



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and action on an administrative application (Design Review 2014-03) for a temporary material processing and rock crushing operation at The Retreat Subdivision at 5334 East Elkhorn Drive

**Agenda Date:** Tuesday, April 22, 2014

**Applicant:** John Lewis for Retreat Utah Development Corporation

**File Number:** DR 2014-03

### Property Information

**Approximate Address:** The Retreat Subdivision at 5334 East Elkhorn Drive

**Project Area:** 22 acres

**Zoning:** Residential RE-20

**Existing Land Use:** Vacant

**Proposed Land Use:** Temporary material processing and rock crushing operation

**Parcel ID:** 220160097

**Township, Range, Section:** T7N, R1E, Section 22

### Adjacent Land Use

<b>North:</b> Vacant	<b>South:</b> Vacant
<b>East:</b> Vacant	<b>West:</b> Vacant

### Staff Information

**Report Presenter:** Jim Gentry  
jgentry@co.weber.ut.us  
801-399-8767

**Report Reviewer:** SW

## Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 3 (Residential RE15 and RE20)
- Weber County Land Use Code Title 108 (Standards) Chapter 1 (Design Review)

## Type of Decision

**Administrative Decisions:** When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag lots, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

## Background

The applicant is requesting approval to conduct a material processing and rock crushing operation on a temporary basis at the Retreat Subdivision in Wolf Creek. The purpose of the excavation and crushing operation is to provide material to be used in road and utility construction within the Retreat Subdivision Development. Any excess material may be used at The Ridge Town Home Project, which is another project by this developer. All of the material will be processed on Retreat Subdivision property and moved to the other project. No off-site material may be brought in for crushing.

This project is located in the Residential RE-20 Zone where development of single-family dwellings is permitted, and uses customarily incidental to permitted uses are permitted. Staff has determined that a temporary material excavation and rock crushing operation is a use which is customarily incidental to the construction of infrastructure in a subdivision for single-family dwellings, and is, therefore, a permitted use in the Residential Zone. This use is consistent with and very similar to a rock crushing operation approved by the Planning Commission in 2009 (DR 2009-01) for Eagle Ridge Subdivision.

The material excavation and rock crushing operation will be located approximately 1,600 feet north and uphill from the nearest home, in an area that is currently being developed as Phase 3 of the Retreat Subdivision. The applicant estimated 26 tons of material will need to be processed. Noise mitigation is tied to the distance from the nearest homes and the berms that are already on site. Water trucks will be on site to mitigate potential problems with dust. The Weber County Engineering Division is requiring a Storm Water Pollution Prevention Plan (SWPPP) for the subdivision to be amended to include this operation, and this operation is to be at least 50 from the creek, which by the site plan it appears to be a considerable distant from the creek.

The operation will run four weeks up to eight weeks depending on the weather, and the hours of operation will be from 8:00 a.m. to 5:00 p.m. Monday through Friday. The applicant has estimated that 1,732 round trips for dump trucks travelling up and down Wolf Creek Drive and through the Ogden Valley can be eliminated by using the material harvested on-site.

### Summary of Planning Commission Considerations

- Are the proposed noise and dust mitigation measures adequate?
- Are there other potential impacts that have not been addressed?

### Conformance to the General Plan

The proposed use is customarily incidental to the construction of the Retreat Subdivision development, and is, therefore, a permitted use that meets the requirements of the Residential RE-20 Zone and conforms to the Ogden Valley General Plan.

### Conditions of Approval

- Requirements of the Weber County Engineering Division.
- Requirements of the Weber-Morgan Health Department.
- No off-site material may be brought in for crushing and any excess material can be used by the developer on other projects owned by this developer within Wolf Creek.
- The site plan, hours of operation, and mitigation controls must be followed as approved by the Planning Commission.
- A signed copy of the approval letter from State of Utah Department of Air Quality for Dust Control.
- The operation will run four weeks up to eight weeks depending on the weather, and the hours of operation will be from 8:00 a.m. to 5:00 p.m. Monday through Friday.

### Staff Recommendation

Staff recommends approval of (Design Review 2014-03) for a temporary material processing and rock crushing operation at The Retreat Subdivision at 5334 East Elkhorn Drive based on the following information:

- The operation is an accessory use that is customarily incidental to the construction of a subdivision and is permitted in the RE-20 Zone.
- The operation will significantly eliminate the number of truck trips used to haul material to this site, thus improving safety and decreasing road damage in the Ogden Valley.
- The applicant has proposed ways to mitigate potential negative impacts.

### Exhibits

- A. Project Narrative
- B. Site Plan
- C. Location Map
- D. Site Plan Pictures

## **The Retreat 'Site Plan'**

This 'Site Plan' is intended to serve the best interest of the community, the environment, and the successful completion of a sustainable clean project. It preserve's the integrity of the desired finished product. The second and third Phase of 'The Retreat' development in Eden has produced over a dozen temporary berms that must be removed to allow for the development and construction of homes yet to be built. At this stage, plans are being made to remove large quantities of lose earth material with large truck and pup vehicles, followed by importing large quantities of processed earth material to the property, unless a better plan is implemented. This will require a sudden and unnecessary increase in traffic, heavy equipment, and use over 15,000 additional gallons of fuel. In addition, more wear and tear on the existing roads, safety concerns, environmental concerns, and increased road construction activity will occur, unless a better solution can be remedied. The 'Site Plan' being proposed will provide a better solution. This plan offers a significant positive effect on the environment, safety, roads and the successful completion of the projects.

### **Site Plan Proposal**

We have a located an area out of sight where we propose to move all berms and prepare a safe, out of sight and sound to process the material into a usable source of material thus preventing the need to remove the old material and bring back in processed material. (See Exhibits A, B1,B2,B3 and B4.)

The stage site will be over 1,600 feet away from the nearest homes. This is a safe distance from any residential homes and is surrounded by hillsides that block any view and sound from surrounding homes in all directions. In addition a Berm will be built along the South end of the site to further isolate the sound and view. These berms will also block most all sound and send the waves vertical into the atmosphere traveling away from the nearest homes. It is virtually at the furthest point from traffic and homes in an area that is under construction in accordance with the approved phases of the subdivision with Weber County.. Fortunately, this time of the season the prevailing wind current will also be blowing to the north-east away from all residential areas. The aforementioned area is in a natural gully that is on the furthest and highest cul-de-sac away from the community. It is virtually going to be out of sight and noise shall be reduced drastically and limited to certain hours

Weather permitting; this project is expected to last approximately 4 weeks.

The hours of operation for the equipment processing the material will be from 8:00 AM to 5:00 PM Monday through Friday. Other equipment will be operated on a normal basis as prescribed in the current subdivision approval from Weber County.

### **Positive Benefits**

**Environment;** The project will save potentially over 15,000 gallons of fuel toxins from entering the atmosphere in our community. As it stands now approximately 26,000 tons of material will have to be removed from the project site to complete the approved subdivision, and another 26,000 tons of material will need to be brought back to the project to complete the roads. This material is already sitting in piles that have been excavated out to make the cuts for the existing roads for phase 1, 2 and 3. There are over 12 berms of material sitting in piles that have to be removed in order to make room for the development. It will take approximately 866 truckloads of material to move away this material from the project site. In addition, another 866 truckloads (26,000 tons of material) will be required to provide material for the road sub base and base to meet code requirements. This will require an additional minimum of 866 truckloads to travel from Willard to back to Eden. The material that is sitting in the existing berms are capable of being recycled and providing the base and sub base and completely eliminate the need to have 1,732 round trips of a loaded truck and a pup material traveling up and down our community roads over the next several months.

**Roads;** The 1,732 round Trips of loaded truck and pups will cause unnecessary wear and tear on the existing roads. We are ultimately paying the price for the premature wear on the roads and the repairs needed when they finally get repaired. This additional wear and tear is unnecessary and will be avoided with the successful implementation of this plan.

**Community Safety;** Implementation and approval of this 'Site Plan' can clearly make this community a safer place to travel on foot, bike and vehicle with the reduction of the heavy equipment that will be required to complete this (Weber County approved) development as it now stands. This project is full of positive benefits to all parties and will have very little impact, if any on the community. Health, safety, road use, cost feasibility, and environmental concerns motivate this Plan.

### **Certified Contractor**

The contractor will be certified and in full compliance with Weber County and abide with the State requirement under the Air Quality Permit statutes and **MSHA Quality Control** testing requirements. The contractor will be required to have an **Air Quality Control permit**. Due to the

remote location it is not anticipated that excessive levels of dust will be a factor, however, water trucks will be used if conditions warrant. Water will be provided from the source nearby.

The current Project falls under the current **SWPP Plan** required by the subdivision by the County. The contractor and will operate in compliance with the current plan due to the fact that no further excavation is expected to meet objectives of all parties.

### Site Plan



## Alternate Haul Route (52 Mile, approximately 2 ½ hours roundtrip.

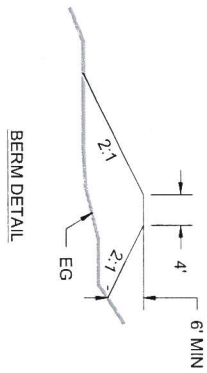
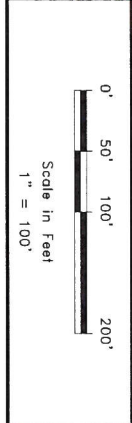
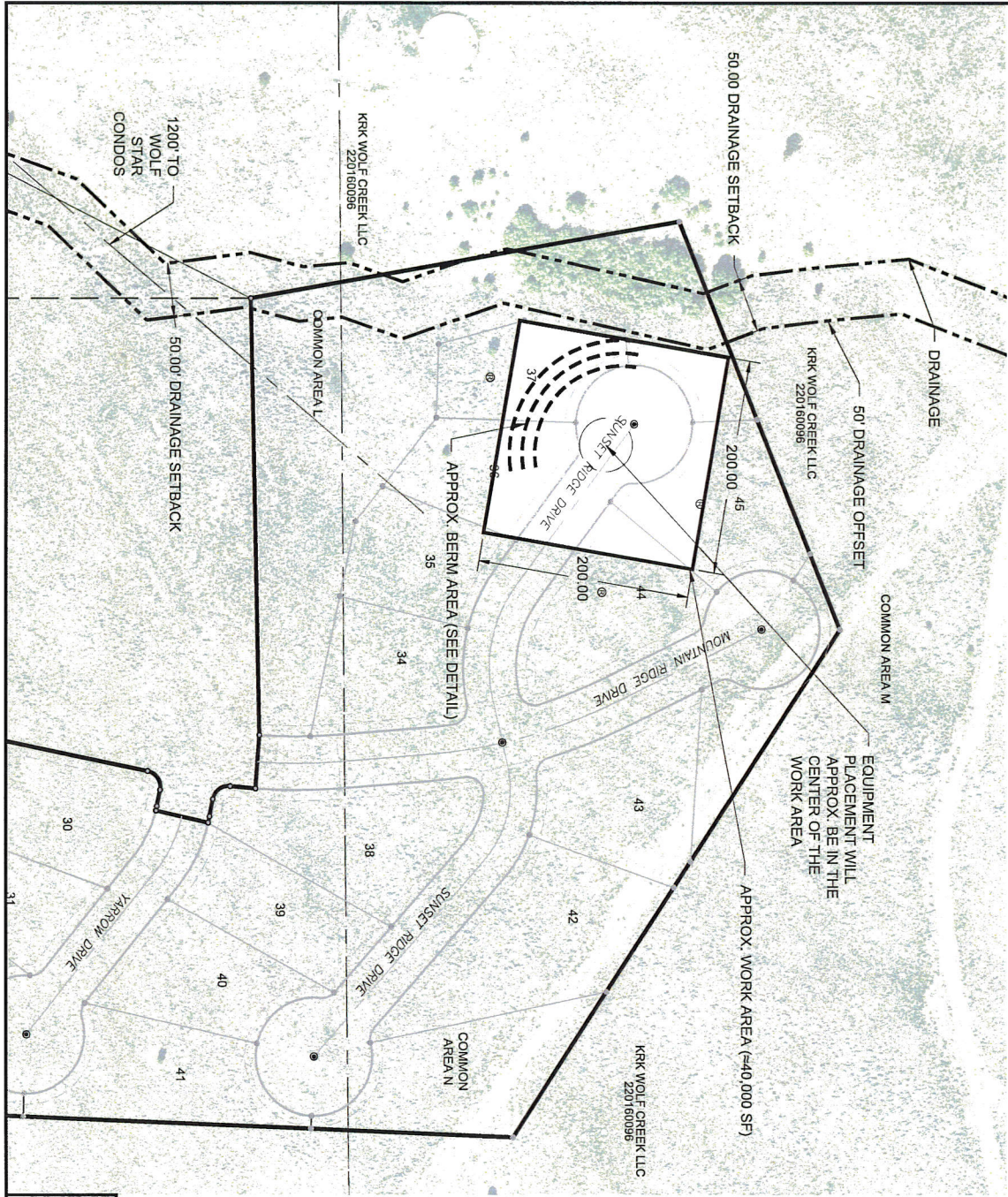


This demonstrates the unnecessary haul distances eliminated by utilizing on-site materials. Work smarter not harder and protect our environment from unnecessary impact by utilizing resources readily available on-site.

## **Addendum for 'The Retreat' Site Plan Narrative**

This plan is intended to process all the loose material coming from the all the berms that have been stockpiled through Phase 2 and 3 of 'The Retreat' development. This processed material will then be used for the 'The Retreat' development. In the event there is any excess material, we request permission for this excess material to be moved to a nearby John Lewis or community Project.

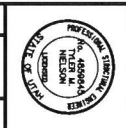
The existing Storm Water Permit will be revised and coordinated with Weber County and in full compliance and cooperation with Weber county officials.



EX1  
EX1

**GARDNER ENGINEERING**  
CIVIL • LAND PLANNING  
MUNICIPAL • LAND SURVEYING  
5150 SOUTH 375 EAST OGDEN, UT  
OFFICE: 801.476.0202 FAX: 801.476.0666

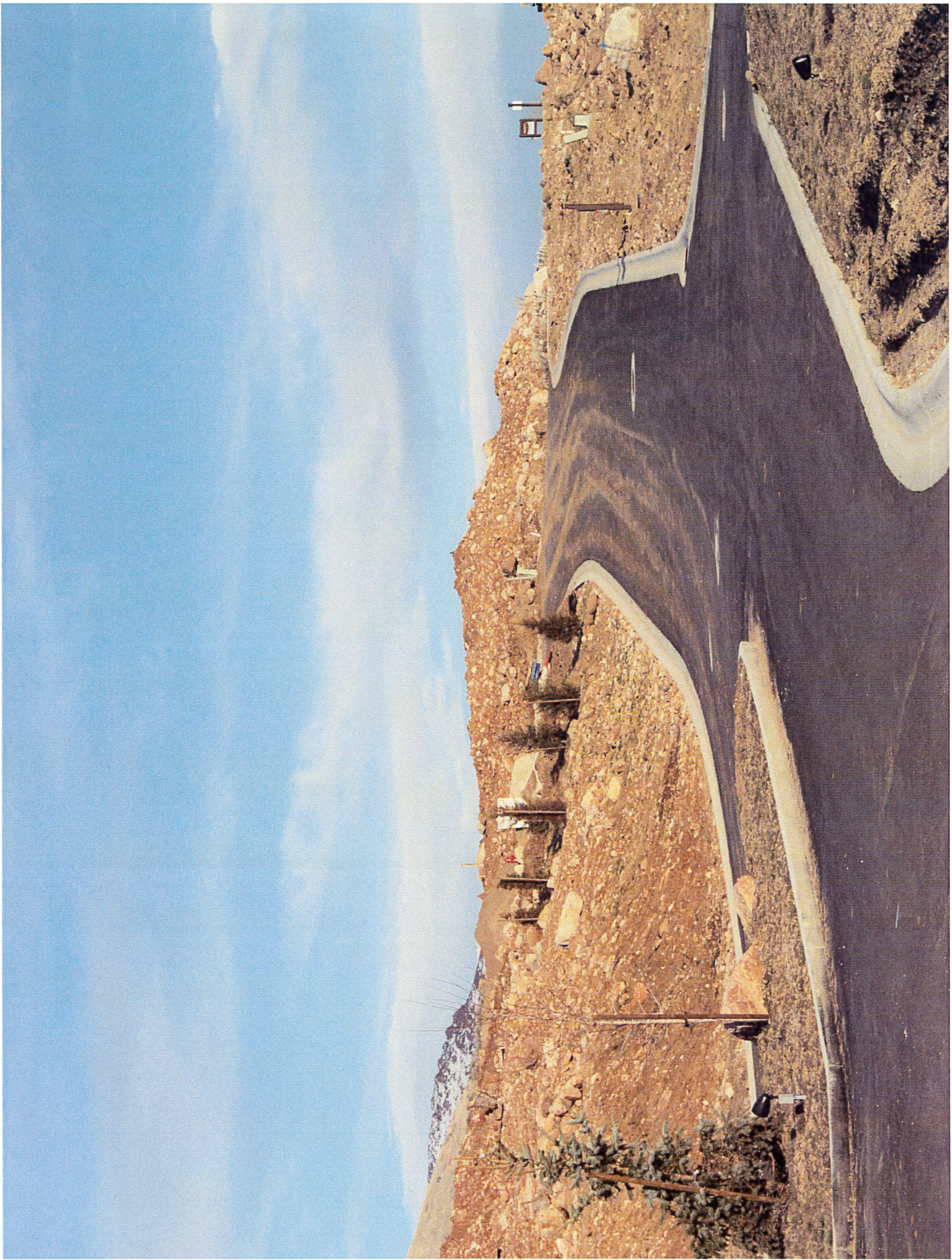
CONDITIONAL USE PERMIT  
THE RETREAT  
PHASE 3  
WEBER COUNTY, UTAH



Revisions		Date: APRIL 2014
Date	Description	Scale: 1" = 100'
		Designed: DB
		Drafted: DB
		Checked: TN







East View  
from worksite

Exhibit B(i)

E

N

S



Exhibit B (3) N

North View from Work site

W

E

