

From: [John DiBari](#)
To: ["Jason Rice"](#); [Paul Forsting](#); [Alan F. McCormick](#); [Grp. City Council and City Web Site](#)
Cc: [Mike Haynes](#); [Mary McCrear](#); [Troy Monroe](#)
Subject: Hillview Crossing TED
Date: Tuesday, May 7, 2019 5:26:24 PM
Attachments: [TMonroe_memo_20190501.docx](#)

Good afternoon,

All parties -- staff, the public, council and the development team -- have been diligently working to move the proposed Hillview Crossing TED conditional use permit application forward to resolution. I appreciate that effort.

As discussions have progressed, LUP has voted on several items in the effort to provide direction to the development team. The LUP's actions are as follows:

- March 13, 2019, LUP voted for revised conditions 11 and 13 in Memo #3.
- March 20, 2019, LUP voted for Option A (Geotech Report updated before Council decision) and proposed conditions 25 and 26 in Memo #4, and Option A (Storm Water plan updated before Council decision) and revised conditions 2 and 3 in Memo #4.
- April 3, 2019, the committee voted for a concept drawing entitled Proposed Trail Exhibit Secondary Option proposed by the development team.

Jason Rice left with the committee and staff several documents relating to the Geotechnical and Storm Water reports at the April 3, 2019 LUP meeting. Troy Monroe, Assistant City Engineer, reviewed the items left by Jason as they relate to the above committee actions and prepared an email memo (see attached). Similarly, a review by staff of the Proposed Trail Exhibit Secondary Option brought to light some questions, the answers to which would help everyone better understand whether the trail meets standards and would achieve its intended purpose.

What follows is a list of items I am requesting from the development team. Once those items have been submitted and reviewed for completeness by staff, we should be ready to meet again and carry on the process. Thanks to all for your patience.

- **Pedestrian access:**

A fully detailed version of the concept drawing known as Proposed Trail Exhibit Secondary Option, vetted by city staff to ensure the proposed trails can meet applicable standards and regulations. Once complete, and provided it meets city standards, the plan will need to be distributed for committee and public review in advance of any subsequent meeting.

This revised concept drawing needs to include:

1. A description of the width and construction materials for the proposed pathway and stairs between units 58 & 59 and between units 8 & 9.
2. Slope calculations and widths for all segments of the proposed trails.
3. Grading plans describing side slopes for areas adjacent to the trails, including side slopes along the east boundary of the parcel.

Storm Water:

A storm water plan, complete with details regarding site-wide grading and drainage as articulated in Option A and revised conditions 2 and 3 in Memo #4 as approved by the LUP.

Please update the storm water plan to address:

1. Storm water discharge calculations associated with the 35-foot wide roads.
2. Location of retention facilities relative to the slopes.
3. Calculations and discussion of how the offsite storm water flow will be handled along the

west side of the development adjacent to the gravel path.

4. The design detailing pipe sizes and slopes.
5. Long-term maintenance requirements for the storm water facilities including maintenance of and access to the detention tank.

The plan needs to be reviewed and approved by a geotechnical engineer and the City Engineer.

Geotechnical:

A new geotechnical report stamped by a certified geotechnical engineer and effective for a 5-year period that addresses revised conditions 11 and 13 in Memo #3, and all items in Option A and proposed conditions 25 and 26 in Memo #4, as approved by the LUP.

The new geotechnical report needs to include an analysis of:

1. The current site plan including the 35-foot road width and retaining wall.
2. Slope stability at the site proposed for the storm water detention tank, as the location would be affected by development of the 35-foot wide roads.

Given there hasn't been resolution to the issues of pedestrian access and block length, the geotechnical report should address both condition 9 of the staff report and the fully-vetted version of the drawing entitled Proposed Trail Exhibit Secondary Option (as noted in the *Pedestrian Access* section) provided the proposal meets all appropriate city standards and regulations.

As mentioned above, LUP will reconvene when staff has reviewed the above items and determined that what has been submitted by the development team is complete and ready for further review by the committee.

Also, Mr. Rice stated during the April 3, 2019 LUP meeting that the development team can't talk with staff. That is not true. The development team can talk with staff to share with them requested information and seek clarity on a topic. What the development team cannot do is advocate a position or solicit support for what is being submitted. Advocacy has to happen in public.

Thanks, again, to all.

John

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Please note all emails to and from this address are in the public domain.

Staff Review Supplemental Geotechnical and Storm Water Updates

City Engineering reviewed additional information submitted in early April, 2019 in regards to the proposed Hillview Way Townhome Exemption Development (TED), specifically additions to the Geotechnical Report and the Storm Water Report. The following are City Engineering review comments as related to the Hillview Crossing TED Conditional Use Memo No.4.

2015 Geotech Report

- A.** [The updated Geotechnical Report for the mass grading and a Grading and Drainage Plan shall be provided for City Engineering review prior to City Council decision on the Hillview Crossing TED conditional use.](#)

[The updated Geotechnical Report shall include mass site grading for roads, pedestrian walkways, and infrastructure such as utilities, sewer, water and storm water facilities, retaining wall locations, locations for storm water detention/retention, locations for construction staging of topsoil, erosion control measures during construction, and including any excavation or embankment locations.](#)

The City received and reviewed the “Hillview Crossing –Geotechnical Report Review MEMO”, a five(5) page memo from Tetra Tech dated April 1, 2019 and stamped by Jeremy Dierking, Professional Engineer (geo tech memo). The [geo tech memo](#) does not update the Geotechnical Report as requested in Hillview Crossing TED Conditional Use Memo No.4 (memo). [The geo tech memo](#) does not analyze a current site plan, does not analyze the required 35-foot road width, does not analyze the planned retaining wall, nor does it analyze slope stability at the location of the proposed storm water detention tank. The [geo tech memo](#) does give a third-party professional opinion that the proposed retaining wall and storm water detention tank locations are feasible. Additionally, the [geo tech memo](#) gives their opinion that the original “report satisfactorily addresses the key geotechnical issues identified for the project scope *at the time of report preparation.*” (emphasis added). In regards to the storm water detention tank the [geo tech memo](#) states that the net difference in weight of the storm water detention tank is low enough that the slope stability safety factor will not decrease below acceptable values. It should be noted that this statement is in reference to the provided location of the proposed detention tank downslope of the toe-of-fill for the development. As shown in the provided exhibit (EXH-14-3592.Road Widen Cross Section.20 scale) widening the road widths to the required 35-foot widths will push the toe-of-fill approximately 20 feet downslope which would then include a portion of the proposed storm water detention tank. It is unclear if Tetra Tech’s comments would pertain to a situation where the tank is located partially in fill.

- [25. The townhome exemption declaration for the Hillview Crossing TED shall be submitted in one zoning compliance permit application and shall include all sixty-eight \(68\) TED unit ownership parcels, all infrastructure, and meeting conditions of approval for the conditional use, subject to review and approval of Development Services, prior to approval of the zoning compliance permit of the townhome exemption declaration. All infrastructure shall be constructed within five years of approval of the Geotechnical report and an improvements agreement guaranteed by a security that covers the cost of all the roads, sidewalks, pedestrian pathways, storm water facilities, retaining walls and site grading is approved by City Engineering prior to zoning compliance permit approval of the townhome exemption declaration.](#)

The geo tech memo is not an updated Geotechnical Report but is a third-party opinion of the original 2015 Geotechnical Report. The geo tech memo does give a statement that if Tetra Tech provided an updated geotechnical report for the Hillview Crossing TED it would not have an expiration date and would be good as long as the subsurface conditions and project details are not substantially different than the conditions and details in 2015.

26. A Geotechnical Report is required for each two unit townhouse structure submitted with the building permit application, subject to review and approval by City Engineering, prior to building permit approval.

No additional information is needed for Condition No. 26 at this time.

Storm Water Plan

- A. The Final Storm Water Plan with locations of all Storm Water detention/retention basins or facilities shall be provided for City Engineering review prior to City Council decision on the Hillview Crossing conditional use.

The applicant shall revise the Storm Water Plan to address both Section 5.2B and Section 5.2C related to storm water calculations as specified in the email message from the Assistant City Engineer dated October 9, 2018. The final storm water plan shall specify long-term maintenance requirements for the storm water facilities.

The Geotechnical Engineer shall review and approve all locations of storm water detention/retention basins and facilities for conformance with the recommendations in the updated Geotechnical Report.

A preliminary storm water plan was updated. The update included calculations for the storage tank orifice and prorated site discharge amount. The update did not include storm water discharge calculations of road widths of 35-ft. Additionally, the update did not include calculation or discussion of how the offsite flow will be passed along the west side of the development where the "gravel path" is planned.

The updated plan includes calculations showing that the development can contain the required 17,393 cubic feet of increased storm water and discharge it at the required pre-development rate of 2.57 cfs (5.2B). The updated plan shows calculations for storm water conveyance pipe flowing at 75% and 100% full. Not included is the actual design which would show pipe sizes and slopes. This information is typically reviewed with final plans. No information was provided to specify long-term maintenance requirements for the storm water facilities. Specifically, the plan did not show how maintenance of the detention tank could occur. Without a stable road constructed to the tank, maintenance such as sediment removal, would need to occur by hand (this is true for both the homeowners association and for the City if the City ever needed to take over maintenance duties).

A third-party geotechnical engineer reviewed the 2015 slope stability analysis and the 2019 proposed location for the detention basin (tank) and concluded that the location was "feasible" and that the net difference in weight of the storm water detention tank is low enough that the slope stability safety factor will not decrease below acceptable values. The third-party geotechnical engineer did not "approve", and their memo is "intended solely to provide a general review and comment...and is not intended to supplement the geotechnical report in any respect."

Condition of approval #2 and #3 shall be revised as follows:

2. ~~The applicant shall revise the Storm Water Plan to address both Section 5.2B and Section 5.2C related to storm water calculations as specified in the email message from the City Assistant City Engineer dated October 9, 2018, prior to zoning compliance approval of the townhome exemption declaration. The Construction plans for the final Storm Water Plan for construction shall be reviewed and approved by City Engineering and the Geotechnical Engineer prior to zoning compliance approval of the townhome exemption declaration. Storm water facilities shall be installed prior to building permit approval for the first structure or included in an Improvements Agreement guaranteed by a security subject to review and approval of the City Engineer.~~

No construction plans have been sent to City Engineering nor have any comments from a Geotechnical Engineer stated that they have received/reviewed current plans.

3. ~~The final storm water plan shall specify long term maintenance requirements for the storm water facilities.~~ The applicant shall specify in the Development Covenants the long-term maintenance requirements for the storm water facilities and that the maintenance of the storm water facilities shall be the responsibility of the Developer, transferring to the Homeowners' Association once formed and shall include all maintenance and replacement costs as outlined in the final storm water plan, subject to review and approval of Development Services, prior to zoning compliance approval of the townhome exemption declaration.

No additional information is needed for Condition No. 3 at this time. However, the site plan does not show a road providing access to the storm water detention tank, therefore maintenance such as sediment removal would need to occur by hand.

Submitted by:

Troy Monroe PE

Assistant City Engineer

May 1, 2019