

PLAT COMMITTEE

October 9, 2024

Case Number:	2024-PLT-062 (Amended)
Property Address:	10335 East 52 nd Street (<i>approximate address</i>)
Location:	City of Lawrence, Lawrence Township, Council District #10
Petitioner:	Arbor Homes, Kenny Moorhead
Zoning:	D-4 (Cluster)
Request:	Approval of a Subdivision Plat, to be known as Silver Stream, Section 4, subdividing 25.29 acres into 94 lots, with lots along Jade Edge Court only accessible by three local streets, with a waiver of maximum number of two local streets used by emergency vehicles requirements, per Chapter 741, Article III, Section 3.B of the Consolidated Zoning and Subdivision Ordinance.
Current Land Use:	Undeveloped
Staff Reviewer:	Michael Weigel, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated September 6, 2024, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provide a bond, as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of City of Lawrence, Sanitation Section.
3. Subject to the Standards and Specifications of the City of Lawrence, Drainage Section.
4. Subject to the Standards and Specifications of the City of Lawrence, Transportation Section.
5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording
7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.

9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.
12. That the natural infrastructure plan be provided with the final plat prior to recording.
13. That the requested waiver of maximum number of local streets used by emergency vehicles requirement, per Chapter 741, Article III, Section 3.B of the Consolidated Zoning and Subdivision Ordinance, be approved.

PETITION OVERVIEW

SITE PLAN AND DESIGN

This property is currently zoned D-4 (Cluster) and is undeveloped. The site was rezoned to the D-4 zoning designation via 2004-ZON-020, approval of the cluster subdivision plan was given by 2020-ADM-147, and the modification petition 2021-MOD-003 allowed for a new mixture of lot sizes within the larger subdivision and modified the conceptual site plan from the 2004 rezone (see Exhibits). The 94 lots and one common area created by this replatting of 25.29 acres would create Section 4 of the Silver Stream subdivision. The proposed plat meets cluster subdivision regulations and complies with commitments from 2004-ZON-020 and 2021-MOD-003.

STREETS

4,286 linear feet of new streets would be developed that would have connections from 52nd Street to the north as well as extensions of streets from previous sections (Rose Mill Drive, Diamond Head Lane, Topaz Pointe Boulevard, and Little Pearl Lane). Several lots on the cul-de-sac Jade Edge Court would only be accessible by vehicles using three different local streets. Ordinance specifies that emergency vehicles must not have to use more than two different local streets to reach any destination lot. Staff feels that given the width of Topaz Pointe Boulevard at the northern section of the development as well as the relatively small distance from the Jade Edge lots to the northern collector street, this would be a minor deviation from ordinance requirements. Staff would recommend approval of the waiver request.

SIDEWALKS

Sidewalks are required along the 52nd Street frontage as well as internally. All required sidewalks are shown on the final plat document provided to staff.

Existing Zoning	D-4 (Cluster)		
Existing Land Use	Undeveloped		
Comprehensive Plan	Suburban Neighborhood		
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>	
	North:	C-S	Transportation Center
	South:	D-4	Residential
	East:	D-4 / D-A	Residential / Undeveloped
	West:	D-4	Residential
Thoroughfare Plan			
52 nd Street	Primary Collector	66-foot existing right-of-way and 80-foot proposed right-of-way	
Petition Submittal Date	08/29/2024		
Final Plat Submittal Date	09/06/2024		

SUBDIVISION PLAT REGULATIONS

741-203 Required Documents for Approval		EVALUATION
	<p>741.201.A-C – Primary Plat Requirements:</p> <ul style="list-style-type: none"> Plat name, Legal Description, Surveyor Seal, Scale. Boundary Lines, Existing Street Names and dimensions. Layout of Proposed Streets – names, widths, classifications. Layout of all easements and purpose thereof. Layout of lots with numbering and dimensions. Floodway/Floodplain Delineation. Topographic Map. Area Map. 	Satisfied
	<p>741-203.D – Traffic Control Plan</p> <ul style="list-style-type: none"> Traffic control street signs and devices. Traffic calming devices. Bicycle facilities. Sidewalks and pedestrian facilities. Transit facilities, such as bus stops pads or shelter. Street lighting. 	Satisfied

	<p>741-203.E– Natural infrastructure plan (major plats containing more than 20 lots)</p> <ul style="list-style-type: none"> • Placement of all proposed drainage facilities for the subdivision, indicating type of facility and if the facility is to be designed to be wet or dry • Location of Open Space Areas of the open space common area, indicating size and general improvements • Location of any Stream Protection Corridors in accordance with Section 744-205 (Stream Protection Corridors) 	<p>See Condition #12</p>
	<p>741-205 – Waivers</p> <ul style="list-style-type: none"> • The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property • The conditions upon which the request is based are individual to the property for which the relief is sought and are not applicable generally to other property; • Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; • The resulting subdivision fulfills the purpose and intent of these regulations at an equal or higher standard than what would have been possible without the deviation; and • The relief sought shall not in any manner vary from the provisions of the Zoning Ordinance, or official zoning base maps, except as those documents may be amended in the manner prescribed by law. 	<p>See Condition #13</p>
<p>741-300 Design and Installation Standards</p>	<p>All proposed plats submitted for Committee approval under the provisions of these regulations shall meet these standards to the satisfaction of the Committee unless waived by the Committee.</p>	<p>EVALUATION</p>
	<p>741-302.A – Lots:</p> <ul style="list-style-type: none"> • Comply with zoning district and any cluster approval or variance grant. • Lots must have positive drainage away from buildings. • No more than 25% of lot area may be under water. • Side lots lines at right angles to streets or radial to curving street line. • Layout of lots with numbering and dimensions. • Floodway/Floodplain Delineation. • Topographic Map. 	<p>Satisfied</p>

	<p><i>741-302.B – Frontage and Access:</i></p> <ul style="list-style-type: none"> • <i>Through lots should be avoided except where necessary for primary arterial separation and topography challenges.</i> • <i>Triple frontage lots are prohibited.</i> • <i>Lots abutting alleys must have vehicular access exclusively from alley.</i> • <i>Lots shall not have direct access to arterial streets.</i> • <i>Non-residential plats shall provide cross-access easements to limits points of access to existing street network to no more than one per 500 feet.</i> 	<p>Satisfied</p>
	<p><i>741-302.C – Blocks:</i></p> <ul style="list-style-type: none"> • <i>Shall not exceed maximum block lengths per Table 741-302.1</i> • <i>If exceeded, it must be demonstrated that:</i> <ul style="list-style-type: none"> ○ <i>There are improved pedestrian easements at intervals of 400 feet or less.</i> ○ <i>Adequate traffic calming provisions are made.</i> ○ <i>The block length must be exceeded because of physical conditions of the land.</i> 	<p>Not Applicable</p>
<p>741-303 Streets and Connectivity</p>	<p>All proposed plats shall allocate adequate areas for streets in conformity with the Comprehensive Plan and Official Thoroughfare Plan for Marion County, Indiana, and these regulations.</p>	<p>EVALUATION</p>
	<p><i>741-303.A – General:</i></p> <ul style="list-style-type: none"> • Subdivisions shall provide a logical street layout in relation to topographical conditions, public convenience, safety, multi-modal use and the proposed use of the land to be served by such streets. <i>Triple frontage lots are prohibited.</i> • Streets shall intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 75 degrees. • Not more than two streets shall intersect at any one point. • Bicycle lanes meeting the Indiana Manual on Uniform Traffic Control Devices (IMUTCD) for location, width, and marking shall be provided along collector streets. • All streets shall be dedicated to the public. Alleys may be private. • Turn lanes or other improvements recommended by the Department of Public Works shall be added to the existing street system to minimize the impact of the connection upon the existing street system. 	<p>Satisfied</p>

	<p><i>741-303.B – Through Connectivity (Metro Context Area):</i></p> <ul style="list-style-type: none"> Emergency vehicles must not have to use more than two different local streets (any street other than a primary arterial, a secondary arterial or a collector street) to reach their destination. Permanently dead-ended streets and alleys, except for cul-de-sac streets, are prohibited. All existing or platted streets that terminate at the property boundary line of a proposed subdivision shall be continued into the proposed subdivision to provide street connections to adjoining lands and streets within the proposed subdivision. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 125 ft. between their centerlines. Whenever cul-de-sac streets are created, a 15-foot-wide pedestrian access/public utility easement shall be provided between the cul-de-sac head or street. Subdivisions with 30 or more lots shall have more than one entrance to the existing street network. 	<p>See Condition #13</p>
	<p><i>741-303.D – Cul-de-sacs (Metro Context Area):</i></p> <ul style="list-style-type: none"> In the Metro Context Area, cul-de-sac lengths shall not exceed 500 feet or serve more than 20 dwelling units. 	<p>Satisfied</p>
<p>741-304-316 Additional Development Items</p>		<p>EVALUATION</p>
	<p><i>741.304.A-C – Traffic Control Devices:</i></p> <ul style="list-style-type: none"> <i>Street name signs, traffic control signs, bike route signs.</i> <i>Traffic control devices for streets exceeding 900 feet in length.</i> <i>Bicycle Facilities for subdivisions with a collector street serving more than 100 dwelling units.</i> 	<p>Satisfied</p>
	<p><i>741.305 – Numbering and naming:</i></p> <ul style="list-style-type: none"> <i>Street numbering per adopted addressing guidelines.</i> <i>Streets that are extensions or continuations of existing or approved streets must bear the name of such existing street.</i> 	<p>See Condition #5</p>
	<p><i>741.306 – Sidewalks:</i></p> <ul style="list-style-type: none"> <i>Sidewalks shall be provided along all internal and external streets.</i> 	<p>Satisfied</p>
	<p><i>741.307-309 – Easements, Utilities, Stream Protection Corridors:</i></p> <ul style="list-style-type: none"> <i>Utility easements shall be located along lot lines and shall be a minimum of 10 feet.</i> <i>All BMPs and drainage facilities must be located within an easement. The easement must accommodate adequate access for maintenance.</i> <i>Generally, pedestrian easements shall be 15 feet in width and be considered open to the public unless specifically declared otherwise.</i> <i>All utilities shall be located underground.</i> <i>All subdivisions must be designed in accordance with the Stream Protection Corridor requirements of Section 744-205.</i> 	<p>Satisfied</p>

	<p>741.310 – <i>Common Areas, Open Space and Public Sites (Compact Context Area):</i></p> <ul style="list-style-type: none"> • <i>Required for subdivisions with more than 20 dwelling units.</i> • <i>Access easements shall be provided to connect all common areas to a public street right-of-way. The minimum width of such access must be at least 15 feet.</i> • <i>Basic Open Space Requirements: Multi-purpose path, natural landscaping area, entrance landscaping.</i> • <i>Additional Open Space Requirements: Community garden, dog park, game court, picnic area, playground, pool, etc. Additional component required for every 30 additional dwelling units overall.</i> • <i>Reservation of land for public/semi-public purpose.</i> 	<p>Satisfied</p>
	<p>741-312 – <i>Monuments</i></p> <ul style="list-style-type: none"> • <i>Permanent reference monuments shall be placed in the subdivision by a Professional Surveyor. Where no existing permanent monuments are found, monuments must be installed no more than 600 feet apart in any straight line and in accordance with the schedule in Table 741-312-1.</i> 	<p>Satisfied</p>
	<p>741.313 – <i>Flood Control:</i></p> <ul style="list-style-type: none"> • <i>All development shall comply with all provisions of Section 742-203 (Flood Control Zoning District).</i> • <i>Floodway and Floodway Fringe zones shall be delineated and labeled on the primary plat and the plat to be recorded.</i> • <i>For Zone AE areas, the plat must show the BFE topographic line.</i> • <i>For Zone A areas, the plat must show the delineation study with the floodway and floodway fringe lines shown on the FIRM maps.</i> 	<p>Not Applicable</p>
	<p>741.316 – <i>Street Lighting:</i></p> <ul style="list-style-type: none"> • <i>All subdivisions must be designed and constructed in accordance with the Street Lighting requirements of Section 744-600 (Street and Exterior Lighting).</i> 	<p>Satisfied</p>

EXHIBITS

2024-PLT-057 ; Aerial Map



(outlined plat area an approximation; see primary plat documents below)



2024-PLT-057 ; Findings of Fact (Waiver Request)

1. The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property because:

there is only one more additional street that an emergency vehicle would have to use to reach the 15 lots on Jade Edge Court. The travel distance from East 52nd Street to Jade Edge Court is approximately 530', which makes the lots on Jade Edge Court closer to an arterial street compared to other lots in the subdivision that only need two roads to reach.

2. The conditions upon which the request is based are individual to the property for which the relief is sought and are not applicable generally to other property because:

the petitioner was required to extend Jade Edge Drive as a stub street to the east property line for connectivity to future development on the adjacent property. Stubbing this street to the property line eliminated the opportunity to continue Jade Edge Drive onto Jade Edge Court with horizontal curve, therefore adding an additional turn to access Jade Edge Court.

3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out:

because the existing topography and the large area of floodplain/floodway that exist on this property made the lot layout for this site challenging to achieve the cluster approval from the city and still meet local drainage requirements. A hardship would result in to having to re-layout the subdivision and re-evaluate the drainage design after having the cluster plan approval from the city and already having three of the five sections under construction,

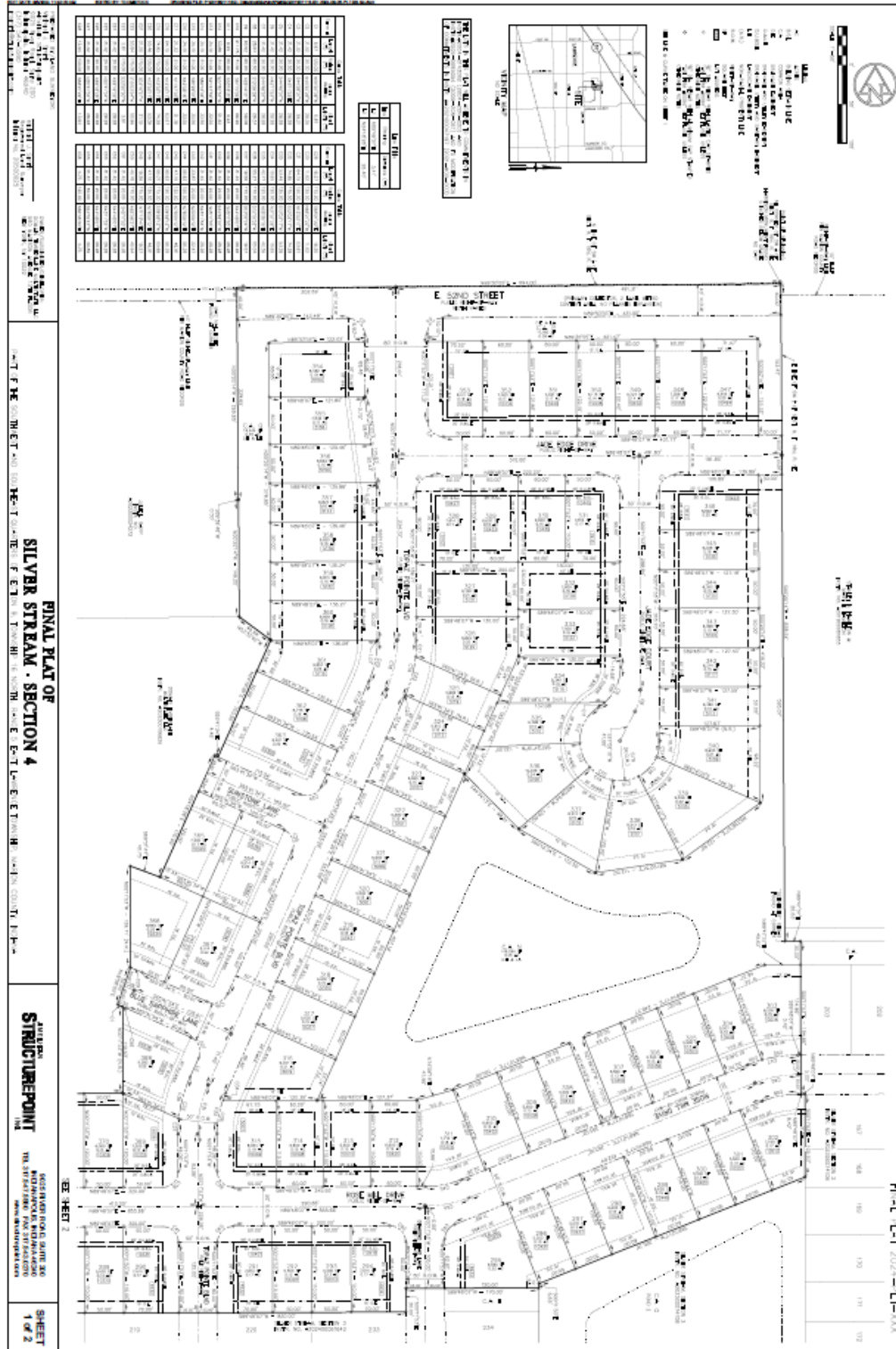
4. The resulting subdivision fulfills the purpose and intent of these regulations at an equal or higher standard than what would have been possible without the deviation because:

the boulevard entrance that an emergency vehicle will enter onto from East 52nd Street is wider than the local interior roads. This allows for an emergency vehicle to have a larger turning movement when it is transitioning onto Jade Edge Drive from Topaz Pointe Boulevard.

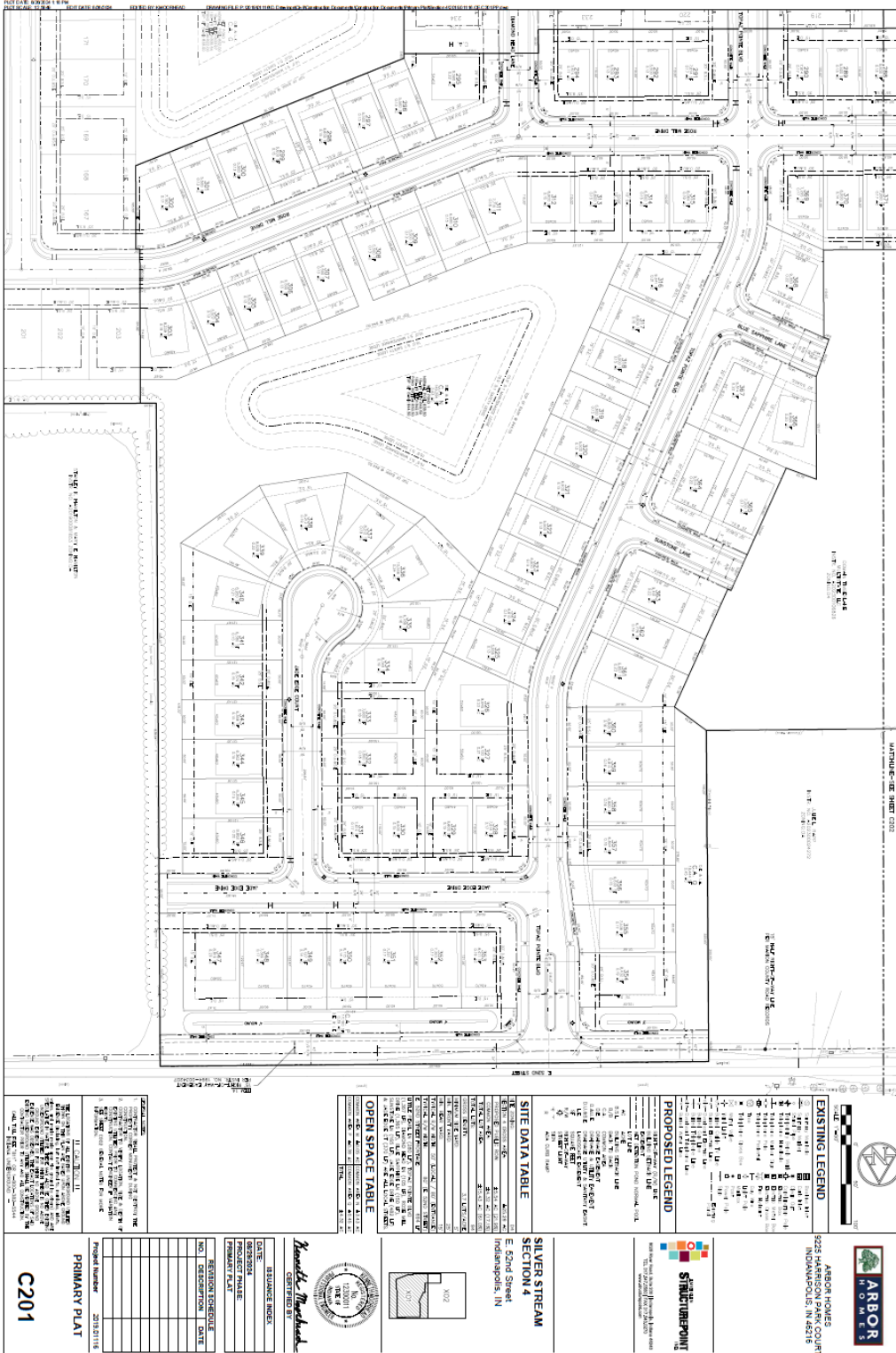
5. The relief sought shall not in any manner vary from the provisions of the Zoning Ordinance, or official zoning base maps, except as those documents may be amended in the manner prescribed by law because:

the granting of the requested waiver will not change or vary any other items in the Zoning Ordinance or the permitted use of the site as a single family residential subdivision. Granting this waiver will not change the Cluster Plan that was approved by the city back in September of 2020.

2024-PLT-057 ; Final Plat (1 of 2)



2024-PLT-057 ; Primary Plat Detail (1 of 2)



EXISTING LEGEND

- Existing Building Footprint
- Existing Road Right-of-Way
- Existing Easement
- Existing Utility
- Existing Survey

PROPOSED LEGEND

- Proposed Building Footprint
- Proposed Road Right-of-Way
- Proposed Easement
- Proposed Utility
- Proposed Survey

SITE DATA TABLE

ITEM	DESCRIPTION	VALUE
1	TOTAL AREA	10.5 AC
2	NET AREA	8.2 AC
3	EXISTING IMPROVEMENTS	SEE LEGEND
4	PROPOSED IMPROVEMENTS	SEE LEGEND
5	UNDEVELOPED LAND	2.3 AC
6	DEVELOPED LAND	5.9 AC
7	OPEN SPACE	1.5 AC
8	ROADS	0.8 AC
9	UTILITIES	0.5 AC
10	WATERWAYS	0.0 AC

OPEN SPACE TABLE

ITEM	DESCRIPTION	VALUE
1	OPEN SPACE	1.5 AC
2	ROADS	0.8 AC
3	UTILITIES	0.5 AC
4	WATERWAYS	0.0 AC

ARBOR HOMES
3225 HARRISON PARK COURT
INDIANAPOLIS, IN 46218



SHIHLUBAUM

Professional Engineer
No. 12345678
Indiana, IN

SEVERAL

Professional Engineer
No. 98765432
Indiana, IN

REVISIONS

NO.	REVISION	DATE

PROJECT INFORMATION

Project Number: 20230715

PRIMARY PLAT

C201

2024-PLT-057 ; Primary Plat Detail (2 of 2)



EXISTING LEGEND

- 1. LOT
- 2. LOT AREA
- 3. LOT AREA (AC)
- 4. LOT AREA (SQ FT)
- 5. LOT AREA (SQ YD)
- 6. LOT AREA (AC)
- 7. LOT AREA (SQ FT)
- 8. LOT AREA (SQ YD)
- 9. LOT AREA (AC)
- 10. LOT AREA (SQ FT)
- 11. LOT AREA (SQ YD)
- 12. LOT AREA (AC)
- 13. LOT AREA (SQ FT)
- 14. LOT AREA (SQ YD)
- 15. LOT AREA (AC)
- 16. LOT AREA (SQ FT)
- 17. LOT AREA (SQ YD)
- 18. LOT AREA (AC)
- 19. LOT AREA (SQ FT)
- 20. LOT AREA (SQ YD)

PROPOSED LEGEND

- 1. LOT
- 2. LOT AREA
- 3. LOT AREA (AC)
- 4. LOT AREA (SQ FT)
- 5. LOT AREA (SQ YD)
- 6. LOT AREA (AC)
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- 9. LOT AREA (AC)
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PROPOSED LEGEND

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- 16. LOT AREA (SQ FT)
- 17. LOT AREA (SQ YD)
- 18. LOT AREA (AC)
- 19. LOT AREA (SQ FT)
- 20. LOT AREA (SQ YD)

SITE DATA TABLE

ITEM	DESCRIPTION	VALUE
1	LOT AREA	10.00 AC
2	LOT AREA (SQ FT)	136,000
3	LOT AREA (SQ YD)	15,000
4	LOT AREA (AC)	10.00 AC
5	LOT AREA (SQ FT)	136,000
6	LOT AREA (SQ YD)	15,000

OPEN SPACE TABLE

ITEM	DESCRIPTION	VALUE
1	LOT AREA	10.00 AC
2	LOT AREA (SQ FT)	136,000
3	LOT AREA (SQ YD)	15,000
4	LOT AREA (AC)	10.00 AC
5	LOT AREA (SQ FT)	136,000
6	LOT AREA (SQ YD)	15,000

PROPOSED LEGEND

- 1. LOT
- 2. LOT AREA
- 3. LOT AREA (AC)
- 4. LOT AREA (SQ FT)
- 5. LOT AREA (SQ YD)
- 6. LOT AREA (AC)
- 7. LOT AREA (SQ FT)
- 8. LOT AREA (SQ YD)
- 9. LOT AREA (AC)
- 10. LOT AREA (SQ FT)
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- 19. LOT AREA (SQ FT)
- 20. LOT AREA (SQ YD)

PROPOSED LEGEND

- 1. LOT
- 2. LOT AREA
- 3. LOT AREA (AC)
- 4. LOT AREA (SQ FT)
- 5. LOT AREA (SQ YD)
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- 15. LOT AREA (AC)
- 16. LOT AREA (SQ FT)
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- 18. LOT AREA (AC)
- 19. LOT AREA (SQ FT)
- 20. LOT AREA (SQ YD)



ARBOR HOMES
3225 HARRISON PARK COURT
INDIANAPOLIS, IN 46254



SILVER STREAM
SECTION 4
E Sand Street
Indianapolis, IN



REVISIONS

NO.	DESCRIPTION	DATE

PROJECT INFORMATION

DATE	2/13/2024
PROJECT NAME	2024-PLT-057
PROJECT CODE	
PROJECT NUMBER	
PROJECT LOCATION	

PROJECT INFORMATION

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PROJECT NAME	2024-PLT-057
PROJECT CODE	
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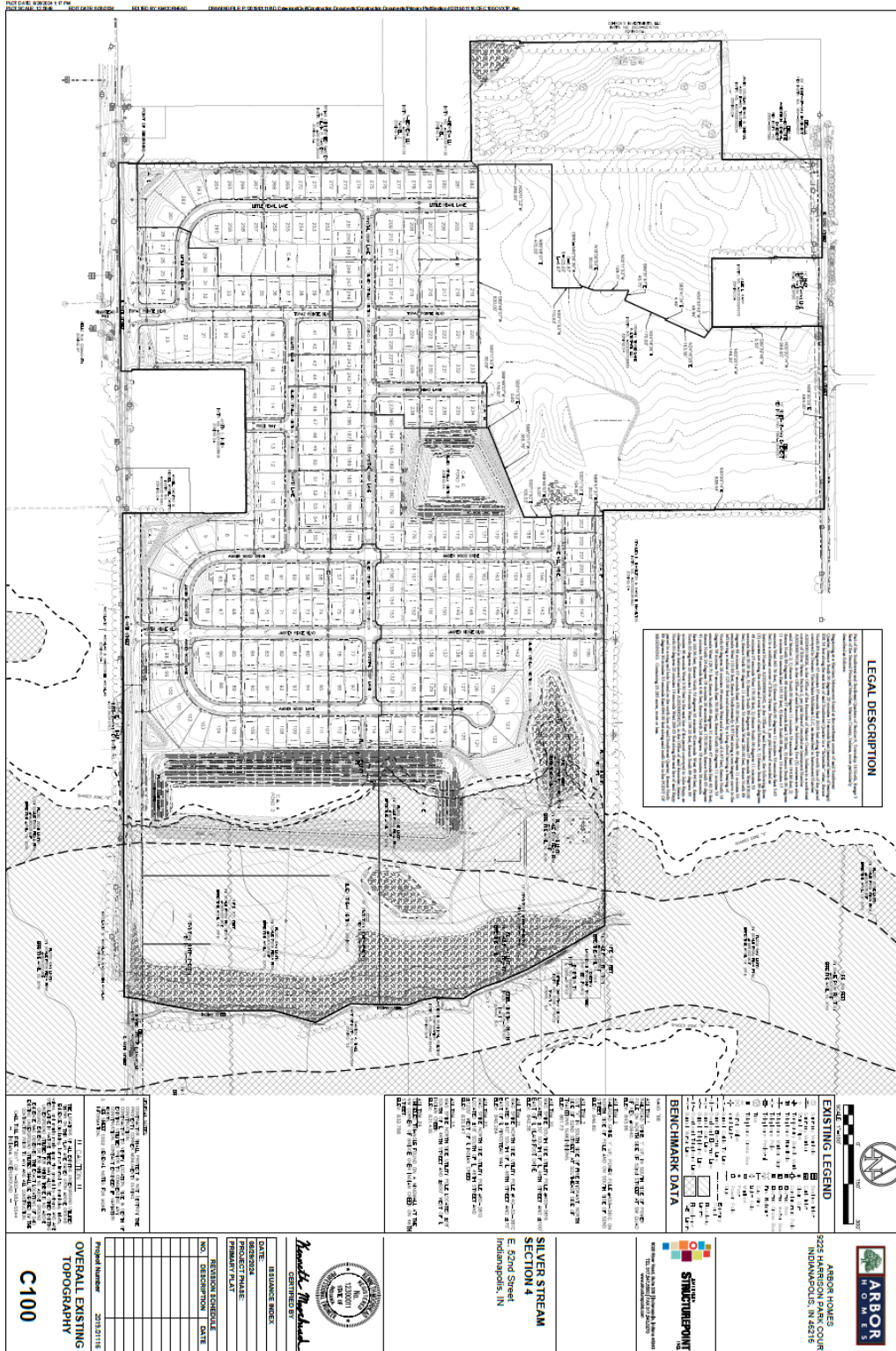
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PROJECT LOCATION	

PROJECT INFORMATION

DATE	2/13/2024
PROJECT NAME	2024-PLT-057
PROJECT CODE	
PROJECT NUMBER	
PROJECT LOCATION	

2024-PLT-057 ; Overall Existing Topography



LEGAL DESCRIPTION

EXISTING LEGEND

BENCHMARK DATA

ARBOR HOMES
 3225 HARRISON PARK COURT
 INDIANAPOLIS, IN 46253

STRUCTUREPOINT
 11000 N. STATE ROAD 137
 INDIANAPOLIS, IN 46240

SILVER STREAM SECTION 4
 E 53rd Street
 Indianapolis, IN

Handwritten signature: Harold M. ...

REVISIONS:
 DATE: _____
 BY: _____
 REASON: _____

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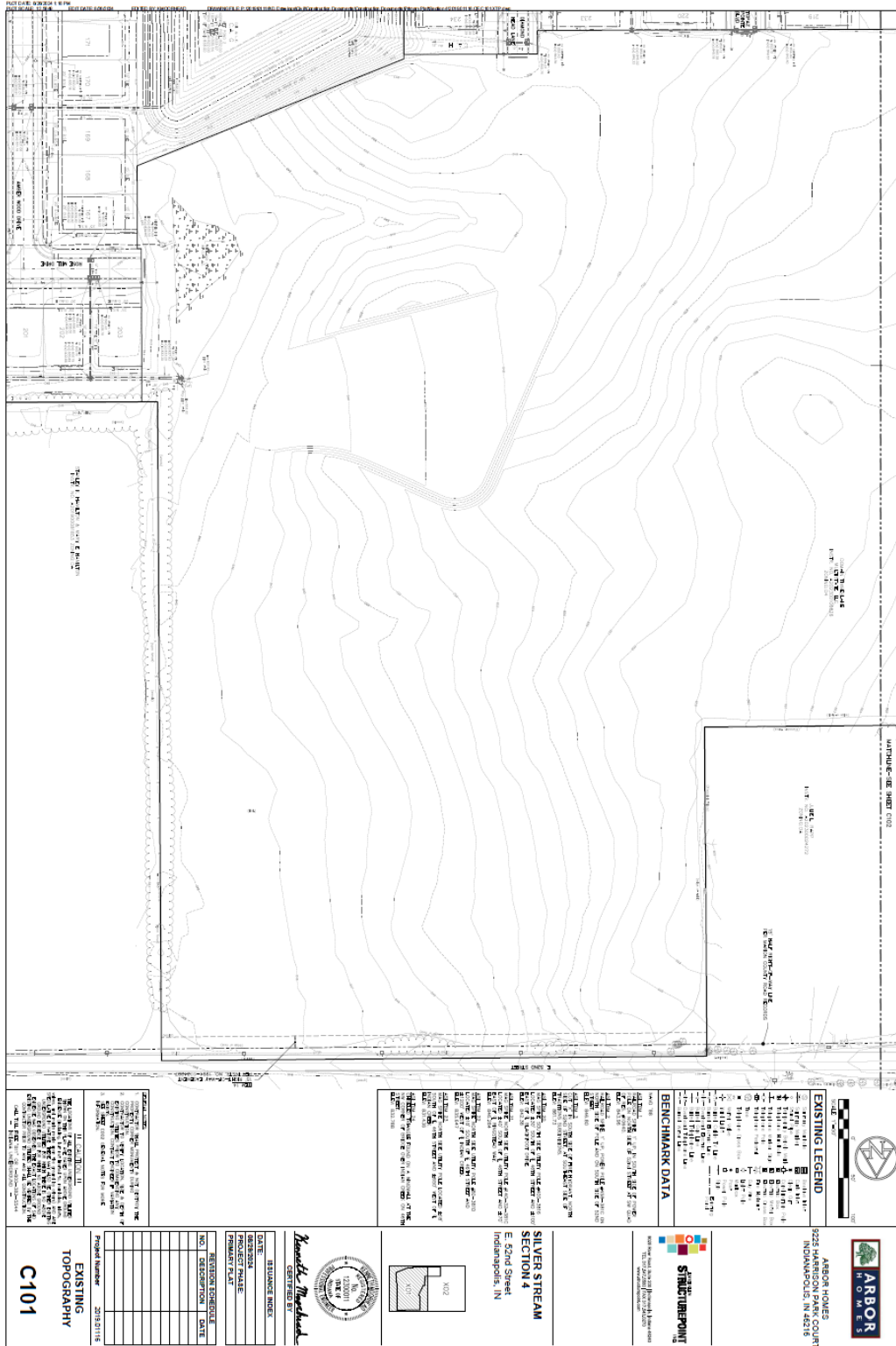
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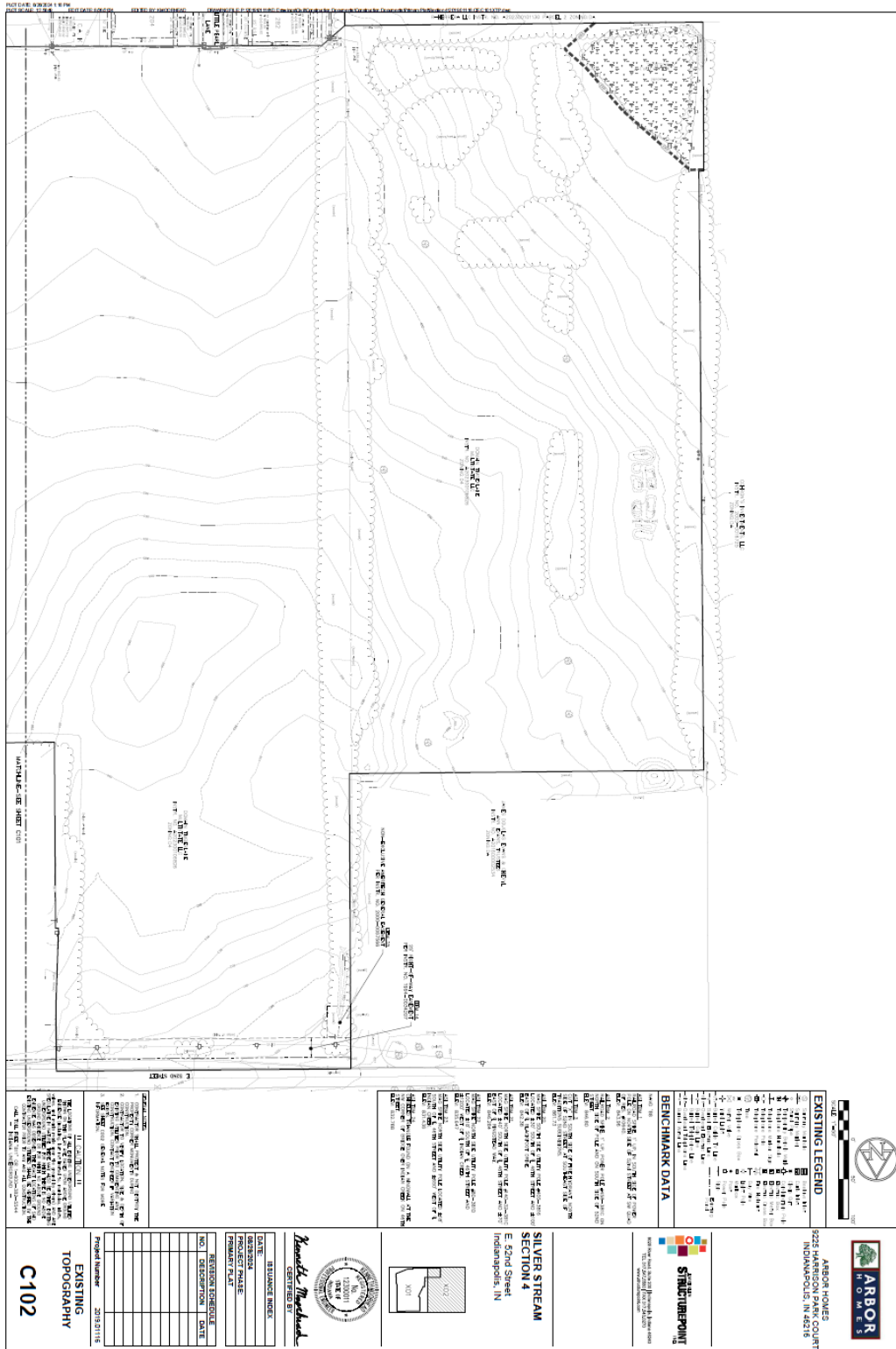
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 BY: _____
 REASON: _____

C100

2024-PLT-057 ; Existing Topography Detail (1 of 2)



2024-PLT-057 ; Existing Topography Detail (2 of 2)



2024-PLT-057 ; Photographs



Photo 1: Subject Site from South (Topaz Pointe Blvd)



Photo 2: Subject Site from North (52nd St)