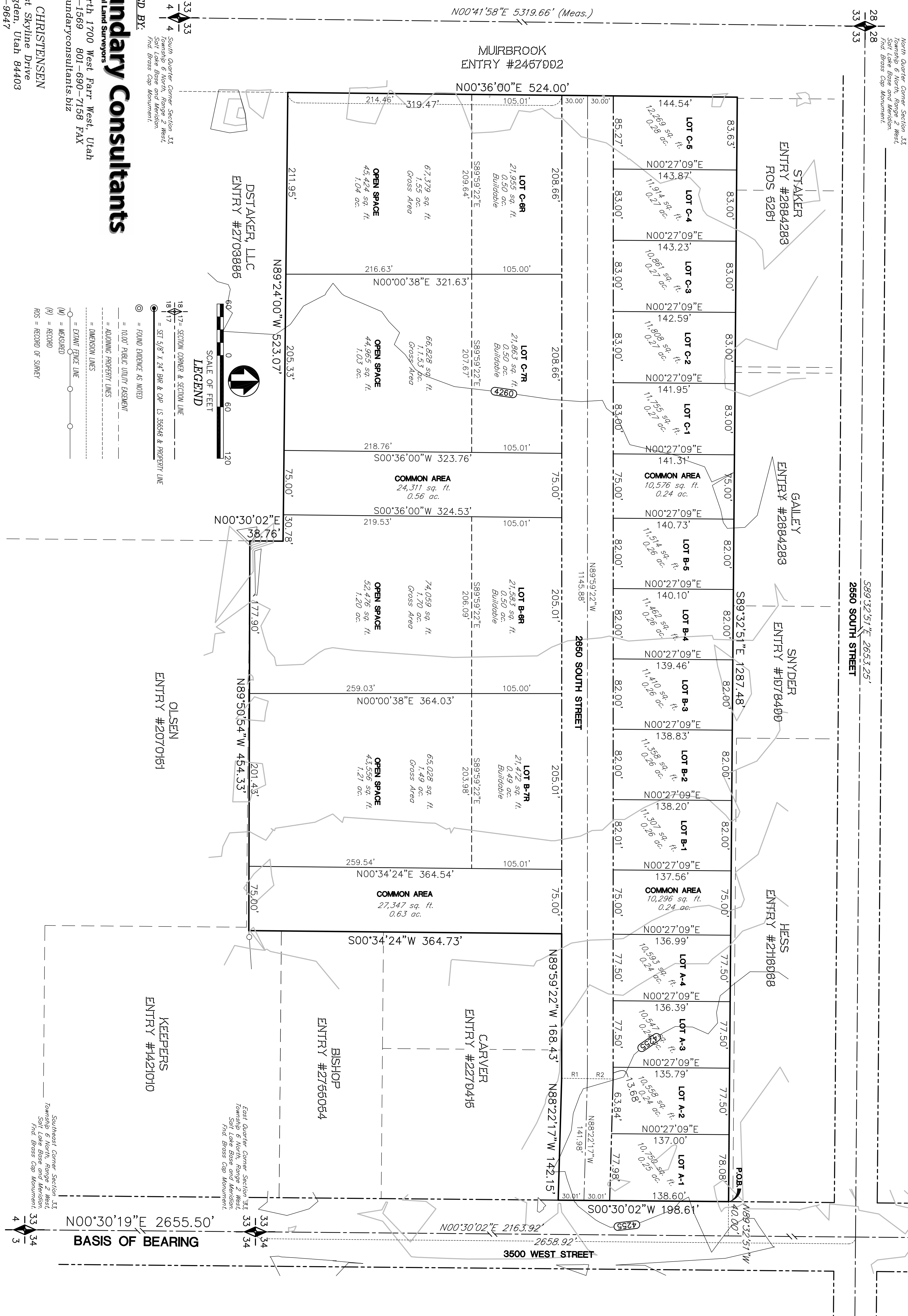


Exhibit A

STAKER FARMSTEAD ESTATES RESIDENTIAL CLUSTER SUBDIVISION TAYLOR, WEBER COUNTY, UTAH

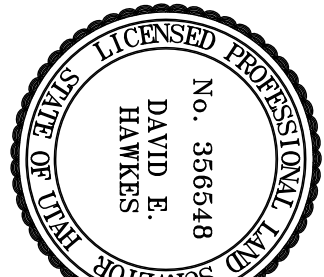
TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN SURVEY PERFORMED: MARCH 2017



SURVEYORS CERTIFICATE I, David E. Hawkes, certify that I am a Professional Land Surveyor holding license number 356548...

BOUNDARY DESCRIPTION

A parcel of land lying and situate in the Northeast Quarter of Section 33, Township 6 North, Range 2 West, Salt Lake Base and Meridian...



OWNERS DEDICATION

Known all men by these presents that we, the undersigned owners of the above described tract of land having caused the same to be subdivided as shown on this plat and named said tract STAKER FARMSTEAD ESTATES RESIDENTIAL CLUSTER SUBDIVISION...

Signed this ___ day of _____, 2017.

E. Hal Christensen

ACKNOWLEDGMENT STATE OF UTAH COUNTY OF WEBER } S.S.

On the ___ day of _____, 2017, personally appeared before me, the undersigned Notary, in and for said County of Weber, in said State of Utah, the signer of the above Owner's Dedication, who duly acknowledged to me that he signed it freely and voluntarily for the purposes therein mentioned.

Notary Public My Commission Expires _____

WEBER MORGAN HEALTH DEPARTMENT I hereby certify that the soils, percolation rates and site conditions for the proposed on-site waste water system...

WEBER COUNTY RECORDER

ENTRY NUMBER _____ FEE PAID _____ FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____, 2017, IN BOOK _____ AT PAGE _____ OF THE OFFICIAL RECORDS. DEPUTY COUNTY RECORDER

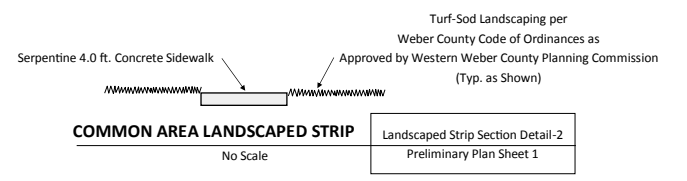
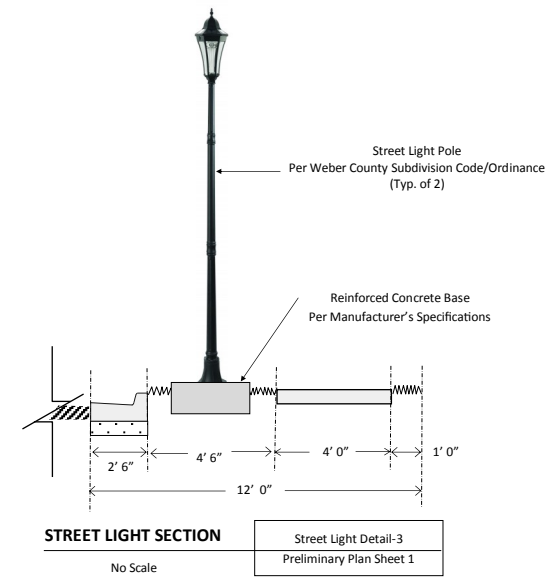
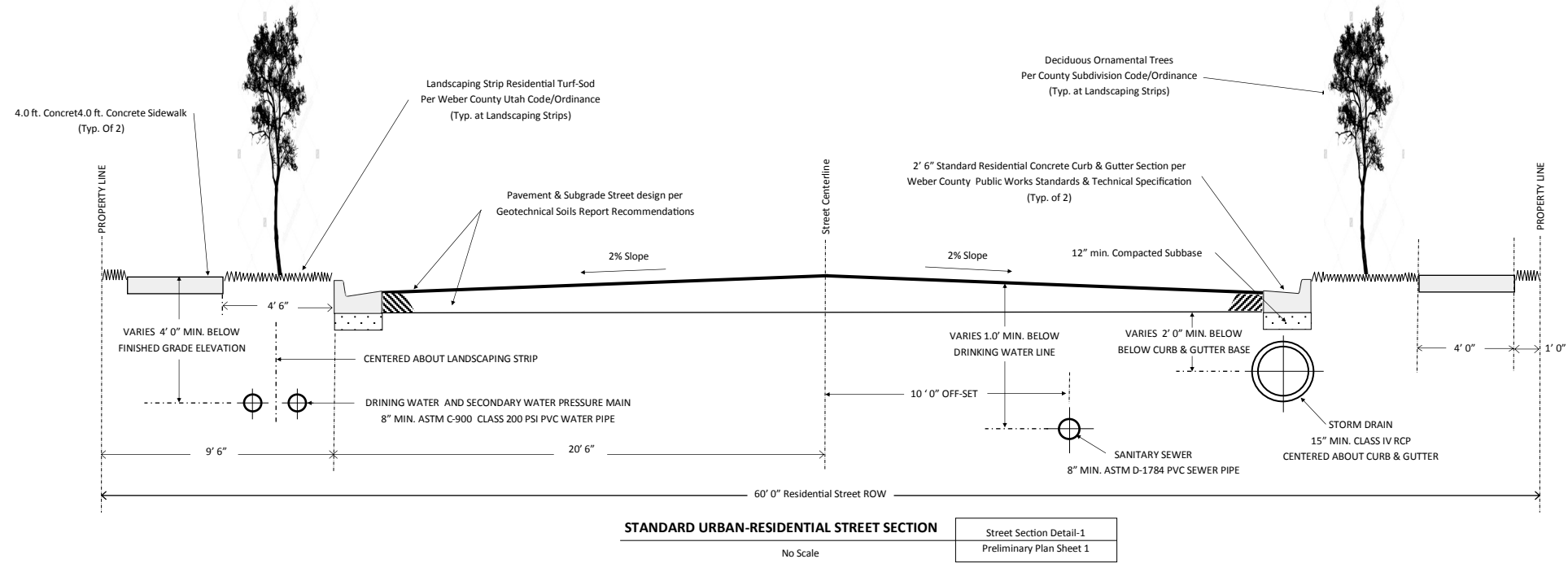
WEBER COUNTY ATTORNEY I have examined the financial guarantee and other documents associated with this subdivision plat and in my opinion they conform with the County Ordinance applicable thereto and now in force and effect.

COUNTY SURVEYORS CERTIFICATE I hereby certify that the Weber County Surveyors Office has reviewed this plat for nonmathematical correctness, section corner data, and for harmony with lines and monuments on record in County offices.

WEBER COUNTY ENGINEER I hereby certify that the required public improvement standards and drawings for this subdivision plat conform with County standards and the amount of the financial guarantee is sufficient for the installation of these improvements.

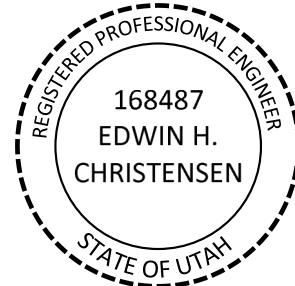
WEBER COUNTY PLANNING COMMISSION APPROVAL This is to certify that this subdivision plat was duly approved by the Weber County Planning Commission on the ___ day of _____, 20__.

WEBER COUNTY COMMISSION ACCEPTANCE This is to certify that this subdivision plat, the dedication of streets and other public improvements shown thereon, and the plat are hereby approved and accepted by the Commissioners of Weber County, Utah on the ___ day of _____, 20__.



NOTE: ALL COMMON AREA STRIPS SHALL BE OWNED AND MAINTAINED BY A HOME OWNERS ASSOCIATION.

Edwin H. Christensen, SE, PE



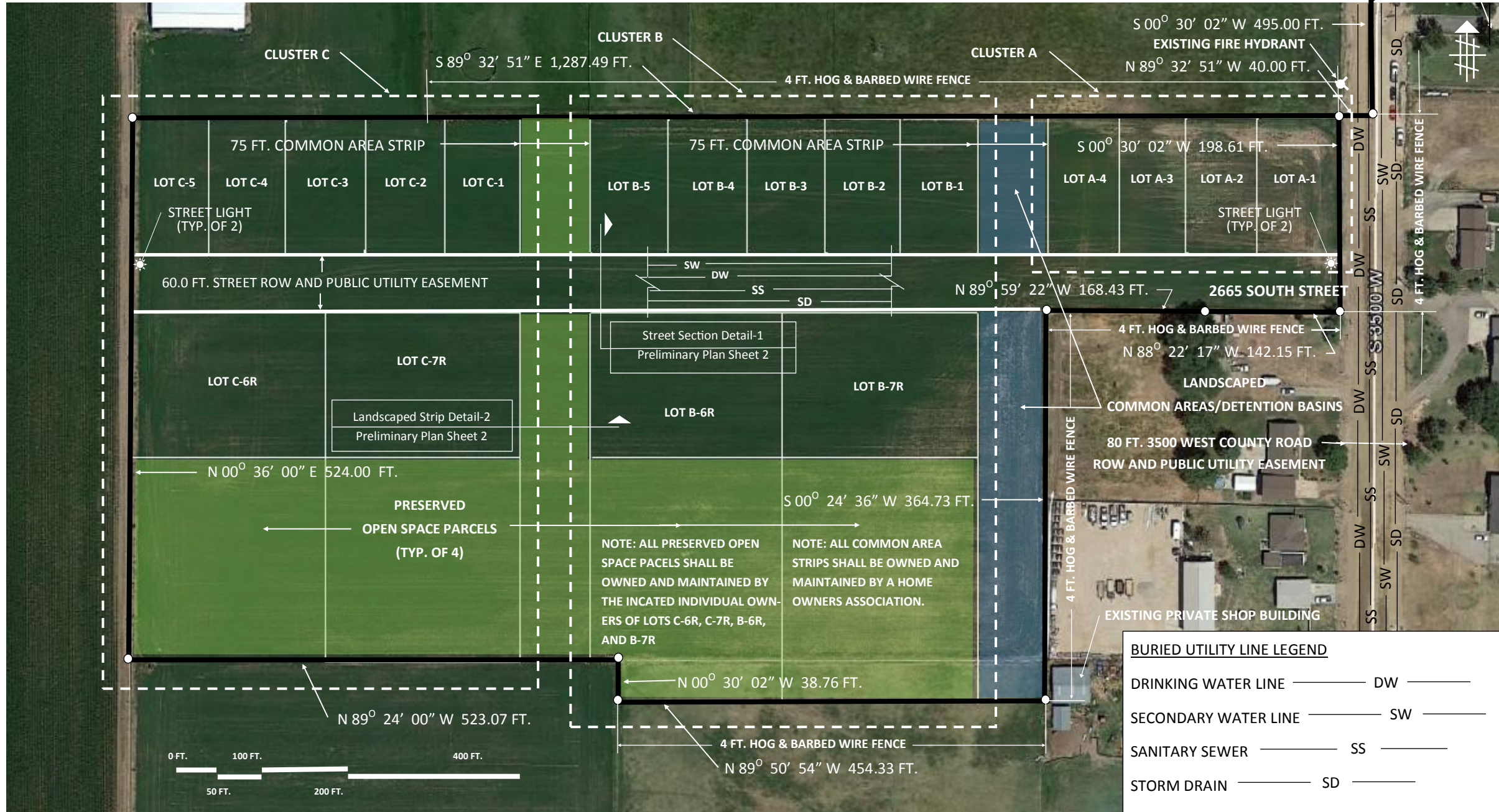
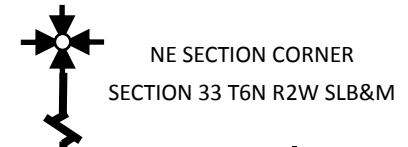
Utah No. 168487-2203

ALPINE ENGINEERING & CONSTRUCTION, LLC
Land Development | Public Works-Water & Wastewater Utilities
P.O. Box 13059, Ogden, UT 84412 | (801) 458-9647

PRELIMINARY PLAN SUBMITTAL-STREET, COMMON AREA, AND STREET LIGHT SECTIONS/DETAILS
18 LOT RESIDENTIAL CLUSTER SUBDIVISION WEBER COUNTY, UTAH

Rev. Date	Reviewed	Submittal	Approximate Address: 2665 South 3500 West Taylor, Utah 84401	Date of Submittal: March 28, 2017
12/16/2016	EHC	Conceptual Sketch Plan	Partial Legal: NE ¼ Section 33, Township 6 North, Range 2 West SLB&M	Submittal: Weber County Planning Commission
4/3/2017	EHC	Property Boundary Change per RLS Plat	Recorded Weber County Tax Assessor Tax ID Number: 15-088-0035	Current Zoning Designation: A-1
4/10/17	EHC	Addition of Landscaped Strip Sections	Record Property Ownership: Val E. & Linda L. Staker	SHEET 2 OF 2
4/17/17	EHC	Addition of Underground Utilities/Street Light	Land Surveyor: David E. Hawkes, PLS, 1295 North 1700 West, Far West, UT 84404	

**STAKER FARMSTEAD ESTATES
RESIDENTIAL CLUSTER SUBDIVISION
NE 1/4 SECTION 33 TOWNSHIP 6 NORTH RANGE 2 WEST SLB&M**



TOTAL DEVELOPMENT ACREAGE SUMMARY	
Total Acreage	13.54
Total Street Acreage	1.77
Total Common Acreage	1.67
Total Cluster A Developable Acreage	0.97
Total Cluster B Developable Acreage	2.48
Total Cluster B Preserved Open Space Acreage	2.23
Total Cluster C Developable Acreage	2.43
Total Cluster C Preserved Open Space Acreage	1.99
Total Developable Acreage All Clusters	5.88
Total Preserved Open Space & Common Area	5.89

INDIVIDUAL CLUSTER ACREAGE SUMMARY				
Cluster	Lot	Ft ²	DV Ft ²	OS Ft ²
Cluster A	A-1	10,750		
	A-2	10,558		
	A-3	10,547		
	A-4	10,593		
Cluster B	B-1	11,307		
	B-2	11,358		
	B-3	11,410		
	B-4	11,462		
	B-5	11,514		
	B-6R		25,633	48,427
	B-7R		25,433	48,595
Cluster C	C-1	11,755		
	C-2	11,808		
	C-3	10,861		
	C-4	11,914		
	C-5	12,269		
	C-6R		24,035	43,376
	C-7R		23,419	43,376

Table Notes:
 1. DV Ft² : Developable Lot Area
 2. OS Ft² : Preserved Open Space Lot Area

Edwin H. Christensen, SE, PE Utah No. 168487-2203	ALPINE ENGINEERING & CONSTRUCTION, LLC Land Development Public Works-Water & Wastewater Utilities P.O. Box 13059, Ogden, UT 84412 (801) 458-9647			PRELIMINARY PLAN SUBMITTAL-DEVELOPMENT LAYOUT PLAN 18 LOT RESIDENTIAL CLUSTER SUBDIVISION WEBER COUNTY, UTAH	
	Rev. Date	Reviewed	Submittal	Approximate Address: 2665 South 3500 West Taylor, Utah 84401	Date of Submittal: March 28, 2017
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	4/10/17	EHC	Addition of Landscape Strip Sections	Record Property Ownership: Val E. & Linda L. Staker	SHEET 1 OF 2
	4/17/17	EHC	Addition of Underground Utilities/Street Lights	Land Surveyor: David E. Hawkes, PLS, 1295 North 1700 West, Far West, UT 84404	

TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT

2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401

March 23, 2017

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

This is to inform you that ***preliminary*** approval has been given to provide culinary water only for Staker Farmstead Estates 18 lots at the approximate address of 3500 West 2665 South in Taylor, Utah.

Requirements:

*Water rights fee = 1/4 share of Hooper or Wilson Irrigation (in District's name) or a Weber Basin contract (\$2,902 or current cost when paid) per lot.

\$25.00 per lot plan review fee.

Secondary water to be furnished by others (Hooper Irrigation)

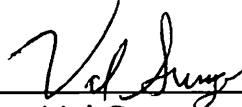
Hookup/connection fees will need to be paid by each lot owner (\$5638.00 or current cost when paid) before building permit is issued by Weber County.

Construction plans must be approved by Water District before the start of project.

Final approval will be subject to meeting all of the requirements of the District and all fees/shares being paid and received.

Sincerely,

TAYLOR WEST WEBER WATER IMP. DIST.



Val Surrage - Manager

VS/sph

**West Haven
Special Service District
4150 S. 3900 W.
West Haven, UT 84401
(801) 731-5819
Fax 801-731-1002**

BOARD MEMBERS

ROBERT W. HOLMES, CHAIRMAN
TED SMITH, VICE CHAIRMAN
SHARON BOLOS, MAYOR
JAMIE WILLIAMS, BOARD RECORDER

DENNIS DALLINGA
DAWNELL MUSSELMAN
BRYAN HARMS
VADAWN KELLEY

April 3, 2017

Weber County Planning

Re: Sewer Service to property – Address: 2665 South 3500 West, Parcel 15-088-0035

To Whom It May Concern:

The WHSSD will serve this property with sewer. WHSSD needs to review and approve all plans. WHSSD will maintain the sewer lines in the public roads. When houses are built the impact fees will be required to be paid to the WHSSD.

Please call if you have any questions

Sincerely,
The West Haven Special Service District



Steve Anderson P.E. – District Engineer

Hooper Irrigation Company

P.O. Box 184

Hooper, UT 84315

Phone (801) 985-8429 Fax (801)985-3556

Email: HooperIrrigationCo @ msn.com

Board of Directors:

President Theo G Cox, Vice President Rex Hancock, Treasurer John Diamond, Dave Favero, Clint Naisbitt, Stan Fowers, and Dale Fowers

03/24/17

18 Lot Cluster Subdivision
E Hal Christensen
3500 W 2550 S (approx.)
Ogden, Utah 84401

Re: Secondary Water

To whom it may concern:

Hooper Irrigation Company is responsible for providing the Pressurized Secondary Service in this area. Hooper Irrigation Company is willing to provide the Secondary Service for this Subdivision after all required conditions and guidelines have been met. There are sufficient water shares with the property to connect to the secondary system when necessary.

If you have any further questions please call the Company Office at (801)985-8429.

Sincerely,



Michelle Pinkston
Office Manager



Central Weber Sewer Improvement District

March 27, 2017

Weber County Planning Commission
2380 Washington Blvd.
Ogden, Utah 84401-1473

Reference: Will Serve Letter
Proposed Val & Linda Staker Subdivision
Parcel Tax ID # 15-088-0035
2665 South 3500 West

We have been asked to review the possibility of providing sanitary sewer service for a proposed Subdivision at 2665 South 3500 West. The Central Weber Sewer Improvement District (District) can accept the sanitary sewer discharge from this location. We add the following conditions that must be met prior to any connections being made.

1. The District does not own the sanitary sewer line in 3500 West at 2665 South. The West Haven Special Service District (WHSSD) owns the line at this location. The District does own the line in the intersection of 2550 South and 3500 West where the WHSSD ties into the District's collection system. Permission must be obtained from WHSSD to connect into their sanitary sewer line.
2. The entire parcel of property to be served will need to be annexed into the District prior to any connection and prior to the selling of lots. Annexation requirements and an annexation petition are available from the District's Office.
3. The District must be notified for inspection IF at any time connections are being made to the District's sanitary sewer lines. The District will NOT install, own and/or maintain any of the sanitary sewer lines being extended to serve this property.
4. Impact Fees must be paid prior to any connection to the sanitary sewer. As of this date the District's sanitary sewer impact fee is \$2333 per equivalent residential unit (ERU).

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March 27, 2017
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5. The connection of any sump pumps (or similar type pumps) to the sanitary sewer system is prohibited during or after construction. Central Weber's Wastewater Control Rules and Regulations state:

Prohibited Discharge into Sanitary Sewer. No person shall discharge or cause or make a connection which would allowed to be discharged any storm water, surface water, groundwater, roof water runoff or subsurface drainage to any sanitary sewer.

If you have further questions or need additional information please do not hesitate to contact us.

Sincerely,

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT



Lance L. Wood, P. E.
General Manager

cc: Hal Christensen, Alpine Engineering & Construction