



ITEM NO 1  
MEETING DATE FEBRUARY 26, 2013  
STAFF TED SHEPARD

**HEARING OFFICER**

## STAFF REPORT

**PROJECT:** Odell Brewing Company, Parking Lot Expansion and Replat, Project Development Plan, #PDP120032

**APPLICANT:** Odell Brewing Company  
c/o BHA Design  
1603 Oakridge Drive  
Fort Collins, CO 80525

**OWNER:** Odell Brewing Company  
800 East Lincoln Avenue  
Fort Collins, CO 80524

### PROJECT DESCRIPTION:

This is a request to expand the parking lot to the north of the brewery to accommodate parking for 52 additional spaces. This new parking lot will connect the east and west parking lots in one continuous loop for enhanced emergency access and convenient circulation. In addition, a replat of the property will be considered due to the enlargement of the developed property beyond the boundary of the existing plat. The site is located on the north side of Lincoln Avenue approximately 200 feet east of Third Street. The original site is 3.8 acres and the proposed expansion is 1.43 acres creating a new total of 5.23 acres. The site is zoned I, Industrial.

**RECOMMENDATION:** Approval

### EXECUTIVE SUMMARY:

The parking lot expansion is in conjunction with the recently approved Minor Amendment (January, 2013). The purpose is to enable emergency service providers, particularly the Poudre Fire Authority, to circumnavigate the site via a paved surface meeting proper specifications as to width and turning radii. In addition, the new 52 spaces are needed due to the loss of existing employee

parking being converted to the expanded tap room and beer garden in the area of the east parking lot.

The reason the parking lot expansion is not a part of the aforementioned Minor Amendment is because such expansion is located beyond the limits of the governing plat and site plan. Only improvements located within the existing boundary can be processed as a Minor Amendment. All other improvements must be processed as a Project Development Plan.

The P.D.P allows the facility to remain in compliance with the Northside Neighborhoods Plan by contributing to a wide range of industry and through the continued use of quality landscaping. Further it is in compliance with the applicable land use and development standards of the Industrial zone district. Finally, it is in compliance with the applicable General Development standards.

## **COMMENTS:**

### 1. **Background:**

The surrounding zoning and land uses are as follows:

N: I; Vacant  
S: C-C-R; Link 'N Greens Golf Course  
E: I; Fort Collins Monument and Stone  
W: R-L; Buckingham Neighborhood - Single Family and Vacant

Odell Brewing Company was approved in April of 1994. There have been a variety of Minor Amendments approved since that time. On August 6, 2008, a Modification of Standard was approved to allow the reduction in the buffer yard that adjoins the Buckingham Neighborhood ("Buckingham") located to the west from 80 feet to 40 feet, subject to installation of an earthen berm, a privacy fence and a significant amount of plant material. These improvements have been installed.

In March of 2009, a Major Amendment was approved which allowed for an expansion of all aspects of the brewery including two building additions totaling 30,211 square feet. Additions consisted of a new brew house, fermentation tanks, cooler, warehouse and shipping dock. Other improvements included a new visitor parking lot for 76 spaces and 40 bicycle spaces served by a new driveway entrance along Lincoln Avenue all located on the west side of the property. These additions have been constructed.

In January of 2013, a Minor Amendment was approved which allowed for a 14,548 square foot addition consisting of a third brew house, new fermentation

tanks and tap room expansion including converting a portion of the east parking lot into an outdoor beer garden.

2. **Northside Neighborhoods Plan:**

The site is located within Area Five of the Northside Neighborhoods Plan. The Plan states:

“The Plan continues to encourage industry in the areas zoned *industrial*. Industrial zoning currently provides opportunities for workplaces and manufacturing and a wide range of industry, but not necessarily a mix of uses including residential.”

“Recent industrial development have used quality building design and materials and landscaping to help “blend in” with the Northside Neighborhood area and uphold a theme of high quality for the businesses.”

In addition, under *Purpose of the Framework Plan*, the Plan states:

“The Framework Plan aims to achieve the following goals consistent with the goals and vision for the Plan Area:

- Conserve existing industrial uses;
- Provide a mix of industrial and residential uses that protects the residential character of the neighborhoods and honors the traditional coexistence of small businesses, industry and neighborhoods.

The proposed parking lot expansion for the Odell Brewing Company is in compliance with the Northside Neighborhoods Plan.

3. **Article Four – Applicable Industrial Zone District Standards:**

A. *Section 4.28(B)(2)(c)8. – Permitted Uses*

Parking lots and parking garages (as a principal use) are permitted in the Industrial zone subject to administrative review.

B. *Section 4.28(E)(3)(a)1. – Site Design – Screening*

This standard requires that industrial activities and storage shall not abut a residential area unless the activities are contained within a building or completely

screened from view from the residential area. In compliance, the new parking lot is located central to the site and is screened from the view from Buckingham by existing berming, landscaping and fencing that was constructed with the Major Amendment of 2009.

C. *Section 4.28(E)(3)(b)1. – Storage and Operational Areas*

This standard requires that storage, loading and work operations shall be screened from view along all district boundary lines and from all public streets. The proposed parking lot is screened from Lincoln Avenue by the building and screened from the Buckingham neighborhood, zoned Low Density Residential by existing berming, landscaping and fencing.

4. **Article Three Applicable General Development Criteria:**

A. *Section 3.2.1(E)(1) – Buffering Between Incompatible Uses and Activities*

The fundamental aspect of buffering the industrial brewery from the Buckingham neighborhood was addressed with the Major Amendment of 2009. Buffering is accomplished with the landscaping installed between the existing parking lot and the west property line. This includes an existing 40-foot wide buffer yard that features an earthen berm ranging from four to six feet in height. This area is landscaped with a combination of evergreen and deciduous trees achieving approximately 75% opacity.

B. *Section 3.2.1(E)(4) – Parking Lot Perimeter Landscaping*

The proposed P.D.P. includes landscaping along the east edge. Landscaping is not needed along the west (existing parking lot), south (existing building) or north (existing hill the top of which is approximately seven feet higher than the parking lot).

D. *Section 3.2.1(E)(5) – Parking Lot Interior Landscaping*

The parking lot provides 6% interior landscaping in the form of islands.

E. *Section 3.2.2(C)(3) – Access, Circulation and Parking – Site Amenities*

The new access drive will be 24 feet wide to accommodate both emergency vehicles and employee parking and will allow the existing east and west parking lots to be connected in a loop. This new configuration improves the safety and efficiency of the circulation system.

F. *Section 3.2.2(C)(4) – Bicycle Facilities*

There are no new bike racks associated with the new parking lot as there is parking for 52 bikes located near the tap room entrance. This number significantly exceeds the required minimum.

G. *Section 3.2.2(K)(2) – Non-residential Parking Requirements*

This standard requires that employee parking not exceed a ratio of .75 spaces per employee. At the completion of the Minor Amendment (approved in January of 2013), a total of 70 employees are anticipated. The existing eastern parking lot would be reduced to 14 spaces and combined with the proposed 52 spaces will provide a new total of 66 spaces. This exceeds the allowable maximum of 53 spaces (70 x .75) by 13 spaces resulting in a ratio of .94 spaces per employee. (See Alternative Compliance section below.)

H. *Section 3.2.2(K)(3) – Parking Requirements - Alternative Compliance*

The non-residential parking maximum standard contains an Alternative Compliance provision that is intended to allow additional parking spaces subject to specific criteria.

(1.) Applicant's Justification

The request for 13 additional spaces is primarily based on the proximity of the brewery to the residential neighborhood to the west and existing businesses to the south and east. With no opportunity for shared parking or on-street parking, there is a clear need to accommodate all parking onsite. Buckingham residents have indicated that any spillover brewery parking onto Third Street is undesirable. Similarly, adjacent businesses do not want their properties impacted by spillover parking, particularly Link 'N Greens golf course which maintains weekend and evening hours including an illuminated driving range. While the existing customer parking lot on the west side of the brewery handles the preponderance of visitors, there are, at times, special occasions where parking demand exceeds supply. The 14 extra spaces provide for overflow capacity. Consequently, the number of spaces has been slightly increased as a precautionary measure to maintain healthy neighborly relations.

Further, the brewery hosts a variety of outdoor vendors (mobile food trucks) that maneuver and stage in the easterly parking lot. With the third brew house and beer garden expanding into this parking lot, the existing pavement afforded by the 14 spaces will allow the food trucks the room to operate while still retaining the 20-foot emergency access drive.

Finally, while the number of employees is presently estimated at 70, there may be a need for additional employees based on future growth potential.

- (2.) In evaluating the request for Alternative Compliance, staff finds that the nature of a craft brewery is different from a prototypical industrial operation. For example, Odell Brewery hosts special events related to tapping a new beer, charity functions, out-of-town tours and classes related to fermentation science. These functions put pressure on the visitor parking lot. With the lack of off-site shared parking or on-street parking, there is a need to accommodate potential overflow parking onsite.
- (3.) Staff finds that the additional parking does not detract from continuity and convenient proximity for pedestrians between or among existing or future uses in the vicinity. This is because the proposed and existing parking lots are located to the sides and rear of the building thus preserving a direct pedestrian walkway connection between the customer entrance and the public sidewalk.
- (4.) Staff finds that the P.D.P. as proposed minimizes the visual and aesthetic impact along the public street by placing the proposed parking at the rear of the building. In addition, the 14 spaces on the east are set back from Lincoln Avenue by 180 feet.
- (5.) Staff finds that the increase in parking creates no physical impact on any facilities serving alternative modes of transportation. As mentioned, this is because the tap room entrance is accessible by bicyclists and pedestrians without having to cross a vehicular use area.
- (6.) Staff finds that the additional spaces create no detrimental impact on natural areas or features.
- (7.) Staff finds that handicap parking ratios are maintained.

In summary, based on 70 anticipated employees, the request to increase the number of employee parking spaces from 53 to 66 accomplishes the purposes of the standard equally well or better than would a plan which otherwise complies with the standard.

I. *Section 3.2.4 – Site Lighting*

New pole and building-mounted light fixtures will be fully shielded and down directional. The proposed average illumination level slightly exceeds the required minimum and is appropriate for the location and function of the new parking lot. Illumination does not spill across either the east or west property lines.

J. *Section 3.3.1 – Plat Standards*

Odell Brewing Company Filing Two complies with the requirements for a legal subdivision of land. The lot fronts on a public street with the proper dedication of public right-of-way and easements for utilities. Also, drainage and emergency access easements have been provided as required by the City's Stormwater Utility and the Poudre Fire Authority.

K. *Section 3.4.3 – Water Quality*

The stormwater runoff associated with the new additional impervious area will be conveyed, treated, detained and released in accordance with the requirements of the Stormwater Utility.

L. *Section 3.5.1(H) – Land Use Transition*

As stated, the new parking lot would be located to the north of the existing building so there are no transition issues in relation to the Buckingham neighborhood on the west or the other industrial uses to the east. The area between the north line of the proposed parking lot and Buckingham Street is owned by a separate but related entity, Odell Investments LLC. This area is characterized by a hill that is the result of approximately 11 feet of calcium carbonate (lime) that was deposited as a waste product by the Great Western Sugar Company.

M. *Section 3.6.4 – Transportation Impact Study*

The Traffic Operations Department waived the requirement for a Transportation Impact Study for this P.D.P.

7. **Conclusion and Findings of Fact:**

In evaluating the request for a P.D.P for the Odell Brewing Company, Staff makes the following findings of fact:

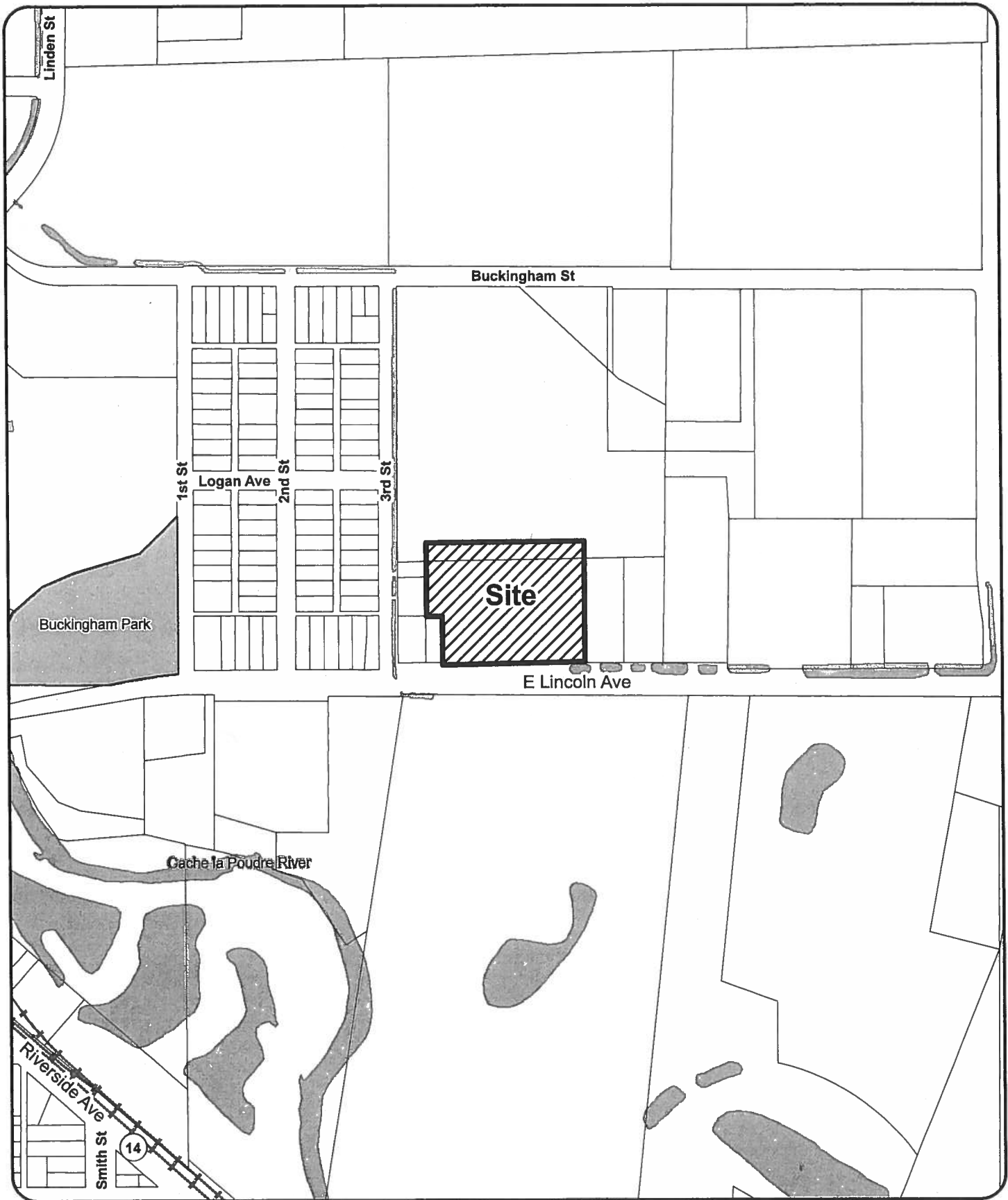
- A. The P.D.P. is in compliance with the Northside Neighborhoods Plan.

- B. The P.D.P is in compliance with the applicable land use and development standards of the Industrial zone district of Article Four.
- C. The P.D.P. is in compliance with the applicable General Development Standards of Article Three.

**RECOMMENDATION:**

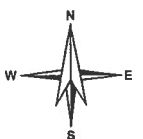
Staff recommends approval of the Odell Brewery Parking Lot Expansion and Replat, Project Development Plan, #PDP120032.





**Odell Brewing Company -  
Parking Lot Expansion,  
Replat PDP120032**

1 inch = 417 feet





**ODELL BREWING CO.**  
FORT COLLINS, COLORADO

December 28<sup>th</sup> 2012

Mr. Ted Shepard  
Chief Planner  
281 North College Avenue  
Fort Collins, CO 80524

Dear Mr. Shepard:

I am writing to you in an effort to communicate the intent of the proposed Odell Brewing temporary north coworker parking/ emergency access drive. With the brewhouse expansion encroaching upon the east parking lot, the ability to turn fire trucks around on the east side will be lost. We must meet Poudre Fire Authority requirements to provide emergency access between the existing east and west parking lots. Furthermore, we wish to relocate some coworker parking spaces which will be removed from the east parking lot during the expansion to the north driveway.

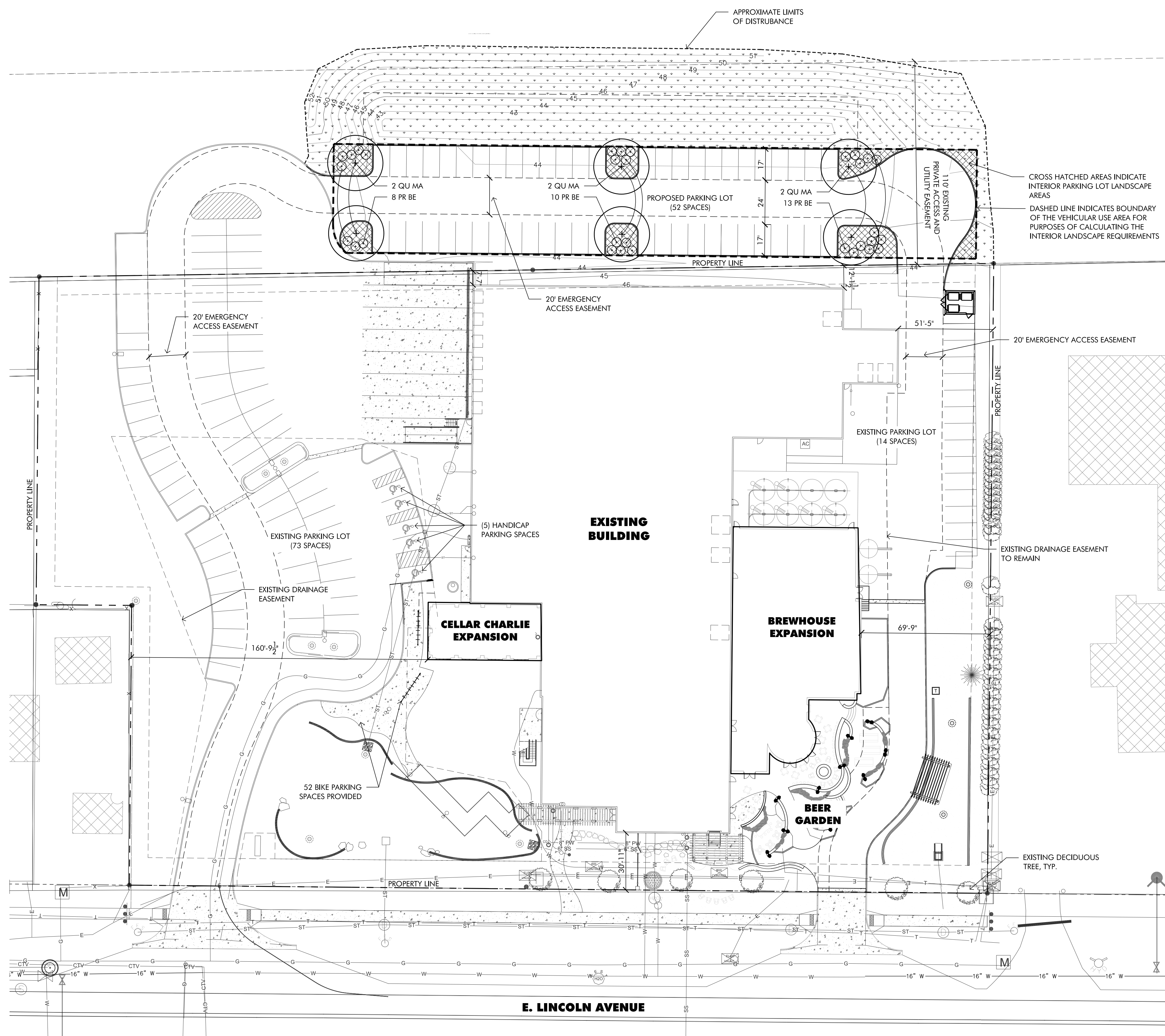
Odell Brewing has no plans for expansion into the property directly to the north of the brewery beyond this temporary coworker parking/ emergency access drive. This lot is owned by Odell Investments, LLC as a real estate investment, in fact a portion of the original lot has already been sold to another entity. This lot is also covered with approximately 11 feet of calcium carbonate which would need to be removed at great expense. Therefore the Odell Brewing Company, Inc. group feels it may make more sense for future expansion to move east along Lincoln Ave as opposed to moving north.

Please let me know if you would like to discuss the matter in further detail. You can reach me by email at [brendan@odellbrewing.com](mailto:brendan@odellbrewing.com) or by cell phone at (970)581-5490.

Thank you,

  
Brendan McGivney

800 E. LINCOLN AVE., FORT COLLINS, CO 80524  
(970) 498-9070 Fax (970) 498-0706 [www.odellbrewing.com](http://www.odellbrewing.com)

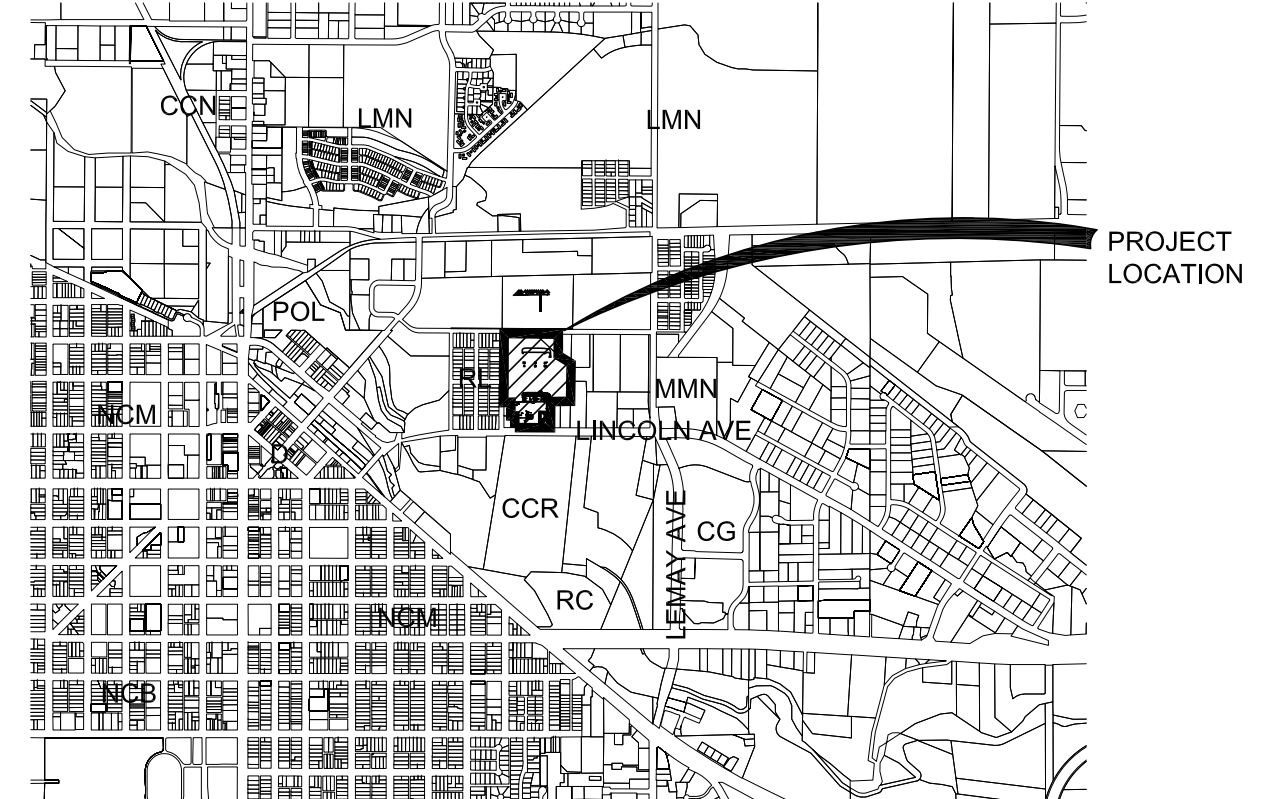


**OWNER/APPLICANT**

Brenden McGivney  
 Odell Investments, LLC.  
 800 E. Lincoln Ave  
 Fort Collins, Colorado 80525  
 (970) 498-9070

**STATEMENT OF PLANNING OBJECTIVES**

With the addition of building expansions for the top house and production facility, employee parking areas were lost and needed to be relocated. With approximately 70 employees at the peak time, employee parking is needed that does not interfere with the day to day visitor parking. A fire lane had been previously routed around the north side of the existing building, and the expansion of that fire lane into an employee parking lot is the purpose of this submittal. This connection of two previously dead end drive lanes is an important connection around the building for circulation reasons.



**VICINITY MAP** SCALE: 1" = 2500'

**LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 7 NORTH RANGE 69 WEST OF THE 6TH P.M., CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO

**OWNERS CERTIFICATION**

KNOW ALL MEN BY THESE PRESENT THAT: City of Fort Collins and/or assigns being all the lawful recorded owners of the property shown on this development plan, except any existing public streets, roads, or highways, do hereby certify that I/we accept the conditions and restrictions set forth on said plan and in the conditions of approval by the City of Fort Collins, dated \_\_\_\_\_, and that I/we consent to the recordation of any information pertaining thereto.

Owner: ODELL INVESTMENTS LLC.

By: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 STATE OF COLORADO )  
 ) ss.  
 COUNTY OF LARIMER )  
 The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_  
 My commission expires: \_\_\_\_\_

Notary Public

**DIRECTOR OF PLANNING**

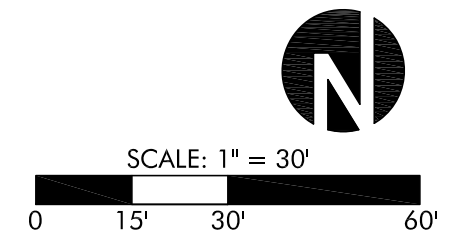
APPROVED BY THE DIRECTOR OF THE CITY OF FORT COLLINS, COLORADO ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

DIRECTOR OF PLANNING

**LAND USE DATA**

EXISTING ZONING	1 - INDUSTRIAL
PROPOSED LAND USE	MANUFACTURING/OFFICE/PUBLIC USE
MAX. BUILDING HEIGHT PERMITTED	4 STORIES
MAX BUILDING HEIGHT PROPOSED	4 STORIES
HOURS OF OPERATION	8 AM TO 9 PM
GROSS SITE AREA	4,389 AC. (191,212 SF)
ESTIMATED FLOOR AREA RATIO	.31 FAR
PUBLIC R.O.W.	0 AC (0 SF)
PARKING MAXIMUM PER INDUSTRIAL USE (0.75 PER EMPLOYEE * 70 EMPLOYEES)	53 PARKING SPACES
PARKING LOT LANDSCAPE AREA	2,088 SF LANDSCAPE/ 20,543 SF PARKING = 10% LANDSCAPE AREA 3,802 AC. (165,635 SF)
NET SITE AREA	
SITE COVERAGE	AREA PERCENT
BUILDING COVERAGE	52,458 SF 27%
DRIVES & PARKING	51,517 SF 27%
DRIVES & PARKING (PRIVATE OFF-SITE ACCESS EASEMENT)	25,577 SF 13%
LANDSCAPE & WALKS	61,660 SF 33%
PUBLIC R.O.W.	0 SF 0%
GROSS SITE AREA	191,212 SF 100%
NET SITE AREA	165,635 SF
PARKING STANDARD	REQUIRED PROVIDED
HANDICAP	NA 134
TOTAL	5 5
BIKE PARKING	REQUIRED PROVIDED
REQUIRED	4 4
PROVIDED	52 52

REVISIONS: PDP RE-SUBMITTAL DATE: JAN 18, 2013



**LEGEND**

- DECIDUOUS TREES
  - DECIDUOUS SHRUBS
  - DRYLAND SEED
- SEED MIXTURE:  
 (23%) Blue Grama  
 (10%) Buffalograss  
 (20%) Green Needlegrass  
 (20%) Sideoats Grama  
 (25%) Western Wheatgrass  
 (2%) Sand Dropseed

**PLANT LIST**

Deciduous Trees					
Symbol	Botanical Name	Common Name	Size	Root	Quantity
QU MA	Quercus macrocarpa	Bur Oak	2" Cal.	BB	6
Deciduous Shrubs					
PR BE	Prunus besseyi	Western Sand Cherry	5 Gal.	Cont.	31

**NOTES**

- Development shall happen in one phase, with the approximate construction to begin Spring 2013 and ending Fall 2013.
- Landscape materials shall be in accordance with AAN specifications for Number One Grade. Contractor is responsible to warranty all material installations for 1 year from date substantial completion.
- Trees shall not be planted closer than 10 feet of existing or proposed underground utility lines.
- Shrubs shall not be planted closer than 5 feet of existing or proposed underground utility lines.
- Turf areas shall be irrigated with an automatic pop-up irrigation system. Shrub beds and trees to be irrigated with an automatic drip (trickle) irrigation system. The irrigation plan shall be reviewed and approved by the City of Fort Collins prior to the issuance of a building permit.
- Shrub beds shall be mulched with a 3" layer of rock mulch non woven polypropylene weed barrier such as Typar or Miraf unless otherwise shown.
- Perennial/ornamental grass beds to be mulched to a 4" depth with shredded cedar mulch. No weed barrier shall be placed in these beds.
- The landscape shall be installed prior to the issuance of a Certificate of Occupancy, or an escrow in the amount of 125% of the estimated cost may be retained by the city.

**WATER BUDGET CHART**

HYDROZONE	AREA (s.f.)	WATER NEED (gallons/s.f.)	ANNUAL WATER USE (gallons)
HIGH	0	18	0
MODERATE	0	10	0
LOW	1,768	3	5,304
VERY LOW	19,578	0	0
TOTAL GALLONS			5,304
TOTAL S.F.	21,346		
AVERAGE		4.02 GALLONS/S.F./SEASON	

Notes:  
 1. The average needs to be a maximum of 15 gallons/S.F.season.

**SITE/LANDSCAPE PLAN  
 PROJECT DEVELOPMENT PLAN**

**ODELL BREWERY PARKING LOT EXPANSION**  
 800 EAST LINCOLN AVENUE  
 FORT COLLINS, COLORADO

BHA DESIGN, INC. • 1603 OAKRIDGE DRIVE bha FT. COLLINS, CO 80525 • TEL: (970) 223 - 7577



# ODELL BREWING COMPANY FILING TWO

BEING A REPLAT OF ODELL BREWING COMPANY FIRST REPLAT AND A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO

**STATEMENT OF OWNERSHIP AND SUBDIVISION:**

Know all persons by these presents, that the undersigned owner(s) of the following described land: A tract of land located in the Northeast Quarter of Section 12, Township 7 North, Range 69 West of the 6th Principal Meridian, City of Fort Collins, County of Larimer, State of Colorado being more particularly described as follows:

Lot 1, Odell Brewing Company First Replat recorded at Reception No. 20090037685, a plat of record with the Clerk & Recorder of Larimer County, contains 3.802 acres.

AND; a portion of that tract of land described at Reception No. 20070090962, recorded with the Clerk & Recorder of Larimer County being more particularly described as follows;

Considering the North line of Lot 1 of the Odell Brewing Company First Replat as bearing South 89°11'23" West and with all bearings contained herein relative thereto:

BEGINNING at the Northeast corner of Lot 1, Odell Brewing Company First Replat; thence, South 89° 11' 23" West, 517.73 feet to the Northwest corner of said Lot 1; thence departing said North line, North 00° 29' 20" East, 120.14 feet; thence, North 89° 12' 11" East, 517.85 feet to a point on the West line of that tract of land described in Reception No. 20120016119, recorded with the Clerk & Recorder of Larimer County; thence along said West line, South 00° 32' 55" West, 120.03 feet to the Point of Beginning, contains 1.427 acres.

The above described area contains 227,798 square feet or 5.229 acres more or less and is subject to all easements and rights-of-way now on record or existing.

For themselves and their successors in interest (collectively "Owner") have caused the above described land to be surveyed and subdivided into lots, tracts and streets as shown on this Plat to be known ODELL BREWING COMPANY FILING TWO (the "Development"), subject to all easements and rights-of-way now on record or existing or indicated on this Plat. The rights and obligations of this Plat shall run with the land.

**CERTIFICATE OF DEDICATION:**

The Owner does hereby dedicate and convey to the City of Fort Collins, Colorado (hereafter "City"), for public use, forever, a permanent right-of-way for street purposes and the "Easements" as laid out and designated on this Plat; provided, however, that (1) acceptance by the City of this dedication of Easements does not impose upon the City a duty to maintain the Easements so dedicated, and (2) acceptance by the City of this dedication of streets does not impose upon the City a duty to maintain streets so dedicated until such time as the provisions of the Maintenance Guarantee have been fully satisfied. The streets dedicated on this Plat are the fee property of the City as provided in Section 31-23-107 C.R.S. The City's rights under the Easements include the right to install, operate, access, maintain, repair, reconstruct, remove and replace within the Easements public improvements consistent with the intended purpose of the Easements; the right to install, maintain and use gates in any fences that cross the Easements; the right to mark the location of the Easements with suitable markers; and the right to permit other public utilities to exercise these same rights. Owner reserves the right to use the Easements for purposes that do not interfere with the full enjoyment of the rights hereby granted. The City is responsible for maintenance of its own improvements and for repairing any damage caused by its activities in the Easements, but by acceptance of this dedication, the City does not accept the duty of maintenance of the Easements, or of improvements in the Easements that are not owned by the City. Owner will maintain the surface of the Easements in a sanitary condition in compliance with any applicable weed, nuisance or other legal requirements.

Except as expressly permitted in an approved plan of development or other written agreement with the City, Owner will not install on the Easements, or permit the installation on the Easements, of any building, structure, improvement, fence, retaining wall, sidewalk, tree or other landscaping (other than usual and customary grasses and other ground cover). In the event such obstacles are installed in the Easements, the City has the right to require the Owner to remove such obstacles from the Easements. If Owner does not remove such obstacles, the City may remove such obstacles without any liability or obligation for repair and replacement thereof, and charge the Owner the City's costs for such removal. If the City chooses not to remove the obstacles, the City will not be liable for any damage to the obstacles or any other property to which they are attached.

The rights granted to the City by this Plat inure to the benefit of the City's agents, licensees, permittees and assigns.

OWNER: ODELL INVESTMENTS, LLC

By: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF COLORADO )  
JSS  
COUNTY OF LARIMER )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ as \_\_\_\_\_ of \_\_\_\_\_.

Witness my hand and official seal

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**MAINTENANCE GUARANTEE:**

The Owner hereby warrants and guarantees to the City, for a period of two (2) years from the date of completion and first acceptance by the City of the improvements warranted hereunder, the full and complete maintenance and repair of the improvements to be constructed in connection with the Development which is the subject of this Plat. This warranty and guarantee is made in accordance with the City Land Use Code and/or the Transitional Land Use Regulations, as applicable. This guarantee applies to the streets and all other appurtenant structures and amenities lying within the rights-of-way, Easements and other public properties, including, without limitation, all curbing, sidewalks, bike paths, drainage pipes, culverts, catch basins, drainage ditches and landscaping. Any maintenance and/or repair required on utilities shall be coordinated with the owning utility company or department.

The Owner shall maintain said improvements in a manner that will assure compliance on a consistent basis with all construction standards, safety requirements and environmental protection requirements of the City. The Owner shall also correct and repair, or cause to be corrected and repaired, all damages to said improvements resulting from development-related or building-related activities. In the event the Owner fails to correct any damages within thirty (30) days after written notice thereof, then said damages may be corrected by the City and all costs and charges billed to and paid by the Owner. The City shall also have any other remedies available to it as authorized by law. Any damages which occurred prior to the end of said two (2) year period and which are unrepaired at the termination of said period shall remain the responsibility of the Owner.

**REPAIR GUARANTEE:**

In consideration of the approval of this final Plat and other valuable consideration, the Owner does hereby agree to hold the City harmless for a five (5) year period, commencing upon the date of completion and first acceptance by the City of the improvements to be constructed in connection with the development which is the subject of this Plat, from any and all claims, damages, or demands arising on account of the design and construction of public improvements of the property shown herein; and the Owner furthermore commits to make necessary repairs to said public improvements, to include, without limitation, the roads, streets, fills, embankments, ditches, cross pans, sub-drains, culverts, walls and bridges within the right-of-way, Easements and other public properties, resulting from failures caused by design and/or construction defects. This agreement to hold the City harmless includes defects in materials and workmanship, as well as defects caused by or consisting of settling trenches, fills or excavations.

Further, the Owner warrants that he/she owns fee simple title to the property shown hereon and agrees that the City shall not be liable to the Owner or his/her successors in interest during the warranty period, for any claim of damages resulting from negligence in exercising engineering techniques and due caution in the construction of cross drains, drives, structures or buildings, the changing of courses of streams and rivers, flooding from natural creeks and rivers, and any other matter whatsoever on private property. Any and all monetary liability occurring under this paragraph shall be the liability of the Owner. I further warrant that I have the right to convey said land according to this Plat.

**NOTICE OF OTHER DOCUMENTS:**

All persons take notice that the Owner has executed certain documents pertaining to this Development which create certain rights and obligations of the Development, the Owner and/or subsequent Owners of all or portions of the Development site, many of which obligations constitute promises and covenants that, along with the obligations under this Plat, run with the land. The said documents may also be amended from time to time and may include, without limitation, the Development Agreement, Site And Landscape Covenants, Final Site Plan, Final Landscape Plan, and Architectural Elevations, which documents are on file in the office of the clerk of the City and should be closely examined by all persons interested in purchasing any portion of the Development site.

**ATTORNEY'S CERTIFICATION**

I hereby certify that this Subdivision Plat has been duly executed as required pursuant to Section 2.2.3(C)(3)(a) through (e) inclusive of the Land Use Code of the City of Fort Collins and that all persons signing this Subdivision Plat on behalf of a corporation or other entity are duly authorized signatories under the laws of the State of Colorado. This Certification is based upon the records of the Clerk and Recorder of Larimer County, Colorado as of the date of execution of the Plat and other information discovered by me through reasonable inquiry and is limited as authorized by Section 2.2.3(C)(3)(f) of the Land Use Code.

Attorney: \_\_\_\_\_

Address: \_\_\_\_\_

Registration No.: \_\_\_\_\_

**APPROVED AS TO FORM, CITY ENGINEER**

By the City Engineer of the City of Fort Collins, Colorado this \_\_\_\_ day of \_\_\_\_\_ A.D., 20 \_\_\_\_.

\_\_\_\_\_  
City Engineer

**PLANNING APPROVAL**

By the Director of Planning the City of Fort Collins, Colorado this \_\_\_\_ day of \_\_\_\_\_ A.D., 20 \_\_\_\_.

\_\_\_\_\_  
Director of Planning

**SURVEYOR'S STATEMENT**

I, Gerald D. Gilliland, a Colorado Registered Professional Land Surveyor do hereby state that this Subdivision Plat was prepared from an actual survey under my personal supervision, that the monumentation as indicated hereon were found or set as shown, and that the foregoing plat is an accurate representation thereof, all this to the best of my knowledge, information and belief.

\_\_\_\_\_

Gerald D. Gilliland  
Colorado Registered Professional  
Land Surveyor No. 14823



VICINITY MAP  
NOT TO SCALE

**NOTES:**

- 1) The Basis of Bearings is the North line of the Odell Brewing Company First Replat as bearing South 89°11'23" West (assumed bearing).
- 2) The lineal unit of measurement for this plat is U. S. Survey Feet.

**NOTICE**

ALL RESPONSIBILITIES AND COSTS OF OPERATION, MAINTENANCE AND RECONSTRUCTION OF THE PRIVATE STREETS AND/OR DRIVES LOCATED ON THE PRIVATE PROPERTY THAT IS THE SUBJECT OF THIS PLAT SHALL BE BORNE BY THE OWNERS OF SAID PROPERTY, EITHER INDIVIDUALLY, OR COLLECTIVELY, THROUGH A PROPERTY OWNERS' ASSOCIATION, IF APPLICABLE. THE CITY OF FORT COLLINS SHALL HAVE NO OBLIGATION OF OPERATION, MAINTENANCE OR RECONSTRUCTION OF SUCH PRIVATE STREETS AND/OR DRIVES NOR SHALL THE CITY HAVE ANY OBLIGATION TO ACCEPT SUCH STREETS AND/OR DRIVES AS PUBLIC STREETS OR DRIVES.

NOTICE:  
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon.

SECTION: 12  
TOWNSHIP: 7N  
RANGE: 69W of the 6th PM

**NORTHERN ENGINEERING**  
PHONE: 970.221.4158 FAX: 970.221.4159  
www.northernengineering.com

**NE**  
200 South College Avenue, Suite 10  
Fort Collins, Colorado 80524

DATE: 1/16/13  
SCALE: N.A.  
REVIEWED BY: G. Gilliland  
PROJECT: 100-009  
DESIGNED BY:  
DRAWN BY:

ODELL BREWING COMPANY FILING TWO  
NE 1/4 S12, T7N, R69W  
FORT COLLINS, COLORADO

Sheet  
**1**  
Of 2 Sheets

# ODELL BREWING COMPANY FILING TWO

BEING A REPLAT OF ODELL BREWING COMPANY FIRST REPLAT AND A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO

OWNER: ODELL INVESTMENTS LLC  
EXCEPTED PARCEL "NOT INCLUDED IN THIS SUBDIVISION"

OWNER: COLORADO IRON AND METAL INC.

OWNER: LOZANO, ALFREDO C. & CRISTINA YOLANDA

OWNER: MESERLIAN, CHARLES LEVON

OWNER: HALEY, JANICE M/ SCOTT D

OWNER: FRED'S HOUSE LLC

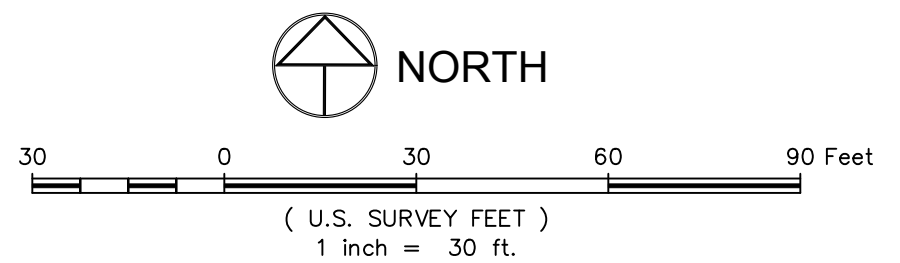
LOT 1  
227,798 sq. ft.  
5.229 ac.

Curve Table					
CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	16°01'42"	219.07	61.28	S18°38'44"W	61.08
C2	59°10'42"	110.00	113.61	S02°55'47"E	108.63
C3	31°45'55"	125.00	69.30	S16°38'10"E	68.42
C4	127°40'29"	50.00	111.42	S63°05'02"W	89.75
C5	36°23'42"	30.00	19.06	N71°16'34"W	18.74
C6	90°00'00"	45.00	70.69	N44°28'25"W	63.64
C7	46°06'59"	60.00	48.29	N22°29'16"E	47.00
C8	45°02'51"	20.00	15.72	N23°01'20"E	15.32
C9	45°02'51"	40.00	31.45	S23°01'20"W	30.65
C10	46°06'59"	40.00	32.20	S22°29'16"W	31.33
C11	90°00'00"	25.00	39.27	S44°28'25"E	35.36
C12	36°23'42"	50.00	31.76	S71°16'34"E	31.23
C13	127°40'29"	30.00	66.85	N63°05'02"E	53.85
C14	31°45'55"	105.00	58.21	N16°38'10"W	57.47
C15	59°10'42"	130.00	134.27	N02°55'47"W	128.38
C16	16°01'42"	199.07	55.69	N18°38'44"E	55.51
C17	15°12'22"	32.50	8.63	S02°54'07"W	8.60
C18	21°11'21"	46.00	17.01	N11°05'36"E	16.92
C19	118°48'18"	12.00	24.88	N25°23'11"E	20.66
C20	71°44'19"	11.00	13.77	N23°34'31"E	12.89
C21	44°23'40"	26.00	20.15	N21°37'36"E	19.65

LINE TABLE		
LINE	LENGTH	BEARING
L1	34.95'	S10°37'52.97"W
L2	31.17'	S32°31'07.81"E
L3	57.38'	S00°45'12.53"E
L4	289.44'	N89°28'25.02"W
L5	106.00'	N00°31'34.98"E
L6	48.75'	N00°34'13.49"W
L7	6.53'	N89°25'46.51"E
L8	19.96'	N09°25'46.51"E
L9	82.84'	N00°34'13.49"W
L10	11.96'	N45°32'45.92"E
L11	16.79'	N00°29'54.92"E
L12	16.77'	S00°29'54.92"W
L13	11.96'	S45°32'45.92"W
L14	151.53'	S00°34'13.49"E
L15	36.49'	S00°31'34.98"W
L16	10.00'	N89°28'25.02"W
L17	69.80'	S00°31'34.98"W
L18	289.44'	S89°28'25.02"E
L19	57.38'	N00°45'12.53"W
L20	31.17'	N32°31'07.81"W
L21	31.39'	N10°37'52.97"E
L22	16.76'	N00°29'54.92"E
L23	17.69'	N00°34'13.49"W
L24	14.00'	N89°25'46.51"E
L25	34.71'	N00°34'13.49"W
L26	10.13'	S89°27'14.08"E

**LEGEND**

- EASEMENT LINE
- - - EXISTING RIGHT-OF-WAY
- BOUNDARY LINE
- LOT LINE
- SECTION LINE
- SET #4 REBAR w/1" PLASTIC CAP, LS 14823
- FOUND PROPERTY CORNER AS DESCRIBED



30' ROW  
BOOK 589, PAGE 575 PER  
ROAD VIEWERS REPORT BOOK

3RD STREET  
(60' RIGHT-OF-WAY)

EAST LINCOLN AVENUE

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**NE**  
200 South College Avenue, Suite 10  
Fort Collins, Colorado 80524

DATE: 1/16/13  
PROJECT: 100-009  
DESIGNED BY:  
DRAWN BY:  
SCALE: 1" = 30'  
REVIEWED BY: C. Gilliland

ODELL BREWING COMPANY FILING TWO  
NE 1/4 S12, T7N, R69W  
FORT COLLINS, COLORADO

Sheet  
**2**  
Of 2 Sheets



**Planning, Development and  
Transportation Services**  
Current Planning  
281 N. College Ave.  
PO Box 580  
Fort Collins, CO 80522-0580  
**970.221.6750**  
970.224.6134 - fax  
[fcgov.com/currentplanning](http://fcgov.com/currentplanning)

February 12, 2013

Dear Resident/Property Owner:

On Tuesday, February 26, 2013, at 5:00 p.m., in conference room A of 281 North College Avenue, Fort Collins, Colorado, the City of Fort Collins Hearing Officer will conduct a public hearing to consider a development proposal in your neighborhood. The project is referred to as **Odell Brewing Company - Parking Lot Expansion and Replat, #PDP120032.**

This is a request to expand the parking lot to the north of the brewery to accommodate parking for 52 additional spaces. This new parking lot will connect the east and west parking lots in one continuous loop for enhanced emergency access and convenient circulation. In addition, a replat of the property will be considered due to the enlarged area of the developed property.

Presently, there is a building expansion that is underway. This addition was approved by a Minor Amendment under previous action and is not considered a part of the current proposal.

The City Current Planning Staff and Hearing Officer consider your interest and input in this matter, as well as your neighbor's input, an important part of the City's review of this proposal. If you are unable to attend, written comments are welcome.

The list of affected property owners for this public meeting is derived from official records of the Larimer County Assessor. Because of the lag time between occupancy and record keeping, or because of rental situations, a few affected property owners may have been missed. Please feel free to notify your neighbor of this pending meeting so all neighbors may have the opportunity to attend.

Sincerely:

A handwritten signature in blue ink that reads "Ted Shepard".

Ted Shepard, AICP  
Chief Planner

**The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call 970-221-6750 for assistance.**



**Odell Brewing Company -  
Parking Lot Expansion,  
Replat PDP120032**

1 inch = 417 feet

