



Date September 26, 2016

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING APPROVAL OF A PRELIMINARY PLAT "SKYLINE PLAT 1" ON PROPERTY LOCATED IN THE 3300 BLOCK OF MCKINLEY AVENUE

WHEREAS, on September 1, 2016, the City of Des Moines Plan and Zoning Commission voted 8-0 for APPROVAL of a Preliminary Plat "Skyline Plat 1" on property located in the 3300 block of McKinley Avenue, to allow subdivision into 5 lots for single-family residential development, subject to compliance with all platting requirements of the Permit and Development Center; and

WHEREAS, on September 12, 2016, by Roll Call No. 16-1507, the City Council continued receipt of the Plan and Zoning Commission communication to the September 26, 2016 City Council meeting in order to refer the item to the City Manager to review the tree protection plan for the proposed plat; and

WHEREAS, the final subdivision plat will be submitted for City Council approval when completed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the attached communication from the City Plan and Zoning Commission is hereby received and filed.

MOVED by _____ to receive and file.

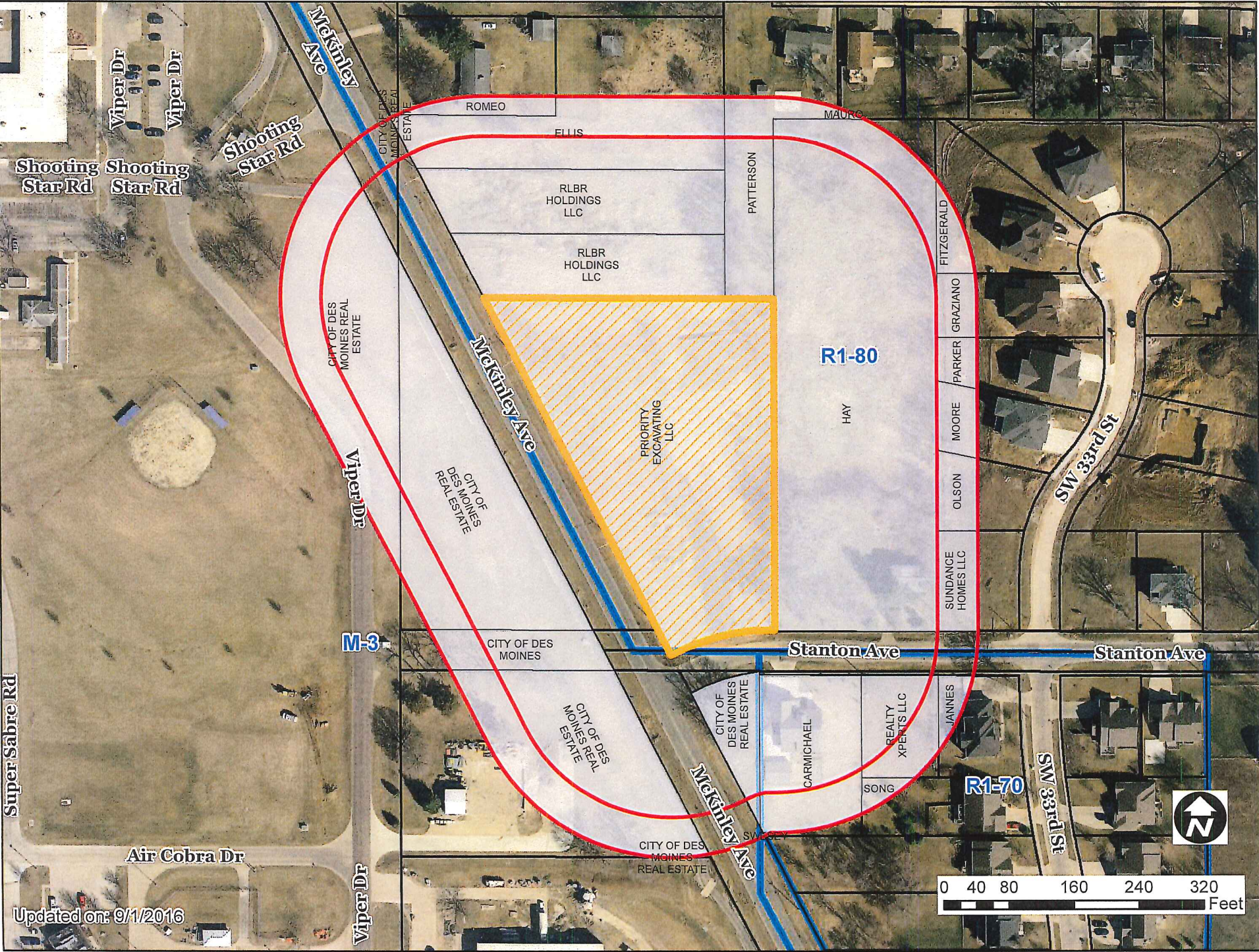
FORM APPROVED:

Glenna K. Frank
Assistant City Attorney

(13-2017-1.04)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, TOTAL, MOTION CARRIED, APPROVED, Mayor.

CERTIFICATE
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.
City Clerk



Updated on: 9/1/2016

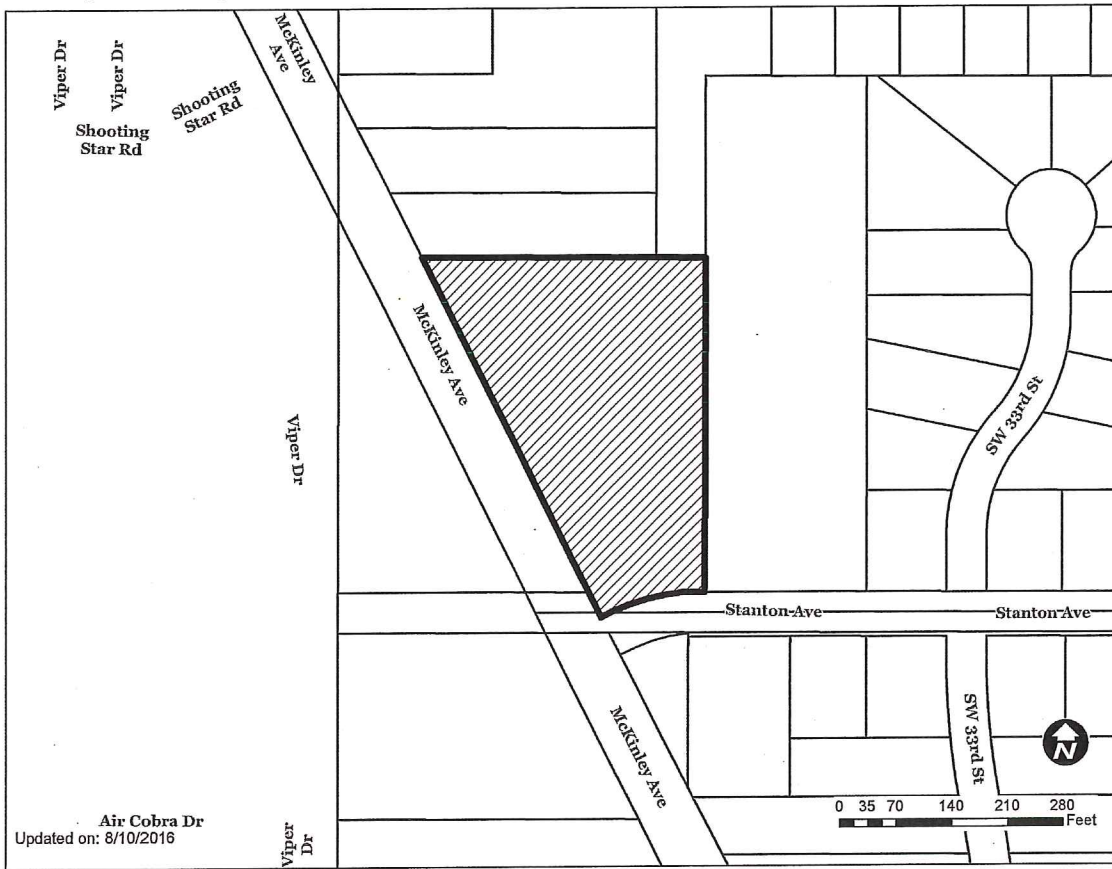

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16-1507
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Priority Excavating, LLC (owner) represented by Toby Torstenson (officer) for property located in the 3300 block of McKinley Avenue.				File #	
				13-2017-1.04	
Description of Action		Approval of a Preliminary Plat subdivision "Skyline Plat 1" on, to allow division into five (5) lots for single-family residential development.			
PlanDSM Future Land Use		Current: Low Density Residential. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan		No planned improvements.			
Current Zoning District		"R1-80" One-Family Residential District and "FSO" Freestanding Signs Overlay District.			
Proposed Zoning District		N/A			
Consent Card Responses		In Favor	Not In Favor	Undetermined	% Opposition
Inside Area					
Outside Area					
Plan and Zoning Commission Action		Approval	8-0	Required 6/7 Vote of the City Council	
		Denial		Yes	
				No	X

Priority Excavating, LLC, 3300 block of McKinley Avenue

13-2017-1.04



1 inch = 140 feet

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September 8, 2016

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held September 1, 2016, the following action was taken regarding a request from Priority Excavating, LLC (owner) represented by Toby Torstenson (officer) for review and approval of a Preliminary Plat subdivision "Skyline Plat 1" on property located in the 3300 block of McKinley Avenue, to allow division into five (5) lots for single-family residential development.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 8-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus				X
Dory Briles				X
JoAnne Corigliano				X
David Courard-Hauri	X			
Jacqueline Easley	X			
Jann Freed	X			
John "Jack" Hilmes				X
Carolyn Jenison	X			
Greg Jones	X			
William Page	X			
Mike Simonson				X
Rocky Sposato	X			
CJ Stephens				X
Steve Wallace	X			
Greg Wattier				X

APPROVAL of the proposed Preliminary Plat subject to the following conditions compliance with all platting requirements of the Permit and Development Center.

(13-2017-1.04)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed Preliminary Plat subject to the following conditions compliance with all platting requirements of the Permit and Development Center.

STAFF REPORT TO THE PLANNING COMMISSION

GENERAL INFORMATION

- 1. Purpose of Request:** The subject property is located on the northeast corner of Stanton Avenue and McKinley Avenue. The developer is proposing to subdivide the property into five (5) lots that front McKinley Avenue to the west.

On July 17, 2008, the Plan and Zoning Commission conditionally approved the "Deer Ridge Valley" Preliminary Plat. This plat consisted of the subject property and additional land to the north and east. It contained 18 lots for single-family residential development and had a total area of 8.23 acres. This plat has expired and is no longer valid. The multiple properties that comprised the "Deer Ridge Valley" plat are no longer controlled by a single owner.

On February 4, 2010, the Plan and Zoning Commission conditionally approved the "Skyline Plat 1" Preliminary Plat in a similar configuration to the current proposed Preliminary Plat. This plat expired and is no longer valid.

On August 7, 2014, the Plan and Zoning Commission conditionally approved "Skyline Plat 1" Preliminary Plat in a similar configuration to the current proposed Preliminary Plat. This plat expired and is no longer valid.

- 2. Size of Site:** Approximately 2.39 acres.
- 3. Existing Zoning (site):** "R1-80" One-Family Residential District and "FSO" Freestanding Signs Overlay District.
- 4. Existing Land Use (site):** Undeveloped land.
- 5. Adjacent Land Use and Zoning:**
 - North** – "R1-80", Uses are undeveloped land and single-family residential.
 - South** – "R1-70", Uses are Stanton Avenue and single-family residential.
 - East** – "R1-80", Use is undeveloped land.
 - West** – "M-3", Uses are relocated McKinley Avenue and the Des Moines International Airport.

6. **General Neighborhood/Area Land Uses:** The subject property is located in an area that includes a mix of low-density residential developments to the north of the Des Moines International Airport.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Southwestern Hills Neighborhood. All neighborhoods were notified of the Commission meeting by mailing of the Preliminary Agenda on August 12, 2016. Additionally, separate notifications of the hearing for this specific item were mailed on August 12, 2016 (10 days prior to the public hearing) to the neighborhood association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. A Final Agenda was mailed to the neighborhood associations on August 26, 2014.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Southwestern Hills Neighborhood Association mailings were sent to George Davis, 3124 Southwest 29th Street, Des Moines, IA 50321.

8. **Relevant Development History:** On July 17, 2008, the Plan and Zoning Commission approved the Preliminary Plat for "Deer Ridge Valley" subject to the following conditions:

1. Provision of one 1½-inch caliper street tree, one 2-inch caliper overstory tree within the front yard, and one 2-inch overstory tree within the rear yard per lot.
2. Provision of the following tree protection notes for the preservation easements on the Preliminary Plat and for all trees being preserved:

Within the buffer and tree protection zones, none of the existing trees that are a minimum 4 inches in trunk diameter and a minimum of 4-feet in height shall be removed or destroyed and any existing underbrush shall be preserved to the maximum extent feasible as follows:

- (1) Buffer and tree protection zones will be designated in the field and certified by the Development Zoning Division of the City of Des Moines prior to commencement of excavation, grading or construction.
- (2) Barriers defining the buffer and tree protection zones shall be constructed of orange fencing a minimum of four (4) feet in height, secured with metal T-posts, no closer than six (6) feet from the trunk or one-half (½) of the drip line of any existing tree within the buffer and tree protection zones, whichever is greater.
- (3) There shall be no storage or movement of equipment, material, debris or fill within the fenced buffer and tree protection zones.
- (4) There shall be no cut or fill over a four-inch depth within the drip line of any tree in the buffer and tree protection zones, unless a qualified arborist or forester has evaluated and approved the disturbance.
- (5) During the construction stage of development, the applicant shall prevent the cleaning of equipment or material or the storage and

disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil or any other material harmful to the life of vegetation within the buffer and tree protection zones.

- (6) No damaging attachment, wires, signs or permits may be fastened to any tree within the buffer and tree protection zones.
- (7) The installation of utilities, irrigation lines or any underground fixture within the buffer and tree protection zones requiring excavation deeper than six (6) inches shall be accomplished by boring under the root system of existing trees at a minimum depth of twenty-four (24) inches. The auger distance is established from the face of the tree (outer bark) and is scaled from tree diameter at breast height as described in the chart below.

<u>Tree diameter</u>	<u>Auger Distance from face of tree</u>
0-2 inches	1 foot
3-4 inches	2 feet
5-9 inches	5 feet
10-14 inches	10 feet
15-19 inches	12 feet
Over 19 inches	15 feet

- (8) The removal of utilities, irrigation lines or any underground fixture within the buffer and tree protection zones requiring excavation deeper than six (6) inches shall be accomplished by methods approved by the Planning Director that protect the life of the vegetation.
 - (9) The destruction of any trees within the buffer and tree protection zones that meet or exceed the required diameter and height shall require the owner to plant new trees with a total caliper equal to the caliper of the tree removed.
3. Provision of 4-foot-wide sidewalks along all public street frontages, including McKinley and Stanton Avenues.
 4. Provision of a note stating Lots 1 through 6 shall share drive approaches, with Lots 1 and 2 sharing a common approach, Lots 3 and 4 sharing a common approach, and Lots 5 and 6 sharing a common approach.
 5. The boundaries of Lot 11 must be altered to provide 80 feet of frontage within 30 feet of the proposed street.
 6. Compliance with all platting requirements of the Permit and Development Center.

On February 4, 2010 the Plan and Zoning Commission approved the Preliminary Plat for "Skyline Plat 1", subject to the following conditions:

1. Provision of a note stating that one street tree shall be provided per lot.
2. Provision of a note stating Lots 2-3 and Lots 4-5 shall share drive approaches.
3. Provision of a note stating that Lot 1 shall be limited to one drive approach to Stanton Avenue.

4. Compliance with all platting requirements of the Permit and Development Center.

On August 7, 2014 the Plan and Zoning Commission approved the Preliminary Plat for "Skyline Plat 1", subject to the following conditions:

1. Compliance with all platting requirements of the Permit and Development Center.
2. Outlots that are proposed for accommodating extension of future development and future street Right-of-Way shall be maintained by an owner's association or by covenants applied to each residential property owner. Portions of the proposed Outlot "X" which were amended to serve a common drainage purpose shall alternatively be integrated into the adjoining development lots.

All of these mentioned Preliminary Plats have since expired.

9. **PlanDSM Creating Our Tomorrow Future Land Use Plan Designation: Low-Density Residential.**
10. **Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission shall determine if such Preliminary Plat conforms to the standards and requirements outlined in Chapter 354 of the Iowa Code, and the City Subdivision Ordinance and shall approve, conditionally approve or reject such plat within 45 days after the date of submission to the City Permit and Development Center. Unless the applicant agrees in writing to an extension of time, the Preliminary Plat shall be deemed approved if the Commission does not act within such 45-day period. The Commission's action for approval or conditional approval shall be null and void unless the final plat is submitted to the City Permit and Development Center within 270 days after the date of such action; provided, however, that the Permit and Development Administrator may grant, upon written request of the applicant, up to a 90-day extension for submittal of the final plat to the City Permit and Development Center.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Natural Site Features:** The site generally slopes downward from the southwest to the northeast and contains a mix of groundcover-type vegetation. There are trees in the northern portion of the property (Lot 5) and near the southeast and northeast perimeter of the site. The applicant has identified all trees being removed. None of the trees are larger than 12-inches in diameter, and would not require mitigation plantings.
2. **Drainage/Grading:** The submitted Preliminary Plat shows grading for lots and storm water management. The topography of the site requires a storm water basin to be located in the northeast corner of the development. The basin is designed to temporarily hold water from larger storm events and to release it at a limited rate to the northeast. The developer will be required by the Permit and Development Center to execute a Stormwater Management Facilities Maintenance Covenant and Permanent Easement Agreement or have a homeowners association created that requires the future owners of Lots 1 through 5 to be responsible for maintaining the proposed storm water facilities.

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- 3. **Utilities:** The Plat indicates there is an existing 50-foot-wide north/south public sanitary sewer easement crossing the eastern portion of the site. There is also a 30-foot-wide east/west storm sewer easement across the northern portion of the site. The proposed Lot 5 is encumbered significantly but would still have a large enough buildable area to meet requirements in "R1-80" District for a single-family dwelling.
- 4. **Traffic/Street System:** The proposed development would be bound by McKinley Avenue to the west and Stanton Avenue to the south. Based on Traffic Engineering comments, the developer has proposed limiting the number of driveways along McKinley Avenue so that Lots 2-3 and Lots 4-5 share common drive approaches and that Lot 1 be limited to one drive approach to Stanton Avenue. The submitted plat states that 5-foot-wide sidewalks will be provided along McKinley and Stanton Avenues.

SUMMARY OF DISCUSSION

Greg Jones asked if anyone was present to speak on this item. None were present or requested to speak.

COMMISSION ACTION:

David Courard-Hauri moved staff recommendations for approval of the proposed Preliminary Plat subject to the following conditions compliance with all platting requirements of the Permit and Development Center.

Motion passed 8-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:clw

Attachment

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CITY OF DES MOINES PLAN & ZONING COMMISSION
STAFF REPORT AND RECOMMENDATION
Thursday, September 1, 2016

AGENDA ITEM #5

13-2017-1.04

Applicant: Priority Excavating, LLC (owner) represented by Toby Torstenson (officer).

Location: 3300 block of McKinley Avenue.

Requested Action: Review and approval of a Preliminary Plat subdivision "Skyline Plat 1", to allow division into five (5) lots for single-family residential development.

I. GENERAL INFORMATION

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3. **Utilities:** The Plat indicates there is an existing 50-foot-wide north/south public sanitary sewer easement crossing the eastern portion of the site. There is also a 30-foot-wide east/west storm sewer easement across the northern portion of the site. The proposed Lot 5 is encumbered significantly but would still have a large enough buildable area to meet requirements in "R1-80" District for a single-family dwelling.
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III. STAFF RECOMMENDATION

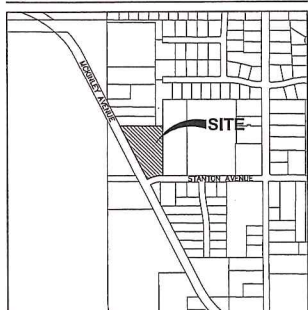
Staff recommends approval of the proposed Preliminary Plat subject to the following conditions compliance with all platting requirements of the Permit and Development Center.

PRELIMINARY PLAT FOR:

SKYLINE PLAT 1

DES MOINES, IOWA

VICINITY MAP



DES MOINES, IOWA

OWNER/DEVELOPER

PRIORITY EXCAVATION
9550 HICKMAN ROAD, STE 101
CLIVE, IA 50325
PH: 515-244-3111
CONTACT: TOBY TORSTENSON

ENGINEER / SURVEYOR

CIVIL DESIGN ADVANTAGE, LLC
3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PH: 515-369-4400
CONTACT: GARY REED

PRELIMINARY PLAT DESCRIPTION

A PART OF LOT 10, SERENDIPITY PLAT 4, AN OFFICIAL PLAT, AND THAT PART OF VACATED STANTON AVENUE, IN THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 19, THENCE NORTH 0(DEGREES) 11 (MINUTES) 40(SECONDS) EAST ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 19, A DISTANCE OF 1,348.49 FEET TO THE SOUTHWEST CORNER OF SAID LOT 10; THENCE SOUTH 89°50'18" EAST, 316.92 FEET TO THE POINT OF BEGINNING; THENCE NORTH 28°54'28" WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MCKINLEY AVENUE, 463.28 FEET TO THE NORTHERLY LINE OF SAID LOT 10; THENCE SOUTH 89°49'28" EAST, 354.51 FEET TO THE EAST LINE OF SAID LOT 10; THENCE SOUTH 0°45'58" WEST, 412.46 FEET TO THE SOUTHEAST CORNER OF SAID LOT 10; THENCE NORTH 89°50'18" WEST, 24.97 FEET; THENCE SOUTHWEST ALONG A 276.35 FOOT RADIUS CURVE, CONVEX SOUTHEAST, WITH A CENTRAL ANGLE OF 22°17'09", A CHORD DISTANCE OF 108.81 FEET, AND A CHORD BEARING OF SOUTH 73°13'35" WEST, FOR AN ARC DISTANCE OF 107.49 FEET; THENCE NORTH 28°54'28" WEST, 34.94 FEET TO THE POINT OF BEGINNING; ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, CONTAINING 104,080 SQUARE FEET MORE OR LESS.

PLAT AREA BY SURVEY

2.39 ACRES (104,080 SQUARE FEET)

ZONING

R1-80 - ONE-FAMILY RESIDENTIAL

BULK REGULATIONS

SETBACKS:
FRONT: 30 FT
REAR: 30 FT
SIDE: 20 FT TOTAL/10 FT MIN
BUILDING HEIGHT: 35 FT MAX
MINIMUM LOT AREA: 10,000 SF

BENCHMARKS

BURY BOLT ON HYDRANT ON SE SIDE OF MCKINLEY HOUSE #4111, 150 FEET +/- NW OF SITE. ELEVATION=160.89
DES MOINES BM #5595 1/2 REBAR W/HARN LID @ SE CORNER OF SUMMIT & 31ST STREET. ELEVATION=137.44

GENERAL NOTES

- 1. FENCING SHALL BE IN ACCORDANCE WITH STANDARDS APPLICABLE IN THE R1-80 DISTRICT.
2. 5' WIDE SIDEWALKS SHALL BE PROVIDED ALONG ANY STREET FRONTS.
3. MINIMUM 1 CURB-STREET PARKING SPACE PER SINGLE FAMILY DWELLING.
4. A 30' MINIMUM FRONT YARD PARKING SETBACK.
5. A MINIMUM OF 1 STREET TREE SHALL BE PROVIDED FOR EACH LOT WITHIN THE RIGHT-OF-WAY.
6. LOT 1 SHALL BE LIMITED TO 1 DRIVE APPROACH TO STANTON AVENUE.
7. THERE IS A NOISE AND AVIATION EASEMENT COVERING THE PROPERTY LISTED IN BOOK 11938 PAGES 409-414.
9. FIVE (5) RESIDENTIAL LOTS ARE CREATED WITH THIS PLAT.

LEGEND

PROPOSED

- GROUND SURFACE CONTOUR
TYPE SW-501 STORM INTAKE
TYPE SW-503 STORM INTAKE
TYPE SW-505 STORM INTAKE
TYPE SW-508 STORM INTAKE
TYPE SW-513 STORM INTAKE
TYPE SW-401 STORM MANHOLE
TYPE SW-402 STORM MANHOLE
TYPE SW-301 SANITARY MANHOLE
STORM/SANITARY CLEANOUT
WATER VALVE
FIRE HYDRANT ASSEMBLY
SIGN
DETECTABLE WARNING PANEL
SANITARY SEWER WITH SIZE
STORM SEWER
WATERMAIN WITH SIZE

EXISTING

- GROUND SURFACE CONTOUR
SANITARY MANHOLE
WATER VALVE BOX
FIRE HYDRANT
WATER CURB STOP
WELL
STORM SEWER MANHOLE
STORM SEWER SINGLE INTAKE
STORM SEWER DOUBLE INTAKE
FLARED END SECTION
DECIDUOUS TREE
CONIFEROUS TREE
CONIFEROUS SHRUB
CONIFEROUS SHURB
ELECTRIC POWER POLE
GUY ANCHOR
STREET LIGHT
POWER POLE W/ TRANSFORMER
UTILITY POLE W/ LIGHT
ELECTRIC BOX
ELECTRIC TRANSFORMER
ELECTRIC MANHOLE OR VAULT
TRAFFIC SIGN
TELEPHONE JUNCTION BOX
TELEPHONE MANHOLE/VAULT
TELEPHONE POLE
GAS VALVE BOX
CABLE TV JUNCTION BOX
CABLE TV MANHOLE/VAULT
MAIL BOX
BENCHMARK
SOL BORING
UNDERGROUND TV CABLE
GAS MAIN
FIBER OPTIC
UNDERGROUND TELEPHONE
OVERHEAD ELECTRIC
UNDERGROUND ELECTRIC
FIELD TILE
SANITARY SEWER W/ SIZE
STORM SEWER W/ SIZE
WATER MAIN W/ SIZE

SURVEY

- SECTION CORNER
1/2" REBAR, YELLOW CAP #18880 (UNLESS OTHERWISE NOTED)
ROW MARKER
ROW RAIL
PLATTED DISTANCE
MEASURED BEARING & DISTANCE
RECORDED AS
DEED DISTANCE
CALCULATED DISTANCE
CURVE ARC LENGTH
MINIMUM 100 YEAR FLOOD PROTECTION ELEVATION
CENTERLINE
SECTION LINE
1/4 SECTION LINE
1/4 1/4 SECTION LINE
EASEMENT LINE
LOT LINE
RIGHT OF WAY
BUILDING SETBACK
PLAT BOUNDARY
USE AS CONSTRUCTED

FOUND

- SECTION CORNER
1/2" REBAR, YELLOW CAP #18880 (UNLESS OTHERWISE NOTED)
ROW MARKER
ROW RAIL
PLATTED DISTANCE
MEASURED BEARING & DISTANCE
RECORDED AS
DEED DISTANCE
CALCULATED DISTANCE
CURVE ARC LENGTH
MINIMUM 100 YEAR FLOOD PROTECTION ELEVATION
CENTERLINE
SECTION LINE
1/4 SECTION LINE
1/4 1/4 SECTION LINE
EASEMENT LINE
LOT LINE
RIGHT OF WAY
BUILDING SETBACK
PLAT BOUNDARY
USE AS CONSTRUCTED

SET

- SECTION CORNER
1/2" REBAR, YELLOW CAP #18880 (UNLESS OTHERWISE NOTED)
ROW MARKER
ROW RAIL
PLATTED DISTANCE
MEASURED BEARING & DISTANCE
RECORDED AS
DEED DISTANCE
CALCULATED DISTANCE
CURVE ARC LENGTH
MINIMUM 100 YEAR FLOOD PROTECTION ELEVATION
CENTERLINE
SECTION LINE
1/4 SECTION LINE
1/4 1/4 SECTION LINE
EASEMENT LINE
LOT LINE
RIGHT OF WAY
BUILDING SETBACK
PLAT BOUNDARY
USE AS CONSTRUCTED

SUBMITTAL DATE

-1ST SUBMITTAL TO CITY: 7/22/16
-2ND SUBMITTAL TO CITY: 8/23/16

Table with columns: REVISIONS, DATE, FIRST SUBMITTAL, SECOND SUBMITTAL, THIRD SUBMITTAL

3405 S.E. CROSSROADS DRIVE, SUITE G
DES MOINES, IOWA 50312
PHONE: (515) 369-4400 FAX: (515) 369-4410



CIVIL DESIGN ADVANTAGE
DES MOINES, IOWA

SKYLINE PLAT 1
PRELIMINARY PLAT

1/2
1606.322

Professional Engineer Seal for Gary Reed, License #1674, dated 7/22/16. Includes 'PRELIMINARY FOR CONSTRUCTION' stamp.

Professional Engineer Seal for Gary Reed, License #1674, dated 7/22/16. Includes 'PRELIMINARY FOR CONSTRUCTION' stamp.

Handwritten signature/initials.

ITEM #5