

PLANNING COMMISSION AGENDA CITY HALL AUDITORIUM, 250 NORTH 5TH STREET TUESDAY, AUGUST 28, 2012, 6:00 PM

Call to Order

Welcome. Items listed on this agenda will be given consideration by the City of Grand Junction Planning Commission. Please turn off all cell phones during the meeting.

If you wish to speak, please sign in prior to coming up to the podium. Sign in sheets are located at the back of the auditorium. In an effort to give everyone who would like to speak an opportunity to provide their testimony, we ask that you try to limit your comments to 3-5 minutes. If someone else has already stated your comments, you may simply state that you agree with the previous statements made. Please do not repeat testimony that has already been provided. Inappropriate behavior, such as booing, cheering, personal attacks, applause, verbal outbursts or other inappropriate behavior, will not be permitted.

Copies of the agenda and staff reports are located at the back of the auditorium.

Announcements, Presentations and/or Prescheduled Visitors

Consent Agenda

Items on the consent agenda are items perceived to be non-controversial in nature and meet all requirements of the Codes and regulations and/or the applicant has acknowledged complete agreement with the recommended conditions.

The consent agenda will be acted upon in one motion, unless the applicant, a member of the public, a Planning Commissioner or staff requests that the item be removed from the consent agenda. Items removed from the consent agenda will be reviewed as a part of the regular agenda. Consent agenda items must be removed from the consent agenda for a full hearing to be eligible for appeal or rehearing.

1. Minutes of Previous Meetings

Attach 1

Approve the minutes of the July 10, 2012 regular meeting.

2. <u>Hughes Network Systems CUP - Conditional Use Permit</u>

Attach 2

Request approval of a Conditional Use Permit to install up to six (6) satellite dishes and associated equipment, including an 8 foot fence, on 1.0 acres in an I-1 (Light Industrial) zone district.

FILE #: CUP-2012-349

APPLICANT: Richard Krohn – Dufford Waldeck Milburn & Krohn LLP

LOCATION: 2475 I-70 Business Loop

STAFF: Brian Rusche

3. Corner Square Medical Office Building - Preliminary Development Plan

Attach 3

Request approval of a Preliminary Development Plan to develop a Medical Office Building on 2.2 acres in a PD (Planned Development) zone district.

FILE #: PLD-2012-302

APPLICANT: Bruce Milyard – F & P Development LLC

LOCATION: 2520 Meander Court

STAFF: Greg Moberg

* * * END OF CONSENT CALENDAR * * *

* * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * *

Public Hearing Items

On the following items the Grand Junction Planning Commission will make the final decision or a recommendation to City Council. If you have an interest in one of these items or wish to appeal an action taken by the Planning Commission, please call the Planning Division (244-1430) after this hearing to inquire about City Council scheduling.

General Discussion/Other Business

Nonscheduled Citizens and/or Visitors

Adjournment

Attach 1 Minutes of Previous Meetings

GRAND JUNCTION PLANNING COMMISSION JULY 10, 2012 MINUTES 6:00 p.m. to 6:08 p.m.

The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. by Chairman Wall. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Reginald Wall (Chairman), Lynn Pavelka (Vice-Chairman), Pat Carlow, Ebe Eslami, Keith Leonard and Loren Couch (Alternate). Commissioners Lyn Benoit and Gregory Williams were absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Greg Moberg (Planning Supervisor) and Senta Costello (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were no interested citizens present during the course of the hearing.

ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS None.

Consent Agenda

1. Minutes of Previous Meetings

Approve the minutes of the May 8, 2012 regular meeting.

2. Library Rezone – Rezone

Request a recommendation of approval to City Council of a rezone from B-1 (Neighborhood Business) to B-2 (Downtown Business) on 2.587 acres.

FILE #: RZN-2012-332

APPLICANT: Eve Tallman – Mesa County Public Library

LOCATION: 502, 530, 550 Grand Avenue and 443 N 6th Street

STAFF: Senta Costello

Chairman Wall briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak if they wanted any item pulled for additional discussion. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on the Consent Agenda items.

MOTION:(Commissioner Pavelka) "Mr. Chairman, I move we approve Item Number 2 on the Consent Agenda and with Item Number 3, I move that we continue it based on the information with respect to the access being resolved."

Commissioner Carlow seconded the motion. A vote was called and the motion passed unanimously by a vote of 6 - 0.

Public Hearing Items

3. <u>Ute Water Tank Tower #2 – SBT Internet – Conditional Use Permit</u> – Continued from June 26, 2012

Request approval of a Conditional Use Permit to allow the construction and maintenance of a telecommunications facility and support structure.

FILE #: CUP-2012-276

PETITIONER: Rex Jennings – SBT Internet

LOCATION: 380 South Camp Road

STAFF: Senta Costello

General Discussion/Other Business

None.

Nonscheduled Citizens and/or Visitors

None.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:08 p.m.

Attach 2 Hughes Network CUP

CITY OF GRAND JUNCTION PLANNING COMMISSION

AGENDA TOPIC: Hughes Network Systems Satellite Farm – CUP-2012-349

MEETING DATE: August 28, 2012

PRESENTER: Brian Rusche

ACTION REQUESTED: Approval of a Conditional Use Permit (CUP)

BACKGROUND INFORMATION							
Location:			2475 I-70 Business Loop Lot 1 Crossing of Grand Junction Subdivision				
Applicant:		Hughes Network Systems represented by Richard H. Krohn of Dufford, Waldeck, Milburn & Krohn Attorneys at Law					
Existing Land Use:		Vaca	nt				
Proposed Land Use		Six (6	6) satellite dishes	and	associated equipment		
	North	Com	Commercial				
Surrounding Land	South	Union Pacific rail yard					
Use:	East	CenturyTel (Qwest) facility					
	West	Warehouse (Stockmasters)					
Existing Zoning:		I-1 (Light Industrial)					
Proposed Zoning:		I-1 (Light Industrial)					
	North	C-2 (General Commercial)					
Surrounding	South	I-1 (Light Industrial)					
Zoning:	East	I-1 (Light Industrial)					
	West	I-1 (L	ight Industrial)				
Future Land Use De	signation:	Industrial					
Zoning within densi	ty range?	X	Yes		No		

PROJECT DESCRIPTION: Request approval of a Conditional Use Permit to install up to six (6) satellite dishes and associated equipment, including an 8 foot fence, on 1.0 acres in an I-1 (Light Industrial) zone district.

RECOMMENDATION: Approval of the Conditional Use Permit

ANALYSIS:

1. Background

Hughes Network Systems is seeking to construct a satellite dish farm on a one acre site in order to augment its network of satellite based broadband services.

Satellite dishes are considered a Telecommunications Facility under Grand Junction Municipal Code (GJMC) Section 21.04.020(ee) and require a Conditional Use Permit (CUP) pursuant to the Use Table found in Section 21.04.010. Hughes is seeking approval of a CUP to include with deviations from certain Code standards to enhance compatibility with adjacent land uses, which is among the criteria for approving a CUP.

The property under consideration is currently in the process of being subdivided (SSU-2012-343) and will be known as Lot 1 of Crossing of Grand Junction Subdivision.

The Future Land Use Map designation is Industrial. The property was recently rezoned to I-1 Light Industrial (Ordinance 4526) as part of a city-wide, city-sponsored effort to eliminate inconsistencies between the zoning and the Comprehensive Plan.

Existing land uses in the area on the south side of the I-70 Business Loop consist of many service oriented industrial uses, such as welding and fabrication, upholstery, refrigeration and HVAC, appliance and electronics, home restoration contractor, automotive repair services, fencing contractor, window and door contractor, installations, petrochemical distributing, warehousing and distribution, and public utilities. All of these uses are allowed in the I-1 zone district.

The facility proposed by Hughes will, upon full build-out, consist of four (4) satellite dishes 6.3 Meters (20.67 feet) in diameter mounted to 28.8 feet maximum height; two (2) satellite dishes 8.1 Meters (26.57 feet) in diameter mounted 31.8 feet maximum height; up to six (6) equipment shelters, each approximately 12 feet by 36 feet (432 square feet); generators, cooling equipment, and propane tanks to ensure continuous operation regardless of weather conditions; an 8 feet high fence surrounding the property with security gates and cameras to protect the unmanned site. Underground utility connections, including domestic water, sewer, fiber optic and other conduit will be installed to the site. Landscaping will be installed along the frontage road.

A Neighborhood Meeting was held on July 23, 2012. A representative of Mesa County Valley School District #51 was present to inquire about any impact the proposed facility would have on the District's Information Technology (IT). No adverse impacts were noted or anticipated by the applicant. A meeting summary is included in this report.

2. Consistency with the Comprehensive Plan

The property was recently rezoned to I-1 Light Industrial (Ordinance 4526) in order to support the vision and goals of the Comprehensive Plan, specifically the Future Land Use Map designation of Industrial.

The application is consistent with the Comprehensive Plan, as required by Section 21.02.080(d)(1) and implements the following Goals and Policies:

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

This site is located amidst a mix of industrial service businesses including outdoor storage yards, borders the Union Pacific rail yard, and is not adjacent to any residential uses. The applicant has selected this site, in part, for the unobstructed airspace necessary for its satellite communications.

Goal 12: Being a regional provider of goods and services, the City will sustain, develop and enhance a healthy, diverse economy.

The proposed facility is among several located throughout the country designed to augment the Hughes network of satellite based broadband. While no goods or services are transacted on the site, the proposal represents a significant capital investment by an international company and may provide an opportunity for meeting increasing demand and provide additional competition within the broadband internet market.

3. Section 21.02.110 the Grand Junction Municipal Code

A conditional use permit shall be required prior to the establishment of any conditional use identified in Chapter 21.04 Grand Junction Municipal Code (GJMC) or elsewhere in the Code. Requests for a Conditional Use Permit must demonstrate that the proposed development will comply with all of the following, found in Section 21.02.110(c):

(1) Site Plan Review Standards.

All applicable site plan review criteria in GJMC 21.02.070(g) and conformance with Submittal Standards for Improvements and Development (GJMC Title 22), Transportation Engineering Design Standards (GJMC Title 24), and Stormwater Management Manual (GJMC Title 26) manuals.

The applicant has submitted a complete build-out site plan that has been reviewed and found to have met site plan review standards by the appropriate review agencies.

Access to the site is via a frontage road along the I-70 Business Loop, a limited access highway under the jurisdiction of the Colorado Department of Transportation (CDOT). Minor improvements to this roadway, including curb

and gutter, along with the installation of utilities to service the site, are included in the site plan review. The applicant has been notified that formal approval from CDOT for the above mentioned work within their right-of-way will be required.

The applicant has noted in the General Project Report that the facility will be unmanned and therefore does not necessitate parking. The site plan provides sufficient hard-surface access to the equipment shelters to allow for parking when necessary to make repairs or inspections of the facility, consistent with GJMC Section 21.06.050.

There are no identified Flood Plains or Urban Trails that impact this site.

(2) District Standards.

The underlying zoning districts standards established in Chapter 21.03 GJMC, except density when the application is pursuant to GJMC 21.08.020(c).

The underlying I-1 (Light Industrial) zone district standards are met by all of the structures proposed on the site, with the exception of the proposed fence.

A fence in excess of six (6) feet must meet principal structure setbacks, which are 15 feet in the front yard, 5 feet in the side yard, and 10 feet in the rear yard in the I-1 zone, according to Section 21.03.080(b).

A fence or wall may vary from the standards of fences generally if approved as part of a development plan on a site with a conditional use permit, according to Section 21.04.040(i)(1)(iv)(B).

The applicant is proposing that existing eight (8) foot high chain link fencing along the south and east property line (adjacent to the neighboring properties) be permitted to remain. The fencing on the south side of the property borders the Union Pacific rail switching yard. New eight (8) foot fencing would be constructed along the west property line to separate the acquired site from the remaining portion of the subdivision and would be consistent with the height of the existing fencing. In addition, existing eight (8) foot fencing along the frontage road would be retained, with the exception of a new access gate at the entrance to the property, which would be setback 40.83 feet from the edge of the roadway (approximately 25 feet from the property line). The fence height would increase the level of security for the site, which is important to the applicant.

The purpose of a setback for fences is to provide adequate space for maintaining required street frontage landscaping that can be enjoyed by the public passing by on the street (rather than behind a fence) and to allow adequate space to queue vehicles behind a closed gate so as to not interfere with traffic on the public street. The adjacent CenturyTel (formerly Qwest) facility to the east, constructed in 2000 (SPR-2000-188) has a similar setup to the applicant's proposal, with landscaping behind the fence and an access gate that allows vehicle stacking away from the traffic on the public street. The public street is actually a frontage road that terminates about 266 feet east of the site.

The proposed fencing scheme incorporates much of the existing fencing and is consistent with adjacent development patterns. Rather than replacing all of the fencing, the proposal would allow reasonable use of existing fencing and construct new fencing at the same height, for the express purpose of providing security for the site. The proposed fencing would be compatible, both in location along the front of the property and in height with adjacent fencing and compatible with the industrial nature of the site and its adjacent uses. Therefore as the City's project manager I assert that the proposed fencing is more compatible with the surrounding land uses than one meeting the standard setback and height requirements would be.

(3) Specific Standards.

The use-specific standards established in Chapter 21.04 GJMC.

The request meets the applicable requirements of Section 21.04.030(q), Telecommunication Facilities/Towers, with some exceptions discussed herein.

(10)(i) Towers and telecommunications facilities shall be located to minimize any visual and other adverse impact to the neighborhood, especially residential areas and land uses.

The proposed site is not adjacent to or visible from any residential uses.

(ii) Telecommunications facilities and towers shall be set back from all adjacent residentially zoned or used property by a minimum of 200 feet or 200 percent of the height of the proposed tower or facility, whichever is greater.

The proposed site is not adjacent to any residential zones or uses.

(iii) All telecommunications facilities and towers shall be set back a minimum of 85 feet from the property line or at a 2:1 ratio (two feet of setback for every foot of tower height from the property boundary of the facility), whichever is greater, from non-residentially zoned or used property.

The 85 foot setback is primarily intended to insure that a collapsing tower would fall within the property lines of the site on which it is erected. The placement and construction of the satellite dishes is such that the collapse of any of those satellite dishes would result in the dish falling entirely on the subject property and within the regular setbacks applicable to the I-1 zoning district of the subject property" (see General Project Report).

The applicant requests approval of the dishes in the locations shown on the site plan, which are 22.34 feet from the property line to the concrete base at the closest point. Setting the dishes back 85 feet would use substantially more land than the present site plan and would make the satellite dishes more visible to the general public, thereby making the use less compatible rather than more compatible with the surrounding neighborhood. The proposed configuration uses the equipment buildings to screen the satellite dishes and makes better functional use of the property; in particular by angling the dishes to the south over the Union Pacific rail yard, enhancing the overall compatibility. Therefore as the City's project manager I assert that the proposed site plan is more compatible with the surrounding land uses than one meeting the 85' setback requirement would be.

(v) Monopole tower structures shall be separated from all other towers, whether monopole, self-supporting lattice or guyed, by a minimum of 750 feet.

While the site does not include a monopole tower structure, the satellite dishes are at least 2,780 feet from the nearest identified telecommunications tower.

(vi) Self-supporting lattice or guyed towers shall be separated from all other self-supporting lattice or guyed towers by a minimum of 1,500 feet.

While the does not include self-supporting lattice or guyed towers, the satellite dishes are at least 2,780 feet from the nearest identified telecommunications tower.

(x) No new tower or facility shall be permitted unless the applicant demonstrates to the satisfaction of the Director that no existing tower, structure or utility facility can be used in lieu of new construction for the applicant's use.

The proposed satellite farm necessitates a level piece of ground in a location with suitable access to fiber optic lines. The adjacent CenturyTel facility provides the access to fiber optic and the property is currently vacant, with the airspace necessary for satellite access. See General Project Report.

(15) In addition to other requirements of this code, each applicant for a tower or telecommunications facility shall provide the Director with an inventory of

all of the applicant's existing towers and/or telecommunications facilities or approved sites for the facilities that are either within the City or are within one mile of the then existing border of the City.

Hughes Network Systems serves clients throughout the world with a network of satellite based broadband services. According to the applicant, "the proposed facility will provide backup for a series of satellite dish sites in various other locations around the country providing a nationwide system of satellite based broad band internet availability to rural and remote locations. No existing facility in the State of Colorado provides this same service."

(17) Towers and telecommunications facilities shall be designed and maintained: to minimize visual impact; carry gravity loads, wind loads and with safety measures as required by applicable regulations including adopted building codes; using concealment or stealth methods, if at all possible.

The applicant indicates that "the placement of the satellite dishes (antenna) on the site facing and grouped toward the adjacent railroad yard to the south minimizes the visual impacts on the neighborhood."

The applicant has submitted drawings of the proposed satellite dishes, which will be anchored to foundations in accordance with adopted building codes.

While screening of the satellite dishes is incorporated into the proposal, it is difficult to make a satellite dish look like something else.

The proposed eight (8) foot fence, as discussed above, coupled with the approved landscaping, provides screening of the site in a manner that is compatible with other industrial uses in the vicinity of this site. Further, the location of the satellite dishes to the rear of the property and behind the equipment buildings provides further screening. This combination of strategic building location and screening will reduce the visual impact of the satellite dishes, particularly when viewed from the highway.

- (18) The property on which a telecommunications facility or tower is located shall be landscaped and screened, as follows:
- (i) A freestanding tower or telecommunications facility shall include landscaping planted and maintained according to a landscaping plan approved by the Director in accordance with the applicable landscaping requirements of the zoning district where the tower or facility is located. Landscaping may be waived or varied by the Planning Commission where the Commission determines that existing site vegetation is equal to or greater than that required by the code.

The applicant has submitted a landscaping plan that is consistent with the standards for the I-1 zone district found in Section 21.06.040(h).

(ii) A six-foot-high wall or fence or other suitable buffer yard shall surround a freestanding tower or telecommunications facility. Fences must comply with GJMC 21.04.040(i), any design guidelines and other conditions of approval. Chain link with slats shall not constitute acceptable fencing nor shall it satisfy the screening requirement.

The requirement above indicates that options are available to accomplish screening of a telecommunications facility. The proposed eight (8) foot fence, as discussed above, coupled with the approved landscaping, provides screening of the site in a manner that is compatible with other industrial uses in the vicinity of this site. Further, the location of the satellite dishes to the rear of the property and behind the equipment buildings provides further screening. Finally, all of the ancillary equipment shown on the site plan, including generators, cooling equipment, and propane tanks are integral to the continuous operation of the facility regardless of weather conditions. Therefore, it would not constitute outdoor storage as regulated by Section 21.04.040(h).

(19) Only lighting required by a federal agency is allowed. The location of the lighting fixture shall be such that the lights do not shine directly on any public right-of-way and that the light emitted is otherwise in compliance with this code.

The applicant is proposing security lighting, mounted on 12 foot poles. The applicant has submitted specifications for the security lighting, which include full cut-off fixtures which will not shine directly on any public right-of-way. These lights are consistent with the outdoor lighting standards found in Section 21.06.080.

(20) Only signage that is required by State or federal law is allowed. No advertising shall be permitted.

No signage is proposed.

- (21) Each exterior tower or telecommunications facility equipment building or cabinet shall:
- (i) Not contain more than 400 square feet of gross floor area and shall not be more than 12 feet in height; and
- (ii) Maintain the minimum setback, landscaping and screening requirements of the zone in which it is located.

The applicant is proposing multiple structures that are approximately 468 square feet (12' x 36') to house equipment. The applicant has specifications

for the equipment that necessitate the proposed equipment structures in order to allow the facility to operate continuously. They will not exceed the 12 foot height limit and will meet the minimum setbacks. Landscaping and screening have already been discussed above.

The site currently contains no structures, so the equipment buildings could be considered a primary structure, which in the I-1 zone may be up to 150,000 square feet. The adjacent CenturyTel facility is a 16,800 square foot (approximate) facility. The proposed structures, even when placed side-by-side, are significantly smaller than other industrial buildings along the frontage road. The proposed structures, though prefabricated, will be affixed to a foundation and will be connected to public utilities, including water and sewer to provide cooling for critical equipment.

If each of the structures were limited to the maximum 400 square feet and scattered throughout the site, the site would have the appearance of a storage yard, rather than a functioning telecommunications facility. Given that these structures are integral to the operation of the facility, which is the primary use of the site, the applicant's request for a deviation from the maximum size of the equipment structures is reasonable and further establishes its compatibility with neighboring properties and existing industrial buildings.

(23) Every owner of a tower or telecommunications facility shall take special care to operate, repair and maintain all such facilities so as to prevent failures and accidents which cause damage, injuries or nuisances to the neighborhood and public. All wires, cables, fixtures and other equipment shall be installed in compliance with the requirements of the National Electric Safety Code and all FCC, FAA, State and local regulations and in such a manner that shall not interfere with radio communications, electronic transmissions or all other electromagnetic communications or otherwise cause a safety hazard.

Applicant must meet all standards described, as those standards are administered by the respective agencies.

(24) Each new tower or facility shall be subject to a two-year review by the Director. The review shall determine whether or not the originally approved number of antennas and design are still appropriate and necessary to provide adequate communications services.

A Conditional Use Permit runs with the land unless abandoned, according to Section 21.02.110(g). Furthermore, Section 21.04.030(q)(25) specifies that abandonment shall only be determined by the City Council, after the owner has had notice and an opportunity to be heard.

The Public Works and Planning Department maintains detailed records on the approval of telecommunication facilities and is able to perform the above described review.

(4) Availability of Complementary Uses.

Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities.

The site, which will be unmanned, is accessed by a public street, but one which terminates shortly beyond the site and consequently sees little use. The facility will be able to tie directly into fiber optic line which runs within the highway right-of-way. Other utilities, including water and sewer, are available adjacent to the site with only the necessary taps (and a fire hydrant) to be installed.

(5) Compatibility with Adjoining Properties.

Compatibility with and protection of neighboring properties through measures such as:

Protection of Privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants;

The proposed eight (8) foot fence, as discussed above, coupled with landscaping will be provided along the street frontage, screens the facility from the view of highway traffic in a manner that is compatible with other industrial uses in the vicinity of this site. Further, the location of the satellite dishes to the rear of the property and behind the equipment buildings provides further screening. This combination of strategic building location and screening will reduce the visual impact of the satellite dishes.

Protection of Use and Enjoyment. All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property;

Electromagnetic emissions will comply with federal law. No interference with Mesa County School District #51 information technology is anticipated, as addressed at the neighborhood meeting.

The applicant requests approval of the dishes in the locations shown on the site plan, which are 22.34 feet from the property line to the concrete base at the closest point. Setting the dishes back 85 feet would use substantially more land than the present site plan and would make the satellite dishes more visible to the general public, thereby making the use less compatible rather than more compatible with the surrounding neighborhood. The proposed configuration uses the equipment buildings to screen the satellite dishes and makes better functional use of the property. Given that these structures are integral to the operation of the facility, which is the primary use of the site, the applicant's request for a deviation from the maximum size of the equipment structures is reasonable and further establishes its compatibility with neighboring properties and existing industrial buildings. The proposed site plan is more compatible with the surrounding land uses than one meeting the 85' setback requirement would be.

The proposed eight (8) foot fence, as discussed above, coupled with Landscaping will be provided along the street frontage, screens the facility from the view of highway traffic in a manner that is compatible with other industrial uses in the vicinity of this site. Further, the location of the satellite dishes to the rear of the property and behind the equipment buildings provides further screening. This combination of strategic building location and screening will reduce the visual impact of the satellite dishes.

Compatible Design and Integration. All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated Development. Elements to consider include; Buildings, outdoor storage areas and equipment, utility structures, Buildings and paving coverage, Landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land Uses in the same Zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties.

The applicant requests approval of the dishes in the locations shown on the site plan, which are 22.34 feet from the property line to the concrete base at the closest point. Setting the dishes back 85 feet would use substantially more land than the present site plan and would make the satellite dishes more visible to the general public, thereby making the use less compatible rather than more compatible with the surrounding neighborhood. The proposed configuration uses the equipment buildings to screen the satellite dishes and makes better functional use of the property; in particular by angling the dishes to the south over the Union Pacific rail yard, enhancing the overall compatibility. Therefore as the City's project manager I assert that the proposed site plan is more

compatible with the surrounding land uses than one meeting the 85' setback requirement would be.

The applicant is proposing multiple structures that are approximately 468 square feet (12' x 36') to house equipment. The applicant has specifications for the equipment that necessitate the proposed equipment structures in order to allow the facility to operate continuously. They will not exceed the 12 foot height limit and will meet the minimum setbacks. Landscaping and screening have already been discussed above.

The site currently contains no structures, so the equipment buildings could be considered a primary structure, which in the I-1 zone may be up to 150,000 square feet. The adjacent CenturyTel facility is a 16,800 square foot (approximate) facility. The proposed structures, even when placed side-by-side, are significantly smaller than other industrial buildings along the frontage road. The proposed structures, though prefabricated, will be affixed to a foundation and will be connected to public utilities, including water and sewer to provide cooling for critical equipment.

If each of the structures were limited to the maximum 400 square feet and scattered throughout the site, the site would have the appearance of a storage yard, rather than a functioning telecommunications facility. Given that these structures are integral to the operation of the facility, which is the primary use of the site, the applicant's request for a deviation from the maximum size of the equipment structures is reasonable and further establishes its compatibility with neighboring properties and existing industrial buildings.

The proposed eight (8) foot fence, as discussed above, coupled with Landscaping will be provided along the street frontage, screens the facility from the view of highway traffic in a manner that is compatible with other industrial uses in the vicinity of this site. Further, the location of the satellite dishes to the rear of the property and behind the equipment buildings provides further screening. This combination of strategic building location and screening will reduce the visual impact of the satellite dishes.

As noted above, the applicant has requested the following deviations to enhance and ensure site compatibility with surrounding land uses: The applicant has requested a 22.34 foot minimum setback to the foundation of each satellite dish and multiple equipment buildings 436 square feet in size, along with an eight (8) foot fence surrounding the property with no minimum setback. As the City's project manager I assert that the proposed site plan is more compatible with the surrounding land uses

with these deviations. Specifically, the grouping of the satellite dishes to the rear of the property adjacent to the Union Pacific rail yard, rather than placing them at the center of the property, will integrate this facility into the existing industrial strip. Increased fence height will provide additional security to the site, which is adjacent to but separated from a busy highway. The building locations and site improvements, including ancillary equipment, are integral to the site's function as a backup for Hughes nationwide broadband network, designed to operate continuously regardless of weather conditions.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the Hughes Network Systems satellite dish farm application, CUP-2012-349 for a Conditional Use Permit, I make the following findings of fact, conclusions and conditions:

- 1. The requested Conditional Use Permit is consistent with and meets the goals and policies of the Comprehensive Plan.
- 2. The review criteria in Section 21.02.110 of the Grand Junction Municipal have all been met.
- 3. Applicable use-specific standards of Section 21.04.030(q) have been met; further finding that requested deviations to setbacks, fence height and placement, and building size are consistent with the review criteria for a CUP found in Section 21.02.110.
- 4. Approval of the project being conditioned upon the following:
 - Obtaining final approval for construction from the Grand Junction Public Works Department, including signed construction drawings.
 - Obtaining final building permits from the Mesa County Building Department for all structures to be located on the site, including fences in excess of six (6) feet.
 - Obtaining appropriate permits from the Grand Junction Fire Department for the operation of above ground fuel tanks and any other equipment subject to their review.
 - Obtaining a final Notice to Proceed (NTP) from the Colorado Department of Transportation (CDOT) for construction within and use of the I-70 Business Loop frontage road.
 - Compliance with all Federal Communications Commission (FCC) regulations related to the operation of this telecommunications facility.

STAFF RECOMMENDATION:

I recommend that the Planning Commission approve the requested Conditional Use Permit, CUP-2012-349 with the findings, conclusions and conditions of approval listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on the request for a Conditional Use Permit for the Hughes Network Systems satellite farm application, number CUP-2012-349 to be located at 2475 I-70 Business Loop, I move that the Planning Commission approve the Conditional Use Permit with the findings of fact, conclusions and conditions listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map Future Land Use Map / Existing Zoning Map General Project Report Neighborhood Meeting Information Distance map Site Plans Building and satellite dish elevations Other site specifications





GENERAL PROJECT REPORT HUGHES NETWORK SYSTEMS CONDITIONAL USE PERMIT

This project is a conditional use permit for a satellite dish "farm" to be constructed on a one-acre parcel currently constituting a portion of Mesa County Tax Schedule No. 2945-134-03-022. This application is filed to supplement a previously filed simple subdivision application for Crossing of Grand Junction Subdivision. The property that is the subject of this application is Lot 1 of Crossing of Grand Junction Subdivision (proposed). The property is located on the south side of the Frontage Road running adjacent to and southerly of I-70 B generally south of the area between 24th Court and North 28th Street. No street address has yet been assigned to this parcel pending approval and recording of the plat of Crossing of Grand Junction Subdivision.

The property is zoned I-1. The site plan meets the setback, bulk and height requirements of the underlying zone district. The facility constitutes a telecommunications facility as defined in Section 21.04.020(ee) of the Grand Junction Municipal Code (Code). A telecommunications facility requires approval of a conditional use permit (CUP) to be located in an I-1 zoned district.

The project meets all of the approval criteria for grant of a CUP under Code Section 21.02.110(c), except as otherwise specifically described in this report. In particular, fiber optic lines necessary for this type of facility are in place at the Qwest facility immediately to the east of the subject property. Also, the facility is compatible with adjacent uses, including the railroad yard to the south, Qwest facility to the east, a vacant lot and The Mart Office/Warehouse to the west, and I-70 B and various commercial uses to the north.

Although this project falls within the parameters of the use specific standards concerning telecommunications facilities/towers in Code Section 21.04.030(q), the bulk of those provisions are tailored to cell phone towers and are not directly applicable to this facility. No residential areas are within 200 feet of the site. The placement of the satellite dishes, (antenna) on the site facing and grouped toward the adjacent railroad yard to the south minimizes visual impacts on the neighborhood.

Applicant seeks a variance from the requirement of Code Section 21.04.030(q)(10)(iii) requiring an 85-foot setback from the property line. This requirement is apparently intended to insure that a collapsing cell phone tower would fall within the property lines of the site on which it is erected. The placement of the satellite dishes specified in the site plan for this project, and the construction of those satellite dishes on concrete foundations, is such that the collapse of any of those satellite dishes would result in the dish falling entirely on the subject property and within the regular setbacks applicable to the I-1 zoning district of the subject property. Therefore, Applicant requests that the normal setbacks (15-foot front, 5-foot side, and 10-foot back) applicable to the I-1 zoning district apply to this CUP and site plan.

Concerning Section 21.04.030(q)(10)(x), the proposed facility will provide backup for a series of satellite dish sites in various other locations around the country providing a nationwide system of satellite based broadband internet availability to rural and remote locations. No existing facility in the State of Colorado provides this same service.

The facility will meet applicable federal and state regulatory requirements, including without limitation all FCC requirements. Construction and design of the facility will meet all applicable building codes and safety regulations.

Certain other variances are requested as part of this application. First, the largest of the buildings proposed to be installed on site consists of 468 square feet of gross floor area. All proposed buildings slightly exceed the 400 square foot gross floor area limitation specified in Code Section 21.04.030(21)(i). Second, the fence proposed to surround the site exceeds 6 feet in height for which Applicant requests a variance from the requirements of Code Section 21.04.030(18)(ii) in accordance with the provisions of Code Section 21.04.040(i)(1)(iv)(V). Finally, Applicant requests waiver of any parking requirement because the facility will be unmanned.

In all other respects, Applicant believes that the proposed facility complies with the requirements of applicable Code provisions or that those Code provisions related to either a CUP or telecommunications facility are inapplicable due to the nature of the proposed facility.

The unmanned, low impact nature of the proposed use will have minimal effect on traffic and surrounding properties. Access from the site is directly onto the Frontage Road adjacent to the south side of I-70 B, and access from the Frontage Road to the Business Loop is several hundred feet west of this property.

All utilities, except for gas, are available at this site. Location of propane tanks on site is proposed as part of the site plan to provide gas to the site, which will be used for de-icing in the winter months. In addition, the adjacent Qwest facility immediately to the east will provide the site with fiber optic lines necessary for development of the use proposed for this site.

The site will be in operation at all times. The site will be unmanned, with occasional maintenance and service personnel visiting the site as needed. No signage is planned.

Certain documentation specified in the Submittal Checklist provided to the Applicant subsequent to the general meeting related to this project is not applicable and are therefore not being submitted with the application materials. Names and address labels have been paid for and requested in association with the simple subdivision application covering the subject property filed by the Applicant in the last several weeks. The requirement for easements is inapplicable as no easements are required or planned with respect to this application or the subject facility. Based on conversations between

Applicant's representative, Rich Krohn, and Brian Rusche of the City Planning Development Department: (1) no mapped analysis of coverage area is required because the coverage area of this facility consists of the entire lower 48 States, so submission of a map of the continental United States would be pointless; and (2) an inventory of Applicant's existing sites would be meaningless for the same reason and is inapplicable. Finally, storm water management plan/permit and post-construction storm water O&M agreement are inapplicable because the disturbed area is less than one acre.

Construction is planned to commence immediately upon approval of the CUP and Applicant obtaining the necessary building permit. Construction will be completed prior to the end of 2012.

E:\Wp New\13392\General Project Report REVISED.doc

NOTICE OF NEIGHBORHOOD MEETING

An application for a conditional use permit for development of a facility for multiple satellite dishes has been filed with the City of Grand Junction. The applicant is holding a neighborhood meeting on this application at the time and place stated below to which you and the general public are invited. The Applicant will present plans and describe details of the development and answer questions. A representative of the City Planning Division will also be present.

Application Name: Hughes Network Systems CUP

File No.: CUP-2012-344

Development Location: Just east of 2135 East Main Street

Neighborhood Meeting Time & Place: VFW Post 1247

1404 Ute Avenue, Grand Junction, CO Monday, July 23, 2012 @ 5:30 P.M.

Applicant's Representative: Rich Krohn, ph: (970) 241-5500 email: krohn@dwmk.com

City Planner: Brian Rusche, ph: (970) 256-4058 email: brianr@gicity.org

From: Rich Krohn krohn@dwmk.com To:

Brian Rusche' brian Rusche' brian Muir@hughes.com, Rich Hoffman r/24/2012 4:30 PM CC:

Date:

Subject: Hughes Neighborhood Meeting - Your File No. CUP 2012-344 SCN_20120724162600_001.pdf

Attachments:

Thank you for attending our neighborhood meeting last evening at VFW Post 1247 at 1404 Ute Ave. A copy of the sign in sheet of the attendees is attached. The only neighbor attending was a representative of School District 51, which has its administrative offices at 2115 Grand Ave. He is an IT person for the District, and his interest was in the nature of the functions of the site and any possible impacts of our site and its use on the District's electronics at its building.

We described to him and discussed the services our site will provide, the highly directional nature of our signals, that our dish[es] will be directed away from his building [facing generally SSW while the District building is to the north], and that we are required to have FCC approval for the facilities on our site. In summary, no adverse impacts were noted at the meeting or are anticipated based on our discussions with this neighbor, and there is a remote possibility that the satellite internet services of which this facility will be a part may be of future use or benefit to the District.

Rich

Richard H. Krohn Dufford, Waldeck, Milburn & Krohn, L.L.P. 744 Horizon Court, Suite 300 Grand Junction, CO 81506 Telephone: 970-248-5850 Facsimile: 970-243-7738

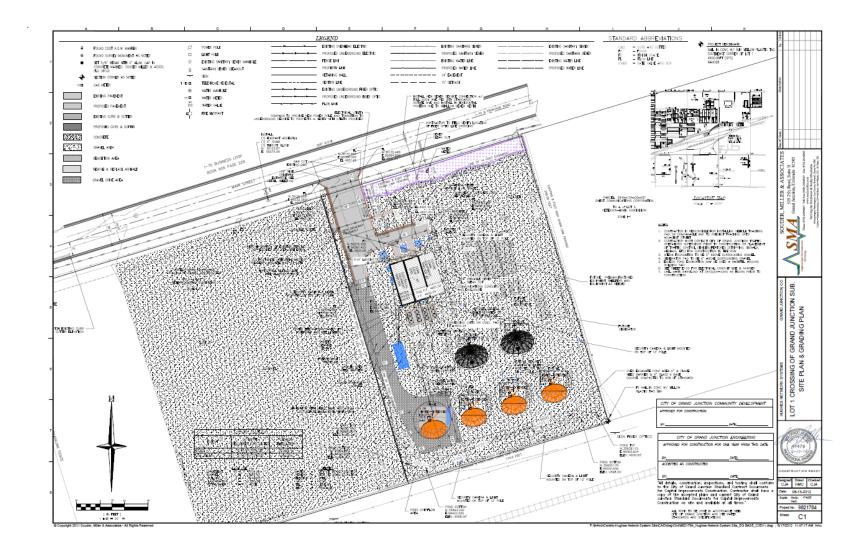
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IRS CIRCULAR 230 NOTICE: This correspondence and any attached documents may contain provisions concerning a federal tax issue or issues. Under recently issued IRS regulations, we must inform you this correspondence and any attached documents are not intended or written to be used and cannot be used, by any taxpayer for the purpose of avoiding penalties that may be imposed on any taxpayer by the Internal Revenue Service.





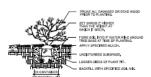
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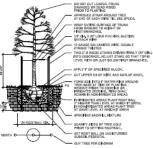
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LANDSCAPE AND IRRIGATION NOTES

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Shrub Planting Detail



Tree Planting Detail 3 Tree I

MRLA MITCH REWOLD LANDSCAPE ARCHITECT LANDSCAPE ARCHITECTURE AND

386 34 ½ Road Pallsade, Colorado 81526 (970) 434-1155

No.	Strt.	Common Name/ Bjojogjcaj Hama	Planting Stor/ Remarks	Mature Stee
Cod	Manual T	500:		
1	BLI	Redresont Linden/ Tillia americana 'Redresont'	2" cul/ BAB	47 Ht, 8-27 Sed
2	832	Reducte Pear' Purus exercione 'Reducte'	2" cal/ BAB	42' Ht, 3-32' Sed
î.	NEW	Newport: Plans' Pranas consollers Newport'	2" cal/ 848	15" Ht. A. 13" Sec.
Ded	Senas S	trabell		
	RIGH	Race Glow Burkers/ Berkedo Bhunkerpl 'Racy Glow'	12" Q4" Served/#5	THE RESIDEN
ă.	FOR	Foreythis/ Farrythis x Intermedia Sering Clary	18" 424" Spread/#5	IF HIS BUT DAYS
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È		d Broading Strates		
11	GVD	Green Mound Juniors' Juniorus procumbens Green Mound	18"-24" Spread 95	11 Hr. A N See
10	MAG	Oregon Grave Holly Commerti Mahonia Appliatum 'Commerts'	18's 20" Served 15	3' Ht. & S Sec.

LANDSCAPE LEGEND

Ō O⊕ Small Decklosus Strake ⊙# Evergreen Shnake

"All plant totals on the plant list shall be ved led with plant numbers on the landscape plan.

LANDSCAPE REQUIREMENTS - IT LIGHT INDUSTRIAL

21,05,040 Landscape, buffering and screening standards,

- and Cohen Learnings.

 (1) Particular Learnings. Learnings is the parting interdered in the per subsection (92) of the section with the following conflict.

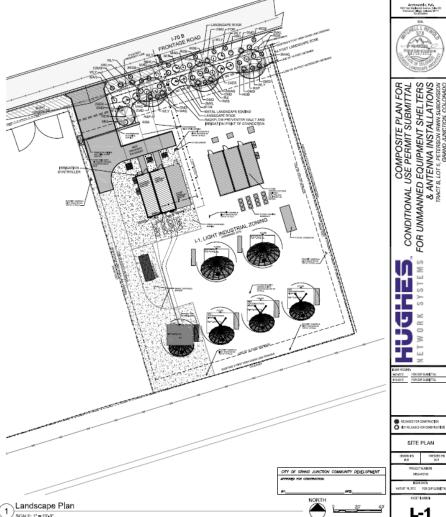
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SCALE; 1" = 20'-0"

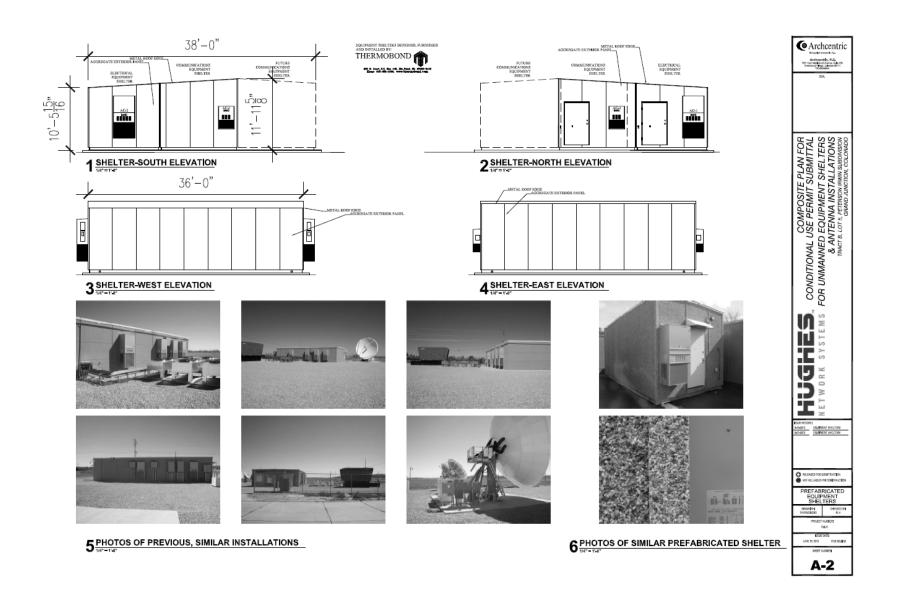
- earthe. (4) bishirennes. Each somer as the somen' association shall reduce in Handsonelia. (5) Other Applicate Decision. The readsoness at extending \$1, \$1, \$3) and \$1 of this section shall also apply.

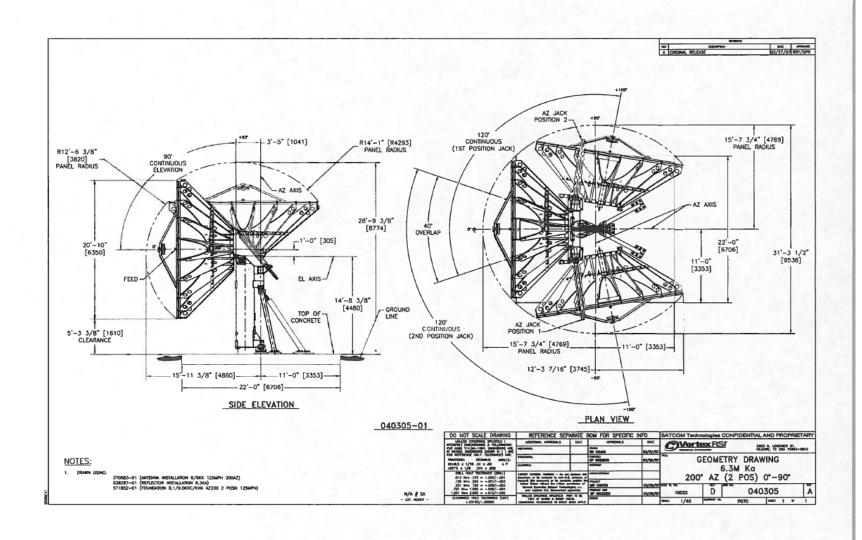


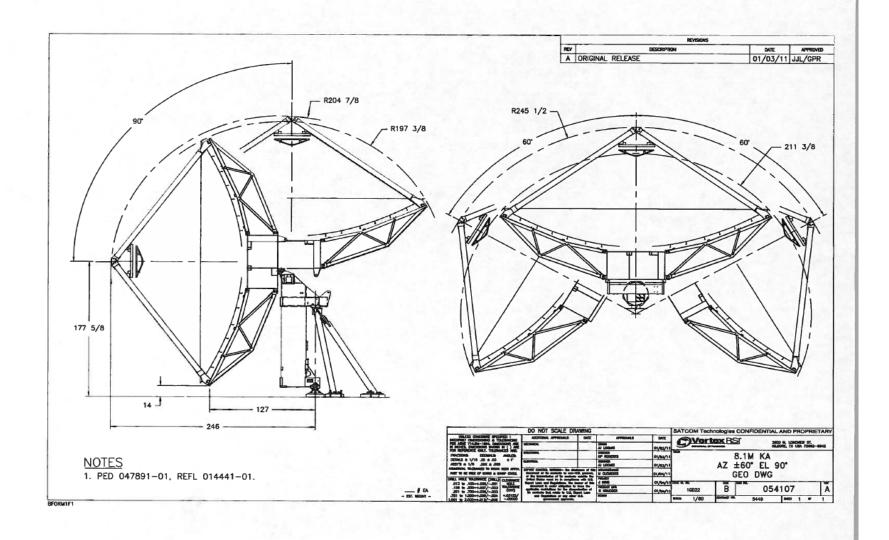
Archcentric

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FEATURES & SPECIFICATIONS

INTENDED USE — Ideal for car lots, street lighting or parking areas.

 $\textbf{CONSTRUCTION} - \text{Rugged}, 0.63" \, \text{thick, aluminum rectilinear housing.} \, \text{Formed for weather-tight seal and} \,$ Construction—maggin, and make interesting management of the manage

Finish: Standard finish is dark bronze (DDB), polyester powder finish with other architectural colors available.

OPTICS — Reflection are anodized and segmented for superior uniformity and control. Reflection attach with tool-less facteness and are notatable and interchangeable. These cutoff distributions available-type-II (prodatkyr), type-III (asymmetric), give-II (various throw), sharp cutoff), Lens is 1,25° thick impact-resistant tempered gatas with thermally applied silk-screened shield.

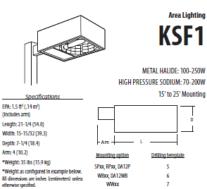
ELECTRICAL — Ballast-High pressure sodium: 70-150W is high-exactance, high power factor. Constant watage authorated mer 200-250W, Metal halide: 100-150W is high-reactance, high power factor and standard with pute-start light or technology. "SCWA" not required. Constant watage authorated mer to 150-250W. Single-start light power factor and standard with pute-start light or technology. "SCWA" not required. Constant watage authorated mem from 151-250W. Single-off, gibbs editional size (SEA legislation compilant). For equired for 151-200W (SCWA option) for U.S. shipments only. CSA or INTL required for probe-start shipments ouslde the U.S. Pute-start tallast (SCWA) required for 200M.

Ballasts are 100% factory-tested.

Socket is provision, horizontally mounted medium base socket for 74-150M and position-oriented mogul base socket for FPS and 175M-250M, with copper alloy, nickel-pixeled screw shell and center contact. UL listed 1500W-600V.

 $\textbf{INSTALLATION} \leftarrow \textbf{Extruded aluminum arm for pole or wall mounting is shipped in fixture carton.} Optional$

 $\textbf{LISTING} - \textbf{UL} \ \textbf{listed for wet locations}. \ \textbf{Listed and labeled to comply with Canadian standards (see Options)}.$ Note: Specifications subject to change without notice.



WBxx DA12WB

KSF1								
Series	Wattage	Distribution	Voltage	Ballast	Mounting			
KSF1	Metal hallde 100M* 175M* 200M* 150M 250M* 150M 100MHC 150MHC 150MHC 160MHC 160S 200S* 150S* 150S	R2 Type II roadway R3 Type III asymmetric R4SC Type IV forward throw, sharp cutoff	120 347 208 ⁷ 480 ⁷ 240 ⁷ TB ¹ 277 23050HZ ⁶	(blank) Magnetic (VM Contant wattage Isolated SCWA Super CWA pulse-start hallast NOTE for sixpements to U.S. territories, SCWA number is specified to comply with EDA.	Type SP Square pole RP Round pole WB Wall bracket WW Whoof pole or wall bracket	Amlength ³ 04 4"am 06 6"am 09 9"am 12 12" arm	Shipped s DA12P DA12WB KMA KTMB	eparately Degree arm, po Degree arm, wo Mast arm adapter Twin mounting bar
Options	s				Finish ^M			Lamp ^{ts}
Shippe PER SF DF	d installed in fixture NEMA twist-lock receptacle only (no photocontrol) single fuse (120, 277, 347V) n/a TB Double fuse (208, 240, 480V) n/a TB Quartz restrike system ¹¹	shipping out KW1 KlloWatch* 1	d ^o MH probe-start	Shipped separately 11	(blank) Dark bronze DWH White DBL Black DMB Medium bronze DMA Natural aluminum	rests CRT Non-	osion tant finish -stick ective ing ¹⁷	LPI Lamp Included L/LP Less lam

Vandal	guard ¹⁴
Not	tes Not as

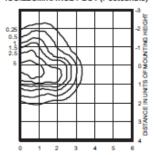
Accessories: Tenon Mounting Slipfitter Number of flutures.								
Tenon O.D.	One	Two@180*	Two@90*18	Three@120*	Three@90" 10	Four@90*19		
2-3/8" (6)	T20-190	T20-280	120-290	T20-320	T20-390	T20-490		
2-7/8" (7.3)	125-190	125-280	125-290	T2S-320	T25-390	T25-490		
4" (10.2)	T35-190	T3S-280	135-290	T35-320	T35-390	T35-490		

	\perp	for light pullation radiaction
tes	10	Use 9" arm when two or more luminaires are oriented
Not available with SCWA.		on a 90" drilling pattern.
These waittages do not comply with California Title 20 regulations.	- 11	Maximum allowable wattage lamp included.
Must be ordered with SCWA.	12	KiloWatch® controls are available only with 1505.
These wettages require the REGC1 option to be chosen for shipments into California for Title 20 compliance 250M REGC1 is not available in 347V or 480/		May be ordered as an accessory.
Not available with L/LP.	14	Profix with KSF1 when ordering as an accessory.
Not available with 480V.	15	Available with R2 and R3 distributions only.
Must specify CWI for use in Canada.	16	Security at those comparts of the additional color options.
Optional multi-tap ballast (120, 208, 240, 277V); (120, 277	. 17	Black finish only.
MN in (anada)	18	Must be specified.

9 Consult factory for available waffages.

Coefficient of Utilization Initial Footcandles

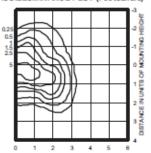
KSF1 250M R2 TEST NO: 1194090701P ISOILLUMINANCE PLOT (Footcandle)



250W pulse start metal halide lamp, rated 22500 lumens. Foolbandle values based on 20'

mounting height. Classification: Type II, Short, Full Culoff

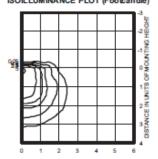
KSF1 250M R3 TEST NO: 1194080302P ISOILLUMINANCE PLOT (Footcandle)



250W pulse start metal halide lamp, rated 22500 tumers. Footcandle values based on 20°

mounting height. Classification: Type III, Short, Full Cutoff

KSE1 250M R4SC TEST NO: 1194080901P ISOILLUMINANCE PLOT (Footcandle)

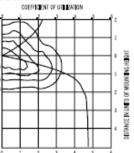


250W pulse start metal halide lamp, rated 22500 tumers. Footcandle values based on 20°

mounting height. Classification: Unclassified (Type IV, Very Short), Full Culoff

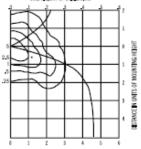
KSF1 150S R2

Test No. TEST NO. 1194090802 KSF1 150S R3



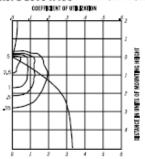
150W high pressure sodium lamp, 20000 rated lumens. Footcandle values based on 35 mounting height, Distribution II, full outoff.





150W high pressure sodium lamp, 16000 rated lumens. Footcandle values based on 35' mounting height, Distribution III, full outoff.

Test No. TEST NO. 1194081603 KSF1 150S R4SC Test No. TEST NO. 1194081502



150W high pressure sodium lamp, 16000 rated lumens. Footbandle values based on 35' mounting height, Distribution IV, full cutoff.

- 1 Photometric data for other distributions can be accessed from the Lithonia Lighting website. (www.Lithonia.com)
- 2 For electrical characteristics, consult outdoor technical data specification sheets on www.Lithonia.com.
- 3 Tested to current IES and NEMA standards under stabilized laboratory conditions. Various operating factors can cause differences between laboratory and actual field measurements. Dimensions and specifications are based on the most current available data and are subject to change.

Mounting Height Correction Factor

(Multiply the fc level by the correction factor)

15 ft. - 5.4 15 ft.- 1.78 30 ft.= 1.36 30 ft.- 0.45 40 ft.- 0.77 40 ft.- 0.25

(Existing Mounting Height)2 = Correction Factor



KSF1-M-S

KEY	DESCRIPTION	MFR. & CAT.NO.	T.AMP	VOLTS	MOUNTING	NOTE	MAX						
IULI	BBOOKITION	min. w omi.no.	DPET	VOLID		NOIL							
					INFORMATION		WATT						
AA	RECTANGULAR, BLACK, FULL CUTOFF, METAL	LITHONIA LIGHTING #KSF1-	(1) 100W MH	277	POLE		122						
	HALIDE AREA LIGHT, POLE MOUNTED,	100M-R4SC-277-RP09-PE7-	E-17										
	FORWARD THROW-SHARP CUTOFF DISTRIBUTION,	DBL-PLI	CLEAR										
	INTEGRAL PHOTOCELL, 12'-4.5" ROUND	POLE: RSS-12 4-5B-DM19-											
	STEEL POLE, FULL BASE COVER	FBC-DBL											
BB	RECTANGULAR, BLACK, FULL CUTOFF, METAL	LITHONIA LIGHTING #KSF1-	(1) 1000W MH	277	POLE		122						
	HALIDE AREA LIGHT, POLE MOUNTED,	100M-R3-277-RP09-PE7-	E-17										
	TYPE III ASYMMETRIC DISTRIBUTION,	DBL-PLI	CLEAR										
	INTEGRAL PHOTOCELL, 12'-4.5" ROUND	POLE: RSS-12 4-5B-DM19-	HIGH CRI										
	STEEL POLE, FULL BASE COVER	FBC-DBL											
MOUNT	ING ABBREVIATIONS												
AFF - ABOVE FINISHED FLOOR AFG - ABOVE FINISHED GRADE RFD - RECESSED FIXTURE DEPTH													
NOTES:				NOTES:									

Attach 3 Corner Square Medical Building

CITY OF GRAND JUNCTION PLANNING COMMISSION

MEETING DATE: August 28, 2012 STAFF PRESENTATION: Greg Moberg

AGENDA TOPIC: Corner Square Medical Office Building – PLD-2012-302

ACTION REQUESTED: Approval of a Preliminary Development Plan.

BACKGROUND INFO	RMATION							
Location:		201 W. Park Drive						
Applicants:		Owner/Developer: F & P Land, LLC Representative: Ciavonne, Roberts & Associates						
Existing Land Use:		Vaca	nt					
Proposed Land Use:	_	Medi	cal/General Offic	e Bui	ilding			
	North	Comi	mercial					
Surrounding Land Use:	South	Single Family Residential						
USE.	East	Single Family Residential						
	West			Vacant				
Existing Zoning:		PD (Planned Development)						
Proposed Zoning:	Proposed Zoning:		PD (Planned Development)					
	North	PD (Planned Development)						
Surrounding Zoning:	South	PD (Planned Development)						
Surrounding Zoning.	East	PD (Planned Development) and R-5 (Residential 5 du/ac)						
West			PD (Planned Development)					
Comprehensive Plan Designation:		Neighborhood Center						
Zoning within density	range?	X	Yes		No			

PROJECT DESCRIPTION: Request approval of the Preliminary Development Plan for the Corner Square Medical Office Building - on 2.203 acres within an approved PD (Planned Development) zone district.

RECOMMENDATION: Recommendation of approval.

ANALYSIS

1. Background

On November 1, 2006 the City Council approved Ordinance 3981 rezoning 20.7 acres, located at the southwest corner of 1st Street and Patterson Road, to PD (Planned Development) and approved the ODP (Outline Development Plan) for a mixed use development. The Developer has until December 2014 to complete the development.

Because the original ODP was approved under the 2000 Zoning and Development Code, this proposal is being reviewed under the 2000 Zoning Code criteria and standards. The Planning Commission is responsible for approval of Preliminary Development Plans under the 2000 Zoning Code.

The ODP was approved with the following default zones for each Pod:

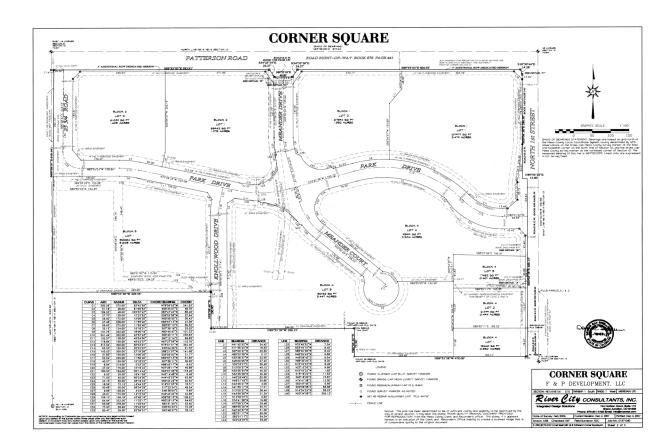
- Pod A B-1 (approved as part of Phase I)
- Pod B B-1 (approved as part of Phase I)
- Pod C B-1 (approved as part of Phase I)
- Pod D B-1 (approved as part of Phase I)
- Pod E B-1 (currently under review)
- Pod F R-4 (approved as part of Phase I)
- Pod G R-12 (future phase)
- Pod H R-12 (approval as Phase II)



On June 26, 2007, the Planning Commission approved the Preliminary Development Plan (PDP) for Phase I which included the four commercial Pods along Patterson Road. With the exception of Pod B, all of these Pods have been built out and are currently occupied by retail and office uses. On March 10, 2009, the Planning Commission approved the PDP for the apartments located on Pod H. The apartments were constructed and are currently being rented. The remaining Pods, G and E, have not received preliminary development plan approval and are currently vacant.

On December 17, 2007 the Corner Square Final Plat was recorded. The Final Plat included all of the lots, tracts and right-of-way for the entire development. The Pods and default zoning depicted by the ODP relate to the following platted lots:

- Pod A Lot 2, Block 2 B-1
- Pod B Lot 1, Block 2 B-1
- Pod C Lot 2, Block 1 B-1
- Pod D Lot 1, Block 1 B-1
- Pod E Lot 4, Block 4 B-1
- Pod F Lots 1, 2 and 3, Block 4 R-4
- Pod G Lot 5, Block 4 R-12
- Pod H Lot 1, Block 3 R-12



The proposed Preliminary Development Plan for the Corner Square Medical Office Building is located on Pod E which is Lot 4, Block 4. Pod G (Lot 5, Block 4) will be reviewed by Planning Commission, on or before December 2014, as the final phase of the Corner Square development.

Lot Layout

The proposal is to construct one building containing 18,200 square feet. The building will be located on the northwest portion of the lot. Parking will be located to the north and east of the proposed building and accessed from both West Park Drive and Meander Court.

Use

The proposed use of the building is medical and general offices which are both allowed under the B-1 (Neighborhood Business) default zone.

Ordinance 3981 specifically prohibits the following uses for Pod E:

- Drive up/through fast food uses
- Drive up/through liquor stores
- All other drive up/through uses
- Outdoor kennels and/or boarding
- Outdoor storage
- Community Correction Facilities
- Mental health uses
- Drug and alcohol rehabilitation uses
- Halfway houses
- Law Enforcement Rehabilitation Centers

In addition to allowed B-1 uses, the following uses are allowed:

- Drive up/through pharmacy
- Drive up/through dry cleaners
- Veterinary clinics with indoor kennels and/or indoor boarding
- Outdoor display with a temporary use permit

Bulk Standards

The default zoning for Pod E is B-1. The dimensional standards with approved deviations are as follows:

APPROVED DIMENSIONAL STANDARDS

Zoning District			Minimum Street Frontage	Minimum Setbacks (Principal/Accessory Building)			Max. Lot Coverage (%)	Max. FAR	Max. Height
	Area (sq. ft.)	Width (ft.)	(ft.)	Front (ft.)	Side (ft.)	Rear (ft.)	(70)		(ft.)
B-1	N/A	N/A	N/A	15	5	0	N/A	0.7	35

The submitted site plan has been reviewed and meets or exceeds all of the minimum dimensional standards with the exception of building height. All setbacks exceed the required standards and the proposed FAR (Floor Area Ratio [total building floor area/total lot area]) is approximately .18 which is well below the .7 allowed.

Ordinance 3981 states:

"Maximum height shall be 35' for structures located in Pod E and 40' for Pods A, B, C and D, with the opportunity to request up to a 25% increase in height with Preliminary Plans. The height shall be measured from the finished grade of the adjoining parking lot."

The Developer has made the following statement in the General Project Report:

"The Proposed building height is 40 feet 9 inches from finish Floor Elevation and 41 feet 3 inches above the flowline of the parking lot close to the front door. While the PD ordinance for this site allowed a 35 foot building height, this ordinance also allowed the owner to request up to a 25% increase in height. A 25% increase to 35 feet equals 43 feet 9 inches. We are requesting this building height increase for the following reasons:

- In purposefully making this building architecturally compatible with all previous buildings built at Corner Square, a hip roofed architectural element was incorporated. Please note that this hip roofed element is limited in size and only the top 6 feet 3 inches of its pyramidal shape is above the 35 foot height.
- The existing City Code (21.03.030-f), attached below, allows the requested additional height as: the area in question is far less than 20% of the total roof area; the architectural feature in question can meet the definition of belfries, cupolas, domes, monuments; and there is an elevator component within it.

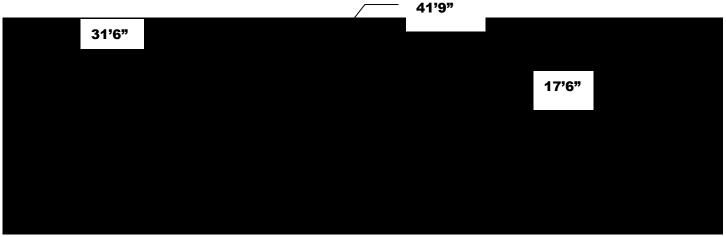
(f) Height.

- (1) "Building height" means the vertical distance between the mean finished grade between the lowest and highest grades along the foundation and the highest point of the roof or facade (see graphic).
- (2) Exceptions. Zoning district height limits do not apply to belfries, cupolas, spires, domes, monuments, airway beacons, radio/communication towers,

windmills, flagpoles, chimneys, radio/television receiving antennas and chimney flues (see subsection (d)(2) of this section). Height limits do not apply to any bulkhead, elevator, water tank, or to any similar structure or mechanical appurtenance or similar structure if total area of such structure is less than 20 percent of the total area of the roof.

We request your approval of the additional building height for this project."

The maximum height allowed for structures within Pod E is 35 feet. The proposed structure is 41 feet 3 inches in height, measured from the finished grade of the parking lot next to the main entrance. Ordinance 3981 allows for up to a 25% increase in height for buildings, however, contains no criteria for approval. With the exception of one roofline projection, the vast majority of the building is less than the allowed 35 feet in height (31 feet 6 inches and 17 feet 6 inches). By allowing the proposed height increase, the building is more in character with the surrounding development and the "pyramid" roof feature adds interest to the building and breaks up what would essentially be a flat roof. Therefore, the request by the Developer to allow an increase in height should be approved.



Access

The proposed development has two ingress/egress points, one access point is provided from West Park Drive and the other access point is provided from Knollwood Drive.

Parking

The proposed parking design shows 77 parking spaces, three handicap spaces and seven bicycle spaces. If the first floor (11,150 square feet) of the building was used for medical offices and the second floor (7,050 square feet) was used for general offices, the parking requirement would be 63 spaces and 3 handicapped spaces. If the entire building was used for medical offices, the parking requirement would be 73 spaces and 3 handicapped spaces. Therefore the proposed parking meets the requirements of the Zoning and Development Code for the uses proposed.

Landscaping

The proposed Landscape Plan has be reviewed and approved as part of the submitted site plan.

2. <u>Section 2.12.C.2 of the Zoning and Development Code</u>

Requests for a Planned Development Preliminary Development Plan must demonstrate conformance with all of the following:

a) The Outline Development Plan review criteria in Section 2.12.B of the Zoning and Development Code.

The proposed Preliminary Development Plan has been reviewed and is in conformance with and meets the requirements of the approved Outline Development Plan.

- b) The applicable preliminary plat criteria in Section 2.8.B of the Zoning and Development Code.
 - The Growth Plan, major street plan, Urban Trails Plan, and other adopted plans

As of 2009, the Growth Plan no longer exists as it was replace by the Comprehensive Plan. However, the Comprehensive Plan Future Land Use Map designates this parcel as Neighborhood Center. A Neighborhood Center allows for limited employment, residential, open space and limited retail focused on uses that provide convenience items to immediate neighborhood. Residential uses are encouraged to integrate with commercial uses. The applicable zones that are allowed in the Neighborhood Center include the B-1 zone. Therefore the proposal is consistent with the Future Land Use Map designation.

2) The Subdivision standards (Chapter 6).

All of the subdivision standards contained within Section 6.7 of Chapter 6 have been met.

The Zoning standards (Chapter 3).

The proposed development has been reviewed using the dimensional and site specific standards contained in Chapter 3 for the B-1 zone district and the proposal has been found to meet the required standards.

4) Other standards and requirements of the Zoning and Development Code and other City policies and regulations.

Standards of the 2000 Zoning and Development Code have been met as well as the requirements for the Transportation Engineering Design Standards (TEDS).

5) Adequate public facilities and services will be available concurrent with the subdivision.

Adequate public facilities and services have been made available through approval of the subdivision.

6) The project will have little or no adverse or negative impacts upon the natural or social environment.

The project will have little or no unusual adverse or negative impacts upon the natural or social environment.

7) Compatibility with existing and proposed development on adjacent properties.

The proposed medical and general office uses that are proposed for this site are compatible with the adjacent commercial properties located along Patterson Road and the surrounding multifamily and single family residences.

8) Adjacent agricultural property and land uses will not be harmed.

The agriculturally used property to the south will not be harmed by the proposed development as the development will have to adhere to the requirements of the Stormwater Management Manual.

9) Is neither piecemeal development nor premature development of agricultural land or other unique areas.

The proposed development is a part of the overall Corner Square development and is therefore neither piecemeal development nor premature development of agricultural land or other unique areas.

10) There is adequate land to dedicate for provision of public services

All required dedication of land occurred as part of the Final Plat.

- c) The applicable site plan review criteria in Section 2.2.D.4 of the Zoning and Development Code.
 - 1) Adopted plans and policies such as the Growth Plan, applicable corridor or neighborhood plans, the major street plan, trails plan and the parks plan

As of 2009, the Growth Plan no longer exists as it was replace by the Comprehensive Plan. However, the Comprehensive Plan Future Land Use Map designates this parcel as Neighborhood Center. A Neighborhood Center allows for limited employment, residential, open space and limited retail focused on uses that provide convenience items to immediate neighborhood. Residential uses are encouraged to integrate with commercial uses. The applicable zones that are allowed in the Neighborhood Center include the B-1 zone. Therefore the proposal is consistent with the Future Land Use Map designation.

2) Conditions of any prior approvals.

The proposed PDP has been designed in accordance with the approved ODP and meets the requirements and restrictions of the ODP.

3) Other Code requirements including rules of the zoning district, applicable use specific standards of Chapter Three of the Zoning and Development Code and the design and improvement standards of Chapter Six of the Code.

The proposed landscape and parking plans have been reviewed and have been found to exceed the required spaces for this type of use. The proposed structures meet the default zone district requirements (B-1) and use specific standards as defined in the ODP, with the exception of the maximum height allowed.

The maximum height allowed for structures within Pod E, of the ODP, is 35 feet. The proposed structure is 41 feet 3 inches in height, measured from the finished grade of the parking lot next to the main entrance. Ordinance 3981 allows for up to a 25% increase in height for buildings, however, contains no criteria for approval. With the exception of one roofline projection, the vast majority of the building is less than the allowed 35 feet in height (31 feet 6 inches and 17 feet 6 inches). Therefore, the request by the Developer to allow an increase in height should be approved.

d) The approved ODP, if applicable

The proposed PDP has been designed in accordance with the ODP that was approved through Ordinance 3981 in November 2006.

e) The approved PD rezoning ordinance, if adopted with an ODP

The overall development was approved as part of the ODP that was approved through Ordinance 3981 in November 2006.

f) An appropriate, specific density for all areas included in the preliminary plan approval.

Because this proposal is for commercial uses only, this criterion is not applicable. However, the approved ODP allows a total residential density of 111 dwelling units. Currently there exist 3 dwelling units within Pod F (all of the dwelling units were existing single family dwellings on existing lots) and 48 dwelling units on Pod H (Phase II). A maximum of 60 additional dwelling units remains for Pod G.

g) The area of the plan is at least five (5) acres in size or as specified in an applicable approved ODP.

The proposed PDP is part of an overall development that contains 20.7 acres.

FINDINGS OF FACT AND CONCLUSIONS:

After reviewing the Corner Square Phase II application, PLD-2012-302 for approval of a Preliminary Development Plan, I make the following findings of fact and conclusions:

- 1. The requested Preliminary Development Plan is consistent with the Comprehensive Plan.
- 2. The review criteria in Section 2.12.C.2 of the Zoning and Development Code have all been met.
- 3. The review criteria in Section 2.8.B of the 2000 Zoning and Development Code have all been met.
- 4. The review criteria in Section 2.2.D.4 of the 2000 Zoning and Development Code have all been met.
- 5. It is recommended that the proposed building height of 41 feet 3 inches be allowed based on the findings contained within this Staff Report.

STAFF RECOMMENDATION:

I recommend that the Planning Commission approve the requested Corner Square Medical Office Building, Preliminary Development Plan, PLD-2012-302 with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTIONS:

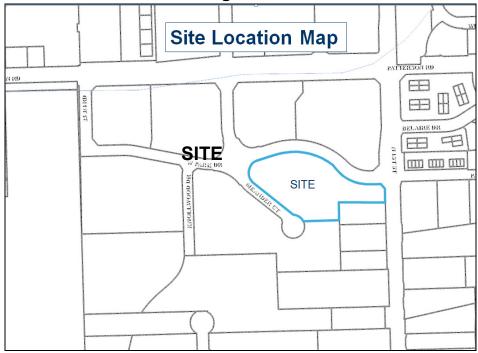
Mr. Chairman, I move that we approve the Preliminary Development Plan for the Corner Square Medical Office Building, PLD-2012-302, with the findings and conclusions listed in the staff report.

Attachments:

Site Location Map/Aerial Photo Map
Future Land Use Map/Existing City Zoning Map
Planned Development Rezone Ordinance
Final Plat
Preliminary Development Plan
Building Elevations
Landscape Plan

Site Location Map

Figure 1



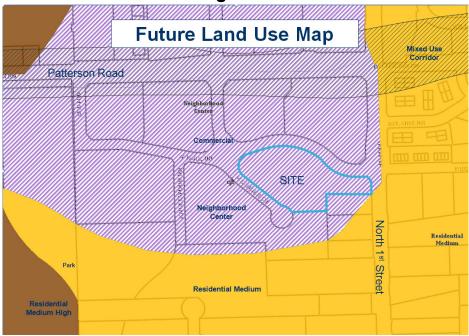
Aerial Photo Map

Figure 2



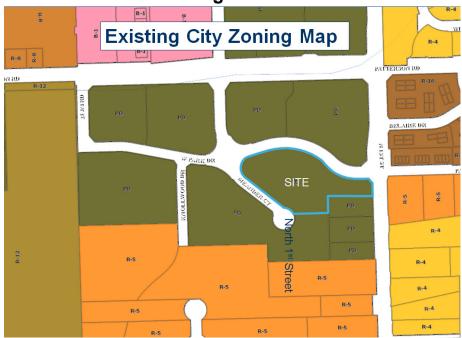
Future Land Use Map

Figure 3



Existing City Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 3981

AN ORDINANCE REZONING APPROXIMATELY 20.7 ACRES FROM RMF-12 TO PD (PLANNED DEVELOPMENT)

THE 1ST AND PATTERSON PLANNED DEVELOPMENT LOCATED AT THE SOUTHWEST CORNER OF 1ST STREET AND PATTERSON ROAD

Recitals:

A request for a Rezone and Outline Development Plan approval has been submitted in accordance with the Zoning and Development Code. The applicant has requested that approximately 20.7 acres, located at the southwest corner of 1st Street and Patterson Road, be rezoned from RMF-12 (Residential Multifamily, 12 units per acre) to PD (Planned Development).

This PD zoning ordinance will establish the default zoning, including uses and deviations from the bulk standards. Specific design standards for site design, building design and signage will be established with the Preliminary Plan.

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Rezone and Outline Development Plan approval and determined that it satisfied the criteria as set forth and established in Section 2.12.B.2 of the Zoning and Development Code and the proposed Rezone and Outline Development Plan is consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS REZONED FROM RMF-12 TO PD WITH THE FOLLOWING DEFAULT ZONES AND DEVIATIONS FROM THE DEFAULT ZONING:.

Property to be Rezoned:

Commencing at a BLM aluminum cap for the NW corner of the NE1/4 NE1/4 of Section 10, Township One South, Range 1 West of the Ute Meridian, from whence a Mesa County brass cap for the NE corner of said Section 10 bears S 89°57'24"E 1319.98 feet; Thence S 00°11'19"E on the west line of said NE1/4 NE1/4 Section 10 50.00 feet to the south right-of-way line of Patterson Road and the Point of Beginning; Thence S 89°57'24" E 591.25 feet; Thence S 34°27'55" E 24.27 feet; Thence 89°27'24" E 46.50 feet; Thence S 00°02'36" W 20.00 feet; Thence S 89°57'24" E 5.00 feet; Thence N 00°02'36" E 25.09 feet; Thence N

34°33'07" E 19.09 feet; Thence S 89°57'24" E 604.65 feet; Thence S 18°31'47"E on the west right-of-way line of North First Street 14.23 feet; Thence S 00°05'42" E 286.50 feet; Thence S 89°54'28" E 13.00 feet; Thence S 00°05'42" E 487.65 feet; Thence leaving said west right-of-way line N 89°58'07" W 470.50 feet to a 5/8 inch rebar in concrete; Thence N 00°02'55" W 77.45 feet to a 5/8 inch rebar in concrete; Thence N 89°58'20" W 387.30 feet to the east line of the Baughman tract; Thence on the east line of said Baughman tract N 00°11'19" W 100.15 feet to the south line of the N1/2 NE1/4 NE1/4 of said Section 10; Thence N 89°57'47" W 430.00 feet to the west line of the NE1/4 NE1/4 of said Section 10; Thence N 00°11'19" W 610.30 feet to the beginning. Containing 20.74 acres, more or less.

PD Zoning Standards:

See Attached Exhibit A, Outline Development Plan

A. Default Zones by Pod

- Pod A—B-1
- Pod B—B-1
- Pod C—B-1
- Pod D—B-1
- Pod E—B-1
- Pod F—RSF-4
- Pod G—RMF-12
- Pod H—RMF-12

B. Deviation of Uses by Pod

Pods A, B, C, D and E are restricted to the uses allowed in the B-1 zone district with the following modifications:

The following uses are specifically not allowed:

- Drive up/through fast food uses
- Drive up/through liquor stores
- All other drive up/through uses
- Outdoor kennels and/or boarding
- Outdoor storage
- Community Correction Facilities
- Mental health uses
- · Drug and alcohol rehabilitation uses
- Halfway houses
- Law Enforcement Rehabilitation Centers

The following uses are specifically allowed (in addition to the other B-1 uses and excluding those listed above):

- Drive up/through pharmacy
- Drive up/through dry cleaners
- · Veterinary clinics with indoor kennels and/or indoor boarding
- Outdoor display with a temporary use permit

Pod F is restricted to the uses allowed in the RSF-4 zone, excluding duplex units.

Pods G and H are restricted to the uses allowed in the RMF-12 zone.

C. Deviations from Bulk Standards by Pods

Pods A, B, C, D, and E shall meet the bulk standards of the B-1 zone district with the following modifications:

- · Non-residential uses require no minimum lot width.
- Non-residential uses require no minimum lot size.
- Maximum FAR shall be 0.7, excluding underground and/or under building parking garages.
- Maximum FAR shall be based on the individual Pod sizes.
- Minimum frontyard setbacks shall be 30' from the right-of-way for Patterson Road and 1st Street and 15' from all internal streets.
- Minimum rearyard setbacks shall be 0'.
- Maximum height shall be 35' for structures located in Pod E and 40' for Pods A, B, C and D, with the opportunity to request up to a 25% increase in height with Preliminary Plans. The height shall be measured from the finished grade of the adjoining parking lot.
- Maximum building size shall be 40,000 s.f. for office buildings, 20,000 s.f. for retail buildings and 45,000 s.f. for mixed use buildings.

Pods G and H shall meet the bulk standards of the RMF-12 zone district.

Pod F shall meet the bulk standards of the RSF-4 zone district with the following modifications:

• The lots cannot be further subdivided.

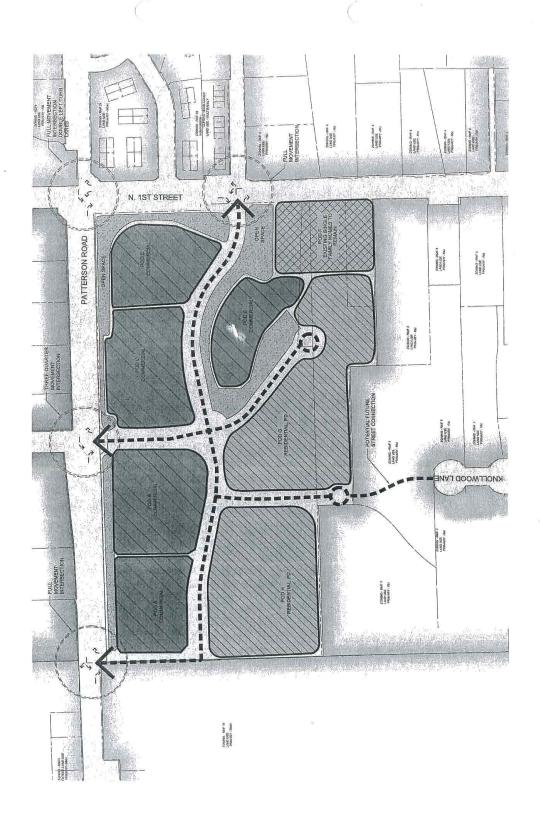
INTRODUCED on first reading on the 18th day of October, 2006 and ordered published.

ADOPTED on second reading this 1st day of November, 2006.

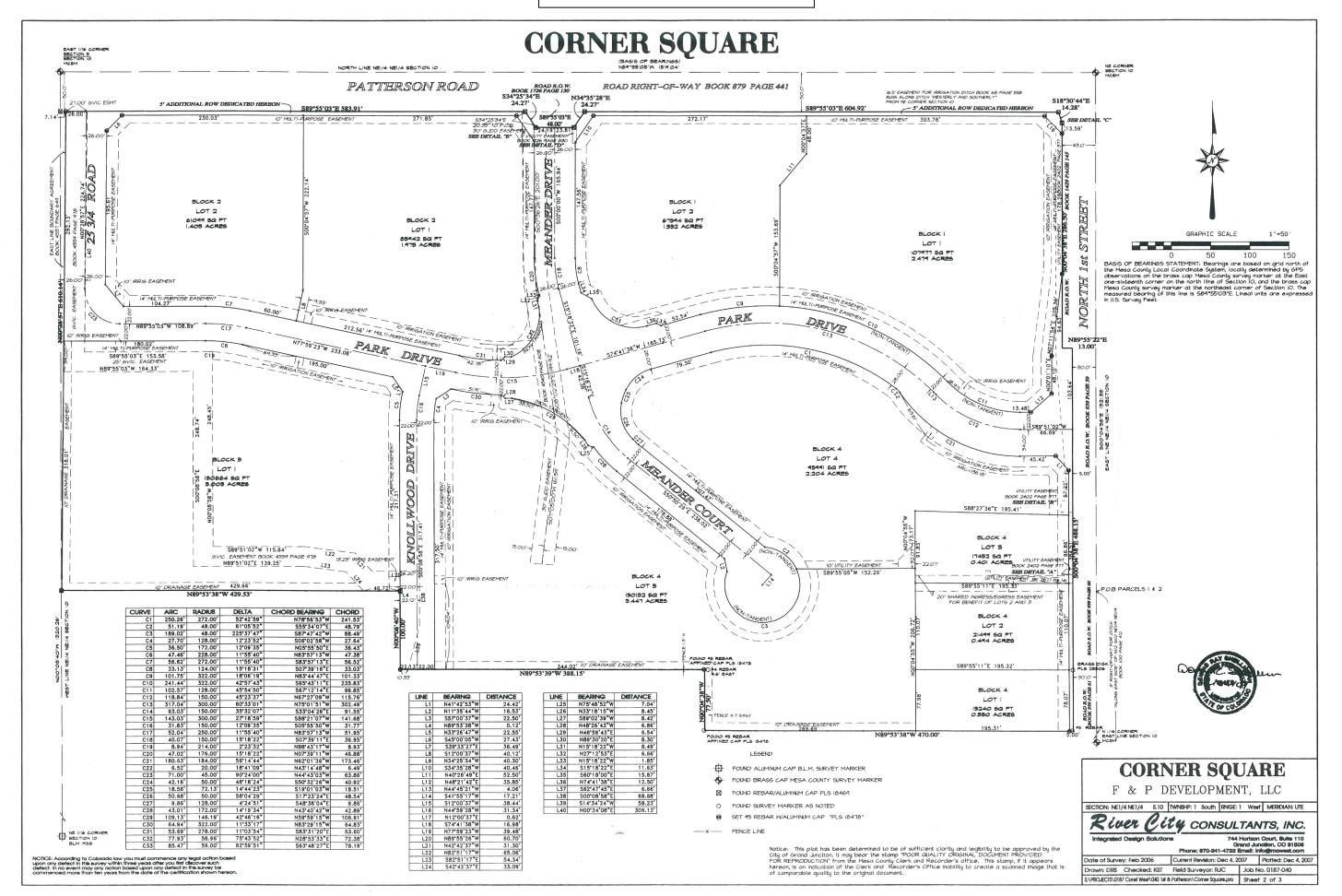
ATTEST:

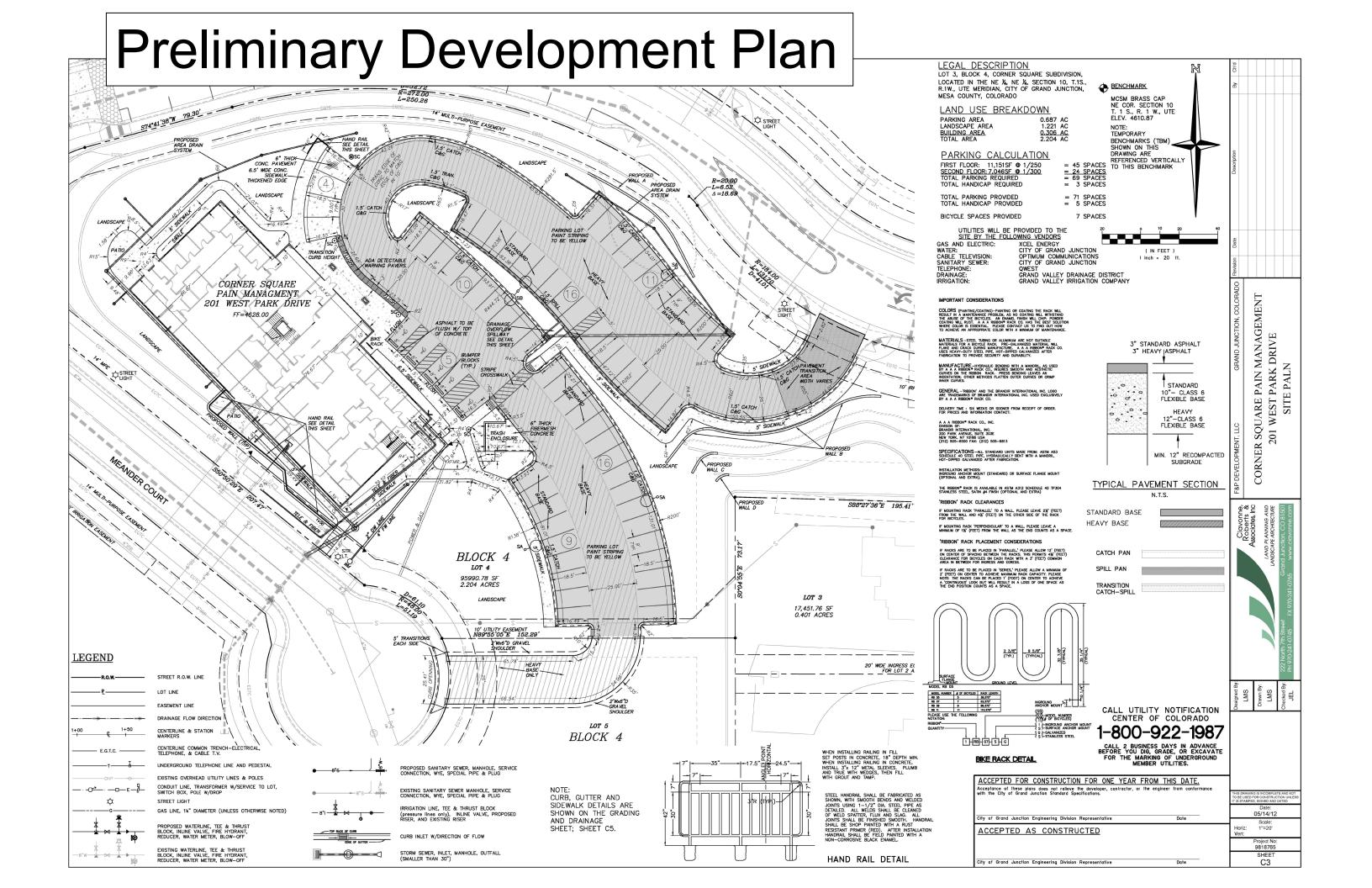
President of Council

City Clerk



Final Plat





T.O. GUTTER • T.O. PARAPET • B.O. WINDOWS EL: 118'-0" • 2ND FIN. FLOOR EL: 115'-0" •

> 3 SOUTH-WEST ELEVATION A3.1 1/8" = 1'-0"



2 NORTH-EAST ELEVATION

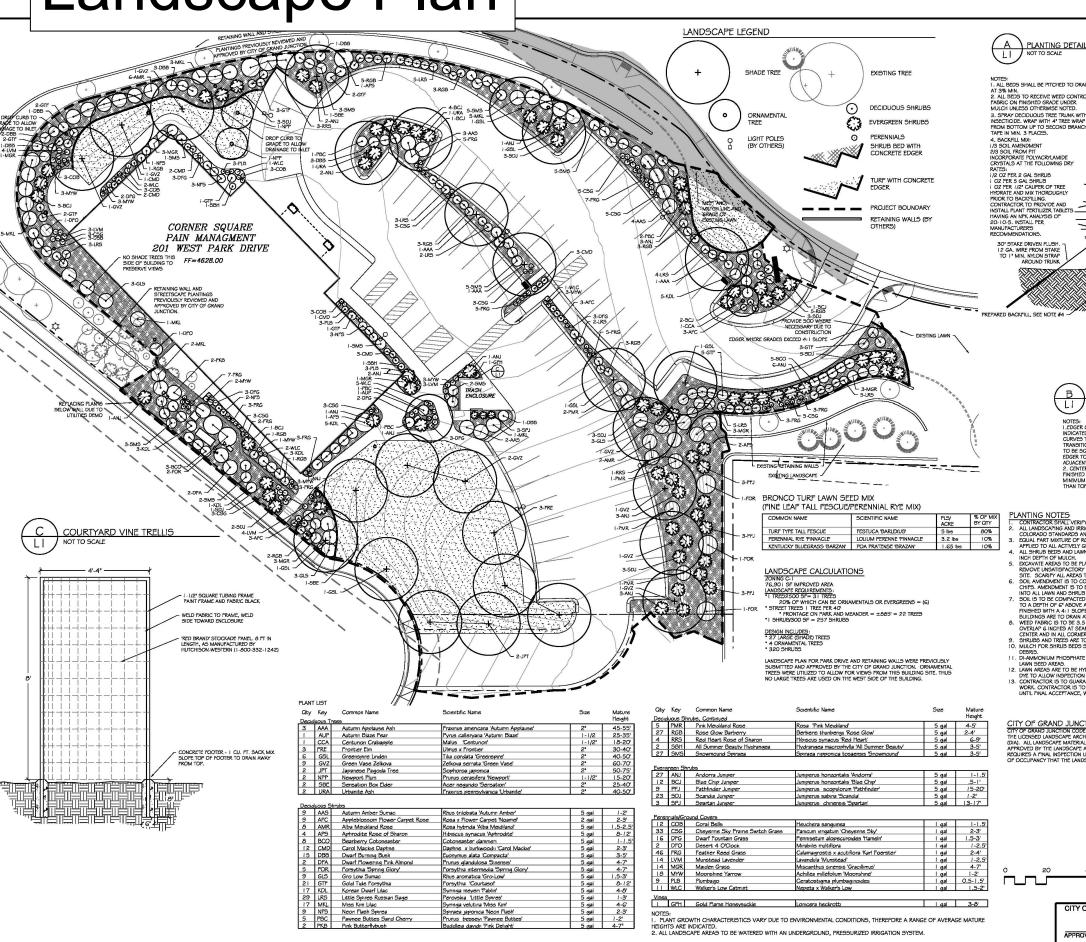


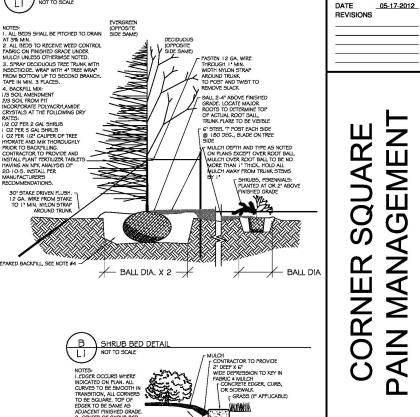
1 - SOUTH-EAST ELEVATION

04.09.11

EXTERIOR ELEVATIONS

Landscape Plan





- PLANTING NOTES

 1. CONTRACTOR SPAIL VERIFY THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.

 2. ALL LANDSCAPING AND IRRIGATION TO CONFORM TO CURRENT ASSOCIATED LANDSCAPE CONTRACTORS OF COLORADO STANDARDS AND STECTIFICATIONS.

 3. EQUAL PART MINTURE OF ROUNDJY AND 2-4-D DILLTED AS PER MANUFACTURERS RECOMMENDATIONS SHALL BE APPLIED TO ALL LATTURE (SKOWNING MEDIS THOW WERE PROOR TO ANY OFERATIONS.

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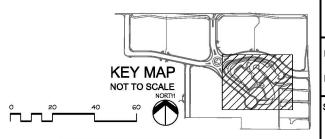
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- DEBRIS.

 11. DI-AMMONIUM PHOSPHATE (18-46-0) SHALL BE SUPPLIED IN QUANTITY NECESSARY TO APPLY 1 LB/1000 SF TO ALL.



CITY OF GRAND JUNCTION COMMUNITY PLANNING

CHECKED

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AVONNE, ROBERTS & ASSOCIATES, IF

222 N. 7TH STREET IAND JUNCTION, CO 81501 970-241-0745 P 970-241-0765 F www.ciayanna.com

CORNER SQUARE MANAGEMENT

LANDSCAPE PLAN

FINAL

SHEET NO.

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