MINUTES OF THE TUESDAY APRIL 26TH, 2016 PLANNING AND ZONING COMMISSION MEETING

The April 26th, 2016 Planning and Zoning Commission Meeting was called to order at 6:00pm.

Roll Call: The Following Commissioners were present: Streit, Broderick, Hoifeldt, Shanks, and Schmidt. Commissioners Nigro and Fontenot were absent. City Staff in attendance: Brad Deets, Andy Kass, Melissa DeBoer, and Kathryn Purvis.

Agenda Approval: Motion by Commissioner Schmidt, seconded by Commissioner Shanks, to approve the agenda for the April 26th, 2016 Planning and Zoning Commission Meeting. Ayes: Streit, Broderick, Hoifeldt, Shanks, and Schmidt. Nays: none. Motion Carried.

Approval of the April 12th, 2016 Meeting Minutes: Motion by Commissioner Streit and seconded by Commissioner Hoifeldt to approve and adopt the minutes of the April 12th Planning and Zoning Commission Meeting. Ayes: Streit, Broderick, Hoifeldt, Shanks, and Schmidt. Nays: none. Motion carried.

Open Forum: None.

MOTION: APPROVAL OF A PRELIMINARY PLAT FOR ALICE PATRICIA HOMES, APPROVAL OF A FINAL PLAT FOR ALICE PATRICIA HOMES, AND APPROVAL OF A SITE PLAN FOR ALICE PATRICIA HOMES

City Planner Melissa DeBoer advised that the three motions of the Preliminary Plat, Final Plat, and Site Plan would be voted on as individual motions at the end of the Staff Report which summarized the information for all three motions.

Mrs. DeBoer described that the project involves the construction of 12 apartment buildings with a total of 288 units for the entire site. Each apartment building will consist of 24 units. Each building is just over 10,000 square feet in size. Each building has 12 – two bedroom units at 990 square feet and 12 – three bedroom units at 1,225 square feet. The project also consists of a clubhouse building and pool as well as several garage buildings located throughout the site, for a total of 288 garage stalls with an additional 457 spaces for surface parking.

Mrs. DeBoer advised that three access points to the site are proposed. One located off of NE Alice's Road, one on the south side of the site off of NE Boston Parkway, and one on the north side of the site off of NE Dellwood Drive. There is a main access drive running from north to south through the entire site from NE Dellwood Drive to NE Boston Parkway. A 5 foot wide sidewalk along the south side of NE Dellwood Drive will be constructed as part of phase 1 of

this project. A future 10' wide shared use path is proposed on these plans on the north side of NE Boston Parkway. A 10' wide trail will be installed along Alice's Road in the future. There is also a network of sidewalks provided throughout the entire site to allow for pedestrian movement from building to building throughout the complex. Sanitary sewer will be extended to the site from NE Dellwood Drive. Water will be provided to the site by extending the 12" water main from the south side of the property located just south of the site, all the way to the north plat boundary along Alice's Road. Storm water will be managed with several detention ponds. Ponds located on the north half of the site will outlet to the north and the detention ponds located on the south half of the site will outlet to the south within the storm sewer easement on MidAmerican's property.

Mrs. DeBoer explained that a 25 foot landscape buffer easement is being provided along Alice's Road and all Landscape and open space requirements are met. The site plan also includes a detail identifying how ground mounted mechanical units are to be screened. The proposed apartment buildings will be constructed with vinyl siding, cultured stone, and asphalt shingles. The applicant has proposed six different color schemes for the elevations of the buildings. The colors proposed are variations of beiges, grays, and blues.

- Commissioner Hoifeldt pointed out that the Preliminary Plat showed Phasing for the buildings and questioned if the roads would be constructed continually throughout the process. Mrs. DeBoer advised that all roads and sidewalks would be constructed in the first phase and only the buildings would be coming in at separate phases.
- Commissioner Schmidt questioned if the storm water drainage would travel back through the property to Alice's Road, or if it would travel to the west. A Representative of the developers advised that they had plans to connect to Douglas via Alice's Road and the South side of the property draining into a preexisting swale.
- Commissioner Hoifeldt questioned why the entrance to the site does not line up with 284th lane. Development Services Director Brad Deets advised 284th is a private drive and the access points line up with the major city access points for Clive.
- Commissioner Broderick questioned where the trash enclosures would be located and the Representative advised that they were located near the garages. Commissioner Broderick continued to question if there was any foreseeable issues with trucks being able to enter and collect the refuse. The representative that there was not any issues they could see, there are some tight corners and the dumpsters may have to be rolled out depending on the type of waste hauler used, but it is no different in size than any other apartment complex in the area. Commissioner Schmidt questioned the staff if the Fire Department of Waukee had any concerns with the lay out and Senior Planner Andy Kass advised that they had no concerns with maneuvering any equipment.

- Commissioner Broderick questioned about the required park land dedication. Mr. Deets advised that the city is working with the applicant as there are already 2 established parks; an 18 acre to the west, and 3 acres to the north. The applicant has offered a cash payment to be used to maintain and improve the current park lands in lieu of actual parkland dedication.
- Commissioner Hoifeldt questioned if there would be fencing around the detention ponds, Mrs. Representative advised that not at this time.
- Commissioner Streit questioned if the plans for this property had changed since the original rezoning. Mrs. Representative advised that there had been a lot of changes. The initial plan had buildings stacked one on top of the other and we were asked to create something more visually appealing.
- Upon request of Commissioner Schmidt, the applicants did produce samples of the stone facing, shingles and siding options that they planned on using, in lieu of a materials board.

Commissioner Schmidt moved to approve in the case of the Approval of a Preliminary Plat for Alice Patricia Homes Subject to any remailing staff comments and review of all legal documents by the City Attorney, which was seconded by Commissioner Streit. Ayes: Streit, Broderick, Hoifeldt, Shanks, and Schmidt. Nays: none. Motion Carried.

Commissioner Schmidt moved to approve in the case of the Approval of a Final Plat for Alice Patricia Homes subject to any remaining staff comments and review of all legal documents by the City Attorney, which was seconded by Commissioner Broderick. Ayes: Streit, Broderick, Hoifeldt, Shanks, and Schmidt. Nays: none. Motion Carried.

Commissioner Schmidt moved to approve in the case of the Approval of a Site Plan for Alice Patricia Homes subject to any remaining staff comments and review of all legal documents by the City Attorney, which was seconded by Commissioner Shanks. Ayes: Streit, Broderick, Hoifeldt, Shanks, and Schmidt. Nays: none. Motion Carried.

MOTION: APPROVAL OF A REZONING RELATED TO A CHANGE FROM A-1 (AGRICULTURAL DISTRICT) TO C-1 (COMMUNITY & HIGHWAY SERVICE COMMERCIAL DISTRICT) AND R-4 (ROW DWELLING AND TOWNHOME DISTRICT) [DEERY BROTHERS WAUKEE DEVELOPMENT]

Senior City Planner Andy Kass presented the motion. Mr. Kass described that the subject property involved in the proposed rezoning is located south of Hickman Road and west of 10th Street containing 24.80 acres. The applicant, The Rose Companies, requests that the property be rezoned from A-1 to C-1 Community and Highway Service Commercial District and R-4 Row Dwelling and Townhome District for commercial and townhome development. A total of 21.6 acres are proposed to be rezoned to C-1 and 3.2 acres are proposed to be rezoned to R-4. The subject property is currently not within the City limits of the City of Waukee, but is located within the unincorporated area of Dallas County. The City is in the

process of annexing the property, but the property owner has requested that the zoning be in place prior to annexation. The annexation process is expected to be completed by July 8, 2016. The zoning would not be effective until the property has been annexed into the City of Waukee. The applicant has submitted the necessary petition and consent to the rezoning. Staff has received consent to the zoning change from 52.87% of property owners within 200 feet of the property proposed to be rezoned to C-1. Staff has received consent to the zoning change from 83.62% of property owners within 200 feet of the property proposed to be rezoned to R-4. Notification of the rezoning request to the proposed property was sent on April 18, 2016. No comments for or against the rezoning have been received. Notification signs of the proposed rezoning were placed on the property on April 18, 2016.

Mr. Kass advised that based on the property's proximity to Hickman Road staff feels that the proposed C-1 zoning is reasonable. The proposed concept plan included as part of the rezoning proposal includes the development of a total of 2 lots for commercial development and one lot for townhome development. On Lot 1 the concept plan identifies a car dealership, sales display areas, and a car wash. Lot 2 identifies a number of difference commercial buildings including a fast food restaurant, a bank, convenience store, a retail building, and 2 flex space buildings. Lot 3 should the development of 5 townhomes buildings with 4 units each for a total of 20 units. Landscape buffers will be required along the entire east side of Lot 2 and the east side of Lot 3. A Landscape buffer will also be required along the south side of Lot 2. Landscape buffers will also be required for the row homes because they are proposed to back up to a major thoroughfare, 10th Street. The concept plan identifies storm water detention being provided in 6 detention basins throughout the property.

Mr. Kass explained that the applicant has proposed to satisfy the parkland dedication requirements of 0.27 acres with a cash donation in lieu of dedication of land. Acceptance of this proposal will be addressed by the City Council when the final plat is approved. The concept plan indicates the extension of 10th Street and Maple Street. 10th Street is intended to be a divided four lane road in the future. The applicant will only be responsible for constructing the west 31' of 10th Street. 10th Street will be widened as traffic counts justify the widening. A new street on the west side of the property has also been identified and is intended to provide full access from Hickman Road. A right-in right-out access is indicated on Lot 2. Laurel Street will be extended to 10th Street.

- Commissioner Hoifeldt questioned if having a new 10th street means that the old one will be removed. Director of Development Brad Deets advised that the initial construction of 10th Street will include the two western lanes that will initially function as both northbound and southbound traffic. In the future when the street is expanded to the west, the initial two lanes will both become southbound lanes. The existing asphalted 10th Street that serves a number of homes will remain until such time as 10th Street would be expanded in the future. Two lane roads typically carry 15,000 cars a day before they need to be widened, it may be 15 to 20 years before it becomes a four lane road, but the plans exist to acknowledge the work that will need to be done. Commissioner Schmidt and Mr. Deets then clarified that the existing road would be used for additional buffering for current homes of close to 75-80 feet.

- Commissioner Shanks asked for clarification regarding the neighborhood residential and employment, Mr. Kass advised that this just means that it would have business parks similar to Shottenkirk Chevrolet.
- Commissioner Hoifeldt questioned if there was a Detention Pond located on the north side of the property. Mr. Kass advised that there were a few identified throughout the course of the area. Commissioner Streit questioned if the visibility would be diminished having the detention pond bordering Hickman Road. Mr. Kass advised that the lot in previous discussions with a detention pond bordering Hickman had other issues that aided in the lack of visibility, and that these ponds would be a significant decrease in size.
- The Audience was asked to bring forth their comments Bart Weller of 840 4th Street, a resident of Waukee, advised that the 120 foot right of way showing for 10th street would end up taking a house out on Laurel, as well as some other real estate. Mr. Deets advised that the statement was correct, but would not be taking place until many years down the road when 10th street would need to be widened to a 4 lane road.
- Karen Dluhos of 960 Maple Street pointed out on the map that it shows dry and wet bottom detention and asked for a clarification between the two. She also advised that many residents were concerned to have a lot of farm land go to concrete due to the possible draining issues. Mr. Deets advised that farmland is not required to have detention ponds as it is supposed to absorb the water. Commercial and residential areas are required to have the detention ponds based on storm water calculations to account for all of the water that is created by the concrete in order to maintain or decrease the flow of water runoff. The engineering aspect would be addressed during a site plan review. Mr. Deets also explained that a dry bottom pond releases water at the rate that maintains the normal flow of water, while a wet bottom pond retainf the water with a base flow line.
- Mike Erdman, who farms the Phillip Hamilton Property to the South of the Subject lots, pointed out that the rezoning would bring in a lot of concrete and water flowing across Hamilton farms. The staff acknowledged the concern.
- The Residents questioned where the sanitary sewer and storm water would be connecting to as the existing system seems to be struggling with the capacity that it is at. Residents are experiencing backups of sanitary sewer and not just Storm water. Mr. Deets advised that the city is looking into the issues at hand. The engineers have looked at the capacity of the current existing systems to the east and south of the subject property, and advised that the current hearing was just for the use of the land and that some of the larger details such as connections would be further discussed and looked into during site plan reviews. Commissioner Schmidt also verified with Mr. Deets that Commercial tends to have less use for the sanitary sewers. Mr. Deets advised that typically that is what was expected.
- Karen Dluhos of 960 Maple Street, brought to the Commissions attention that several residents had met with John Gibson and V&K engineers regarding the Sewer and Storm water issues and were told that the engineers would be connecting with them again, however to date, no one had received any additional communication. Commissioner Hoifeldt advised that if there was

communication that needed to be done, it should be brought back up and Mr. Kass advised that he would carry the message to V&K.

- Commissioner Schmidt questioned how well the current pipes were handling the sewer and storm water. Mr. Deets advised that at the moment there is very little detention in the older parts of Waukee and the city is in the process of lining the sanitary sewers in this area to eliminate infiltration by Storm water which may aid in the current back up issues residents are experiencing.
- Commissioner Streit questioned what the timing for the annexation of this property was. Mr Deets advised that it was a fairly lengthy process. It first goes through the City Council which should be discussing it May 2, then it goes through the City Development Board Meeting Scheduled for the 2nd Wednesday in June. After that meeting it has a 30 day public comments period before the annexation can be completed sometime in July and filed with Dallas County. Commissioner Streit questioned if the County had any objections and Mr. Deets Advised that the City had not heard anything from the County which was not unusual.
- Commissioner Schmidt questioned if the rezoning would require one or three readings. Mr. Deets advised that the annexation needed a public hearing with one reading, but for the rezoning there would be 3 readings at the City Council level which is why this was brought up for this meeting. The Property Owner requested the City Council to consider rezoning prior to completion of the annexation as it is their intention to sell the ground if rezoning seems likely. Alternatively, they may decide to withdraw their request for annexation. The rezoning could not take effect until after the annexation is complete.

Commissioner Schmidt moved to recommend the approval of a rezoning related to a change from A-1 (Agricultural District) to C-1 (Community and Highway Service Commercial district) and R-4 (Row Dwelling and Townhome District) [Deery Brothers Waukee Development], subject to the Annexation of the Property, any remaining staff comments, and review of all legal documents by the City Attorney, which was seconded by Commissioner Streit. Ayes: Streit, Broderick, Hoifeldt, Shanks, and Schmidt. Nays: none. Motion Carried.

MOTION: APPROVAL OF A REZONING RELATED TO A CHANGE FROM A-1 (AGRICULTURAL DISTRICT) TO R-2 (ONE AND TWO FAMILY RESIDENTIAL DISTRICT) AND R-4 (ROW DWELLING AND TOWNHOME DISTRICT) [SPRING CREST]

Senior Planner Andy Kass introduced the motion, describing that the subject property involved in the proposed rezoning is located south of Hickman Road and west of Southview Estates containing approximately 93.4 acres. The applicant, Willis Van Zee, requests that the property be rezoned from A-1 to R-2 One and Two Family Residential District and R-4 Row Dwelling and Townhome District for single family, duplex, and townhome development. A total of 71.2 acres are proposed to be rezoned to R-2 and 22.3 acres are proposed to be rezoned to R-4. The subject property is currently not within the City limits of the City of Waukee, but is located within the unincorporated area of Dallas County. The City is in the process of annexing the property, but the property owner has requested that the zoning be considered prior to annexation. The annexation process is expected to be completed by July 8, 2016.

The zoning would not be effective until the property has been annexed into the City of Waukee. The applicant has submitted the necessary petition and consent to the rezoning. Staff has received consent to the zoning change from 81.1% of property owners within 200 feet of the property proposed to be rezoned. Notification of the rezoning request to the proposed property was sent on April 18, 2016. One phone correspondence with Sharon Chism brought forth the concern related to the drainage functionality of the area, and the wish to be able to continue farming the Phillips Hamilton Property safely and to the best of their ability. Notification signs of the proposed rezoning were placed on the property on April 18, 2016. The Comprehensive plan identifies the subject property as Neighborhood Residential which provides for a variety of housing types including townhomes, duplexes, and single-family homes. The Comprehensive Plan states, "Neighborhoods should include a variety of dwelling types that accommodate the range of needs, price pointes and life-stages of Waukee's residents."

Mr. Kass advised that the proposed concept plan included as part of the rezoning proposal includes the development of a total of 143 single family lots, 116 duplex lots, and 126 row house units. The single family lots have been designed to conform to the R-2 zoning district. The single-family lots would be consistent with the size of adjacent single family lots in Southview Estates to the east. Duplexes are allowed in the R-2 district and require a minimum lot size of 10,000 square feet in lot area. The duplex lots have been designed to the meet the minimum required lot square footage. Landscape buffers will be required around the row homes since they will be adjacent to the R-2 zoning district. Landscape buffers will also be required for the row homes because they are proposed to back up to a major thoroughfare, 10th Street. The concept plan identifies storm water detention being provided for the entire development on the south side of the property. The concept plan identifies a 3.16 acre area in the southwest corner of the property for parkland dedication. Based on the amount of single family lots, duplexes, and row homes proposed the applicant would be required to dedicate 5.84 acres of parkland. An additional 2.57 acres will need to be provided a plans progress with a preliminary plat. Staff will work with the applicant to satisfy this requirement. The concept plan indicates the extension of 10th Street, Spruce Street, and Cedar Street. 10th Street is intended to be a divided four lane road in the future. The applicant will only be responsible for constructing the west 31' of 10th Street. 10th Street will be widened as traffic counts justify the widening. An additional six new streets have been identified on the concept plan.

- Commissioner Streit asked for the staff to explain for the clarification of the audience how the percentage of consent is figured. Mr. Kass advised that the Percent of Consent is weighted on adjacency and land area.
- Commissioner Hoifeldt questioned if there was talk about putting the park on the east of the subject property. Mr. Deets advised that the idea is the create a community park 20-25 acres in size, and that the area east of 10th Street is substantially smaller. Additionally, there was concern about placing a park adjacent to 10th Street which eventually will be a major arterial street.
- Both commissioner Shanks and Hoifeldt questioned access to the development along 10th Street. Mr. Deets advised that long term 10th Street will function as a major arterial street. Therefore, individual driveway access will not be permitted. The developer has proposed the

development of townhomes adjacent to either side of 10th Street due to issues with traffic as well as limitations on access to the property. Single family lots are proposed along both Spruce and Cedar in order to be consistent with finishing those streets out to the proposed 10th Street.

- Commissioner Schmidt questioned if the current swale near the bottom of the property was the start of Sugar Creek, Audience member Mike Erdman clarified that it is an 80 foot water way that pulls water down the farm. There are agricultural drainage tiles and it travels directly to Sugar Creek.
- Commissioner Schmidt questioned about the Spruce and Cedar access points being only a block apart. Mr. Deets advised that both would serve as access points until 10th street would be widened. At that point one of the streets would more than likely be discontinued as a through street and only have right in and right out access.
- The Audience brought forward their concerns and comments starting with Diane Bruecken of 490 9th Street, who voiced a main concern about having rowhomes in their back yards. She questioned why it could not be single family residential zoning. Mr. Deets advised that Single Family residential would be difficult due to the placement of 10th Street and the desire to limit access of driveways along 10th Street. Deets also stated that because of the limited cross street access to the east, this area is somewhat segregated and would be difficult to tie into surrounding single family neighborhoods. Diane questioned if it could become a retention pond or green space. Deets stated that the ground would be too high to function as a retention pond.
- Commissioner Streit questioned why 10th street bowed out as much as shown on the maps. Mr. Deets advised that 10th Street needs to follow its current alignment at the north end in order to align with 10th Street north of Hickman Road. However, as it continues south, it was recommended by staff that a minimum 300 feet of spacing needed to be provided to allow for separation from the existing single family homes while still providing adequate width for a developer to construct units which in this case are proposed as townhomes.
- Daryle Foulke of 890 Cedar Street, stated that he lives in the last home on Cedar Street and while he knew moving in there would be further development, he would rather have a road than three row buildings put in next to him. He questioned if the Row Dwelling could be moved to be next to new single family residences that know what is going to be built near them or if there can be a wider buffer between the existing homes and proposed town homes.
- Commissioner Broderick clarified that the request was just to have the option for row dwelling and not a site plan. Commissioner Hoifeldt questioned if we could send it back to the developer and ask for 10th street to go straight up and down, would it effect development further down the road and cause problems. Mr. Deets advised that the issue was to provide a decent buffer to residents both existing and new and maintaining that no driveway access could be obtained off of 10th street.
- Bart Weller of 840 4th Street, pointed out that where the R-4 is designated is exactly where the water pools when it rains and that storm water management would have to be addressed at the time of development and may have an impact on how the site is configured. He also

recommended that a possible elevated landscape berm could help buffer the Row dwelling from the existing homes.

- Karen Dluohos of 960 Maple Street, brought forward a concern that to set modern townhomes right next to established traditional homes seemed like an abrasive switch and would clash visually.
- Loretta Boender, owner of 895 Cedar Street, advised that she could see the issue some people might have with the rowhomes, though she was more concerned with being a buffer for a major road was seeing as her side lot was the minimum 7 feet, her concern that she brought forward was the state of the field as it currently stands, who would maintain the weeds and care for it over the summer, and where the road is going to eventually connect into. She brought up the concern of cedar becoming a major through road for school traffic.
- Mike Erdman advised that the farmer of the field did spray for weeds today, but that his concern was the proximity of the homes bordering the fields. He farms the Phillip Hamilton Property and wanted the council to keep in mind that with the fertilizers and herbicides and other common field sprays, it could pose a potential hazard to the homes without any sort of buffers for the yards. The farmers of the surrounding areas just want to be able to continue their work while still maintaining the safety of their neighbors.
- Commissioner Schmidt questioned if the 25 foot land buffer was included in the 30 foot building set back requirement. Mr. Kass advised that yes, potentially a home could have five feet before the landscape buffer would begin if built right on the set back requirement of 30 feet.
- Larry Cornelison of 420 9th Street, questioned the need for the Rowhomes and commented that they would like to have the Commission request alternative options.
- Doug Saltsgaver, the civil engineer for the project, advised that the idea was initially to be all R-2 but with no access off of 10th street it becomes a pretty significant segment of street that the developer would have to pay for with no real gain. This led to the concept of the Row Dwelling. The front of any proposed rowhome will face other homes with the backs facing one another along a private drive for parking, we also want to put in walks and better grading and drainage for the area. The option is for 2 story homes including the garages. Mr. Saltsgaver advised that the current setbacks for homes are 35 feet, the rowhomes would provide a good noise buffer and more than likely up to a 45 foot distance between the front of the rowhomes and the existing homes rear property lines.
- Commissioner Streit questioned if the detention basin could be located somewhere else, Mr. Saltsgraver commented that they had set it there because that was the lowest point of the property. The residents commented that was not where the water pooled and Mr. Saltsgraver commented that there would be updates to care for the current draining issues which may improve some of the current issues of the area. He advised that there would be a lot of further work to be done to make things work out for everyone.
- The residents questioned how they were to stay informed and Commissioner Hoifeldt advised that regardless of the recommendation from the Commission it would be going to the City

Council for readings on May 2, May 16, and June 6th. The Commission encourages residents to attend these meetings and continue to voice their concerns and stay updated with the rulings.

- Mike Erdman questioned Mr. Saltsgaver if he heard anything that could not be addressed in a possible site plan if it were to pass. Mr. Saltsgaver replied that all of the concerns would be taken into account and could be addressed in a site plan. He also advised per the request of Commissioner Broderick, that the site would be constructed in phases with no building really occurring until next year. This spring and summer the farm will be row planted. He also advised that the master planning would have the phases starting in the lower end and moving north to ensure that the draining of the site is adequate to the lot and its neighbors.

Commissioner Hoifeldt moved to recommend the approval of a rezoning related to a change from A-1 (Agricultural District) to R-2 (One and Two Family Residential) and R-4 (Row Dwelling and Townhome District) [Spring Crest] subject to the completion of annexation of the property, any remaining staff comments, and review of all legal documents by the City Attorney, which was seconded by Commissioner Schmidt. Ayes: Streit, Broderick, Hoifeldt, Shanks, and Schmidt. Nays: none. Motion Carried.

New Business: Andy Kass introduced a brief new business segment stating that the Development Department received 3 new projects last week and had seen a steady flow of building permits. Over all everyone remains busy and more will be coming towards the Commission in future meetings.

Adjournment: Commissioner Hoifeldt moved to adjourn the April 26th Planning and Zoning meeting which was seconded by Commissioner Shanks at 8:09 pm. Ayes: Streit, Broderick, Hoifeldt, Shanks, and Schmidt. Nays: none. Motion Carried.

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Alex Broderick, Planning and Zoning Chairman

Attest:

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Brad Deets, Director of Development Services