Polk County Zoning Commission Monday, August 23, 2021 Staff Report



The Reserve at Rock Creek - Major Preliminary Plat

Applicants:

Tom and Stacey Davies (Property Owners)

The Reserve at Rock Creek, LLC represented by Tom Davies (Property Owner / Developer)
Civil Engineering Consultants, Inc. represented by Shane Devick (Project Engineer/Surveyor)

Request:

Preliminary plat approval of a major subdivision plat creating 18 single-family residential lots (See Attachment 'B')

Legal Description:

41.96 acres located within Part of the SW ¼ of Section 28, Township 80 North, Range 24 West of the 5th P.M., Polk County, Iowa (Crocker Township)

General Location:

2900 and 2906 NW 82nd Avenue, 8125 NW 28th Court and 8068 NW 27th Court, Ankeny (See *Attachment 'A'*)

Existing Zoning:

"RR" Rural Residential District and "LDR" Low Density Residential District

Surrounding Zoning:

North "RR" Rural Residential District

South "RR" Rural Residential District / NW 35th Street (Hwy 415)

East "LDR" Low Density Residential District & "MDR" Medium Density Residential District

West "RR" Rural Residential District

Waiver Request (See Attachment 'C'):

Flag lots shall not exceed one (1) acre in size in areas with public sanitary sewer.

Cul-de-sac streets shall not exceed 600 feet from adjacent right-of-way to the end of the proposed right-of-way in Residential Developments.

GENERAL COMMENTS:

This preliminary plat proposes 18 single-family residential lots, two (2) street lots and two (2) outlots on approximately 41.96 acres. The current version of the preliminary plat can be found as *Attachment 'B'* to this report. The subject is primarily zoned "RR" Rural Residential District, but also contains a small area of "LDR" Low Density Residential District zoning. The plat proposes to utilize the cluster development option under the Rural Residential District standards, which allows single-family lots at a minimum size of 20,000 square feet and minimum width of 100 feet. This is the more restrictive cluster option under the two zoning districts existing on the property.

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The property consists of five (5) total tax parcels, including two (2) existing single-family dwellings at 2900 and 2906 NW 82nd Avenue. Also included within the development are the existing vacant properties at 8125 NW 28th Court, being Lot 6 and a portion of Lot 5 of Timberland Heights Plat II, and 8068 NW 27th Court, which was recently platted as Lot 30 of The Pines at Rock Creek Plat 1. 2900 and 2906 NW 82nd Avenue are currently accessed via a long private driveway extending south from NW 82nd Avenue, and the existing residences will be retained on Lots 9 and 16. The plat proposes a long cul-de-sac street, roughly following the existing shared driveway, to provide street frontage and access to all of the proposed lots. The proposed cul-de-sac street would line up with the existing north-south public roadway of NW 28th Street, which intersects with NW 82nd Avenue at the north plat boundary. Staff will work with the developer to establish a numbered street name for the new cul-de-sac that fits within the address grid and also clearly conveys that it is not a thru street.

The proposed cul-de-sac exceeds the maximum allowable length 600 feet, therefore the developer has asked for a waiver to this standard. Steep slopes and the presence of Rock Creek, in addition the narrowness of the parent parcels, support a cul-de-sac street that exceeds the 600-foot maximum. To alleviate concerns about a single access to the proposed 18 lots, the developer has chosen to create an emergency access driveway that will provide connection between the new cul-de-sac and NW 27th Court located directly to the east within the development of The Pines at Rock Creek. This driveway will create a secondary access to be utilized in emergency situations. All of the proposed lots will access the new cul-de-sac street directly. Two (2) linear outlots, Outlot 'Y' and Outlot 'Z', are proposed on either side of the new roadway to restrict possible connections from existing residential developments adjacent. This is an effort to minimize the number of vehicles utilizing the new roadway and to protect stormwater infrastructure in the backyards of the new platted lots to the east within The Pines at Rock Creek Plat 1.

The Developer is requesting two (2) waivers. A waiver to allow the length of the cul-de-sac street to exceed 600 feet, which has been previously discussed. Second, a waiver to allow flag lots to exceed one (1) acre in size that are served by public sanitary sewer. This second waiver would apply to Lots 10 and 11. The waiver request letter from the consultant can be found as *Attachment C* to this report.

Water service will be provided by Des Moines Water Works. The developer is responsible for future construction and costs related to connection and extension of the public water main to serve the project. Sanitary sewer service will be provided by Polk County, with the developer responsible for extending a public sewer main from the adjacent Rock Creek trunk sewer line to serve the development. The subject property contains a number of mature woodlands and steep slopes. The Polk County Zoning Ordinance requires 75 percent of the mature woodlands to be protected and has requested the developer and engineer to evaluate and establish a safe slope building setback line to protect natural resources and future development.

STAFF REVIEW:

This preliminary plat was previously considered by the Polk County Zoning Commission in February of 2020, at which time the Commission unanimously recommended approval. The developer did not move forward at that time, and has since acquired the additional property located at 8125 NW 28th Court, and revised the layout to include one (1) additional proposed lot. No other major changes have

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occurred to the proposed layout compared to the previously approved layout. An updated waiver request letter is included as *Attachment* C. The waivers requested are identical to the prior submittal, with no new or additional waivers requested. The preliminary plat is required to come back before the Commission due to the incorporation of an additional property and change to the layout including one (1) additional lot. Additionally, re-approval of the preliminary plat begins a new two-year timeline for the developer to construct the improvements and receive final plat approval prior to expiration of the preliminary plat.

Staff has reviewed this plat for compliance with the Polk County Zoning and Subdivision Ordinances, including the proposed waiver requests. The plat is considered a major subdivision due to the number of lots requested as well as required public improvements. Staff finds there is significant topography and mature woodlands on the subject property that limit the available buildable areas. In addition to the topography and the woodland protection requirements, the shape of the parent parcel with the limited frontage onto NW 82nd Avenue with the inability to utilize the frontage onto Highway 415 due to the location of Rock Creek and the topography, provide understandable reasons to support creative lot sizes, configurations and a cul-de-sac that exceeds the maximum allowed length. The plat is within two (2) miles of both the City of Johnston and the City of Ankeny corporate limits. Both jurisdictions have indicated they will waive their right to review this subdivision plat.

RECOMMENDATION:

Staff recommends approval of the Preliminary Plat of The Reserve at Rock Creek, including the requested waivers to allow a cul-de-sac street that exceeds 600 feet in length and to allow flag lots that exceed one (1) acre in size and are served by public sanitary sewer for Lots 10 and 11. Approval is based upon the proposal's conformance to the Zoning and Subdivision Ordinances, and subject to a revised preliminary plat submittal addressing all staff comments.

The Reserve at Rock Creek Major Preliminary Plat

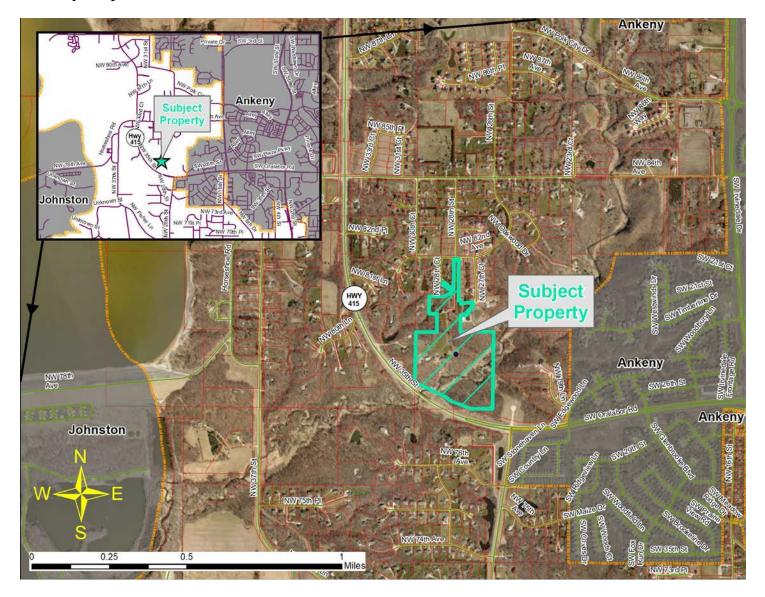
PLAT INFORMATION: This subdivision plat proposes a total of 18 single-family residential lots, two (2) outlots and two (2) street lots on approximately 41.96 acres zoned "RR" Rural Residential District and "LDR" Low Density Residential District.

SEWER: Individual Septic Systems **WATER:** Des Moines Water Works

TOWNSHIP: Crocker **OWNER & DEVELOPER:** The Reserve at Rock Creek,

LLC represented by Tom Davies (owner/developer)

Vicinity Map:



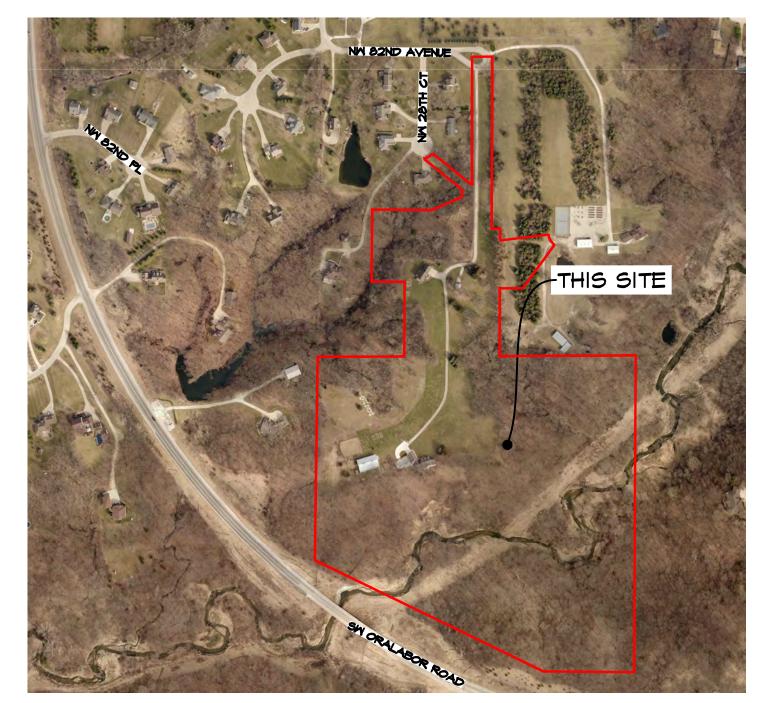
THE RESERVE AT ROCK CREEK

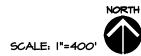
2906 NM 82ND AVENUE, ANKENY, IA 50023

COVER OVERALL

DIMENSION PLAN (NORTH) DIMENSION PLAN (SOUTHWEST) DIMESNION PLAN (SOUTHEAST)

GRADING PLAN (NORTH) GRADING PLAN (SOUTH)





UTILITY PROVIDERS

WATER SERVICE DES MOINES WATER WORKS WASTEWATER TREATMENT POLK COUNTY SANITARY SEWER CONSTRUCTED BY THE PLAT DEVELOPER

EFFECTIVE DATE: 2/01/19

FIRM MAP 19153COISSE

FLOODPLAIN INFORMATION

LAND AREA 1,769,437 SQUARE FEET 40.62 ACRES

ZONING RR & LDR

BULK REGULATIONS (CLUSTER DEVELOPMENT OPTION)

MINIMUM LOT SIZE: 20,000 SQUARE FEET MINIMUM LOT WIDTH: 100 FEET MINIMUM FRONT SETBACK: 30 FEET

MINIMUM SIDE SETBACK: 10 FEET MINIMUM REAR SETBACK: 30 FEET MAXIMUM BUILDING HEIGHT: 35 FEET MAXIMUM BUILDING COVERAGE: 30%

LEGAL DESCRIPTION

PARCEL 'D' & 'E' OF SMI/4 OF SECTION 28 AND TOWNSHIP 80 NORTH, RANGE 24 WEST OF THE 5TH P.M., BEING OFFICIAL PARCELS RECORDED IN BOOK 8541, PAGE 541 AT THE POLK COUNTY RECORDER'S OFFICE, AND PART OF THE WI/2 SMI/4 OF SAID SECTION 28 ALL BEING IN THE CITY OF ANKENY, POLK COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE CORNER OF LOT 4, TIMBERLAND HEIGHTS PLAT II, AN OFFICIAL PLAT RECORDED IN BOOK 7087, PAGE 816 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE NOO°18'21AE, 420.67 FEET ALONG THE EAST LINE OF SAID TIMBERLAND HEIGHTS PLAT II SAID EAST LINE COINCIDING WITH THE WEST LINE OF SAID PARCEL 'D', TO A POINT; THENCE S05°50'074E, 277.35 FEET ALONG SAID EAST LINE TO A POINT; THENCE NOO°17'08AE, 847.46 FEET ALONG SAID EAST LINE TO THE NE CORNER OF SAID TIMBERLAND HEIGHTS PLAT II, SAID NE CORNER ALSO BEING ON THE SOUTH LINE OF STREET LOT 'A' OF THE PINES AT ROCK CREEK PLAT I, AN OFFICIAL PLAT RECORDED IN BOOK 17339, PAGE 661 AT THE POLK COUNTY RECORDER'S OFFICE AND THE NORTH RIGHT-OF-WAY LINE OF NW 82ND AVENUE AS IT IS PRESENTLY ESTABLISHED; THENCE NO9°20'55AE, 04.36 FEET ALONG SAID SOUTH LINE AND SAID NORTH RIGHT-OF-WAY LINE TO THE NW CORNER OF STREET LOT 'C' OF SAID THE PINES AT ROCK CREEK PLAT I; THENCE 500°14'304W, 776.69 FEET ALONG THE WEST LINE OF SAID THE PINES AT ROCK CREEK PLAT I TO A POINT; THENCE 589°36'514E, 34.92 FEET ALONG SAID WEST LINE TO A POINT; THENCE 500°13'364W, 530.86 FEET ALONG SAID WEST LINE TO SW CORNER OF LOT 29 OF SAID THE PINES AT ROCK CREEK PLAT I, SAID SW CORNER ALSO BEING ON THE NORTH LINE OF THE SMI/4 SMI/4 OF SAID SECTION 28; THENCE N89°44'36^E, 567.40 FEET ALONG SAID SOUTH LINE OF THE PINES AT ROCK CREEK PLAT I AND THE NORTH LINE OF SAID SMI/4 SMI/4 TO THE NE CORNER OF SAID SMI/4 SMI/4, SAID NE CORNER ALSO BEING THE NM CORNER OF THE WOODS AT ROCK CREEK PLAT I, AN OFFICIAL PLAT RECORDED IN BOOK 17273, PAGE 318 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE SOO°18'47AW, 1319.32 FEET ALONG THE EAST LINE OF SAID SWI/4 SWI/4, SAID EAST LINE ALSO BEING THE WEST LINE OF SAID THE WOODS AT ROCK CREEK PLAT I, TO THE SE CORNER OF SAID SMI/4 SMI/4; THENCE N89°35'144M, 378.25 FEET ALONG THE SOUTH LINE OF SAID SMI/4 SMI/4 AND SAID MEST LINE OF THE WOODS AT ROCK CREEK PLAT I TO THE SM CORNER OF THE WOODS AT ROCK CREEK PLAT I, SAID SW CORNER ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF NW 78TH AVENUE AS IT IS PRESENTLY ESTABLISHED AND RECORDED IN THE CONDEMNATION DOCUMENT RECORDED IN BOOK 6849, PAGE 866 AT THE POLK COUNTY RECORDER'S OFFICE: THENCE N67°54'40AW, 383,40 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT; THENCE N47°25'OOAE, 97.26 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT: THENCE N64°09'25AE, 583,08 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE SE CORNER OF WOODLAND CREEK, AN OFFICIAL PLAT RECORDED IN BOOK 7595, PAGE 488 AT THE POLK COUNTY RECORDER'S OFFICE. SAID SE CORNER ALSO BEING ON THE WEST LINE OF SAID SWI/4 SWI/4; THENCE NOO°49'14AE, 846.91 FEET ALONG THE WEST LINE OF SAID SMI/4 SMI/4, SAID WEST LINE ALSO COINCIDING WITH THE EAST LINE OF SAID WOODLAND CREEK, TO THE NM CORNER OF SAID SMI/4 SMI/4, SAID NW CORNER ALSO BEING THE SW CORNER OF SAID TIMBERLAND HEIGHTS PLAT II: THENCE 589°46'08AW, 360.24 FEET ALONG THE SOUTH LINE OF SAID TIMBERLAND HEIGHTS PLAT II TO THE POINT OF BEGINNING AND CONTAINING 40.75 ACRES INCLUDING 5,569 SQUARE FEET OF PUBLIC RIGHT-OF-WAY EASEMENT MORE

PROPERTY OWNER: 317 S. ANKENY BOULEVARD

PROPERTY LOCATIONS 2906 NW 82ND AVENUE

ANKENY, IA 50023

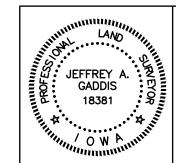
PREPARED FOR: WE L.L.C. 317 S. ANKENY BOULEVARD ANKENY, IOWA 50023

Civil Engineering

- THIS PARCEL MAY BE SUBJECT TO EASEMENTS OF RECORD. NO TITLE WORK WAS PERFORMED BY THIS SURVEYOR. 2. THE UTILITIES SHOWN ON SURVEY ARE BASED ON OBSERVED EVIDENCE AND
- MAPS OBTAINED FROM THE IOWA ONE CALL DESIGN REQUEST LOCATE SERVICE. THIS SURVEYOR MAKES NO GUARANTEE THAT ALL UTILITIES THAT EXIST ON THE PROPERTY ARE SHOWN ON THE SURVEY. MAILBOXES WITHIN ROAD RIGHT-OF-WAY SHALL BE OF A BREAKAWAY DESIGN.
- 4. THE EXISTING BUILDINGS NOTED TO BE REMOVED SHALL BE DONE SO PRIOR TO FINAL PLAT APPROVAL.
- 5. ANY SUBSURFACE DRAINAGE FACILITIES THAT ARE DISTURBED MUST BE RESTORED OR REROUTED BY THE PROPERTY OWNER. 6. LOTS 'A' AND 'B' ARE TO BE DEDICATED TO POLK COUNTY FOR ROADWAY
- THE HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF THE PRIVATE DETENTION BASIN(S) AND THEIR OUTLET FACILITIES WITHIN THE PRIVATE STORM WATER DETENTION EASEMENTS. ACCESS EASEMENTS
- DEFINED ON THE PLAT ARE FOR THE HOMEOWNERS ASSOCIATION TO ACCESS THE BASIN FACILITIES FOR MAINTENANCE PURPOSES. II. ALL SERVICES TO UTILITIES LOCATED ON THE OPPOSITE SIDE OF THE ROADWA'
- MUST BE BORED UNDER THE ROADWAY AT THE LOT OWNERS EXPENSE. 12. CULVERTS TO BE USED FOR CROSSING OVERLAND FLOWAGE EASEMENTS MUST BE DESIGNED BY A LICENSED PROFESSIONAL ENGINEER.
- 13. UTILITIES TO BE CONSTRUCTED PER THE LATEST VERSION OF IOWA SUDAS. 14. FUTURE DEVELOPMENT OF THE PROPERTY IS SUBJECT TO ARTICLE 7, SECTION 4, "NATURAL RESOURCE PROTECTION, WOODLANDS" OF THE POLK COUNTY ZONING
- CODE, WHICH PRESERVES WOODED AREAS OF THE PROPERTY. 15. MAINTENANCE OF ALL DRAINAGE EASEMENTS TO BE THE RESPONSIBILITY OF THE PROPERTY OWNER
- 16. POST DEVELOPMENT RUNOFF WILL NOT ADVERSELY AFFECT DOWNSTREAM DRAINAGE FACILITIES OR PROPERTY OWNERS. IT SHALL BE THE DEVELOPER'S RESPONSIBILITY TO APPLY FOR AND OBTAIN
- ANY STORM WATER DISCHARGE PERMITS FROM THE IOWA DEPARTMENT OF NATURAL RESOURCES. 18. POLK COUNTY DOES NOT REQUIRE OR ISSUE PERMITS FOR SIDEWALKS AND DOES NOT ACCEPT THE LIABILITY AND/OR RESPONSIBILITY FOR CONSTRUCTION
- INSTALLED IN THE PLAT BY ANY HOME OWNER. 19. GRADING CONTRACTOR WILL BE REQUIRED TO PROVIDE A 4-YEAR MAINTENANCE BOND FOR EROSION CONTROL. THE IDNR STORM WATER DISCHARGE PERMIT WILL BE REQUIRED PRIOR TO GRADING OPERATIONS.
- 20. ACCESS TO EACH LOT IS RESTRICTED TO THE SUBDIVISION ROAD. 21. THE SEPTIC SYSTEMS WILL BE DISCONNECTED AND ABANDONED PRIOR TO FINAL PLAT APPROVAL.

PLACEMENT, REPAIR, OR MAINTENANCE THEREOF OF ANY STREET SIDEWALK

CERTIFICATION



HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY MORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LANS OF THE STATE OF IOWA.

JEFFREY A. GADDIS, IOWA LICENSE NO. 18381 DATE MY LICENSE RENEWAL DATE IS DECEMBER 31, 2020 PAGES OR SHEETS COVERED BY THIS SEAL:



LEGEND

FOUND CORNERS SET PROPERTY CORNER (5/8" I.R. WORANGE CAP

#12265 UNLESS OTHERWISE NOTED) PROPERTY BOUNDARY _____ _ _ _ LOT LINES ------ ORIGINAL PLATTED LOT LINES

EXISTING PARKING STALL PAINT LINES BACK OF PORTLAND CEMENT CONCRETE (P.C.C.) CURB & EDGE OF PORTLAND CEMENT CONCRETE SLAB

----- SIDEWALK

- - - OHM^{-} - - OVERHEAD WIRES (<math>X = NUMBER OF WIRES)- - -UGFO-WINER - UNDERGROUND FIBER OPTIC LINES

— — — SANXXII — SANITARY SEMER AND SIZE - — \longrightarrow \bigvee $\stackrel{XX"}{\longrightarrow}$ — WATER MAIN AND SIZE - - - $G^{XX''}$ - - GAS MAIN AND SIZE - - - UGE - - UNDERGROUND ELECTRIC - - CATV- - UNDERGROUND CABLE TELEVISION LINE

— — -UGT- — UNDERGROUND TELEPHONE LINE

- - RETAINING WALL UTILITY LOCATION BASED ON MAPS PROVIDED BY THE IOWA ONE CALL SERVICE (APPROXIMATE LOCATIONS ONLY) ESTIMATED LOCATION BASED ON A COMBINATION OF SURVEY DATA, UTILITY MAPS, AND THE ORIGINAL SITE PLAN.

LOCATION BASED ON ORIGINAL CONSTRUCTION DRAWINGS PLANS PROVIDED BY THE CITY OF URBANDALE. BACK OF CURB TO BACK OF CURB CI & DIP CAST IRON PIPE & DUCTILE IRON PIPE VITRIFIED CLAY PIPE REINFORCED CONCRETE PIPE

CLEAN OUT

STORM AREA INTAKE MEDIACOM COMMUNICATIONS RISER COMMUNICATIONS RISER ELECTRIC TRANSFORMER ELECTRIC METER ELECTRIC BOX WOOD POWER POLE WITH LIGHT POWER POLE STEEL STREET LIGHT POLE METAL LIGHT POLE GUYWIRE ANCHOR FIRE HYDRANT WATER MAIN GATE VALVE MATER MAIN STOP BOX VALVE DEEDED BEARING & DISTANCE PREVIOUSLY RECORDED BEARING & DISTANCE MEASURED BEARING & DISTANCE

and and and

SANITARY & STORM MANHOLE

OPEN THROAT INTAKE OR MG INTAKE

SINGLE & DOUBLE BACK OF CURB(B/C) INTAKE

FINISHED FLOOR ELEVATION PORTLAND CEMENT CONCRETE A.C.C. ASPHALTIC CEMENT CONCRETE CONCRETE MASONRY UNIT **FLAGPOLE**

BK. ???, PG. ????

IRON ROD IRON PIPE COUNTY RECORDER'S INDEXING BOOK AND PAGE EXISTING DECIDUOUS TREE & CALIPER SIZE

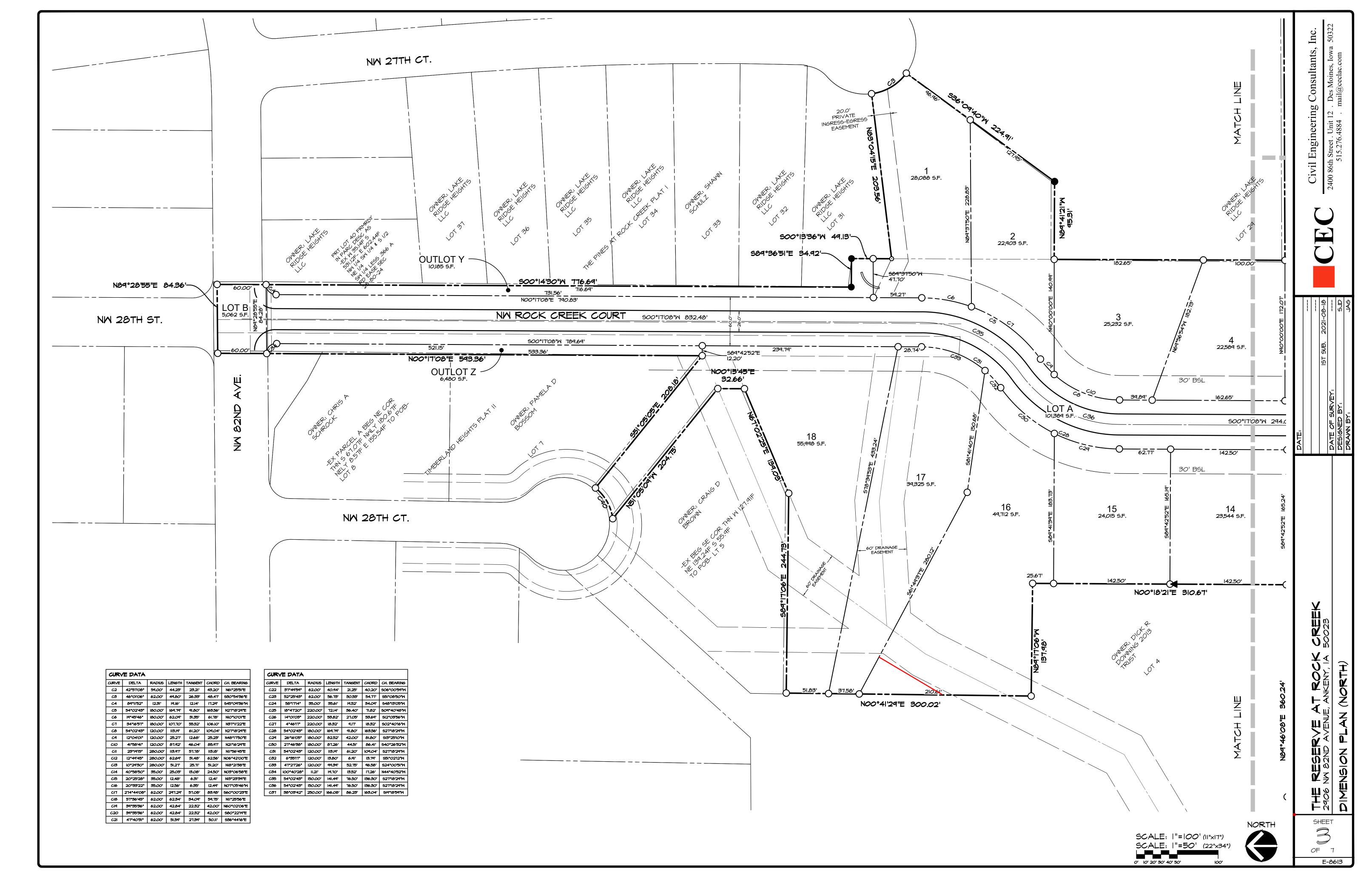
(GRAPHIC TREE SIZE IS REPRESENTATIVE OF APPROXIMATE DRIP LINE)

EXISTING EVERGREEN TREE & CALIPER SIZE (GRAPHIC TREE SIZE IS REPRESENTATIVE OF APPROXIMATE DRIP LINE) BUILDING HEIGHT MEASURED FROM THE EXISTING GROUND TO PEAK (HEIGHT ACCURACY = +/- 0.5 FEET) PROPERTY ADDRESS

SHEET 0F 7

E-8613

0F 7 E-8613



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Attachment C



Civil Engineering Consultants, Inc.

8-21-21

Polk County Public Works 5885 NE 14th Street Des Moines, IA 50313

Attn: Land Use Planning Coordinator, Brian McDonough

RE: THE RESERVE AT ROCK CREEK

MAXIMUM SIZE OF SANITARY SERVED LOT WAIVER REQUEST LOTS 10 - 11

MAXIMUM CUL-DE-SAC LENGTH OF 600' WAIVER REQUEST

Hello Brian,

For the proposed The Reserve at Rock Creek plat, we would respectfully request a waiver for the maximum size of 1 acre for a lot served by sanitary sewer. This would apply to lots 10-11. All lots have been analyzed for acceptable sanitary service depth.

Finally, we request a waiver for the maximum length of a cul-de-sac. There is currently two existing homes on private driveways at the same length of the proposed cul-de-sac. We are proposing a "shared emergency access" to The Pines development. This will be a 16' wide "shared emergency access" concrete path located approximately at the 750' maximum length. The total length of the cul-de-sac is 1550 feet. This has been presented to and approved by the Fire Marshall. This path would be used in an emergency should the primary road become inaccessible.

Please consider the above requested waivers for The Reserve at Rock Creek.

Feel free to contact me should you have any questions or concerns.

Device

Sincerely,

CIVIL ENGINEERING CONSULTANTS, INC.

Shane J. Devick, P.E.