



CITY COUNCIL AGENDA ITEM

DATE: February 16, 2011

TO: John Szerlag, City Manager

FROM: Mark F. Miller, Acting Assistant City Manager/Economic Development Services
R. Brent Savidant, Acting Planning Director

SUBJECT: Preliminary Site Condominium Approval (Extension) – Oak Forest South Site Condominium, East side of Willow Grove, South of Square Lake Road, Section 11 – R-1C

Background

City Council approved the Preliminary Site Condominium Plan for Oak Forest South Site Condominium on January 26, 2009. City Council granted a one year extension for Preliminary Site Condominium Approval on January 25, 2010. No changes to the development are proposed. The applicant seeks a one-year extension for Preliminary Site Condominium Approval. During this time, the applicant may submit a Final Site Condominium Plan to City Council for Final Site Condominium Approval.

The applicant is proposing a 25-unit site condominium on a 10.03-acre parcel. The development will utilize the Lot Averaging Option (Section 34.10.00) which provides for up to a 10 percent reduction in lot areas and widths. The Planning Commission recommended a one-year extension at the February 8, 2011 Regular meeting.

Recommendation

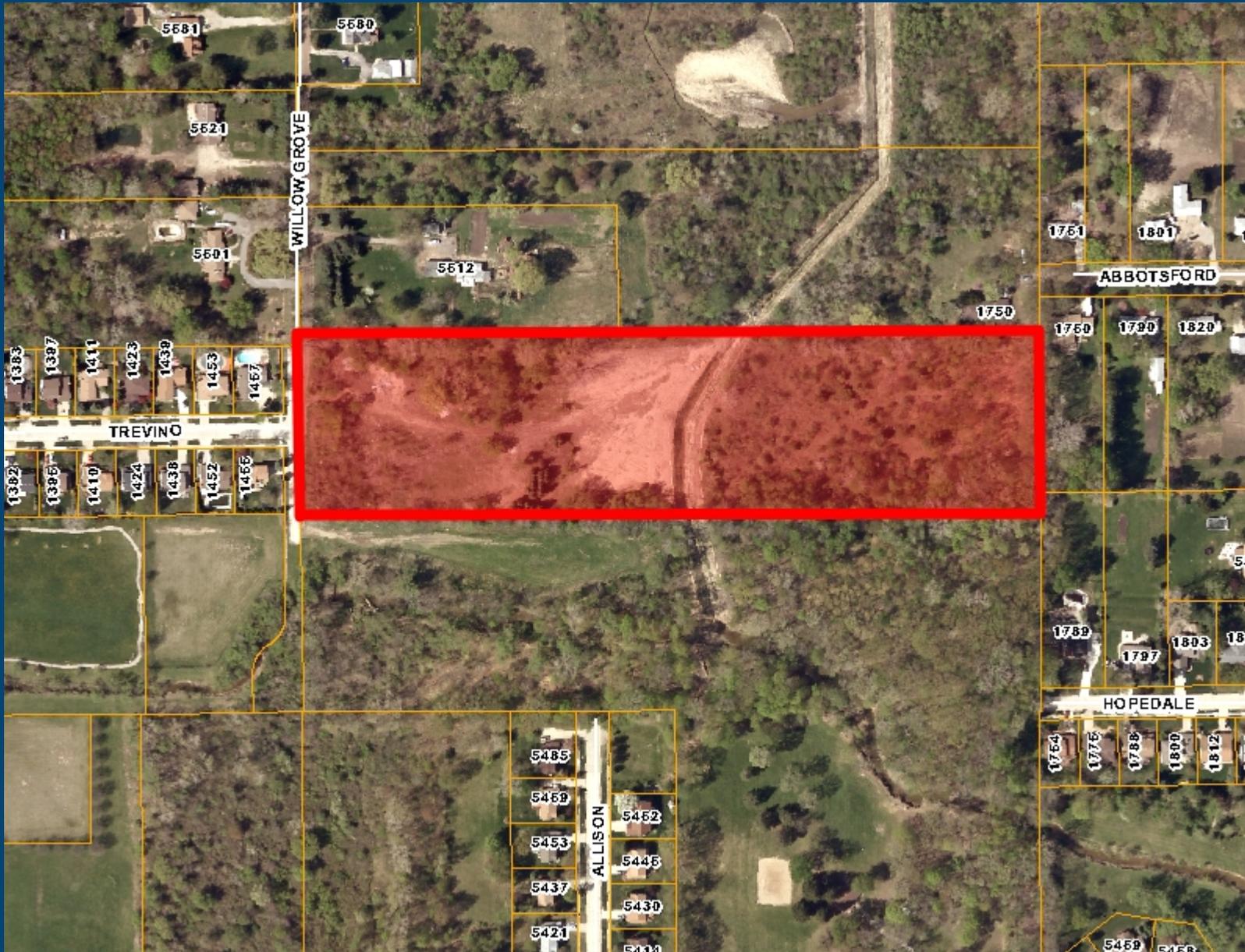
The application meets all relevant regulations, including complying with Zoning Ordinance requirements. City Management recommends approval of Preliminary Site Condominium Plan for Oak Forest South Site Condominium.

Attachments:

1. Maps.
2. Report prepared for Planning Commission dated December 3, 2008.
3. Minutes from January 25, 2010 City Council Regular meeting.
4. Minutes from the February 8, 2011 Planning Commission Regular meeting.

Prepared by RBS/MFM

cc: Applicant
File/Oak Forest South Site Condominium



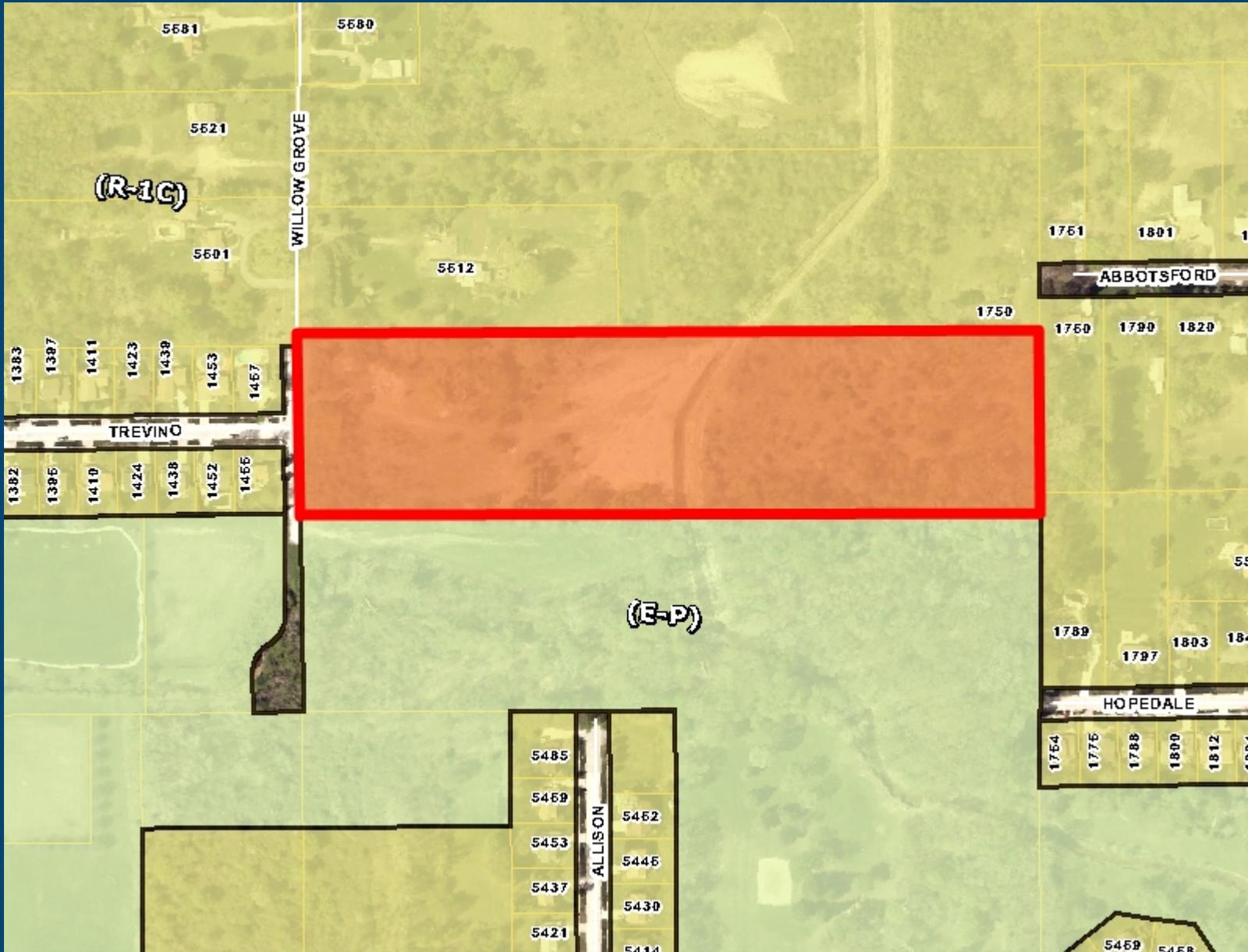
Legend

-  I-75
- Road Centerline
 -  Major Road
 -  Industrial Road
 -  Local Road
-  Hydrography Poly
-  Hydrography Arc
-  Parcels
- Aerial Photos - 2008
 -  Red: Band_1
 -  Green: Band_2
 -  Blue: Band_3

536 0 268 536Feet

Scale 1: 3,218





Legend

-  I-75
-  Road Centerline
 -  Major Road
 -  Industrial Road
 -  Local Road
- Zoning**
 -  (PUD) Planned Unit Development
 -  (B-1) Local Business District
 -  (B-2) Community Business District
 -  (B-3) General Business District
 -  (R-C) Research Center District
 -  (C-F) Community Facilities District
 -  (C-J) Consent Judgment
 -  (E-P) Environmental Protection District
 -  (R-EC) Residential Elder Care
 -  (P-1) Vehicular Parking District
 -  (H-S) Highway Service District
 -  (M-1) Light Industrial District
 -  (O-1) Office Building District
 -  (O-M) Office Mid-Rise District
 -  (OSC) Office Service Commercial District
 -  (CR-1) One Family Residential Cluster District
 -  (R-1A) One Family Residential District
 -  (R-1B) One Family Residential District
 -  (R-1C) One Family Residential District
 -  (R-1D) One Family Residential District
 -  (R-1E) One Family Residential District
 -  (R-1T) One Family Attached Residential District
 -  (R-2) Two Family Residential District
 -  (R-M) Multiple Family Residential Medium Density District
 -  (RM-1) Multiple Family Residential District (Low Density)
 -  (RM-2) Multiple Family Residential District (Medium Density)
 -  (RM-3) Multiple Family Residential District (High Density)
-  Hydrography Poly
-  Hydrography Arc
-  Parcels

Aerial Photos - 2008

-  Red: Band_1
-  Green: Band 2

Printed: 1/12/2010

536 0 268 536 Feet

Scale 1: 3,218



DATE: December 3, 2008

TO: The Planning Commission

FROM: Mark F. Miller, Planning Director
R. Brent Savidant, Principal Planner
Ronald Figlan, Planner
Paula Preston Bratto, Planner

SUBJECT: PRELIMINARY SITE CONDOMINIUM REVIEW – Oak Forest South Site Condominium, east side of Willow Grove, south of Square Lake Road, Section 11 – R-1C.

GENERAL INFORMATION

Name of Owner / Applicant:

The owner and applicant is Dale Garrett of Ladd's Inc.

Location of subject property:

The property is located on the east side of Willow Grove, south of Square Lake Road, in Section 11.

Size of subject parcel:

The parcel is approximately 10.03 acres in area.

Description of proposed development:

The applicant is proposing a 25-unit site condominium. The applicant proposes a layout with a future road stubbing at the northern property line.

This project received Preliminary Approval from City Council on April 18, 2005, and was granted a one-year extension on June 5, 2006. Preliminary Approval expired on April 18, 2007. Note that the original application included only 23 units.

Current use of subject property:

The property is presently vacant.

Current use of adjacent parcels:

North: Single family residential.
South: Jaycee Park (City of Troy).
East: Single family residential.
West: Single family residential.

Current zoning classification:

The property is currently zoned R-1C One Family Residential.

Zoning classification of adjacent parcels:

North: R-1C One Family Residential.

South: E-P Environmental Protection.

East: R-1C One Family Residential.

West: R-1C One Family Residential.

Master Plan Designation:

The property is designated on the Master Plan as Single Family Residential.

ANALYSIS

Compliance with area and bulk requirements of the R-1C One Family Residential District:

Lot Area: Minimum lot area in the R-1C district is 10,500 square feet. However, the applicant is utilizing the Lot Averaging Option, which permits a 10 percent reduction in lot area to 9,450 square feet with lot sizes averaging 10,500 square feet.

Lot Width: The minimum required lot width is 85 feet. The applicant has utilized the lot averaging option, which permits a 10 percent reduction in lot widths, to 76.5 feet.

Height: 2 stories or 25 feet.

Setbacks: Front: 30 feet.
Side (least one): 10 feet.
Side (total two): 20 feet.
Rear: 40 feet.

Minimum Floor Area: 1,200 square feet.

Maximum Lot Coverage: 30%.

The applicant meets the area and bulk requirements of the R-1C One Family Residential District.

Off-street parking and loading requirements:

The applicant will be required to provide 2 off-street parking spaces per unit.

Environmental provisions, including Tree Preservation Plan:

A Tree Preservation Plan was submitted as part of the application.

Storm water detention:

The applicant is proposing two storm water detention basins. One will serve the 11 units on the east side of the drain, one will serve the 14 units on the west side of the drain.

Natural features and floodplains:

The Natural Features Map indicates there are wetlands, woodlands and a drain on the property. The applicant is required to receive a permit from the MDEQ prior to commencing any construction activity such as dredging, filling, or draining within a regulated wetland.

Subdivision Control Ordinance, Article IV Design Standards

Blocks: The applicant proposes an approximately 1,100-foot road that ends in a cul-de-sac. A stub road is proposed to the north east of unit 20.

Lots: All units meet the minimum area and bulk requirements of the Zoning Ordinance.

Streets: The paved portion of the street will be 28 feet wide, located within a 60-foot wide public right-of-way.

Sidewalks: The applicant is proposing a 5-foot wide sidewalk on both sides of the proposed interior roads and a 5-foot wide sidewalk on the east side of Willow Grove Road. There is an opportunity for a pedestrian connection between the development and Jaycee Park to the south, through the conservation easement located between units 13 and 14.

Utilities: Detention ponds are proposed on each side of the Fetterly Drain.

CITY MANAGEMENT RECOMMENDATION

City Management recommends approval of the Oak Forest South Site Condominium, subject to the following condition:

1. Provide a public pathway connection between the Brookwood Street sidewalk and Jaycee Park, through the conservation easement located between units 13 and 14.

cc: Applicant
File/Oak Forest South Site Condominium

H-5 Preliminary Site Condominium Approval (Extension) – Oak Forest South Site Condominium, East Side of Willow Grove, South of Square Lake Road, Section 11 – R-1C

Resolution #2010-01-024

Moved by Kerwin

Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** the Preliminary Site Condominium Plan (Extension), as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One Family Residential Development) for the development known as Oak Forest South Site Condominium, located on the east side of Willow Grove, south of Square Lake Road, in Section 11, including 25 units on 10.03 acres within the R-1C zoning district, with the following conditions:

- A. A public meeting will be held with Engineering and surrounding residents to review the final engineering plans before final site condominium plan is submitted to City Council; and
- B. MDEQ approval will be obtained with all necessary assessment and permit documents prior to the final site condominium plan is submitted to City Council; and
- C. The Oakland County Water Resources Commissioner shall approve the site condominium plan prior to the final site condominium plan submittal to City Council.

Yes: Fleming, Howrylak, Kerwin, McGinnis, Slater, Schilling

No: None

Absent: Beltramini

MOTION CARRIED

SITE CONDOMINIUM PRELIMINARY SITE PLAN

5. **PRELIMINARY SITE CONDOMINIUM APPROVAL (EXTENSION)** – Proposed Oak Forest South Site Condominium, 25 units/lots, South of Square Lake Road, East Side of Willow Grove, Section 11, Zoned R-1C (One Family Residential) District

Chair Hutson and Mr. Ullmann requested to be recused from discussion and action on the item. Chair Hutson stated he is in partnership with the petitioner on another project. Mr. Ullmann indicated he resides in the near proximity of the proposed development.

The petitioner, Dale Garrett of 5877 Livernois, Troy, requested to have the item considered after the arrival of Mr. Strat.

5. **PRELIMINARY SITE CONDOMINIUM APPROVAL (EXTENSION)** – Proposed Oak Forest South Site Condominium, 25 units/lots, South of Square Lake Road, East Side of Willow Grove, Section 11, Zoned R-1C (One Family Residential) District

Chair Hutson and Mr. Ullmann recused themselves and exited the meeting.

Vice Chair Maxwell chaired the meeting.

Mr. Edmunds disclosed that he resides in the residential subdivision adjoining the proposed development. He indicated he is comfortable discussing and taking action on the item if there are no objection from the Board.

The Board agreed there is no reason to recuse Mr. Edmunds.

Mr. Savidant reviewed the history of the application and renewal request. He provided a brief description of the proposed development and explanation of a site condominium development. Mr. Savidant announced that the Planning Department received correspondence in opposition of the proposed development from Ann Bonnelli of 5612 Willow Grove.

Mr. Savidant said it is intent to forward the same Resolution to City Council that it granted on January 25, 2010.

The petitioner, Mr. Garrett, addressed the Board. He indicated nothing has changed on the site plan and offered to answer any questions.

Mr. Tagle asked the petitioner to address the neighbor's concern relating to water discharge and flooding.

Mr. Garrett said the correspondence is from the neighbor who backs up to Units 20 through 25, along the northern border stormwater line. He said all the water from the proposed development would be captured for storage in the pond next to the drain. Mr. Garrett said he would work with the City Engineering Department during the construction phase to assure all water is discharged appropriately with no runoff to adjacent residential. He indicated construction plans would be the next phase for final approval.

Mr. Motzny confirmed that it would be appropriate for the Commission to incorporate in the Planning Commission Resolution the conditions stipulated in the City Council Resolution approved on January 25, 2010.

Vice Chair Maxwell opened the floor to the public.

There was no one present to speak.

Vice Chair Maxwell closed the floor.

Resolution # PC-2011-02-008

Moved by: Schultz
Seconded by: Sanzica

RESOLVED, That the Planning Commission recommends to City Council that the Preliminary Site Plan (Section 34.30.00 Unplatted One-Family Residential Development), as requested for Oak Forest South Site Condominium, including 25 units, located south of Square Lake Road on the east side of Willow Grove, Section 11, within the R-1C (One Family Residential) zoning district, be granted in accordance with Council Resolution #2010-01-024.

Yes: All present (6)
Absent: Vleck

(Note: Messrs. Hutson and Ullmann recused from meeting.)

MOTION CARRIED

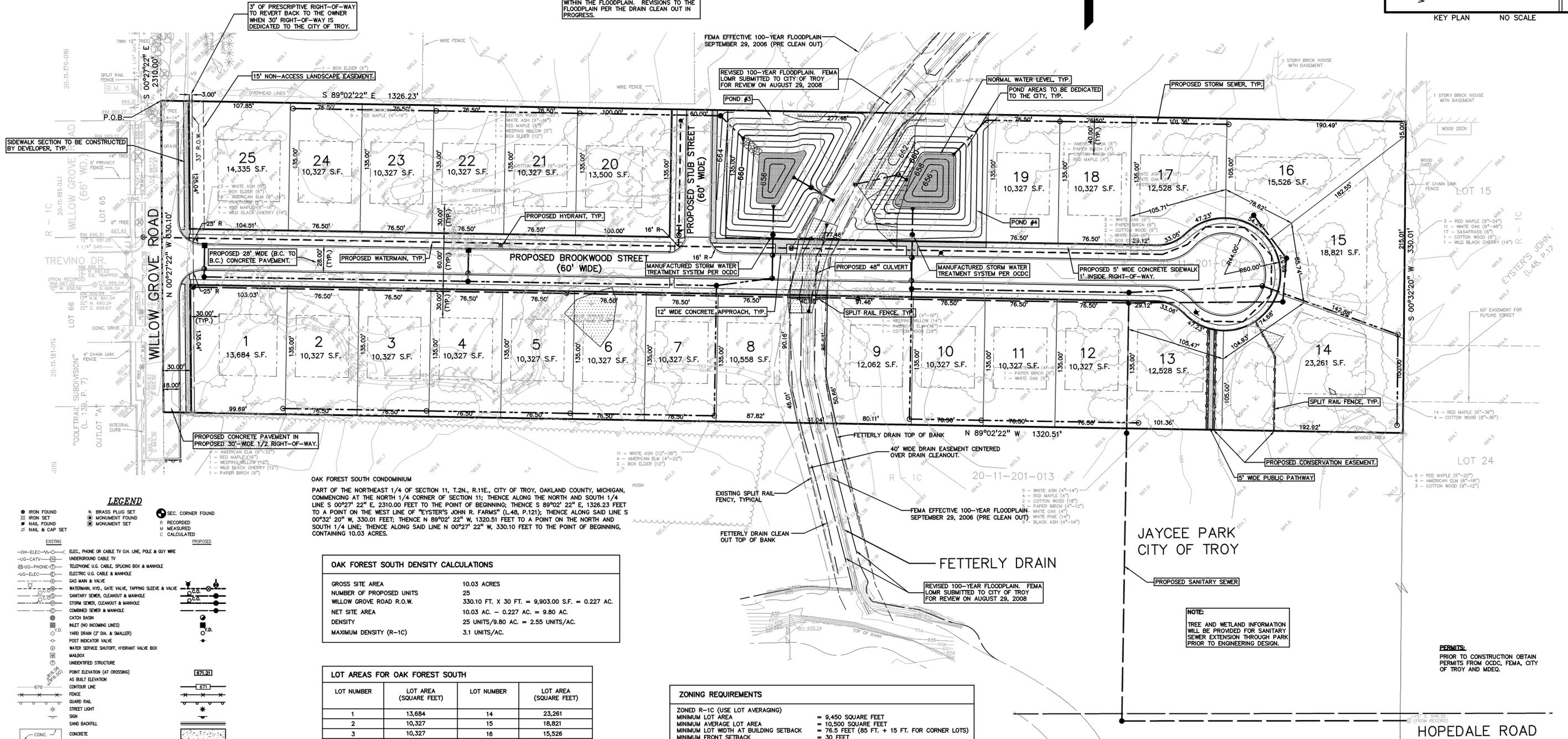
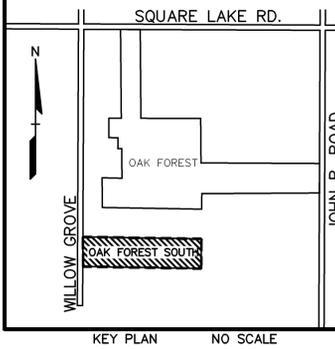
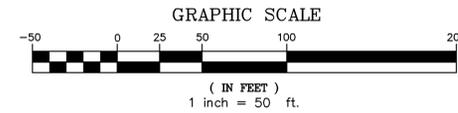
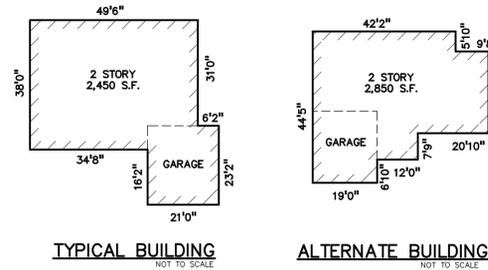
BM #4: NAIL IN SOUTHWEST FACE OF 12" COTTONWOOD, LOCATED ON WEST SIDE OF DRAIN ON NORTH PROPERTY LINE OF THE SITE.
ELEVATION: 660.82 N.G.V.D.

BM #5: ARROW ON HYDRANT AT WEST SIDE OF WILLOW GROVE ROAD APPROXIMATELY 150' NORTH OF TREVINO ROAD
ELEVATION: 671.43

DETENTION BASINS:					
DETENTION BASIN	DRAINAGE SHED AREA (ACRES)	25-YR DETENTION VOLUME REQUIRED* (CUBIC FEET)	25-YR DETENTION VOLUME PROVIDED (CUBIC FEET)	VOLUME REQUIRED FOR PERMANENT WATER LEVEL FOR WATER QUALITY** (CUBIC FEET)	VOLUME PROVIDED FOR PERMANENT WATER LEVEL FOR WATER QUALITY** (CUBIC FEET)
WEST POND	5.05	12,679	12,693	2,933	2,149
EAST POND	3.91	9,817	9,890	2,271	3,413

- * - MINIMUM VOLUME FOR DETENTION BASINS PER CITY OF TROY REQUIREMENTS USING "A SIMPLE METHOD FOR RETENTION BASIN DESIGN" TWENTY FIVE (25) YEAR FREQUENCY RAINFALL. DETENTION BASIN DESIGN FOR 25-YR STORM ACCEPTABLE TO OGDG IN ACCORDANCE TO THEIR AUGUST 27, 2008 LETTER.
- ** - PERMANENT WATER VOLUME FOR WATER QUALITY PER MDEQ STORMWATER GUIDELINES, FIRST FLUSH, 1/2 OF RAINFALL.

NOTE:
BASEMENTS MAY NOT BE PERMITTED ON LOTS WITHIN THE FLOODPLAIN. REVISIONS TO THE FLOODPLAIN PER THE DRAIN CLEAN OUT IN PROGRESS.



LEGEND

EXISTING: IRON FOUND, IRON SET, NAIL FOUND, NAIL & CAP SET, ELEC. PHONE OR CABLE TV OH. LINE, POLE & GUY WIRE, UNDERGROUND CABLE TV, TELEPHONE U.G. CABLE, SPLITTING BOX & MANHOLE, ELECTRIC U.G. CABLE & MANHOLE, GAS MAIN & VALVE, WATERMAIN, HYD. GATE VALVE, TAPPING SLEEVE & VALVE, SANITARY SEWER, CLEANOUT & MANHOLE, STORM SEWER, CLEANOUT & MANHOLE, COMBINED SEWER & MANHOLE, CATCH BASIN, INLET (NO INCOMING LINES), YARD DRAIN (2" DIA. & SMALLER), POST INDICATOR VALVE, WATER SERVICE SHUTOFF, HYDRANT VALVE BOX, MAILBOX, UNIDENTIFIED STRUCTURE, POINT ELEVATION (AT CROSSING), AS BUILT ELEVATION, CONTOUR LINE, FENCE, GUARD RAIL, STREET LIGHT, SIGN, SAND BACKFILL, CONCRETE, ASPHALT, METALAND, TREE LINE.

PROPOSED: BRASS PLUG SET, MONUMENT FOUND, MONUMENT SET, RECORDED, MEASURED, CALCULATED, ELEC. PHONE OR CABLE TV OH. LINE, POLE & GUY WIRE, UNDERGROUND CABLE TV, TELEPHONE U.G. CABLE, SPLITTING BOX & MANHOLE, ELECTRIC U.G. CABLE & MANHOLE, GAS MAIN & VALVE, WATERMAIN, HYD. GATE VALVE, TAPPING SLEEVE & VALVE, SANITARY SEWER, CLEANOUT & MANHOLE, STORM SEWER, CLEANOUT & MANHOLE, COMBINED SEWER & MANHOLE, CATCH BASIN, INLET (NO INCOMING LINES), YARD DRAIN (2" DIA. & SMALLER), POST INDICATOR VALVE, WATER SERVICE SHUTOFF, HYDRANT VALVE BOX, MAILBOX, UNIDENTIFIED STRUCTURE, POINT ELEVATION (AT CROSSING), AS BUILT ELEVATION, CONTOUR LINE, FENCE, GUARD RAIL, STREET LIGHT, SIGN, SAND BACKFILL, CONCRETE, ASPHALT, METALAND, TREE LINE.

OAK FOREST SOUTH DENSITY CALCULATIONS

GROSS SITE AREA	10.03 ACRES
NUMBER OF PROPOSED UNITS	25
WILLOW GROVE ROAD R.O.W.	330.10 FT. X 30 FT. = 9,903.00 S.F. = 0.227 AC.
NET SITE AREA	10.03 AC. - 0.227 AC. = 9.80 AC.
DENSITY	25 UNITS/9.80 AC. = 2.55 UNITS/AC.
MAXIMUM DENSITY (R-1C)	3.1 UNITS/AC.

LOT AREAS FOR OAK FOREST SOUTH

LOT NUMBER	LOT AREA (SQUARE FEET)	LOT NUMBER	LOT AREA (SQUARE FEET)
1	13,684	14	23,261
2	10,327	15	18,821
3	10,327	16	15,526
4	10,327	17	12,528
5	10,327	18	10,327
6	10,327	19	10,327
7	10,327	20	13,500
8	10,558	21	10,327
9	12,062	22	10,327
11	10,327	23	10,327
12	10,327	24	10,327
13	12,528	25	14,335
TOTAL			301,708
AVERAGE			12,068

ZONING REQUIREMENTS

ZONED R-1C (USE LOT AVERAGING)

- MINIMUM LOT AREA = 9,450 SQUARE FEET
- MINIMUM AVERAGE LOT AREA = 10,500 SQUARE FEET
- MINIMUM LOT WIDTH AT BUILDING SETBACK = 75.5 FEET (85 FT. + 15 FT. FOR CORNER LOTS)
- MINIMUM FRONT SETBACK = 30 FEET
- MINIMUM SIDE SETBACK = 10 FEET WITH COMBINED MINIMUM OF 20 FEET
- MINIMUM REAR SETBACK = 40 FEET
- MINIMUM LOT AREA PROVIDED = 10,327 SQUARE FEET
- AVERAGE LOT AREA PROVIDED = 12,068 SQUARE FEET

CAUTION !!!

THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

NOTE:
TREE AND WETLAND INFORMATION WILL BE PROVIDED FOR SANITARY SEWER EXTENSION THROUGH PARK PRIOR TO ENGINEERING DESIGN.

PERMITS:
PRIOR TO CONSTRUCTION OBTAIN PERMITS FROM OGDG, FEMA, CITY OF TROY AND MDEQ.

REFERENCE DRAWINGS

P.E.A. JOB NO. 96012 PLANS
CITY OF TROY WATER MAIN EXTENSION PLAN, SHT. 1 OF 1, JOB NO. 64-35, DATED 7/10/04
CITY OF TROY WATER SECTION MAP 19-3
MCS ENGINEERS SANITARY SEWER & WATER MAIN PLAN, SHT. 6 OF 26, DWG. #S-72-313, DATED AUGUST 1972
ZEMET-HOZAK SANITARY SEWER & WATER MAIN PLANS FOR HOPEDALE RD. AS-BUILT 10-8-76, SHT. 8
MCS ENGINEERS SANITARY SEWER & WATER MAIN PLAN, SHT. 6 OF 26, DWG. #S-72-313, DATED AUGUST 1972
ZEMET-HOZAK SANITARY SEWER & WATER MAIN PLANS FOR HOPEDALE RD. AS-BUILT 10-8-76, SHT. 8
NO INFORMATION AT TIME OF SURVEY
DETROIT EDISON CO. DISTRIBUTION MAPS 2N-11E-166 & 2N-11E-168
AMERICAN LOCATION MAP
CONSUMERS POWER CO. DISTRIBUTION MAPS 2N-11E-166 & 2N-11E-168
BUCKEYE PIPELINE STATES THEY HAVE NO FACILITIES IN VICINITY TO CABLEVISION STATES THEY HAVE NO COVERAGE IN VICINITY
ZONE "C" APPLYING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 260180 0002.D.

NO.	BY	CHK.	REVISIONS (DESCRIPTION)	DATE
1	H.B.	H.B.	REVISED PER CITY OF TROY PLANNING COMMISSION AND COUNCIL MEETING	2-10-09
2	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 10-10-08	8-28-08
3	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 10-10-08	8-28-08
4	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
5	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
6	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
7	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
8	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
9	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
10	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
11	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
12	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
13	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
14	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
15	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
16	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
17	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
18	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
19	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
20	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
21	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
22	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
23	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
24	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
25	H.B.	H.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08

LADD'S, INC.
5877 LIVERNOIS ROAD, SUITE 103
TROY, MICHIGAN

SITE CONDOMINIUM PLAN
OAK FOREST SOUTH
PART OF THE NORTHEAST 1/4 OF SECTION 11
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

DES. DLB SUR MAD SCALE 1" = 50' JOB NO. 2000038
DN. JRL P.M. DLB DATE 11-17-04 DWG. NO. SP-1

PEA

PROFESSIONAL ENGINEERING ASSOCIATES

2430 Rochester Ct. Suite 100
Troy, MI 48063-1872
(248) 689-9090



CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION WITHOUT THE PRIOR WRITTEN CONSENT OF THE PROFESSIONAL ENGINEERING ASSOCIATES, INC. THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

Y-REF: C-TOPD DWG
Y-BASE: C-BASE DWG
N: 2000038/2000038/DWG/SITE PLAN/SP-01 SITE PLAN DWG