



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: August 11, 2020
NAME OF PROJECT: Midway Vistas Phase 1
NAME OF APPLICANT: Kirk Malmrose
PROPERTY OWNER: John Zenger Trust
AGENDA ITEM: Preliminary
LOCATION OF ITEM: 285 Luzern Road
ZONING DESIGNATION: RA-1-43

ITEM: 2

Kirk Malmrose, agent for John Zenger Trust, is proposing preliminary approval of phase 1 of Midway Vistas. Midway Vistas phase 1 contains 27 lots on 46.89 acres, of which, there are 13.63 acres of open space. The property is located at 285 Luzern Road and is in the RA-1-43 zone.

BACKGROUND:

Kirk Malmrose is proposing preliminary approval of phase 1 of Midway Vistas. Phase 1 contains 27 lots on 46.89 acres, of which, 13.63 acres is open space. The master plan contains three phases and was approved on July 7, 2020 and contains 49 lots. The project is a large-scale standard subdivision but, unlike most standard subdivisions where the roads are public, the roads in Midway Vistas will be private but there will be a public access easement.

LAND USE SUMMARY:

- 46.89 acres in phase 1
 - Entire master plan 83.19 acres
- 13.63 acre of open space
- RA-1-43 zoning
- Proposal contains 27 building pads
 - Entire master plan contains 49 lots
- Project is a standard subdivision
- Private roads will be the responsibility of the HOA
 - Public access easement on all roads and sidewalks
- The lots will connect to the Midway Sanitation District sewer and to the City’s water line.
- 8’ paved public trails and a public trail easement for a back-country trail
 - Project will participate in an off-site trail about 300’ in length along Homestead Drive

ANALYSIS:

Open Space – The code requires that with each phase there is enough open space to comply with the 15% requirement of the code. If phase 1 has 75% open space, then phase 2 only needs to have 25% open space if both phases are equal in acreage. The proposed plans do comply with the open space requirements. Open space per phase is the following:

	Total Acreage	Open Space	%
Phase 1	46.89	13.63	29.06%
Phase 2	19.66	8.32	43.90%
Phase 3	<u>16.64</u>	<u>3.08</u>	<u>18.50%</u>
	83.19	25	

Part of the open space will not be irrigated for a couple of reasons. Some of the areas that will not be irrigated are in sloped areas and some are areas that historically have never been irrigated. The City tries to anticipate what areas future lot owners or common areas that the HOA may want to irrigate in the future when determining to

allow areas without water rights. The Water Board did determine to allow some areas that will not be irrigated, and those areas will be noted on the plat. All lots, except lot 30, have water rights that allow the entire lots to be irrigated.

Density – The annexation agreement limits density to 49 lots and phase 1 will contain 27 of the allowed lots.

Access – Each phase of the subdivision must meet the access requirements. Phase 1 does have three points of access. The three access points for the development are Canyon View Road (public), Interlaken Drive (private), and Luzern Road (Interlaken public road). Because Interlaken Drive is a private road the developer arrived at an agreement with owners of the road that will allow use of Interlaken Drive.

Traffic Study – The developers submitted a traffic study to the City as part of the annexation in 2007. Since that time, there has been development in the area so staff is requiring a new traffic study to be completed that will be submitted with preliminary approval of the first phase, as the code requires.

Geotechnical Study – The developers have submitted a geotechnical study to the City as part of the application. Horrocks Engineers has reviewed the study to determine if any special requirements are needed for construction of the roads and future structures in the development. The report is available for viewing in the planning office or by request.

Lot acreage – The land use code allows the area of lots to reduce in size based on the amount of open space in the subdivision. The code requires 15% open space for this proposal and the developer has provided 30%. Because the developer has 15% extra open space, the lots may reduce in size by 15%, therefore the minimal size lot allowed is 0.85 acres, of which there are several in the proposed master plan.

Sensitive Lands – The property does contain slopes greater than 25%. Dwellings are not allowed on areas of slope greater than 25%. The proposed plan complies with this requirement.

Trails – The Trails Master Plan contains two trails that cross the property. One trail runs north from Canyon View Road to Interlaken and another runs from the center of the property to Interlaken Drive. These trails will be paved. The annexation agreement also requires an offsite trail along Burgi Lane. The City completed that trail several years ago so as part of the amended master plan that was approved, the developer will pay for the cost of installing a 300' section of trail along Homestead Drive.

The proposal will also dedicate a public trail easement for a back-country trail that will take the place of an existing similar trail that currently crosses the northern end of the property. The easement for the trail will be 10' wide and will be located in the 50' common area along the north end of the property running from Interlaken's pump station heading east all the way to the entrance of Midway Vistas on Interlaken Drive.

There will also be a small connection to the existing trail as it enters into Interlaken. It will be the responsibility of the City to build the trail and it is anticipated that volunteers will complete the construction.

Setbacks – All structures in the proposed development will need to comply with the RA-1-43 standards.

Height of structures – All structures in the proposed development will be no taller than 35' to the roof measured from natural grade.

All three phases will be one HOA – The three phases of the master plan will all be one Homeowners' Association, and this will be memorialized in the master plan agreement. The HOA is responsible for maintenance of the streets, private trails and any amenities, such as the tennis court, that is provided.

Interlaken dumpster location –The development will provide a location for the dumpsters for Interlaken town. The site will be located on the east side of the development in the location of Edelweiss Lane. Originally, the dumpsters for Interlaken were located on Interlaken Drive. When the Burgi Hills Ranches PUD was proposed in 2006, it was determined that Interlaken Drive would need to be widened to City standards to provide access to the proposed development. The widening of Interlaken Drive also made development of other parcels possible since all would need access from a road built to City standards. Jack Zenger, owner of Midway Vistas, was a signer on the agreement that moved the dumpsters to Valais Park and has benefited from that action by now having access to a road that complies with City requirements for access. In the years since the dumpsters were moved to the park, there have been problems which, include illegal dumping, so an alternative site has been sought and one of the options that was considered was in the Midway Vistas development. As part of the annexation amendment, it was required that the dumpsters would be in phase 1 of Midway Vistas.

Roads - The proposal is a standard subdivision, which usually has public roads, but the annexation agreement does specify that the roads will be private. Staff is recommending, as part of the annexation agreement amendment, that a public access easement is granted. The easement will be noted on the plats of all three phases and the master plan agreement.

Edelweiss Lane – Edelweiss Lane, which is road that accesses three lots in Interlaken, crosses part of the proposed development. The road will be rerouted, and the access will come directly from the eastern entry road for Midway Vistas.

Irrigation pumps - A note will be placed on the plats informing future owners that the 15 most elevated lots will each require an irrigation pump because they are located above the irrigation ditch. The developer will provide the irrigation pumps to Midway Irrigation Company and the pumps and secondary water meters will be installed by the irrigation company at the time of construction of dwellings on those lots.

WATER BOARD RECOMMENDATION:

The Water Board has reviewed the master plan and has determined that 191.24-acre feet are required for the entire project. The final numbers need to be calculated but Phase 1 would dedicate 120.18 acre-feet, Phase 2 would dedicate 32.7-acre feet, and phase 3 would dedicate 40.91-acre feet. All the required water rights will be held in escrow before the master plan agreement is recorded.

POSSIBLE FINDINGS:

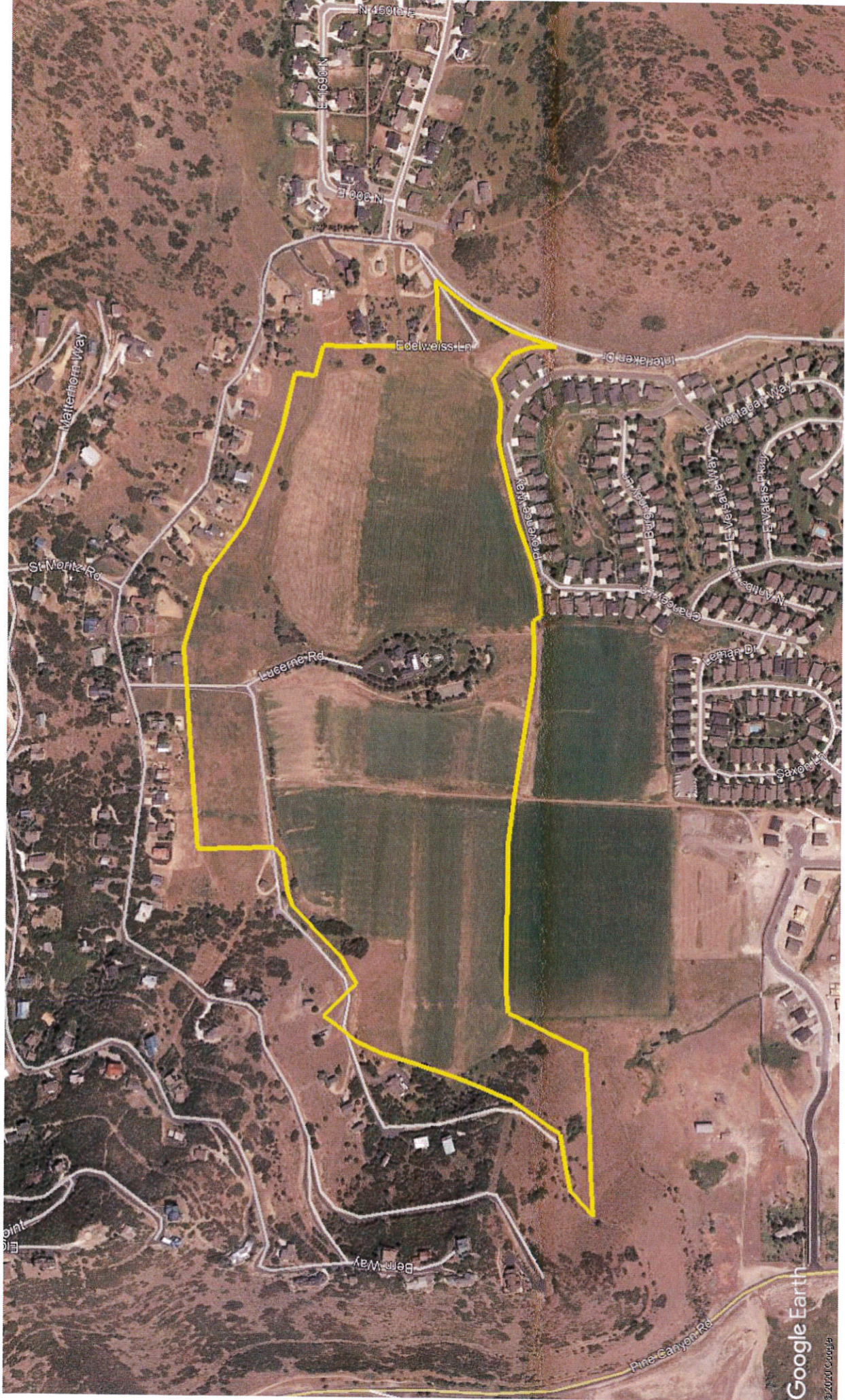
- The proposal complies with the requirements of the code for standard subdivisions.
- The proposal does meet the vision of the area as described in the General Plan for the RA-1-43 zone.
- The public trails will be built by the developer that will be an amenity to the entire community.

ALTERNATIVE ACTIONS:

1. Recommendation of Approval (conditional). This action can be taken if the Planning Commission finds the proposal complies with the requirements of the Land Use Code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s) if needed
2. Continuance. This action can be taken if the Planning Commission finds that there are unresolved issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again
3. Recommendation of Denial. This action can be taken if the Planning Commission finds that the request does not meet the requirements of the code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED CONDITIONS:

1. The developer will pay the cost of building a 300' section of trail along Homestead Drive that will take the place of the trail that the City built along Burgi Lane that was originally required of the developer. Payment is required before the phase 1 plat is recorded.
2. All approved non-irrigated areas will be noted on the plats.
3. A note is placed on the plats informing future owners that the 15 most elevated lots will each require an irrigation pump because they are located above the irrigation ditch.
4. Private roads in the development will have a public access easement which will be noted on the plats and in the development agreement.

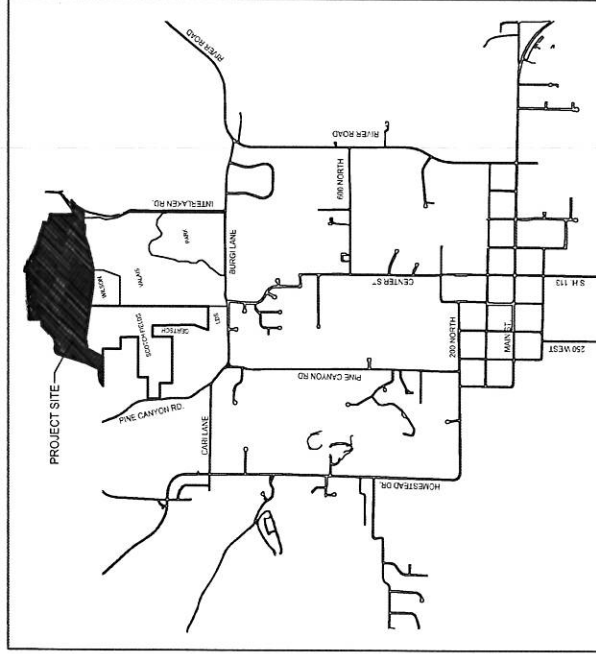


MIDWAY VISTAS

PHASE 1 PRELIMINARY PLAN

SHEET INDEX

1. EXISTING CONDITIONS PLAN
2. SENSITIVE LANDS PLAN
3. APPROVED MASTER PLAN
4. PHASING PLAN
5. SEWER PLAN
6. WATER PLAN
7. PRESSURIZED IRRIGATION PLAN
8. STORM DRAIN PLAN



MIDWAY CITY
VICINITY MAP

THIS DOCUMENT IS RELEASED
FOR REVIEW ONLY. IT IS NOT
FOR CONSTRUCTION AND SHALL
BE VOID UNLESS SIGNED AND SEALED.
PAUL G. BERG, P.E.
Professional No. 100980
DATE: 07/28/2020

KIRK MARGOSE
MIDWAY VISTAS

COVER SHEET



DESIGNER: CMB
DRAWN BY: LAM
DATE: 13 JULY 2020
REV: 20 JULY 2020
SHEET: 0

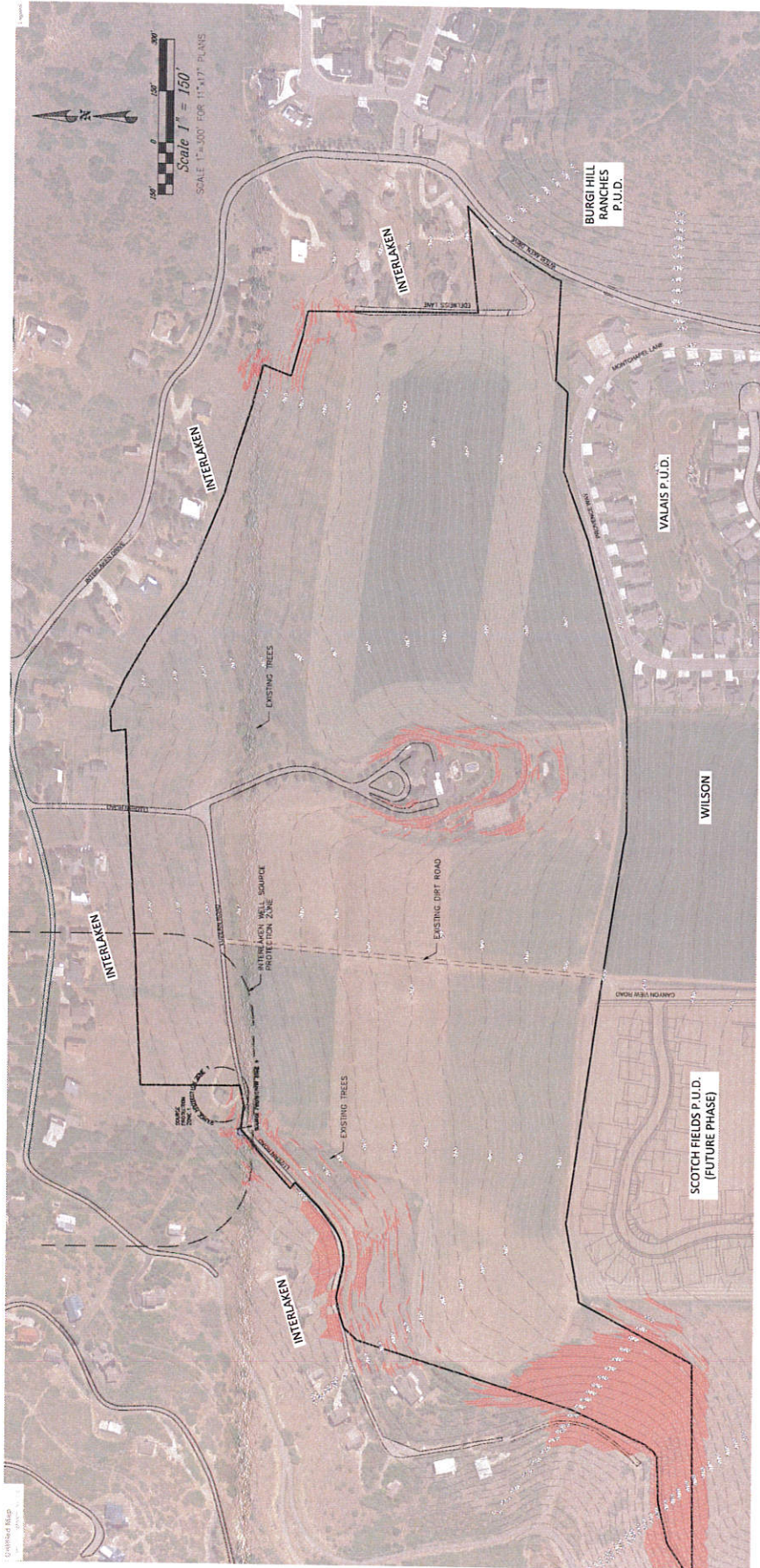


EXISTING UTILITIES SHOWN ON PLANS ARE APPROXIMATE LOCATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR BLUE STAKED LOCATIONS AND VERIFYING THE ACCURACY OF THESE LOCATIONS AND THOSE SHOWN ON THIS PLAN.

- LEGEND:**
- EXISTING CONDUITS
 - EXISTING PRESSURIZED IRRIGATION
 - EXISTING OVERHEAD POWER
 - EXISTING SANITARY SEWER
 - SLOPES GREATER THAN 25%
 - EXISTING SEWER MANHOLE
 - EXISTING WATER MAIN
 - EXISTING GAS LINE

THE DRAWING IS FILED FOR RECORD IN THE PUBLIC RECORDS OF THE COUNTY OF SULLY, MISSOURI, UNDER THE FOLLOWING INFORMATION:
 PAUL D. BERG, P.E.
 SERIAL NO. 239008
 DATE: JUL 26, 2008

KIRK MALAIROSE MIDWAY VISTAS EXISTING CONDITIONS	BERG ENGINEERING ARCHITECTS & ENGINEERS 1000 N. W. 10TH ST. MIAMI, FL 33136 PH: 305.557.9799	DATE: JUL 26, 2008 REV: JUL 26, 2008	SHEET 1
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LEGEND:
 --- EXISTING CONTOURS
 ■ SLOPES GREATER THAN 25%

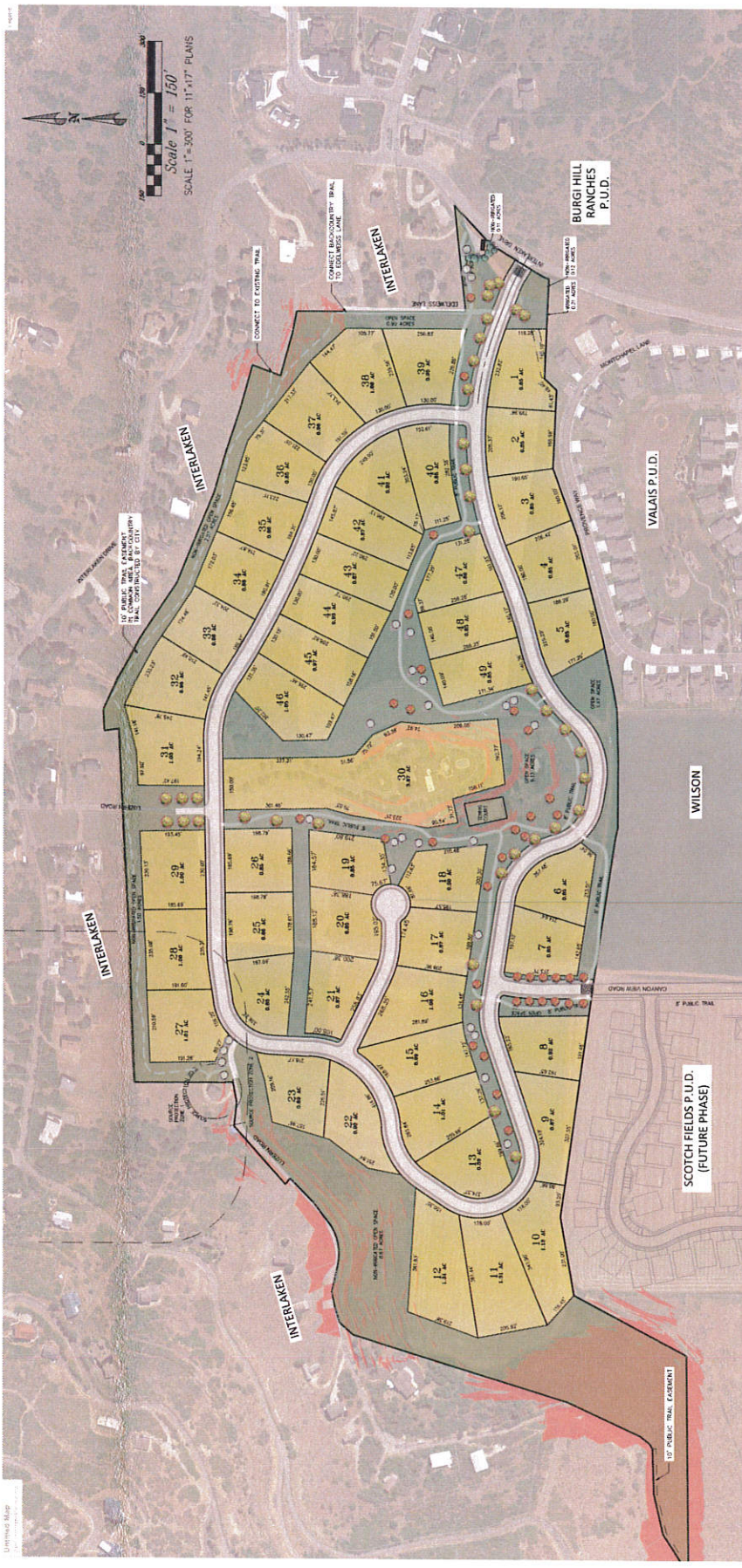
THIS PLAN IDENTIFIES SENSITIVE LANDS ON THE PROPERTY PER SECTION 16.14 OF THE MIDWAY CITY CODE.

KIRK MALAROSE
 MIDWAY VISTAS
 SENSITIVE LANDS PLAN



DESIGN BY: CNB DATE: 15 JUL 2020 SHEET: 2
 DRAWN BY: CNB REV: 28 JUL 2020

THE DOCUMENT IS RELEASED
 HEREIN FOR CONTRIBUTION
 TO THE MIDWAY VISTAS
 PHASE 2, 2020
 SERIAL NO. 235280
 DATE: 28 JUL 2020



ALLOWED LOT SIZE
LOT SIZE AND FRONTAGE MAY BE REDUCED 15% DUE TO THE EXTRA 15% OPEN SPACE THAT IS BEING PROVIDED FOR THE SUBDIVISION.
ALLOWED MINIMUM LOT SIZE: 0.25 ACRES
ALLOWED MINIMUM FRONTAGE: 127.50 FEET

LOT 30
IRRIGATED AREA = 1.63 ACRES
IMPERVIOUS AREA = 1.00 ACRES

ROAD ROW IRRIGATED AREA FOR SWALES = 1.91 ACRES

LUZERN ROAD, LOT 12
BE ABANDONED THROUGH LOTS 27-29. LUZERN ROAD WILL CONNECT TO THE NEW ROAD IN THE SUBDIVISION BETWEEN THE WELL PUMP HOUSE AND LOT 27 TO BE CONNECTED TO THE NEW ROAD IN THE SUBDIVISION.

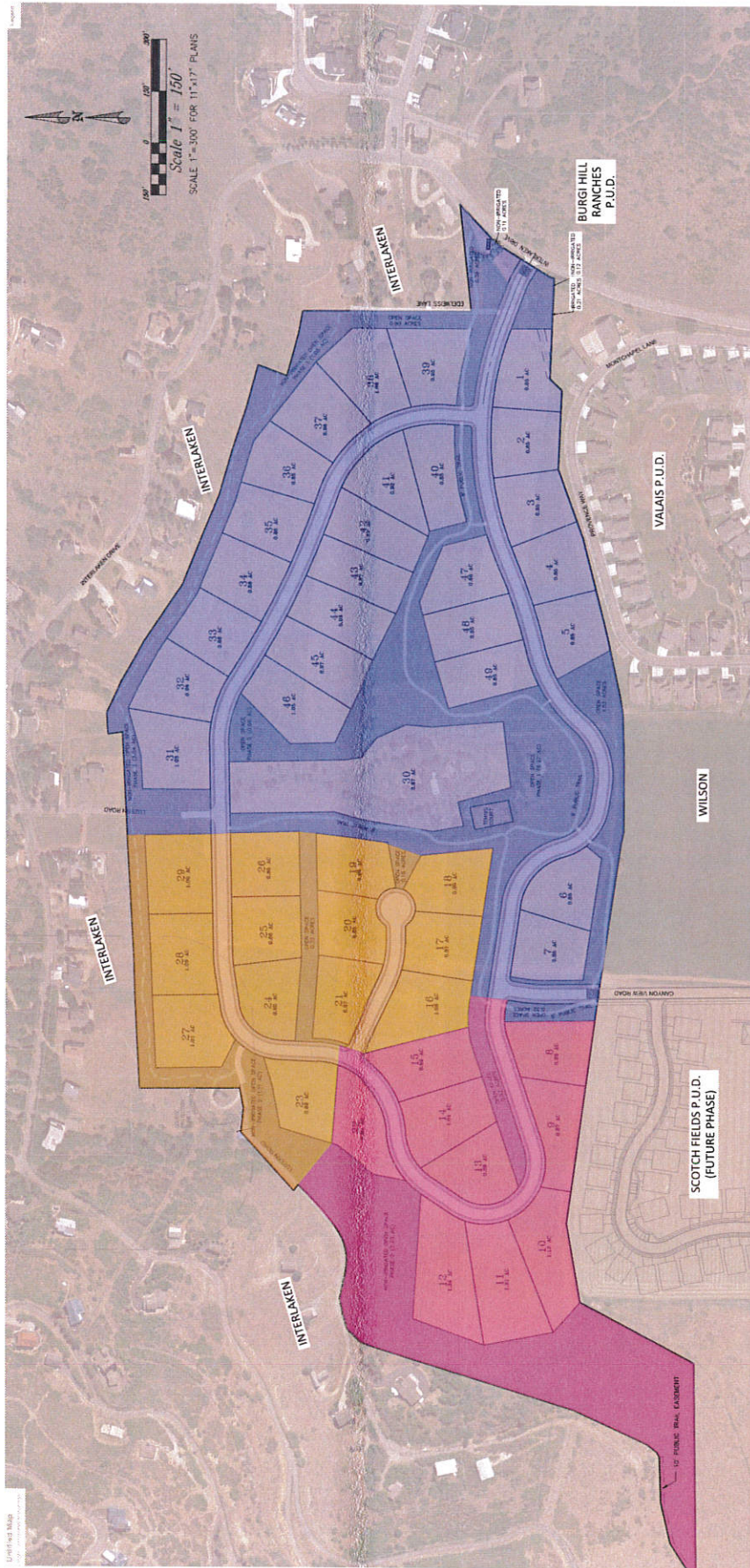
- LEGEND:**
- COMMON AREA WITH TRAILS & TENNIS COURT (12.03 ACRES)
 - IRRIGATED COMMON AREA (11.15 ACRES)
 - NON-IRRIGATED COMMON AREA/OPEN SPACE (13.36 ACRES)
 - LOTS
 - PUBLIC ASPHALT TRAILS (4,717 LF)
 - PUBLIC BACKCOUNTRY TRAIL
 - SLOPES GREATER THAN 25%

LAND USE TABLE

TOTAL AREA	83.19 AC
OPEN SPACE REQUIREMENT	12.48 AC (15.00%)
OPEN SPACE (PROPOSED)	25.42 AC (30.56%)
NUMBER OF LOTS	49 NEW LOTS
	17 EXISTING LOTS
	49 TOTAL LOTS
NUMBER OF LOTS MATCHES ANNEXATION AGREEMENT	

THIS PLAN IS PREPARED FOR THE CITY OF MIDWAY, OHIO. IT IS NOT VALID UNLESS SIGNED AND SEALED BY THE ENGINEER.
DATE: 10/11/2008





PHASE	TOTAL LOTS	LOTS#	TOTAL AREA	OPEN SPACE	OPEN SPACE %	CUMULATIVE	NON-IRRIGATED
1	27	1-7, 30-49	46.89 AC	13.63 AC	29.06%	29.06%	3.36 AC
2	9	8-15, 22	19.66 AC	8.32 AC	43.50%	32.98%	7.70 AC
3	13	16-21, 24-29	16.64 AC	3.06 AC	18.50%	30.56%	2.17 AC
			83.19 AC				

NOTES:
 10% REQUIRED PER CITY ORDINANCE.
 30% REQUIRED FOR REDUCE LOT SIZES PROPOSED WITH THIS PROJECT.

LAND USE TABLE	
TOTAL AREA REQUIREMENT	83.19 AC (15.00%)
OPEN SPACE (PROPOSED)	25.39 AC (30.56%)
NUMBER OF LOTS	48 NEW LOTS
	49 TOTAL LOTS

LEGEND	
[Blue Box]	PHASE 1
[Red Box]	PHASE 2
[Yellow Box]	PHASE 3

NUMBER OF LOTS MATCHES ADJUNCTION AGREEMENT

KIRK VALERIOSE
 MIDWAY VISTAS
 PHASING PLAN

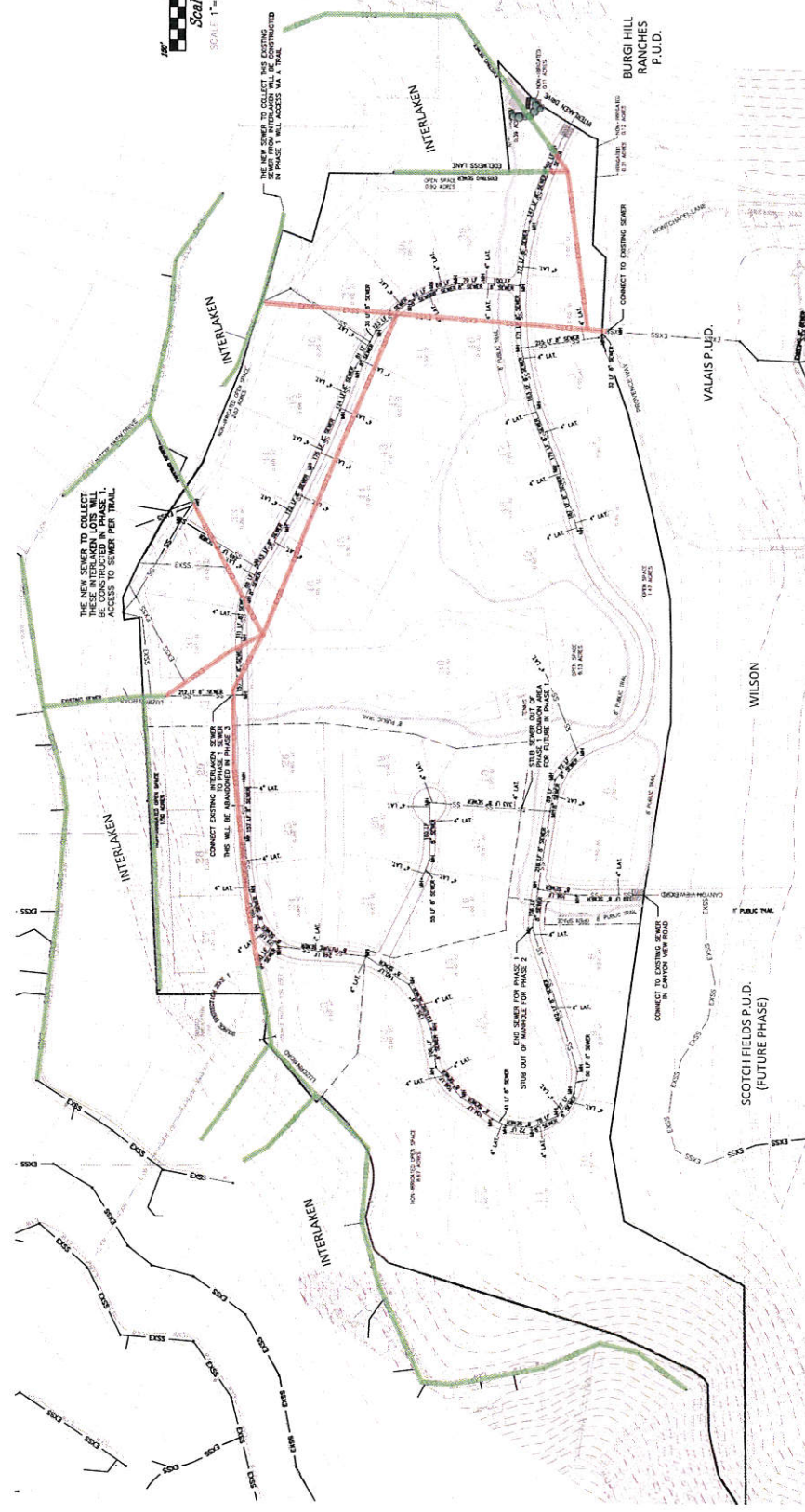


BERG ENGINEERING
 10000 W. 15th Ave.
 Golden, CO 80401
 PHONE: 303.440.8800
 FAX: 303.440.8801
 WWW.BERG-ENG.COM

DATE: 03.11.2009
 DRAWN BY: CNB
 REV: 3041300



Scale 1" = 160'
 SCALE: 1"=300' FOR 11"X17" PLANS



THE NEW SEWER TO COLLECT THESE INTERLAKEN LOTS WILL BE CONSTRUCTED IN PHASE 1 AND WILL PROVIDE ACCESS TO SEWER PER TRAIL.

CONNECT EXISTING INTERLAKEN SEWER THIS WILL BE ABANDONED IN PHASE 3

STAB OUT OF MAINLINE FOR PHASE 2

- REMARKS:**
1. ALL SEWER CONSTRUCTION TO BE TO MIDWAY SANITATION DISTRICT STANDARDS INCLUDING THE FOLLOWING:
 - 1.1. ALL SEWER CLEANOUTS SHALL HAVE METAL LIDS
 - 1.2. ALL SEWER MANHOLES AND LATERALS SHALL BE 18" DIA. WITH 18" DIA. LIDS
 2. ALL UNITS SHALL HAVE A 4" INCH SEWER LATERAL
 3. ALL SEWER UNITS SHALL HAVE A 20" DIA. PUBLIC UTILITY EASEMENT, A 20 FOOT SEWER EASEMENT HAS BEEN PROVIDED FOR ALL SEWERS NOT LOCATED WITHIN A STREET.
 2. BELIEVE STAKEHOLDER: EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE AND MAY BE INCOMPLETE. CONTRACTOR SHALL BE RESPONSIBLE FOR BLUE STAKING OF UTILITIES.

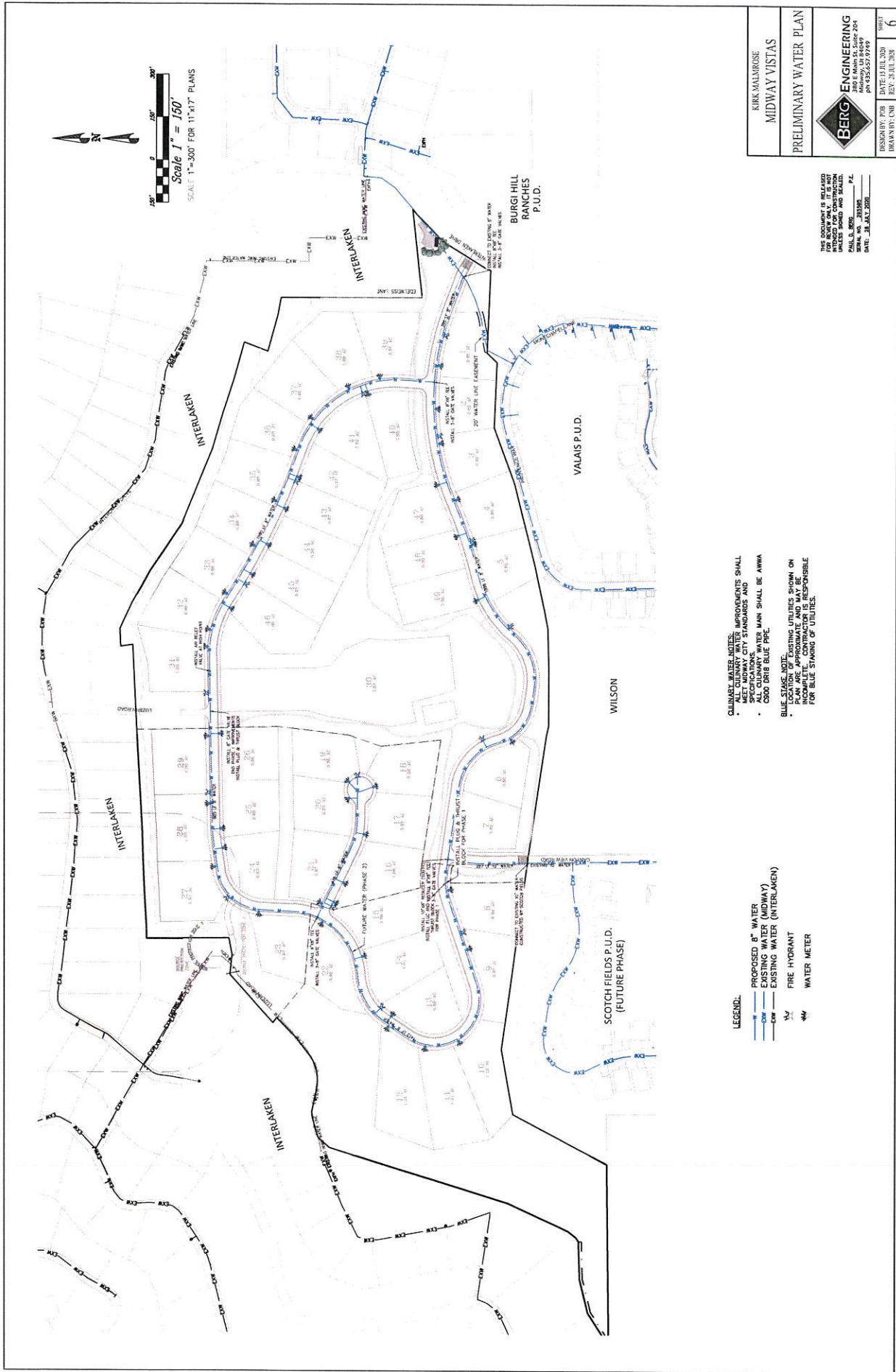
- LEGEND:**
- EXISTING SEWERS TO REMAIN
 - EXISTING SEWERS TO BE ABANDONED
 - PROPOSED 8" SEWER

KIRK MALMROUSE
 MIDWAY VISTAS
 PRELIMINARY SEWER PLAN



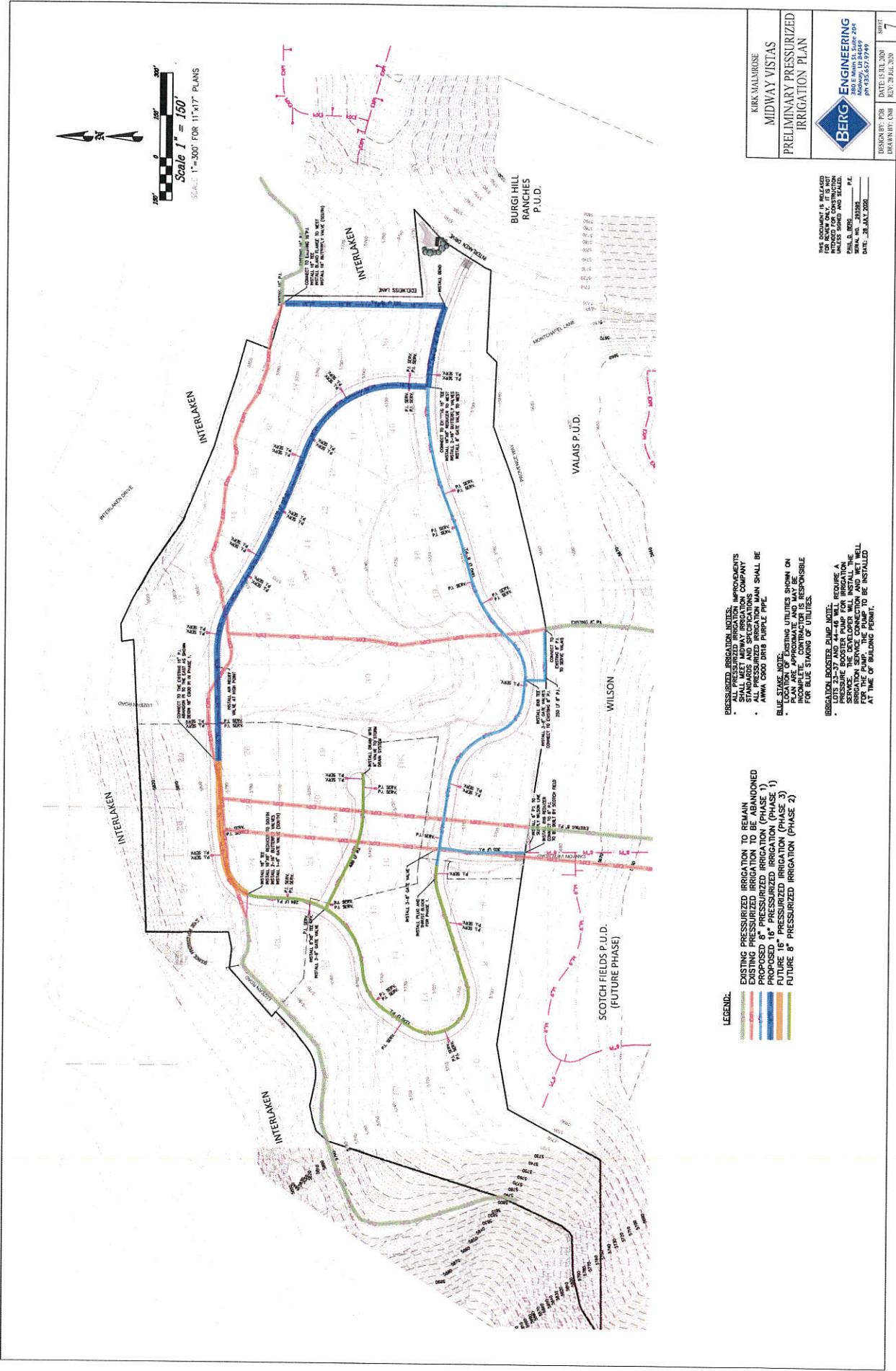
DESIGNED BY: KIRK MALMROUSE
 DATE: 28 JUL 2008
 DRAWN BY: KIRK MALMROUSE
 SHEET: 5

THIS DRAWING IS PREPARED FOR YOUR ONLY. IT IS NOT TO BE REPRODUCED, COPIED, OR USED IN ANY MANNER WITHOUT WRITTEN PERMISSION FROM BERG ENGINEERING. DATE: 28 JUL 2008





Scale 1" = 150'
SCALE 1"=300' FOR 11"x17" PLANS



- EXISTING PRESSURIZED IRRIGATION NOTES:**
- ALL EXISTING PRESSURIZED IRRIGATION IMPROVEMENTS SHALL MEET MIDWAY IRRIGATION COMPANY STANDARDS.
 - ALL PRESSURIZED IRRIGATION MAIN SHALL BE AMM COOD DR18 PURPLE PIPE.
- BLUE STAKE NOTE:**
- LOCATION OF EXISTING UTILITIES SHOWN ON THIS PLAN ARE FOR INFORMATION ONLY. CONTRACTOR IS RESPONSIBLE FOR BLUE STAKING OF UTILITIES.
- IRIGATION BOOSTER PUMP NOTE:**
- LOTS 23-27 AND 44-48 WILL REQUIRE A BOOSTER PUMP FOR IRRIGATION SERVICE. THE DEVELOPER MUST PROVIDE IRRIGATION SERVICE CONNECTION AND WET WELL AT THE TIME OF BUILDING PERMIT.

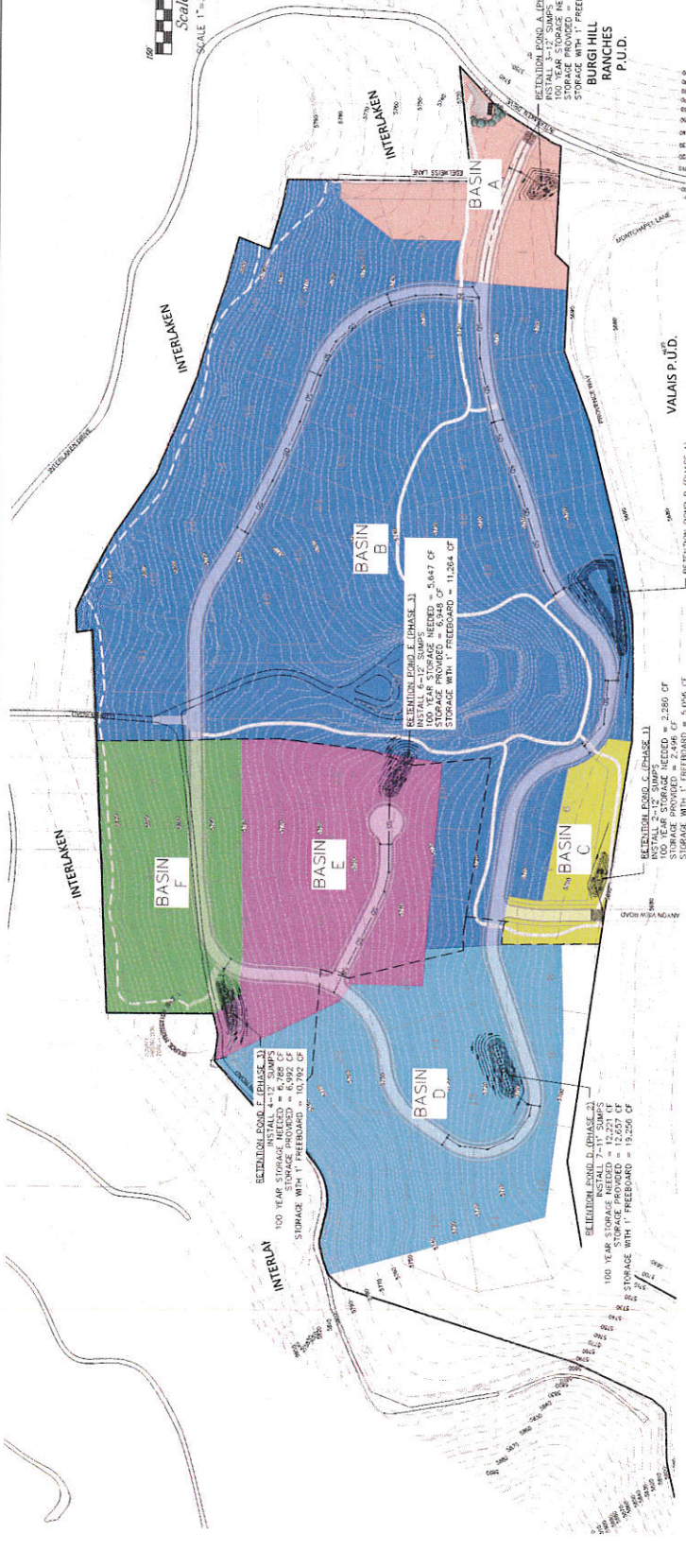
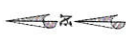
- LEGEND:**
- EXISTING PRESSURIZED IRRIGATION TO REMAIN
 - PROPOSED 8" PRESSURIZED IRRIGATION (PHASE 1)
 - FUTURE 16" PRESSURIZED IRRIGATION (PHASE 3)
 - FUTURE 8" PRESSURIZED IRRIGATION (PHASE 2)

KIRK MALMORSE
MIDWAY VISTAS
PRELIMINARY PRESSURIZED
IRRIGATION PLAN



DESIGN BY: PDB
DRAWN BY: COM
DATE: 11 JUL 2009
REV: 28 JUL 2009
SHEET 7

FOR RECORD IF RE-USED
WITHOUT PERMISSION
CONTACT: PDB
PAUL S. BORDO
SERIAL NO. 283506
DATE: 28 JUL 2009



DESIGN BASIS DESIGN NOTE:
 ALL STORM DRAIN CONSTRUCTION TO MEET MIDDLETOWN CITY STANDARDS AS ADOPTED IN 2018 EDITION.

BLUE SLASH NOTE:
 ALL STORM DRAINING UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATE AND MAY BE SUBJECT TO CHANGE. THE CONTRACTOR IS RESPONSIBLE FOR BLUE SLASHING OF UTILITIES.

RETENTION POND A (PHASE 1)
 INSTALL 4-12' SWAMPS
 STORAGE PROVIDED = 6,205 CF
 STORAGE WITH 1' FREEBOARD = 10,792 CF

RETENTION POND B (PHASE 1)
 INSTALL 4-12' SWAMPS
 STORAGE PROVIDED = 1,647 CF
 STORAGE WITH 1' FREEBOARD = 11,284 CF

RETENTION POND C (PHASE 1)
 INSTALL 7-11' SWAMPS
 STORAGE PROVIDED = 1,257 CF
 STORAGE WITH 1' FREEBOARD = 13,256 CF

RETENTION POND D (PHASE 2)
 INSTALL 7-11' SWAMPS
 STORAGE PROVIDED = 1,257 CF
 STORAGE WITH 1' FREEBOARD = 13,256 CF

RETENTION POND E (PHASE 1)
 INSTALL 4-12' SWAMPS
 STORAGE PROVIDED = 1,647 CF
 STORAGE WITH 1' FREEBOARD = 11,284 CF

RETENTION POND F (PHASE 1)
 INSTALL 4-12' SWAMPS
 STORAGE PROVIDED = 6,205 CF
 STORAGE WITH 1' FREEBOARD = 10,792 CF

VALAIS P.U.D.
 100 YEAR STORAGE NEEDED = 4,037 CF
 STORAGE WITH 1' FREEBOARD = 49,237 CF

BURGHILL RANCHES P.U.D.
 100 YEAR STORAGE NEEDED = 3,506 CF
 STORAGE PROVIDED = 3,994 CF
 STORAGE WITH 1' FREEBOARD = 6,664 CF

Basin	Area (AC)	Roofs (AC)	Impervious (AC)	Permeable (AC)	Storage (CF)	Storage with 1' Freeboard (CF)
A	3.81	0.34	0.34	1.95	6,205	10,792
B	42.29	2.87	2.87	26.12	1,647	11,284
C	12.49	0.98	0.98	7.13	1,257	13,256
D	12.49	0.98	0.98	7.13	1,257	13,256
E	6.39	0.52	0.52	4.18	1,647	11,284
F	6.39	0.52	0.52	4.18	6,205	10,792

Table 1: Interlaken Area A	Table 2: Interlaken Area B	Table 3: Interlaken Area C	Table 4: Interlaken Area D	Table 5: Interlaken Area E	Table 6: Interlaken Area F																																																																																				
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100 Year	2,400	240	240	2,100	240	2,340																																																																																			
Drainage Area	Total Area	Roofs	Impervious	Permeable	Storage	Storage with 1' Freeboard																																																																																			
100 Year	2,700	270	270	2,400	270	2,670																																																																																			