



PLANNING & ZONING COMMISSION REGULAR MEETING AGENDA

May 27, 2025

7:00 PM

Rifle City Hall - Council Chambers

6:00 PM - Workshop Meeting

- a. Quasi-judicial Discussion with Jim Neu
- b. iPad Training

7:00 PM - Regular Meeting

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Consent Agenda**
 - 4.a. Consider minutes of the December 2024 to April 2025 regular P&Z meetings.
5. **Public Hearing**
 - 5.a. Consider Application for Conditional Use Permit CUP 2025-007 for a Tunnel Car Wash facility on lot 4 of the 14th Street Marketplace PUD property.
6. **Commission Comments**
7. **Staff Reports**
8. **Adjournment**

The order and times of agenda items listed above are approximate and intended as a guideline for the Planning Commissioners

ACCESSIBILITY STATEMENT

The City of Rifle values full inclusion and access for all of our facilities, programs, activities and services. We are pleased to provide meaningful accommodations to comply with the Americans with Disabilities Act (ADA) and reasonably provide translation, interpretation, modifications, accommodations, alternative formats, auxiliary aids, and services. To request

special assistance, call Administrative Assistant Genesis Amaya at 970-665-6493 or email our ADA Team at ADATeam@rifleco.org. Please allow 48 hours for your requests to be met.

La Ciudad de Rifle valora la plena inclusión y acceso para todas nuestras instalaciones, programas, actividades y servicios. Nos complace proporcionar alojamientos significativos para cumplir con la Ley de Estados Unidos con Discapacidades (ADA) y proporcionar razonablemente traducciones, interpretaciones, modificaciones, adaptaciones, formatos alternativos, ayudas auxiliares y servicios. Para solicitar asistencia especial, llame a la Asistente Administrativa al 970-665-6493 o envíe un correo electrónico a el equipo ADA a ADATeam@rifleco.org. Por favor, permita 48 horas para que se atiendan sus solicitudes.

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***All correspondence should be sent to the
Aspen office

April 20, 2016

MEMORANDUM

TO: City of Rifle, Planning Commission
FROM: Karp Neu Hanlon, P.C.
RE: Municipal Zoning Power and Basics

As you all know, the Planning Commission recently reviewed several applications for rezoning properties in the City. City staff suggested it may be useful to provide the Planning Commission an overview of municipal zoning powers to serve as general background for recent and future decisions. This memo briefly outlines municipal zoning powers and basic exercises of those powers.

The “police power” is the basic right of a local government to impose laws and regulations which are reasonably related to the protection or promotion of a public good such as health, safety, morality, or general welfare. Zoning is a constitutional exercise of a local government’s police power. *See Village of Euclid, Ohio v. Ambler Realty Co.*, 272 U.S. 365 (1926). Thus, zoning regulations must bear a reasonable relationship to some legitimate public interest, such as protecting the health, safety, morals or welfare of the public. *See Sellon v. City of Manitou Springs*, 745 P.2d 229 (Colo. 1987). In defining this nexus, courts have held that a regulation that is so unrelated to a legitimate public purpose as to be “arbitrary and capricious” is unconstitutional.

The general purpose of zoning is to regulate uses of land and the physical improvements to land in the interest of the public welfare. *See C.R.S. § 30-28-115*. An exercise of zoning must not create an unreasonable burden on the owner of property, even if the regulation is reasonably related to a legitimate government interest. *See Apple v. City & County of Denver*, 390 P.2d 91 (Colo. 1964). Importantly, however, a landowner is not entitled to the most profitable or best use of his or her property. Where a landowner has not been deprived of all reasonable economic uses of a property, a zoning regulation will generally be upheld. *See Sellon*, 745 P.2d 229. Regulations that are so burdensome as to deprive all reasonable economic uses of property can be challenged as “takings.”

Constitutional zoning regulations include, among others, the following:

- Limit the type and number of uses in a zone district;
- Regulate the density and intensity of land uses;
- Limit structure square footage and heights;
- Specify minimum residential lot sizes; and
- Establish setbacks.

Again, each regulation must bear a reasonable relationship to a legitimate government purpose. Importantly, improvement of the aesthetics of a community has also been held to be a proper purpose of zoning and development regulations. *See Veterans of Foreign Wars v. City of Steamboat Springs*, 575 P.2d 835 (Colo. 1978).

Specifically as to rezonings, the grounds, or legal justification, for granting a rezoning include compliance of the proposed zone with the comprehensive or master plan, some change in the conditions of the neighborhood to support the rezoning, or an error in the original zoning. *See King's Mill Homeowners Ass'n, Inc. v. City of Westminster*, 557 P.2d 1186 (Colo. 1976). Thus, in review of a rezoning application, the applicant must provide persuasive evidence that the rezoning is in compliance with the comprehensive plan or that there has been sufficient change in the conditions of the neighborhood to support, legally and politically, a change in the zoning. Again, evidence and argument that the rezoning will permit a more profitable use of the property is insufficient to support a rezoning. These limitations on grounds for granting a rezoning rest in part on a judicial recognition that the maintenance of stability in zoning, and the resulting conservation of property values based on existing zoning regulations, are prime considerations in denying a rezoning. *See Nopro Co. v. Town of Cherry Hills Village*, 504 P.2d 344 (Colo. 1972); C.R.S. § 31-23-303(1).

Each of the foregoing legal principles are broad strokes. Nuanced details flow from those principles. Moreover, the application of zoning regulations is always fact specific. Please advise whether you have any follow up questions or would like a more detailed discussion of any particular issue.



REGULAR PLANNING COMMISSION MEETING & BOARD OF ADJUSTMENT

April 29th, 2025

Chair Marantino led the Planning Commission and audience in the Pledge of Allegiance.

The meeting starts at 7:04 p.m.

MEMBERS PRESENT AT ROLL CALL

Present: Marantino, Caldwell, Carter, Rogers, Steffen, Karzhova, Rodas, Dow

Absent: None

OTHERS PRESENT: PLANNING Director Zach Higgins, Senior Planner Geir Sverdrup, City Attorney Lawrence Bond, Building and Planning Technician Genesis Amaya, Jeff Teaford

APPROVAL OF MINUTES

Request given by Zach Higgins to approve December 17th, 2024 – February 29th, 2025 minutes at May 27th, 2025 meeting. Request granted by Marantino.

Discussion 1:

TEXT AMENDMENTS FOR COMPREHENSIVE PLAN AMENDMENTS – 2025-009

Senior Planner Geir requests to amend Article V - Review Procedures, Divisions 1,2,3 and 4 - General Provisions defining the process of amending the City of Rifle's Comprehensive Plan and adding definitions to Article 1 General Provisions, Division 2 - Definitions and Usage for Comprehensive Plan and Comprehensive Plan Amendments.

PUBLIC HEARING:

7:11

Chair Marantino opens and closes the Public Hearing.

COMMISSION DISCUSSION

7:12 pm

There was a discussion between Staff, Applicant, and Commissioners.

Chair Marantino proposes a motion.

7:17

Commissioner Dow moved to **APPROVE** recommendation for TEXT AMENDMENTS FOR COMPREHENSIVE PLAN AMENDMENTS – 2025-009

Commissioner Carter seconded the motion. The motions **CARRIED** with the following vote:

ROLL CALL:

YES: Marantino, Caldwell, Carter, Rogers, Rodas, Karzhova, Steffen, Dow

NO:

COMMENTS AND ADJOURNMENT –7:20P.M.

Planning Director Zach Higgins updates commission on the approval of \$200,000 DOLA Grant and the approval of new Planning/Building Software, Cloud Permit, which will digitize department processes, while also improving client experience.

Commissioner Rogers announces upcoming events at the Ute Theatre.

Dustin Marantino, Chairman

Date

Genesis Amaya, Building/Planning Tech

Date

** A complete recording of the Meeting is available through the City of Rifle's website**



**REGULAR PLANNING COMMISSION MEETING
& BOARD OF ADJUSTMENT
FEBRUARY 25TH, 2025 MINUTES**

TIME OF COMMENCEMENT: 7:00 PM

PLEDGE OF ALLEGIENCE led by Commissioner Marantino.

MEMBERS PRESENT AT ROLL CALL

Present: Marantino, Steffen, Karzhova, Dow, Carter

Absent: Caldwell, Rodas, Rogers

*Commissioner Marantino moved to **EXCUSE** Commissioner Rogers from the FEBRUARY 25TH, 2025 meeting. Commissioner Dow seconded the motion. The motion **CARRIED** with all votes in favor.*

OTHERS PRESENT: Senior Planner Geir Sverdrup, Planning Director Zach Higgins, City Attorney Lawrence Bond, Building and Planning Technician Genesis Amaya, Civil Engineer Craig Spaulding

APPROVAL OF MINUTES

Senior Planner Geir Sverdrup noted approval of minutes for the previous 3 months, will be done in March.

2025-005 –TEXT AMENDMENT FOR GRADING AND EROSION

PROPOSAL FOR AN ORDINANCE OF A GRADING PERMIT PROCESS AND IMPLEMENTATION OF EROSION AND DUST CONTROL STANDARDS.

Chair Marantino : Confirmed Public Notice

Chair Marantino : Called the Applicant: CRAIG SPAULDING ON BEHALF OF THE CITY

OF RIFLE

APPLICANT PRESENTATION

Craig Spaulding presented the proposal, on behalf of the City of Rifle, for the implementation of a grading permit process and for erosion and dust control standards.

PUBLIC COMMENTS

7:16 – Chair Marantino opened the discussion to the public for comment. None were given.

7:16 Chair Marantino closed the public hearing.

COMMISSION DISCUSSION

There was a discussion between Geir Sverdrup, Craig Spaulding and the commission about fines to be imposed, lot size requirements and whether approval of the amendment would retroactively affect current projects.

Chair Marantino asked for a motion.

Commissioner Caldwell moved to **APPROVE**:

Text Amendment Application 2025-005

Commissioner Carter seconded the motion. The motions **CARRIED** with the following vote:

ROLL CALL: YES: Marantion, Steffen, Karzchova, Dow, Carter

NO:

COMMENTS AND ADJOURNMENT – Time: 7:26

Planning Director Zach Higgins closed the discussion with the introduction of permit technician, Genesis Amaya. Announcement also given by Higgins to changes for the upcoming March 25th meeting, with new iPads and digitized agendas being distributed to the board.

Dustin Marantino, Chairman

Date

Genesis Amaya, Building and Planning Tech

Date

** A complete recording of the Meeting is available through the City of Rifle’s website**



REGULAR PLANNING COMMISSION MEETING & BOARD OF ADJUSTMENT

JANUARY 28TH, 2025

Chair Marantino led the Planning Commission and audience in the Pledge of Allegiance.
Meeting initiated at 7:01 p.m.

MEMBERS PRESENT AT ROLL CALL

Present: Marantino, Caldwell, Carter, Rogers, Steffen, Karzhova, Rodas

Absent: Dow

Commissioner Steffen moved to **EXCUSE** *Commissioner Dow* from the January 28th, 2025, meeting, *Commissioner Caldwell* seconded the motion. The motion **CARRIED** with all votes in favor.

OTHERS PRESENT: Planning Director Zach Higgins, Senior Planner Geir Sverdrup, City Attorney Lawrence Bond, Administrative Assistant Stephanie Craig

APPROVAL OF MINUTES

Request given by Geir Sverdrup to approve meeting minutes at the February 25th, 2025, Meeting.

Discussion 1:

7:02 PM

Planning Director, Zach Higgins begins discussion on the State of Colorado, through History Colorado, offers a Certified Local Government Program, which seeks to encourage and expand local involvement in historic preservation activities.

COMMISSION DISCUSSION

7:08 pm

There was a discussion between Staff, Applicant, and Commissioners.

Commissioner inquiries on frequency of training, surrounding local governments who have adopted a CLG and effects on commission board.

Chair Marantino asked for a motion.
7:10 pm

Commissioner Steffen moved to **APPROVE** recommendation to City Council for a Certified Local Government Certification without conditions:

Commissioner Caldwell seconded the motion. The motions **CARRIED** with the following vote:

ROLL CALL: YES: Marantino, Caldwell, Carter, Rogers, Rodas, Karzhova, Steffen
NO:

Discussion 2:

7:11 pm

Planning Director, Zach Higgins, presents a request for a recommendation to City Council for DOLA Local Planning and Capacity Grant. Proposal seeks to receive grant funds through DOLA to achieve prop 123 program criteria, which would benefit improvement of city's chapter 16 – Land Use and Development code, to reflect the City of Rifle's 2019 comprehensive plan.

COMMISSION DISCUSSION

7:15 pm

There was a discussion between Staff, Applicant, and Commissioners.

Inquiries from commissioners about other unknown grants.

Chair Marantino asked for a motion.

Commissioner Steffen moved **APPROVE**:

Recommendation to City Council for DOLA Local Planning and Capacity Grant.

Commissioner Carter seconded the motion. The motions **CARRIED** with the following vote:

ROLL CALL: YES: Marantino, Caldwell, Carter, Rogers, Steffen, Karzhova, Rodas
NO:

COMMENTS AND ADJOURNMENT –7:17P.M.

Planning Director Zach Higgins updates commission on digitization of meeting procedures.

Commissioner Rogers announces upcoming events at the Ute Theatre.

Dustin Marantino, Chairman

Date

Genesis Amaya, Building/Planning Tech

Date

** A complete recording of the Meeting is available through the City of Rifle's website**



**REGULAR PLANNING COMMISSION MEETING
& BOARD OF ADJUSTMENT
DECEMBER 17TH, 2025**

Chair Marantino led the Planning Commission and audience in the Pledge of Allegiance.
Meeting initiated at 7:00 p.m.

MEMBERS PRESENT AT ROLL CALL

Present: Marantino, Caldwell, Carter, Rogers, Steffen, Dow, Karzhova, Rodas

Absent:

OTHERS PRESENT: Planning Director Zach Higgins, Senior Planner Geir Sverdrup, City Attorney Lawrence Bond, Administrative Assistant Stephanie Craig, Mark Dyson, Chris Manerra, John Elmore, John Savage

APPROVAL OF MINUTES

Commissioner Roger moved to **APPROVE** the October 29th, 2024 meeting minutes.

Commissioner Dow seconded the motion and the motion **CARRIED** with all votes in favor.

2024-042 Landmark alteration certificate

Requesting approval from the historic preservation board to consider a landmark alteration certificate for the Fulton Garage located at 125,127,129,131 W. 3rd Street.

Chair Marantino Confirmed Public Notice

Chair Marantino Called the Applicant: *Mike Dyson*

STAFF REPORT

7:04 pm

Senior Planner Geir Sverdrup shared the staff report. He identified staff concerns and findings. Staff are concerned that the request does not align with a historical character of downtown Rifle or building design standards.

Staff recommend 3 options:

1. The Planning commission finds that the proposed overlay, minus the windows, is acceptable with architectural guidelines.

2. The Planning commission finds that the proposed overlay, including windows, complies with architectural guidelines.
3. Staff recommend that the planning commission finds that the proposed overlay does not comply with architectural guidelines.

APPLICANT PRESENTATION

7:10 pm

Applicant Mike Dyson, presented reasons for commission to consider a landmark alteration to the Fulton Garage, arguing that it would not only represent historic rifle, but would allow his tenants more privacy and attract tourism.

PUBLIC COMMENTS:

7:29 pm

Chair Marantino opened the public hearing and asked if anyone in the audience wished to comment on the agenda item.

Testimony 1: John Savage

7:30 pm

Savage makes a case for Dyson, stating that this would enhance a building that otherwise is not noticeable.

Testimony 2: Chris Manerra

7:31 pm

Proposes to commissioners to approve the project, to further enhance downtown.

7:32 pm

Commissioner Marantino closes public hearing.

COMMISSION DISCUSSION

7:30 pm

There was a discussion between Staff, Applicant, and Commissioners.

Commissioners ask Dyson questions of longevity of the vinyl, considering other options such as paint and agreements with Dyson on how requested alteration would enhance old town rifle. As well as inquiries towards staff on explaining reasoning behind their concerns.

7:47 pm

Chair Marantino asked for a motion.

Commissioner Rogers moved to **APPROVE** landmark alteration certificate for the Fulton Garage 2024-042 with the full glass coverage.

Commissioner Rodas seconded the motion. The motions **CARRIED** with the following vote:

ROLL CALL: YES: Marantino, Caldwell, Rodas, Rogers, Dow, Karzhova
NO: Carter

2024-039 Sketch preliminary plan Rifle Heights F2

7:50 pm

Initial approval for annexation, rezoning, and preliminary plan approved by the City Council in May of 2007.

Chair Marantino Confirmed Public Notice

Chair Marantino Called the Applicant: *Chris Manerra*

STAFF REPORT

Senior Planner Geir Sverdrup shared the staff report. He began by sharing a brief history of the project, the downturn of the economy halted any progress. Since that time, the city has amended the code required for secondary access for subdivision, for more than 25 units. Applicants have proposed an emergency access from Autumn Blaze Dr to Munro Ave.

APPLICANT PRESENTATION:

7:56 pm

Discusses street widths, emergency access and breaks down preliminary plan. Rifle heights is composed of 42 lots and applicants propose to utilize the initial design approved from Rifle Heights Filing 1.

8:03 pm

Property owner sworn in – John Elmore

Elmore, original developer for the property, discusses original plans for development of the lots and reasoning for past City Council approval.

PUBLIC COMMENTS

8:13 pm

Chair Marantino opened the public hearing and asked if anyone in the audience wished to comment on the agenda item.

8:14 pm

Testimony 1: Paul Edwards

As a member of the HOA and a resident of Rifle Heights, Mr. Edwards proposes keeping the trail connecting Rifle Heights and widening roads.

8:16 pm

Testimony 2: Judy Cumming

Provides her testimony from living on Homestead, stating similar issues on her street, suggesting widening of roads on Rifle Heights.

8:17 pm

Testimony 3: Aaron Cumming

Reiteration of previous testimony, posing a safety issue with narrow roadways due to on street parking, as well.

8:19 pm

Commissioner Marantino closes Public Hearing

COMMISSION DISCUSSION

8:20pm

There was a discussion between Staff, Applicant, and Commissioners.

Chair Marantino asked for a motion.

Concerns regarding parking, emergency access and street width are discussed.

Applicants defend their request, posing topographical challenges. Regarding street width, defending narrower streets posing safety reasonings, which encourages drivers to slow down.

8:35 pm

Commissioner Steffen moved **APPROVE** sketch preliminary plan 2024-039 with staff recommendations 1-6 and modifications for recommendations 7-8 with request for review before presenting to city council:

Commissioner Caldwell seconded the motion. The motions **CARRIED** with the following vote:

ROLL CALL: YES: Marantino, Caldwell, Carter, Rogers, Dow, Karzhova, Rodas, Steffen
NO:

8:37 pm

2024-037 - Sketch preliminary Plan Vetter F2

Requesting approval for a 6-lot subdivision on 16th street and Graham Mesa Avenue.

Chair Marantino Confirmed Public Notice

Chair Marantino Called the Applicant: *John Savage*

STAFF REPORT

Senior Planner Geir Sverdrup shared the staff report. Discusses staff comments with concerns about access and on-street parking, stating that 16th street will eventually become a major arterial road for the city.

Staff recommendations are that no on-street parking be permitted and private roads must meet CRFR requirements for accessibility of fire equipment.

APPLICANT PRESENTATION:

8:40 pm

Applicant requests approval for the building of a 6-lot subdivision, which would include building of private roads regulated by the HOA. Also states, a trail addition.

PUBLIC COMMENTS

8:46 pm

Chair Marantino opened the public hearing and asked if anyone in the audience wished to comment on the agenda item.

8:47 pm

Testimony 1: Helen Jones and Ruth Cotton (translator)

Concerns for removal of open natural space in between properties, as it serves as a wildlife corridor, which is pleasant to see for current residents. Inquire whether the proposed road construction would affect this corridor.

8:52 pm

Testimony 2: Judy Cumming

Voices disinterest in trail being built by her home.

8:54 pm

Testimony 3: Aaron Cumming

Voices concerns for street parking, which Marantino clarifies will be a private road.

8:58 pm

Commissioner Marantino closes Public Hearing

COMMISSION DISCUSSION

9:00 pm

There was a discussion between Staff, Applicant, and Commissioners.

Chair Marantino asked for a motion.

9:00 pm

Commissioner Caldwell approved sketch preliminary Plan Vertter F2 – 2024-037.

Commissioner Carter seconded the motion. The motions **CARRIED** with the following vote:

ROLL CALL: YES: Marantino, Caldwell, Carter, Rogers, Dow, Karzhova, Rodas, Steffen
NO:

9:01

Text Amendments for submittal requirements 2024-041

Chair Marantino Confirmed Public Notice

STAFF REPORT

Senior Planner Geir Sverdrup introduces proposal to text amendment to which would change the number and type of copies submitted.

PUBLIC COMMENTS

9:04 pm

Chair Marantino opened the public hearing and asked if anyone in the audience wished to comment on the agenda item.

9:05 pm

Testimony 1: John Savage

Agrees to move forward with digitizing.

9:09 pm

Commissioner Marantino closes Public Hearing

COMMISSION DISCUSSION

9:09 pm

There was a discussion between Staff, Applicant, and Commissioners.

Chair Marantino asked for a motion.

9:10 pm

Commissioner Dow approved text amendment 2024-041.

Commissioner Caldwell seconded the motion. The motions **CARRIED** with the following vote:

ROLL CALL: YES: Marantino, Caldwell, Carter, Rogers, Dow, Karzhova, Rodas, Steffen
NO:

9:10 pm

Text Amendment for cultivation mushrooms – 2024-046

Chair Marantino Confirmed Public Notice

STAFF REPORT

Senior Planner Geir Sverdrup introduces the proposal by explaining the request to meet state mandates for psychedelic substances and to be done in light industrial and industrial areas of the city.

PUBLIC COMMENTS

9:12 pm

Chair Marantino opened and closed the public hearing and asked if anyone in the audience wished to comment on the agenda item.

COMMISSION DISCUSSION

9:13 pm

There was a discussion between Staff, Applicant, and Commissioners.

Chair Marantino asked for a motion.

9:14 pm

Commissioner Carter moves to approve Text Amendment for cultivation mushrooms – 2024-046

Commissioner Steffen seconded the motion. The motions **CARRIED** with the following vote:

ROLL CALL: YES: Marantino, Caldwell, Carter, Rogers, Dow, Karzhova, Rodas, Steffen
NO:

COMMENTS AND ADJOURNMENT –9:15P.M.

Introduction of new Planning Director Zach Higgins and closing comments.

Dustin Marantino, Chairman

Date

Genesis Amaya, Building/Planning Tech

Date

** A complete recording of the Meeting is available through the City of Rifle’s website**

COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490 Fax: 970-625-6268



MEMORANDUM

TO: City of Rifle Planning Commission
FROM: Geir H Sverdrup, Senior Planner
DATE: May 27, 2025
SUBJECT: Conditional Use Permit for a Tunnel Car Wash
ADDRESS: 240 West 14th Street
CASE #: Conditional Use Permit 2025-007
APPLICANT: Tim Rohe for Browns Family Holdings LLC

REQUEST

The owners, Browns Family Holdings LLC, requests approval of a Conditional Use Permit for a Tunnel Car Wash facility on lot 4 of the 14th Street Marketplace PUD property.

Vicinity Map



COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490 Fax: 970-625-6268



LOCATION

The property is located within the southwest corner of the 14th Street Marketplace PUD, off 14th Street and west of Railroad Avenue. The car wash would be located just west of the current City Market gas station. ECO Dwelling Marketplace subdivision, under construction, is located on lots 2 & 3 immediately north with Billings mobile home park is located approximately 150 feet north of Lot 4. Garfield County's Complex and parking lots are to the south and southwest.

BACKGROUND, ZONING & COMPREHENSIVE PLAN

The property is currently vacant. The applicant desires to construct a tunnel style automatic car wash on the property, a carwash is specifically listed as a conditional use within the 14th Street Marketplace Planned Unit Development (PUD). The P&Z Commission previously approved a CUP for this project, with a different developer, on August 30, 2016, with the following condition:

1. The subject Conditional Use Permit 2016-2 shall be valid for one (1) year from the date of approval August 30th, 2016 Within the one-year period, the applicant must either begin construction or establish the land use or the permit shall be considered null and void "Start of construction" shall mean the first placement of permanent construction of a structure on site such as pouring of slab or footings or any work beyond excavation.

The project never broke ground subsequently invalidating the CUP.

The area surrounding the property is zoned Community Service to the north and east. To the south is the Garfield County office and County parking to the southwest and zoned Public Zone District.

The Comprehensive Plan designates the property as Community Commercial. The plan defines Community Commercial as follows:

Community Commercial (CC)

Community Commercial uses operate at a larger scale than those in Neighborhood Commercial. They are located near arterial or collector streets and serve the entire community. Their design is more accessible to vehicles. Uses may include grocery stores, auto-parts stores, shopping centers, offices and personal services. In many areas designated Community Commercial, allowance for commercial uses with a higher level of impacts, including auto-body shops, mini-storage, limited outdoor storage, gas stations, or warehouses, is appropriate. However, these uses may not be appropriate in all Community Commercial areas, especially those that are adjacent to residential areas. To ensure high-impact uses are located in appropriate areas, they should be listed as a Conditional Use in the Community Service (CS) zone district.

Locations: Railroad Avenue corridor; Airport Road

Zoning: Community Service (CS).

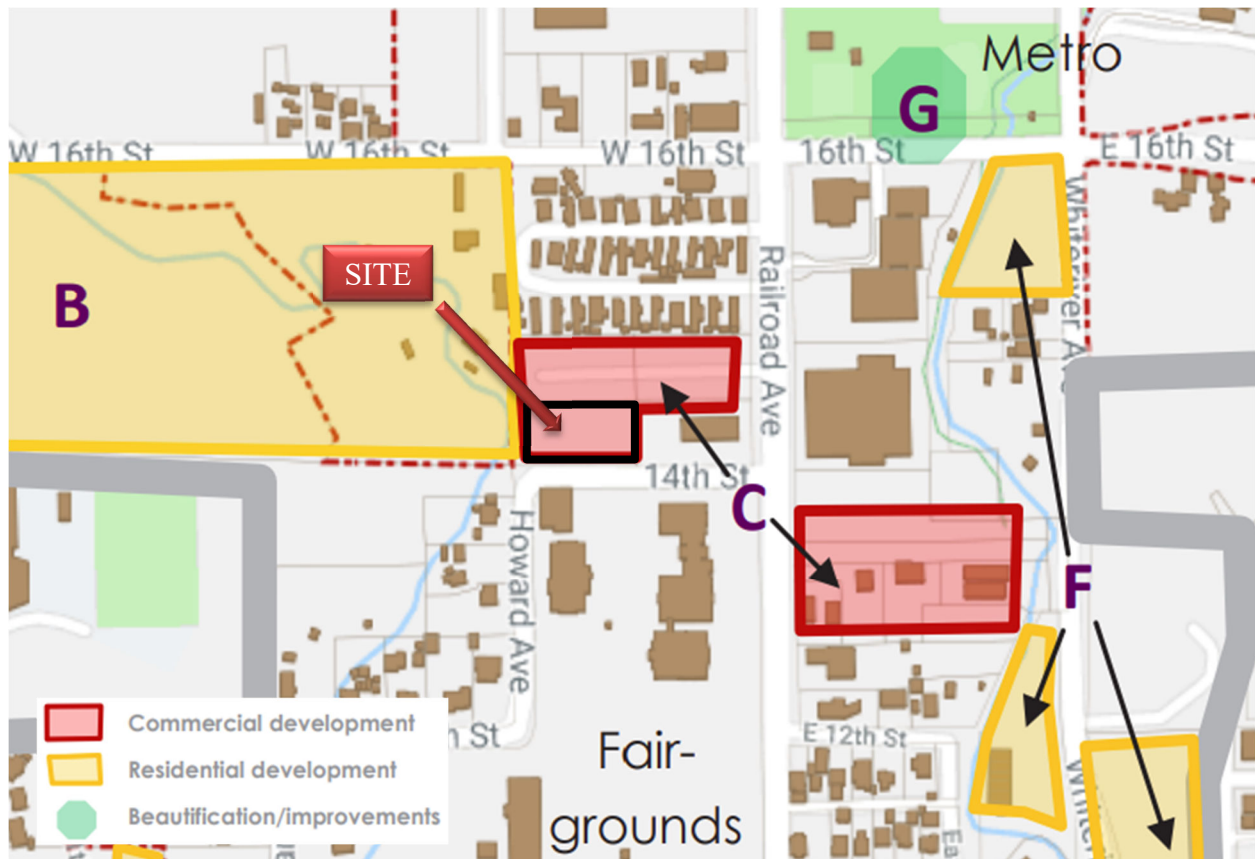
COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490 Fax: 970-625-6268



Per the Comprehensive Plan, the parcel is located within the Railroad Avenue Area Section C and designated for commercial development



Section 4.2 Railroad Avenue Area section C states.

C. Former Kum and Go Property (Domino's) and 14th Street Marketplace.

These are prime commercial redevelopment opportunities adjacent to City Market. The former Kum and Go property is in need of curb, gutter, and sidewalk along Railroad Avenue. The parking lot, which is used to access City Market, is in need of repaving. Overall circulation of these adjoining commercial sites should be improved. The lighting in the City Market parking lot should be retrofitted with downcast lights to meet City codes. *Three parcels remain in the 14th Street Marketplace development that are suitable for commercial uses.*

The subject parcel is within the City of Rifle's Comprehensive Plan Tier 1 Development Area, which means it is suited for immediate development based on location of the property, access to utilities, and existing road infrastructure.

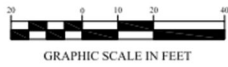
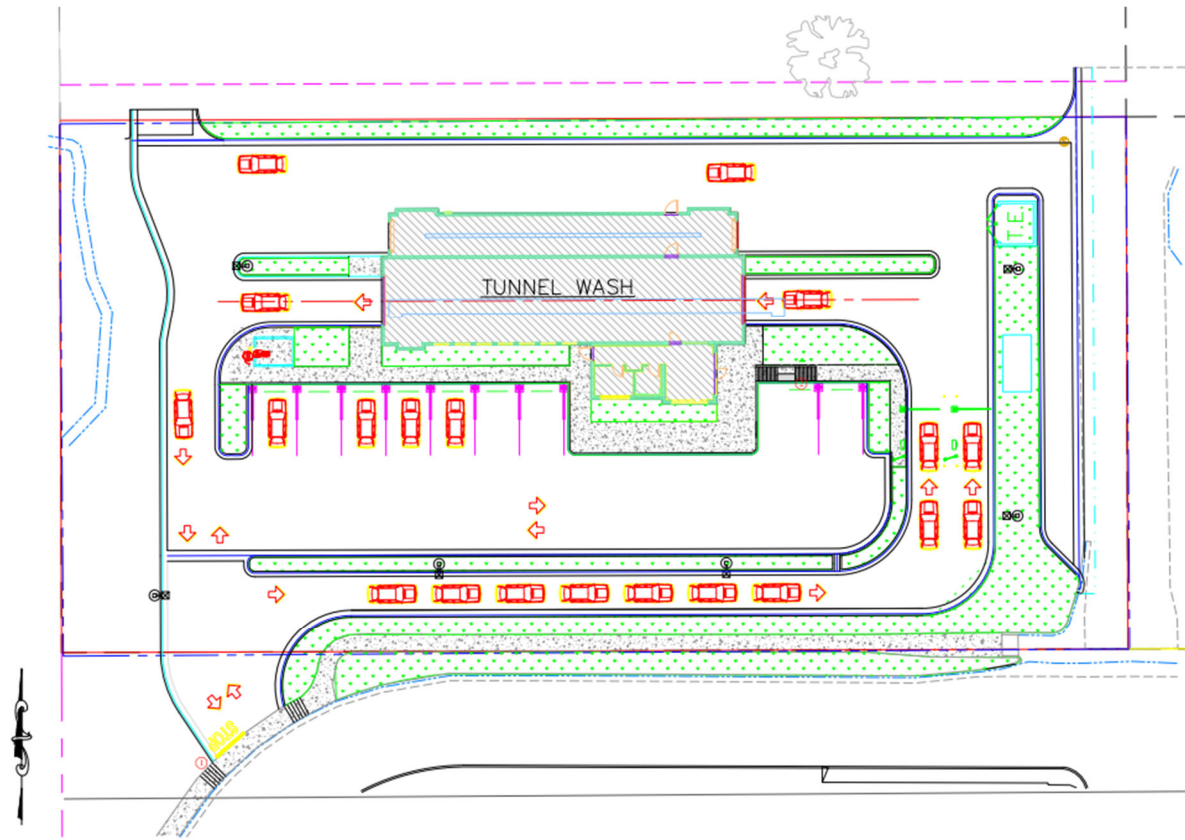
COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

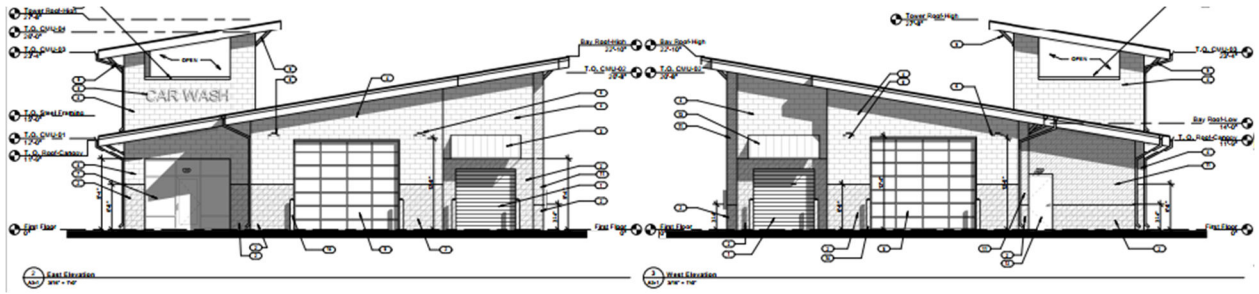
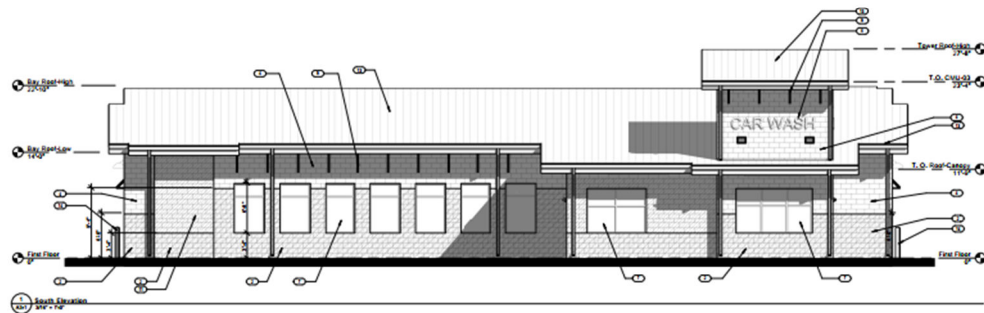
Phone: 970-665-6490 Fax: 970-625-6268



PROPOSED SITE PLAN AND ELEVATIONS



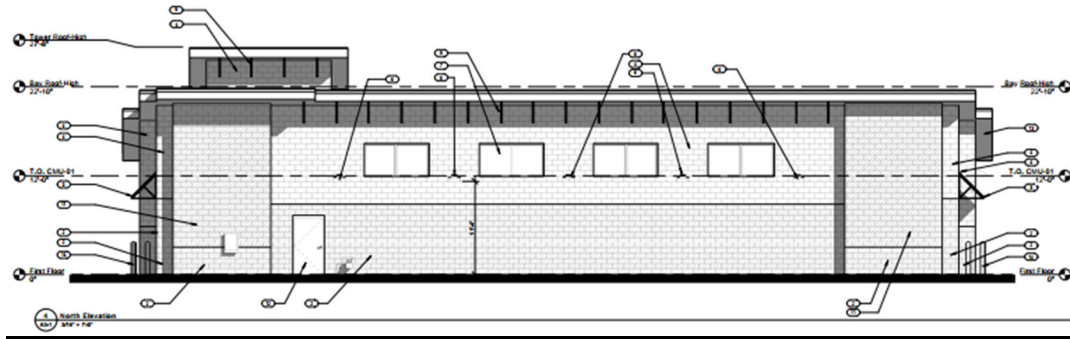
SITE LAYOUT



COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490 Fax: 970-625-6268



ELEVATIONS

The applicant intends to utilize the plans submitted for construction in 2016. The applicant will be updating all code requirements and registration seals. All construction will conform to Rifle Municipal Code regulations including architectural features, parking, windows, and façade as they pertain to the Community Service Zone. Additionally, the 14th Street Marketplace PUD has specific approved guidelines for building design, finish materials, fencing, signage, lighting, and landscaping that the applicant will be required to conform to. Any major deviation from these guidelines will be submitted to P&Z Commission for its review and approval.

Rifle Municipal Code Article XIII – Landscape Guidelines requires that multi-family, commercial, public/civic and industrial projects submit landscape plans developed by a commercial nursery, licensed landscape contractor or landscape architect.

REFERRAL COMMENTS

The following agencies responded with comments on the application:

Xcel Energy:

The developer needs to be aware that at the time of applying with Xcel the following will be required and could happen:

1. Accurate gas BTU loads and electrical loads for the building(s) will be required.
2. If determined by area engineer that reinforcement is needed to Xcel's gas main and or electrical grid to support added loads from development, said reinforcement will be at Developers expense.
3. Reinforcement costs are required to be paid prior to installation.
4. All demolition/reroute of existing Xcel facilities will be at cost to customer and require application.

Engineering:

1. The waterline needs to tie into the one on 14th St Marketplace and the E-W line needs eliminated
2. Accesses between 14th Street Marketplace and this project need to align.
3. ROW is needed if Howard is going to continue to 16th Street.
4. Storm calculations per the PWM are needed and detention shall be included.

COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490 Fax: 970-625-6268



5. Sidewalk between 14th St and 14th Street Marketplace shall be included

All the proceeding referral comments received can be addressed at the time of building permit application. Other reviewing agencies stated that they had no comment as the plans were previously reviewed and the applicant was utilizing these plans.

STAFF COMMENTS

Property Access

Customers will access the property from 14th Street at the southwest corner of Howard Ave and 14th Street or from within Marketplace.

On-Site Parking

The site provides minimal parking as this is a drive-thru operation. This use is very similar to the automated car wash off Taugenbaugh Blvd. south of I-70. Project provides for employee parking needs.

Landscaping Requirements

The applicant shall submit for review and approval by City staff landscape and irrigation plans that meet City of Rifle requirements with the building permit. Reclaimed water may be used for the irrigation system

Building Design

14th Street Marketplace PUD established Design and Landscape Guidelines. Staff will review the submitted building plans for compliance with these guidelines.

FINDINGS

Pursuant to Section 16-5-280, the Commission shall consider the following criteria before recommending an approval of a Conditional Use Permit to the City Council (***staff comments shown in bold italics***):

1. Conformance of the proposal with the City of Rifle Municipal Code;

The proposal conforms to the Rifle Municipal Code and the 14th Street Marketplace PUD.

2. The compatibility of the proposal with the character of the surrounding area, including but not limited to the architectural character of the neighborhood, the average lot and building sizes in the neighborhood, and the relative value of the proposed structure to the value of other structures in the neighborhood;

This type of development would be well suited with the surrounding land uses that are primarily made up of other commercial and governmental services and are located near the Railroad Avenue commercial corridor. A car wash is similar in nature to the gas station immediately adjacent to the property.

3. The desirability for the proposed use in the specific area of the City;

A car wash at this location is desirable in terms of vehicular access and surrounding uses. Other adjacent uses such as the gas station and grocery store, as well as community services and parking at/near Garfield County buildings,

COMMUNITY DEVELOPMENT DEPARTMENT

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4. The potential for adverse environmental effects that might result from the proposed use;

Ensuring that water disposal follows city regulations for drainage will avoid any adverse environmental effects. Newer car wash operations generally utilize a water reclamation system.

5. Compatibility of the proposed use and the site plan with the City of Rifle Comprehensive Plan;

The Comprehensive Plan identifies this area suitable for commercial land uses including uses such as grocery stores, automobile services, and other appropriate retail. A car wash classifies as automobile services and matches the commercial intention of the area.

6. The potential impact of the proposed use upon the value of property and buildings within the surrounding area; and

Staff does not believe there would be any negative impact to surrounding property value.

7. Conformance of the proposal with the approval requirements concerning water and sewer tap availability for high volume use requests pursuant to 13-4-120 of the Code, if applicable.

The previous owner has maintained the EQR's necessary to operate a carwash facility at this location.

STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission APPROVE CUP 2025-007 with the following conditions:

1. All representations made by the Applicant in the application and during the public hearing shall be conditions of approval, unless specifically altered by the Planning Commission.
2. The comments received from Xcel Energy and City of Rifle Engineering will be addressed at the time of building permit application and review.
3. The applicant shall update the previously submitted plans for code updates and have all technical seals updated.
4. Building permit shall meet all requirements of the 14th Street Marketplace PUD Guidelines.
5. Facility shall incorporate a water reclamation system to minimize water use and discharge.
6. Applicant shall submit for review and approval by staff a landscape and irrigation plan that meets City of Rifle requirements. Landscape and irrigation shall be installed and approved prior to Certificate of Occupancy

COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490 Fax: 970-625-6268



7. Conditional Use Permit 2025-007 shall be valid for one (1) year from the date of approval by the Planning and Zoning Commission. Within the one-year period, the applicant must either begin construction or establish the land use or the permit shall be considered null and void "Start of construction" shall mean the first placement of permanent construction of a structure on site such as pouring of slab or footings or any work beyond excavation. Upon issuance of a Certificate of Occupancy, the CUP will not expire.

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6491



LAND USE APPLICATION FORM

Application Type (check all that apply):

- | | | |
|---|--|---|
| <input type="checkbox"/> Amended Plat | <input type="checkbox"/> Lot line Rearrangement | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Minor Subdivision Sketch Plan | <input type="checkbox"/> Text Amendment |
| <input checked="" type="checkbox"/> Conditional Use | <input type="checkbox"/> Outside City Water/Sewer | <input type="checkbox"/> Vacation – Easement / Right-of-Way |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Preliminary Subdivision Plan | <input type="checkbox"/> Zoning Variance |
| <input type="checkbox"/> Floodplain Development | <input type="checkbox"/> Sketch Subdivision Plan | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> Lot line dissolution | <input type="checkbox"/> Sketch – Preliminary Subdivision Plan | <input type="checkbox"/> GIS System Integration |
| <input type="checkbox"/> Other (description): _____ | | |

Brief Description of Application(s)

Construction of a new tunnel style car located on the vacant lot at 240 W 14th Street in the 14th street marketplace PUD.

Project will consist of one 4285 SF structure including a 2427 SF tunnel wash.

Property Information

Owner(s) (Name): Browns Family Holdings LLC

Property Address: 240 West 14th Street

Parcel ID number: 217709216004

Légal Description (*attach additional sheet if necessary*): Vacant

Access to Property: Property is Currently Vacant. A new access point off 14th street is in our scope of work

Instructions for Submittal

- **Original applications with original signatures must be provided.**
- In addition to this application, all information on the supplemental checklist must be submitted.
- Incomplete applications **will not be accepted** and will delay processing.
- Initially, one copy of each document may be submitted to the Planning Department for review. When the documents are deemed adequate, additional copies as required by the Planning Department shall be submitted.
- All documents, plans, plats, etc. shall be no larger than 8 1/2" x 14" in size or folded to that or a smaller size.
- The property owner **must** fill out the Owner Affidavit in presence of notary.

STAFF USE ONLY

Pre-app conference: _____ (date)	Application received: _____ (date)
Application complete: _____ (date)	Case Number: _____
Fees: _____	Case Name: _____
Deposits: _____	_____
Paid: _____ (date)	Referrals sent _____ (date)

Disclosure of Property Ownership

- If owner is an individual, indicate name exactly as it appears on the deed.
- If owner is a corporation, partnership, limited partnership, or other business entity, name principals on a separate page. Please include the articles of organization, partnership agreement, etc., as applicable.
- If owner is a land trust, name beneficiaries on a separate page.
- If applicant is a lessee, indicate the owner(s) on a separate page.
- If applicant is a contract purchaser, attach a copy of the contract, and indicate the owner(s) on a separate page.

Please provide the name(s), mailing address(es), street address(es), and phone number(s) for all owners.

Property Owner Affidavit

I/We, Browns Family Holdings LLC, being first duly sworn, depose and state under penalties of perjury that I am (we are) the owner(s) of the property described herein and which is the subject of the application and proposed hearings; that all answers provided to the questions in this application, and all sketches, data, and all other supplementary matter attached hereto and made part of this application, are honest and true to the best of my (our) knowledge and belief. I (we) understand that this application must be complete and accurate prior to a hearing being scheduled. I (we) authorize City staff to visit the site as necessary for proper review of this application. I (we) further acknowledge that until paid, ALL LAND USE APPLICATION FEES, INCLUDING FEES FOR PROFESSIONAL REVIEW SERVICES, SHALL BECOME AND REMAIN A FIRST AND PERPETUAL LIEN ON OR AGAINST THE SUBJECT PREMISES PURSUANT TO RMC § 16-1-60(e).

(If there are any special conditions such as guard dogs, locked gates, restricted hours, etc., please give the name and phone number of the person(s) who can provide access to the site.)

Walt Brown
Name (printed)

Name (printed)

7339 E Macdonald Dr Scottsdale AZ 85250
Address

Address

480 768 7601 797-7221
Phone

Phone

Fax

Fax

[Signature]
Signature

Signature

PERSONALLY KNOWN
Type of Identification

County of MARICOPA)

State of ARIZONA)

Sworn to and subscribed before me this 21ST day
of FEBRUARY, 2025.
(fill in month) (fill in year)

By WALT BROWN, JR
(name printed)

Witness my hand and official seal.
[Signature]
Notary Public

My Commission expires: 7-27-2026



Authorized Representative

I/We (Owners name) Browns Family Holdings LLC authorize
(Representative name) BlueSkye Enterprises to act
as my/our representative in any manner regarding this application, to answer questions and to represent me/us at any
meeting and public hearing(s) which may be held on this application.

NOTE: All correspondence will be sent to the authorized representative. It will be the representative's responsibility to
keep the owner(s) adequately informed as to the status of the application.

Walt Brown
Property Owner (Name printed)

Browns Family Holdings LLC
Company (Name printed)

7339 E Macdonald Dr Scottsdale AZ 85250
Address (printed)

480 768 7601 797-7221
Phone w/Area Code (printed)

Walt@dpcrc.com
e-Mail Address (printed)

Fax w/Area Code (printed)

Signature [Signature]

Tim Rohe
Representative (Name printed)

BlueSkye Enterprises LLC
Company (Name printed)

713 Truscott Place Aspen Co 81611
Address (printed)

952 594 9248
Phone w/Area Code (printed)

timothy.rohe@blueskyeenterprises.net
e-Mail Address (printed)

Fax w/Area Code (printed)

Signature [Signature]

PERSONALLY KNOWN
Type of Identification

County of MARICOPA

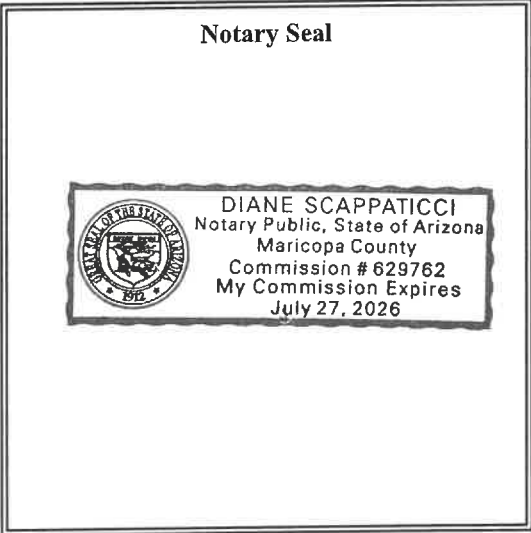
State of ARIZONA

Sworn to and subscribed before me this 21ST day
of FEBRUARY, 2025
(fill in month) (fill in year)

By WALT BROWN, JR
(name printed)

Witness my hand and official seal.
Diane Scappaticci
Notary Public

My Commission expires: 7-27-2026



Project Team Information (fill in all that apply) (add additional sheets if needed):

Property Owner(s) Name: Browns Family Holdings LLC Phone: 480 768 7601

Company: _____ Fax: _____

Address 7339 E Macdonald Drive Scottsdale AZ 85250 Email: Walt@dpcrc.com

Authorized Rep. Name: Tim Rohe Phone: 952 594 9248

Company: BlueSkye Enterprises Fax: _____

Address 713 Truscott Place Aspen CO 81611 Email: timothy.rohe@blueskyeenterpri

Engineer/Designer(s) Name: Hover Architecture (Troy Kirschman) Phone: 720 773 2800

Company: Hover Architecture Fax: _____

Address: _____ Email: office@hooverarchitecture.com

Billable Party: Owner Representative Engineer

The Billable Party, by signing below, hereby agrees to reimburse the City the actual costs to the City for engineering, surveying, and legal services rendered in connection with the review of the Application. The Billable Party shall also reimburse the City for the cost of making any corrections or additions to the master copy of the official City map and for any fees for recording any plats and accompanying documents with the County Clerk and Recorder of Garfield County. The Billable Party agrees that interest shall be imposed at rate of 1.5% per month on all balances not paid within thirty (30) days of the date of the statement. In addition to any and all remedies available to the City and in the event the City is forced to pursue collection of any amounts due and unpaid, the City shall be entitled to collect attorney's fees and costs incurred in said collection efforts in addition to the amount due and unpaid.

Browns Family Holdings LLC
Company (printed)

7339 E Macdonald Dr Scottsdale AZ 85250
Address

480 768 7601
Phone

Signature

PERSONALLY KNOWN
Type of Identification

County of MARICOPA)

State of ARIZONA)

Sworn to and subscribed before me this 21ST day
of FEBRUARY, 2025
(fill in month) (fill in year)

By WALT BROWN, JR
(Contact name printed)

Witness my hand and official seal.

Diane Scappaticci
Notary Public

My Commission expires 7-27-2026

Walt Brown
Contact Name (printed)

Walt@dpcrc.com
Email

Fax

Notary Seal



Statement Of Purpose

The purpose of this application is to apply for the conditional usage for a tunnel carwash located at 240 W 14th Street in Rifle Colorado. The subject property is currently a vacant lot located in the 14th Street Marketplace PUD. By allowing a carwash to be built on this location, it will bring vitality and convenience to the community of Rifle. The neighboring lot already has an existing Gas station located on it and a grocery store across the street. With the addition a car wash in this vacant lot, it makes the area a one stop shop for residents and visitors alike. By having a these three businesses in one general location it specifically helps those residents who have extra long commutes to and from work.

RIFLE XPRESS CAR WASH

CONSTRUCTION DRAWINGS

14th Street Marketplace, Lot 4, Rifle, CO

OWNER:
 DC Enterprises, LLC
 c/o Chuck Carron
 P.O. Box 1097
 818 Taughenbaugh, Suite 108
 Rifle, CO 81650

CIVIL ENGINEER:
COLORADO RIVER ENGINEERING INCORPORATED
 136 East 3rd Street
 P.O. Box 1301
 Rifle, Colorado 81650
 Phone: 970-625-4933
 Project Engineer:
 Eric Brynildson P.E. #45306

ARCHITECTURAL & SITE PLANNING:
 Hover Architectural, P.C.
 8099 South Lincoln Street, Suite 201
 Highlands Ranch, CO 80122

SURVEYOR:
 The Sexton Survey Company
 127 E. 5th Street
 Rifle, CO 81650

LANDSCAPING ARCHITECT:
 Jump Design Company
 1733 S. Clarkson Street
 Denver, CO 80210

DESIGN / RECORD ENGINEER:
 BY: _____ DATE: _____



REVIEWED BY:

CITY OF RIFLE - PUBLIC WORKS (STREETS, STORM DRAIN, GRADING, EROSION CONTROL)
 BY: _____ DATE: _____

CITY OF RIFLE - PLANNING (ZONING, LANDSCAPE)
 BY: _____ DATE: _____

CITY OF RIFLE - UTILITIES (WATER, WASTEWATER)
 BY: _____ DATE: _____

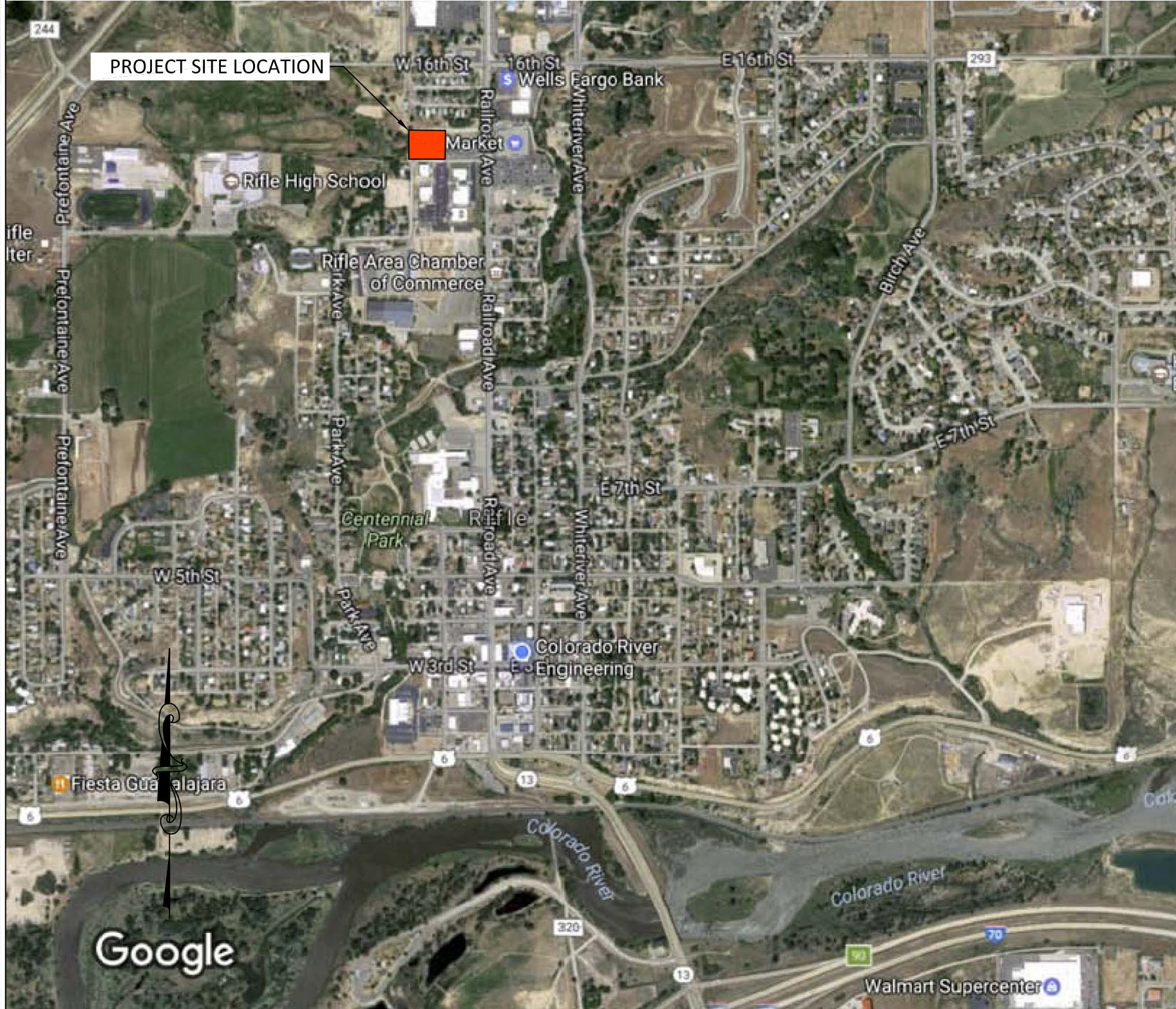
CITY OF RIFLE - FIRE DISTRICT
 BY: _____ DATE: _____

CITY OF RIFLE - PARKS DEPARTMENT
 BY: _____ DATE: _____

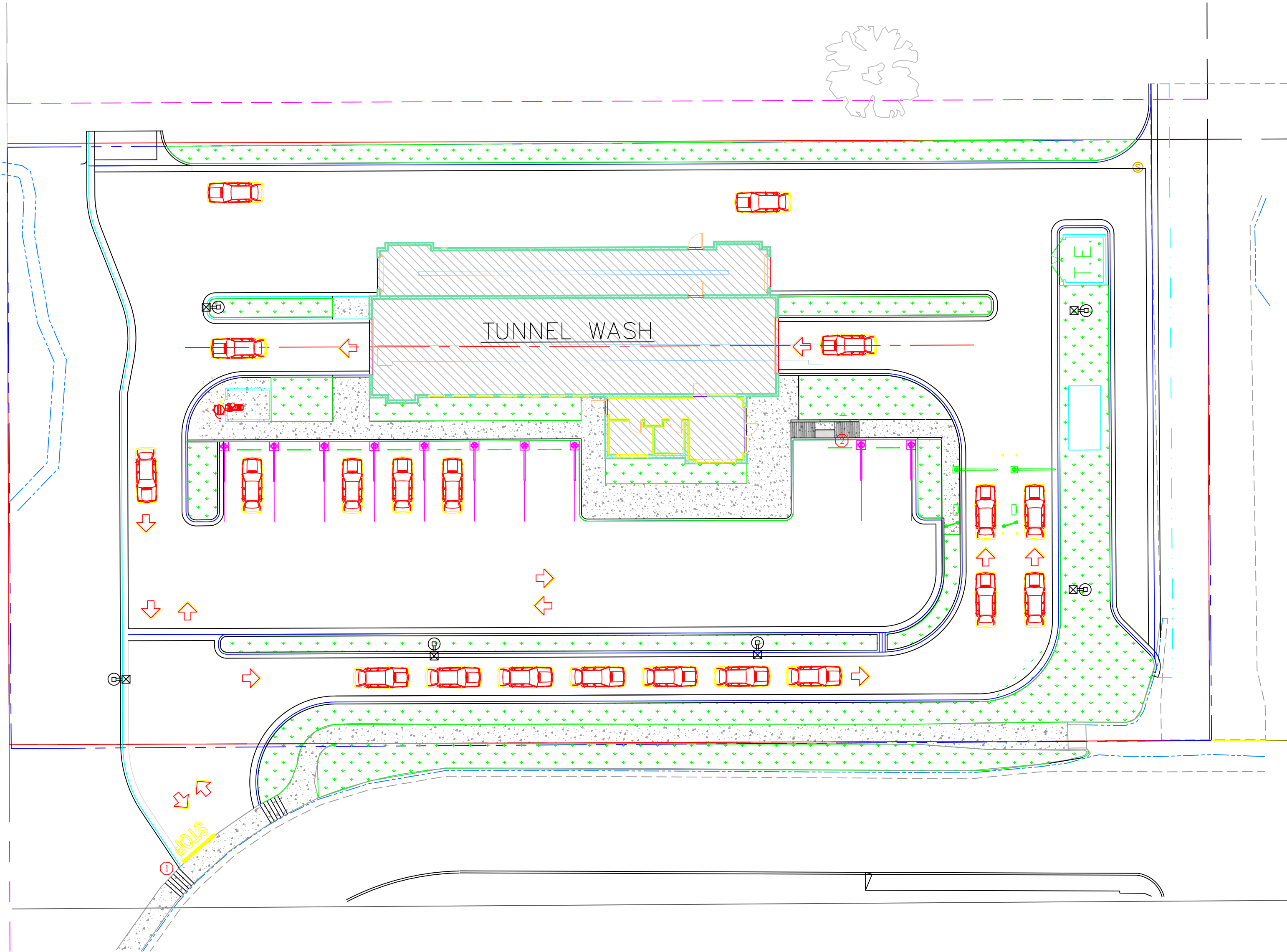
These plans are for review of public improvements, and certain private improvements which, pursuant to the City's Municipal Code, affect overall public health, welfare and safety associated with development of the property shown herein.

The City of Rifle plan review constitutes general compliance with the City's Development Standards and Public Works Standards, subject to these plans being stamped, signed, and dated by the Design/Record Engineer. Review by the City does not constitute approval of the plan design. Errors or omissions in the design or calculations remain the responsibility of the Design/Record Engineer and Developer.

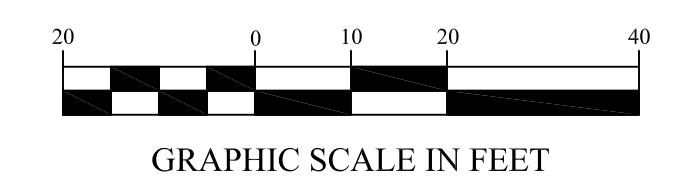
These plans shall expire one year after the date signed by Public Works. **7/21/17**



VICINITY MAP
 Aerial Photo



SITE LAYOUT



SHEET INDEX

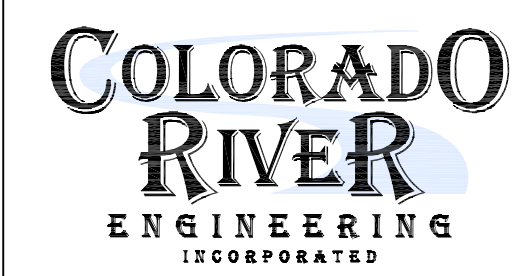
SHT#	TITLE
1	COVER SHEET
2	NOTES
3	EXISTING CONDITIONS
4	SITE PLAN
5	HORIZONTAL CONTROL PLAN
6	WATER MAIN & STORM DRAIN PROFILES
7	GENERAL DETAILS
8	WATER & SEWER DETAILS

UNCC CALL BEFORE YOU DIG
1-800-922-1987
 Utility Notification
 Center of Colorado
 Administrative Office 303-232-1991
 12600 W. Colfax Ave., Suite B-310
 Lakewood, CO 80215

BEFORE YOU DIG, GRADE, OR EXCAVATE, CALL 2-BUSINESS DAYS IN ADVANCE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

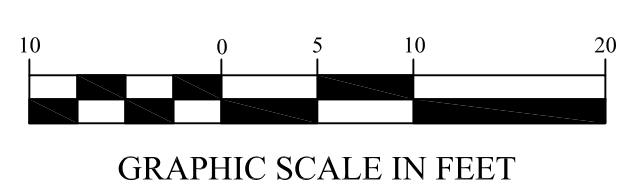
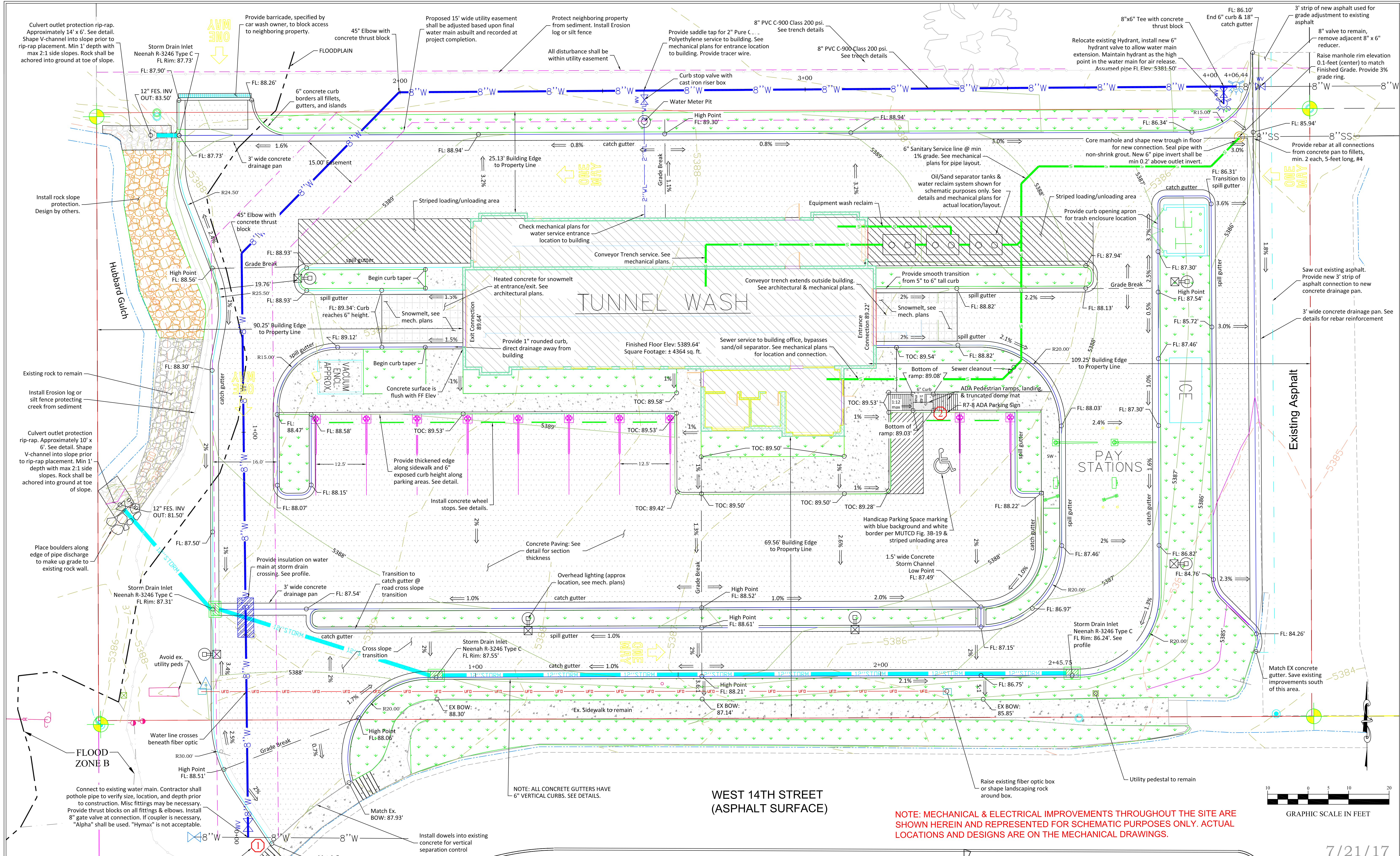
These drawings have been prepared for the client identified on the design sheet titleblock. Unless these drawings bear a signed engineers seal, they may be used only at owners sole risk.

This Drawing Not Valid Unless Latest Revision Initials Are Handwritten					Original Drawing Preparation		
No.	Description	By	Date	Approved	Date	By	Date
1	Revised per City of Rifle review	EB	5/8/17			EB	12/16
2	Final building & grading revisions	EB	7/2017	EB	7/2017	CM	7/17
						EB	7/17



PO Box 1301
 Rifle, CO 81650
 Tel 970-625-4933

CLIENT: DC Enterprises, LLC 818 Taughenbaugh Blvd Rifle, CO 81650	SHEET TITLE: NOTES	SHEET NO. OF 8
PROJECT: DBA Rifle Auto Spa	CRE FILE: M:\Land Projects R2\1115-C-Con 14th Street Marketplace\CRE Grading.dwg	Revision 1



WEST 14TH STREET (ASPHALT SURFACE)

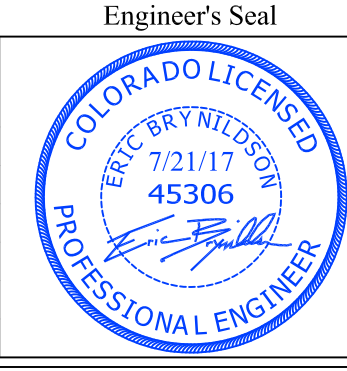
NOTE: ALL CONCRETE GUTTERS HAVE 6" VERTICAL CURBS. SEE DETAILS.

This Drawing Not Valid Unless Latest Revision Initials Are Handwritten

No.	Description	By	Date	Approved	Date
1	Changes per City of Rifle review	EB	5/2016		
2	Final building & grading revisions	EB	7/2017	EB	7/2017

Original Drawing Preparation

By	Date
EB	12/16
EB	7/17
CM	7/17



PO Box 1301
Rifle, CO 81650
Tel 970-625-4933

CLIENT: DC Enterprises, LLC
818 Taughenbaugh Blvd
Rifle, CO 81650

PROJECT: DBA Rifle Auto Spa

7/21/17

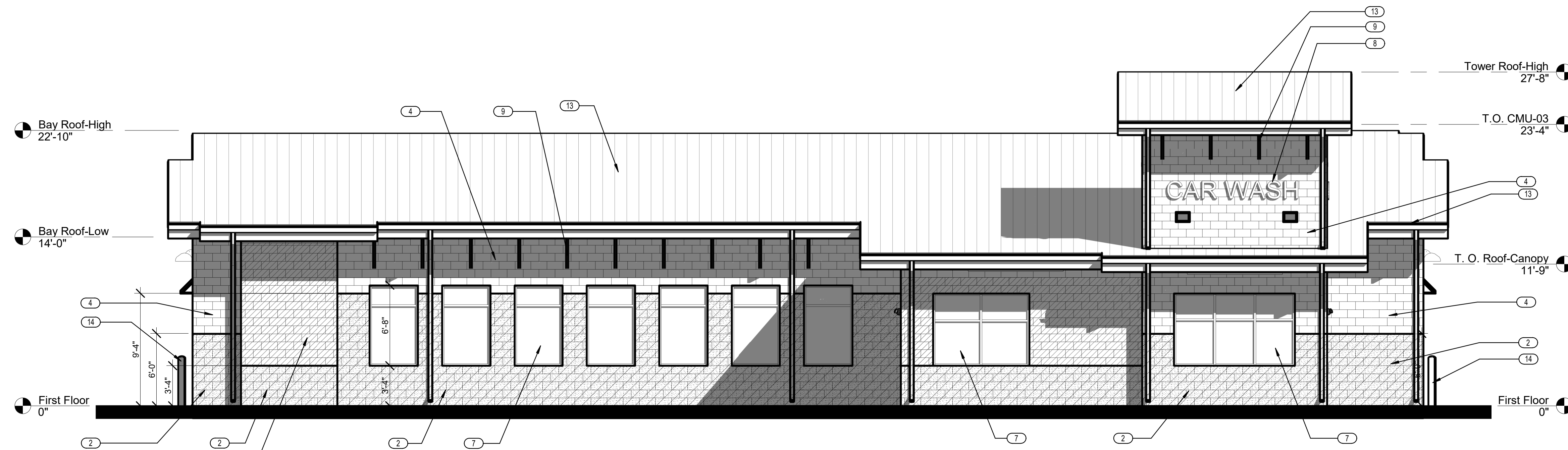
SHEET TITLE: SITE PLAN

SHEET NO. OF 8

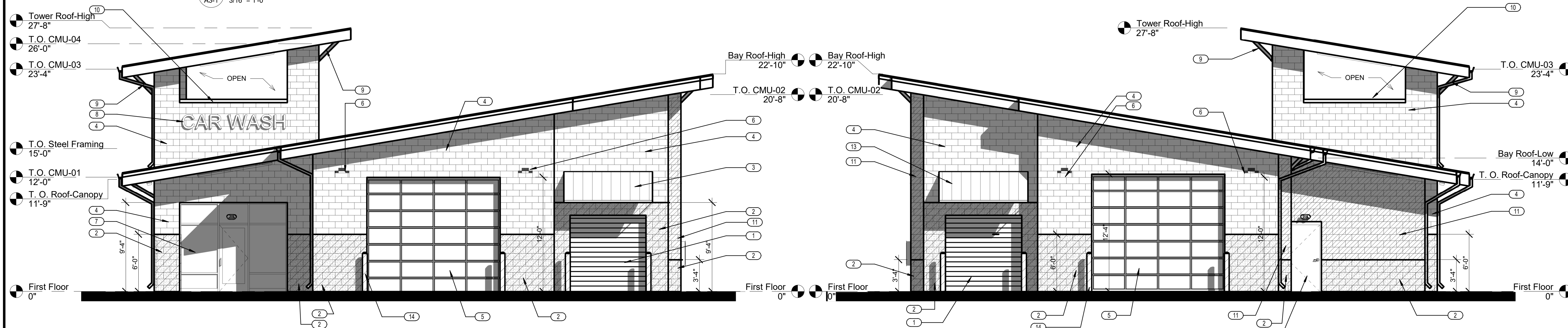
4

Revision

These drawings have been prepared for the client identified on the design sheet titleblock. Unless these drawings bear a signed engineers seal, they may be used only at owners sole risk.

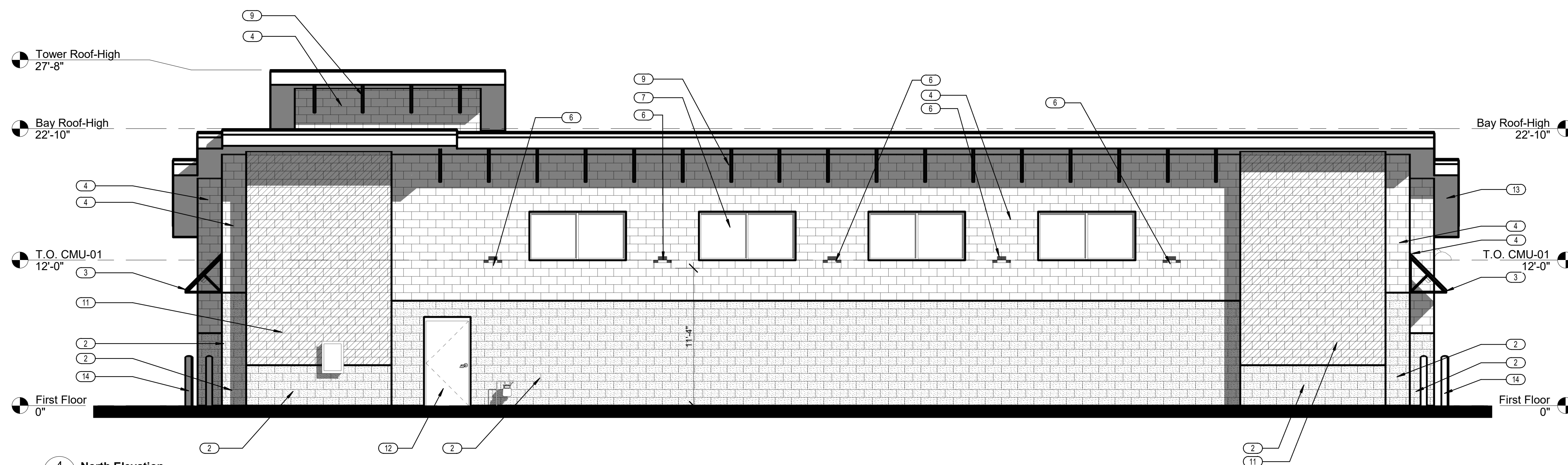


1 South Elevation
A3-1 3/16" = 1'-0"



2 East Elevation
A3-1 3/16" = 1'-0"

3 West Elevation
A3-1 3/16" = 1'-0"



4 North Elevation
A3-1 3/16" = 1'-0"

Rifle Car Wash
195 14TH STREET
RIFLE, CO 81650

REV./DATE/COMMENTS



ARCHITECT OF RECORD

DATE: 04.18.18

SCALE: 3/16" = 1'-0"

DRAWN BY: JTK

CHECKED BY: JTK

H ARCHITECTURE
8089 SOUTH LINCOLN STREET
SUITE 201
LITTLETON, CO 80122
(720) 773-2800

SHEET

A3-1

Exterior Elevations

EXTERIOR ELEVATION KEYNOTES	
Key Value	Keynote Text
1	STEEL COILING OVERHEAD DOOR - PAINTED TO MATCH ADJACENT CMU.
2	SPLIT-FACE CMU. MANUF.: BEST BLOCK. COLOR: #739 (DARK BROWN).
3	STEEL AWNING. FRAME COLOR: KYNAR 500 DARK BRONZE. STANDING-SEAM ROOFING. COLOR: RED.
4	SPLIT-FACE CMU. MANUF.: BEST BLOCK. COLOR: #315 (BEIGE).
5	ALUMINUM/POLYCARBONATE SECTIONAL OVERHEAD DOOR.
6	DECORATIVE LIGHT FIXTURE. DARK BRONZE FINISH.
7	ALUMINUM/GLASS STOREFRONT - KAWNEER. COLOR: DARK BRONZE. CLEAR GLAZING.
8	INTERNALLY ILLUMINATED WALL SIGN. FINAL DESIGN BY SIGN VENDOR.
9	DECORATIVE STEEL SUPPORTS. COLOR: DARK BRONZE.
10	METAL CAP FLASHING. DARK BRONZE.
11	SPLIT-FACE CMU. MANUF.: BEST BLOCK. COLOR: #641 (MEDIUM BROWN).
12	METAL MAN DOOR - PAINTED TO MATCH ADJACENT CMU.
13	STANDING-SEAM METAL ROOF. MANUF.: BERRIDGE. COLOR: COLONIAL RED.
14	CONCRETE-FILLED PIPE BOLLARD. COLOR: RED.