The City of Fredericksburg Planning and Zoning will meet in a regular session on Wednesday, September 9, 2020, at 5:30 p.m. This meeting will be held remotely via Zoom Teleconferencing, and in person attendance will not be available. Members of the public may attend the meeting remotely by web or telephone via Zoom Teleconferencing (see details below). These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Members of the public may join the Zoom Meeting by one of the following:
By web: Please click the link below to join the meeting:
Meeting ID: 878 5601 3663
https://us02web.zoom.us/j/87856013663
Or iPhone one-tap:
US: +13462487799,953008868# or +16699006833,953008868#
Or Telephone: Dial (for higher quality, dial a number based on your current location):
US: (346) 248 7799 or (669) 900 6833 or (253) 215 8782 or (301) 715 8592 or (312) 626 6799 or (929) 205 6099 or Toll Free at (877) 853 5247 or (888) 788 0099
(Please turn off all pagers and phones, except emergency on-call personnel.)

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MEETING MINUTES
   August 2020 regular meeting minutes

4. PUBLIC COMMENTS
   During the COVID-19 pandemic, the City of Fredericksburg is allowing public comments to be submitted remotely, by 2:00 p.m. on SEPTEMBER 9, 2020, using any of the following methods:
   Email your comments to scollier@fbgtx.org; or
   Complete a Citizen Comment Form located inside the Public Access entrance at 126 W. Main St, Fredericksburg, Texas, and place in the box marked Citizen Comment Form.
The Planning and Zoning Commission (P&Z) welcomes public comments concerning items on this agenda. Each member of the public who desires to address the P&Z regarding an item on this agenda is required to sign up to speak, prior to the start of the meeting. All public comments shall be limited to discussion of items on this agenda and shall be limited to 3-minutes in duration. At the discretion of the P&Z Chair, or upon an affirmative vote of the P&Z, the public comment time limit applicable to all speakers may be lengthened or shortened as required to allow the P&Z to complete its legislative agenda. Persons addressing the P&Z are prohibited from trading time with other speakers or reserving of time.

5. PUBLIC HEARING

A. Consider Z-2013 – Request by Neil Eckert for a Conditional Use Permit to enlarge the legal non-conforming use of a Veterinary Clinic (section 6.110 of the Zoning Ordinance) at property located at 1203 N. Llano Street.

6. ACTION ITEMS

A. Receive recommendation and consider (Z-2013)

B. Consider EC-20-05 – Request by Neil Eckert to consider Entry Corridor Design Standards for property located at 1203 N. Llano Street.

C. Consider EC-20-06 – Request by Denis O’Leary to consider Entry Corridor Design Standards for property located at 103 Heritage Hills Drive.

7. MISCELLANEOUS

A. APA Training

8. ADJOURN

This is to certify that I, Shelby Collier, posted this Agenda before 5:00 PM. on September 4th, 2020 on the entrance door and bulletin board at the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.

__________________________________________
Shelby Collier,
Development Coordinator
On this the 5th day of AUGUST 2020 the PLANNING AND ZONING COMMISSION convened in regular Session at the Law Enforcement Center with the following members present to constitute a quorum:

PRESENT: JANICE MENKING
JIM JARREAU
BRENDA SEGNER
DARYL WHITWORTH
TIM DOOLEY
STEVE THOMAS
CHRIS KAISER
JILL TABOR

ABSENT:

ALSO, PRESENT: BRIAN JORDAN – Director of Development Services
DANIEL JONES – City Attorney
SHELBY COLLIER – Development Coordinator

Janice Menking called the meeting to order at 5:30 P.M.

MINUTES

Tim Dooley moved to approve the minutes of the July 2020 meeting and Jim Jarreau seconded the motion. All voted in favor and the motion carried.

PUBLIC HEARING

Consider Z-2007 – Request by Todd Christianson for a Conditional Use Permit to operate a first floor Bed and Breakfast in the Historic Shopping District Overlay (section 3.510 of the Zoning Ordinance) on property located at 411 E. Main Street.

Motion to open Public Hearing made by Jim Jarreau seconded by Daryl Whitworth. All voted in favor and the motion carried.

Todd Christianson presented the application. He stated it was his desire to build 4 small, short term rental units at the back of the property.

Motion to close Public Hearing made by Jim Jarreau seconded by Brenda Segner. All voted in favor and the motion carried.

Brian Jordan, Director of Development, presented the Brief.

The applicant is proposing 4 short term rental units to the rear of the building located at 411 E. Main Street. This request requires a Conditional Use Permit for a Bed & Breakfast (Short Term Rental) unit on the first floor (Section 3.510 of the Zoning Ordinance)
Approval is recommended. The use of this space for first floor retail does not seem reasonable, and we do not think the proposed use as additional short-term rentals jeopardizes the intent of the ordinance.

Daryl Whitworth made a motion to recommend Approval for Application Z-2007 per Staff Recommendation. Jim Jarreau seconded the motion. All voted in favor and the motion carried.

Consider Z-2011 – Request by Erin Welch with Land Strategies, LLC for a Conditional Use Permit to operate a Club or Lounge, General Retail Services, Liquor Sales, Cocktail Lounge, Food Sales, Micro brewing/Distillery and a Mobile Food Establishment on a C1.5 Zoned property located at 206 N. Milam Street.

Motion to open Public Hearing made by Daryl Whitworth seconded by Tim Dooley. All voted in favor and the motion carried.

Erin Welch with Land Strategies, LLC presented the application. She stated the owner was in the process of marketing the proposed space for tenants wanted to be able to provide a list of approved uses such as a Cocktail Lounge. The C1.5 Zoning requires a Conditional Use Permit for these types of uses.

James Griffin with Killen, Griffin & Farrimond spoke regarding his client’s concern for the number of potential alcohol related uses at this location. His clients Clark & Alice Welder, Robert Lotito, Cydney Donnell, Dickie Longoria and John Graham are not comfortable with the application as submitted and are in opposition to the request.

Motion to close Public Hearing made by Jim Jarreau seconded by Daryl Whitworth. All voted in favor and the motion carried.

Jim Jarreau expressed his concern about the surrounding neighborhood regarding the number of alcohol related uses that are being requested.

Brian Jordan, Director of Development, presented the Brief. The proposed Fredericksburg Market is an adaptive reuse of the long vacant Super S grocery store located at 206 N. Milam Street. The intent is to divide the main floor area into multiple suites for use by local businesses, to create a vibrant urban space.

The building is approximately 13,800 square feet in size and the site contains 1.6 acres. The applicants are requesting a Conditional Use Permit for several uses that they intended for the proposed space. These uses include a club or lodge, cocktail lounge, food sales, general retail sales, liquor sales, mobile food establishments and a microbrewery /distillery.

In staff’s opinion, the proposed Fredericksburg Market project represents an appropriate reuse of an otherwise underutilized property. It is our recommendation to approve this project as proposed.

Mr. Jordan stated Staff received several opposition letters regarding this request.

Chris Kaiser made a motion to recommend that alcohol related business be restricted to 1/3 of the building square footage and that the hours of operation be limited to 10:00 PM for Application Z-2011. Daryl Whitworth seconded the motion. Tim Dooley voted in opposition, all others voted in favor and the motion carried.

Consider Z-2012 – Request by Jordan Muraglia, Richard Beaupre and Mickey Dunn for a Land Use Change from Low Density Residential to Medium Density Residential, and a Zoning Change from R1, Single Family Residential to R2, Mixed Residential on property located at 110 N. Bowie Street, 603 W. Austin Street and 605 W. Austin Street.
Motion to open Public Hearing made by Jim Jarreau seconded by Daryl Whitworth. All voted in favor and the motion carried.

Jordan Muraglia presented the application. He stated he was interested in changing the Zoning from R1, Single Family Residential, to R2, Mixed Residential to allow the use of his property for multiple dwellings.

Harold Coates spoke regarding his opposition to the request.

Brent and Pam Geistweidt spoke regarding their opposition to the request.

John Shore spoke regarding his opposition to the request.

Jack Arnold spoke regarding his opposition to the request.

Motion to close Public Hearing made by Tim Dooley seconded by Daryl Whitworth. All voted in favor and the motion carried.

Brian Jordan, Director of Development, presented the Brief. The subject request consists of three properties fronting on W. Austin Street. 110 N. Bowie Street contains a single-family structure and log cabin, 603 W. Austin Street is vacant, and 605 W. Austin contains a single-family structure. Surrounding land uses include commercial businesses to the south fronting on Main Street, a mix of residences and short-term rentals to the east, and primarily single-family residences to the north and west. Surrounding property is zoned C-2 to the south, R-1 to the west and north, and R-2 to the east.

To accommodate the use proposed by the applicant, it is necessary to have R-2 zoning. Staff does not recommend changing the land use and zoning only on the subject properties.

Tim Dooley made a motion to recommend denial of Application Z-2012. Jim Jarreau seconded the motion. All voted in favor and the motion carried.

**ACTION ITEM**

**Consider EC-20-04 – Request by Chris Guido to consider Entry Corridor Design Standards for property located at 1328 S. Hwy 16.**

A representative with Guido Materials spoke regarding the request to demolish the existing building a development a new office building.

Brian Jordan, Director of Development, stated that the applicant has been working closely with Staff regarding the Entry Corridor Design Standards and Staff recommends approval of the revised plans.

Jim Jarreau made a motion to approve Application EC-20-04 per Staff Recommendation. Seconded by Daryl Whitworth. All others voted in favor and the motion carried.

**Consider P-2013 Request by Steve Olfers for a Preliminary Plat for the Olfers Addition located in the 100 Block of Hale Street.**

Steve Olfers presented the application. He stated that it was his family’s desire to subdivide the property into 5 lots.

Brian Jordan, Director of Development, presented the Brief. He stated that 2 lots will front on Hale Street and three lots would front on East Windcrest Street. Staff recommends approval conditioned upon the applicant
providing utility service to each lot and providing stormwater measures as designed by the applicant’s engineer.

Jim Jarreau made a motion to Approve Application P-2013 per Staff Recommendation. Chris Kaiser seconded the motion. All voted in favor and the motion carried.

**MISCELLANEOUS**

**ADJOURN**

With nothing further to come before the Commission, Tim Dooley moved to adjourn. Seconded by Brenda Segner. All voted in favor and the meeting was adjourned at 7:34 p.m.

**PASSED AND APPROVED this 9th day of September 2020.**

______________________________    ______________________________
SHELBY COLLIER, Development Coordinator   JANICE MENKING, Chairman
CONDITIONAL USE PERMIT BRIEF
Request Z-2013

Applicant: Dr. Neil and Melissa Eckert (Fredericksburg Veterinary Center)

Location: 1203 N. Llano Street

Existing Zoning: C-1, Neighborhood Commercial

Request: Conditional Use Permit to expand a Non-conforming Use

Site Plan Overview:

- The applicant intends to build an addition to the current clinic building and enlarge the barn to continue to provide veterinary services that comply with current regulations for animal care and accessibility.
- The proposed 3010 square foot addition will house a new waiting room, restrooms, staff breakroom, offices, and exam rooms.
- The existing building will be remodeled for surgical areas, cat and dog kennel spaces and other support spaces.
- The proposed 2770 square foot addition to the existing barn will provide larger covered pens and storage for large animals.
- Section 6.110 of the Zoning Ordinance requires a Conditional Use Permit for the expansion of a non-conforming use in a commercial zoning district.
- The site is approximately 1.2 acres.
- Access to the property is from N. Llano Street.
- Parking spaces are provided on the front side of the building and delivery/pick up of large animals will be to the rear of the property.
- The surrounding zoning is C-1 and R-2 to the west across N. Llano Street, C-1 to the north and south and property to the east is outside the city limits.
- Surrounding land uses include office and residential to the west, commercial to the south, and undeveloped land to the north and east.

Review and Evaluation Criteria:

A. CONFORMANCE WITH APPLICABLE REGULATIONS:

- Changes to the site are being designed to comply with applicable regulations.

B. COMPATIBILITY WITH EXISTING OR PERMITTED USES IN ABUTTING SITES:

- The existing use of the property has been established for several years and we do not expect the additional building area will have an effect on adjacent properties.

C. POTENTIALLY UNFAVORABLE EFFECTS OR IMPACTS ON OTHER EXISTING OR PERMITTED USES ON ABUTTING PROPERTY:

- We do not anticipate unfavorable effects on adjoining properties from this use.
D. MODIFICATIONS TO THE SITE PLAN WHICH WOULD RESULT IN INCREASED COMPATIBILITY AND WOULD MITIGATE POTENTIALLY UNFAVORABLE IMPACTS:

- None.

E. SAFETY AND CONVENIENCE OF VEHICULAR AND PEDESTRIAN CIRCULATION IN THE VICINITY:

- Drive access into this property will remain on N. Llano Street by two driveways. Circulation has historically been provided and will continue in a loop fashion around the rear of the property.

F. PROTECTION OF PERSONS AND PROPERTY FROM EROSION, FLOOD OR WATER DAMAGE, FIRE, NOISE, GLARE:

- NA

G. LOCATION OF LIGHTING AND TYPE OF SIGNS; THE RELATION OF SIGNS TO TRAFFIC CONTROL AND ADVERSE EFFECTS OF SIGNS ON ADJACENT PROPERTIES:

- No specific detail provided on exterior lighting. A note is provided on the plan indicating all lighting will be shielded and ordinance compliant.

H. ADEQUACY AND CONVENIENCE OF OFF-STREET PARKING AND LOADING FACILITIES:

- Sufficient parking is provided based on the code. The parking is located to the front of the building.

I. DETERMINATION THAT THE PROPOSED USE IS IN ACCORDANCE WITH THE OBJECTIVES OF THESE ZONING REGULATIONS AND PURPOSES OF THE ZONE IN WHICH THE SITE IS LOCATED:

- As far as we know the property has used for the same veterinary service use since it was annexed into the City Limits.

J. DETERMINATION THAT THE PROPOSED USE WILL COMPLY WITH EACH OF THE APPLICABLE PROVISIONS OF THE ZONING ORDINANCE:

- Affirmative.

K. DETERMINATION THAT THE PROPOSED USE AND SITE DEVELOPMENT, TOGETHER WITH ANY MODIFICATIONS APPLICABLE, THERETO, WILL BE COMPATIBLE WITH EXISTING OR PERMITTED USES IN THE VICINITY:

- Affirmative.
L. **DETERMINATION THAT ANY CONDITIONS APPLICABLE TO APPROVAL ARE THE MINIMUM NECESSARY TO MINIMIZE POTENTIALLY UNFAVORABLE IMPACTS ON NEARBY USES AND TO ENSURE COMPATIBILITY OF THE PROPOSED USE WITH EXISTING OR PERMITTED USES IN THE SAME DISTRICT AND THE SURROUNDING AREA:**

- No additional changes are recommended.

M. **DETERMINATION THAT THE PROPOSED USE TOGETHER WITH THE CONDITIONS APPLICABLE THERETO, WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, OR WELFARE OR MATERALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY:**

- No additional changes are recommended.

**ENTRY CORRIDOR REVIEW:** Staff has reviewed the project for compliance with the Entry Corridor standards and guidelines. Appropriate measures have been taken for this project to comply.

**OPPOSITION/SUPPORT OF REQUEST:** No comments received to date.

**STAFF RECOMMENDATION:** Approval is recommended.
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Z-2013 - 1203 N. LLANO
File Number: SP 2011

Address/Location: 103 Heritage Hills Drive

Applicant: Denis O’Leary

Project Description: Professional Office – Medical Services

Site Area: Approximately 0.99 acres (42,606 sf)

Zoning: PUD – Planned Unit Development (all uses and site development standards are to comply with the C-1 District.

Adjacent Land Uses/Zoning:
  North: Memory Care facility, zoned PUD
  West: Professional Office, zoned PUD
  East: Wastewater Treatment Plant, zoned PF
  South: TxDOT Maintenance Facility, zoned PF

Building: Building A – 3290 square feet
           Building B – 1160 square feet

Building Height: Single Story

Building Coverage: 40% (70% maximum)

Impervious Coverage: 11% (50% maximum)

Site Access: The existing drive serving the adjacent office building will provide access to the property. Exit only traffic will be able to utilize Heritage Hills Drive.

Parking Required: Medical Services – 15 spaces (1 space per 300 sf)
                  Total space provided – 22 spaces

Landscaping: The site currently contains a number of relatively large Oak Trees. The applicant is proposing the removal of a significant number of these trees to accommodate the proposed development.

Sidewalk: No public sidewalk is required adjacent to this site. However, an internal sidewalk connecting the two buildings is proposed along with a sidewalk to connect to the existing building to the west.
Screening: All trash containers and service areas are proposed to be screened. No perimeter screening is required.

Lighting: Exterior lighting to be ordinance compliant.

Utilities: Water and sanitary sewer are available to serve the site.

Detention: Stormwater detention was provided when the adjacent site was developed. The applicant is required to provide a certified statement from an engineer that proposed development (Phase II) does not adversely impact the original design assumptions that were used for the design of the detention facility and that it will still be in compliance with Article XIII-Stormwater Control Ordinance.

Fire Protection: The Fire Marshall has reviewed the Site Plan and has approved the plan as proposed.

Entry Corridor Requirements: The proposed project has been reviewed for compliance with our Entry Corridor Standards and Guidelines. Appropriate measures have been taken for this project to comply.

Recommendation: Approval, conditioned upon approval of a Landscape Plan for the additional area being developed.
Project Scope

Provide all site work required to construct the Building 'A' and Building 'B', and any other improvements required to complete the project. The project includes the following:

- Site work including grading, drainage, and utility installations
- Building 'A' to be 3,290 square feet
- Building 'B' to be 1,160 square feet
- Detention Pond
- Parking and drive
- Surveying and boundary documentation
- Environmental mitigation
- All work to be completed in accordance with applicable regulations and codes

General Site Data

Site Address: 103 Heritage Hills, Fredericksburg, Texas 78624

Parcel Size: 0.99 AC +/-

Lot 1: 0.36 Acre
Lot 2: 0.63 Acre

Project Data:

- Building 'A': 3,290.0 +/- ft
- Building 'B': 1,160.0 +/- ft

Building Area: Building 'A' 3,290 ft²

Building Occupancy: B Business/ Medical

Number of Stories: 1

Construction Type: V-B

Sprinkler System: no

Total Occupant Load: (44.5) 45 +/- Occupancy Load: (per IBC table 1004.1.2)

Number and width of exits:
- First floor: 33" clear width x 2 = 66". Third door at "Office no 2"; 33" clear width.
- Second floor: 30" clear width x 2 = 60". Second door at "Office no 2"; 30" clear width.

Exit travel distance - required to be less than 200' with out sprinkled building, per Table 1017.2

Accessibility Guidelines:
- Number of Stories: 1
- Total Accessible parking spaces 22 total
- Total Proposed parking spaces 44 total
- Total ADA parking spaces 26 to 50 = 2, min required number of
- Sprinkler System: no
- Number and width of exits:
- First floor: 33" clear width x 2 = 66". Third door at "Office no 2"; 33" clear width.
- Second floor: 30" clear width x 2 = 60". Second door at "Office no 2"; 30" clear width.

Total Gross Building Area: Building 'A' 3,290 ft²

Building Height:
- Building "A' 18.67' +/- (main ridge)
- Building "B' 16.67' +/- (main ridge)

Allowable Height: 60'

Actual Height: Building "A' 18.67' +/- (main ridge)

Sprinkler System: no

Total Accessible parking spaces 22 total

Total Proposed parking spaces 44 total

Total ADA parking spaces 26 to 50 = 2, min required number of

Total number of exits:
- First floor: 33" clear width x 2 = 66". Third door at "Office no 2"; 33" clear width.
- Second floor: 30" clear width x 2 = 60". Second door at "Office no 2"; 30" clear width.

Total Gross Building Area: Building 'B' 1,160 ft²

General Notes:

1. THE DRAWINGS INDICATE LOCATION, DIMENSIONS, AND TYPICAL CONSTRUCTION DETAILS.
2. THE DRAWINGS DO NOT ILLUSTRATE EVERY DETAILS. WORK NOT PARTICULARLY DETAILED,
   SHALL BE OF CONSTRUCTION SIMILAR TO PARTS THAT ARE DETAILED.
3. DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED
   DIMENSIONS.
4. THE DRAWINGS INDICATE LOCATION, DIMENSIONS, AND TYPICAL CONSTRUCTION DETAILS.
   THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS FOR SITE
   UTILIZING INFORMATION COLLECTED FROM THE OWNER, OWNER PROVIDED INFORMATION, FIELD MEASUREMENTS BY
   SURVEYOR PRIOR TO CONSTRUCTION. DESIGN PROFESSIONAL SHALL BE NOTIFIED OF AND DISCREPANCIES PRIOR TO THE
   COMMENCEMENT OF THE WORK.
5. DO NOT SUBSTITUTE, REVISE, OR CHANGE THE WORK WITHOUT THE WRITTEN CONSENT OF
   THE DESIGN PROFESSIONAL.
6. ALL DIMENSIONS, WHEN SHOWN IN THE DESIGN DOCUMENTS, ARE TO FACE OF STUDS
   UNLESS NOTED OTHERWISE.
7. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS FOR SITE
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