

Community Planning and Environmental Services
Current Planning

August 7, 2002

Greg Fisher
315 Clyde Street
Fort Collins, CO. 80524

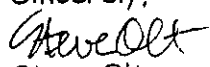
Dear Greg,

For your information, attached is a copy of the Staff's comments concerning the request for **Redevelopment of a Portion of Property Owned by Schrader Oil Co., bounded by North College Avenue, Willow Street, Jefferson Street, and Linden Street**, which was presented before the Conceptual Review Team on August 5, 2002

This is a request to remove the existing office and shop buildings and construct a new 6,300 square foot building on this site. The property is located on the east side of North College Avenue, south of Willow Street, and is between the existing Union Pacific Railroad tracks and the proposed Burlington Northern Railroad tracks. The property is in the T - Transition Zoning District.

The comments are offered informally by Staff to assist you in preparing the detailed components of the project application. Modifications and additions to these comments may be made at the time of formal review of this project.

If you should have any questions regarding these comments or the next steps in the review process, please feel free to call me at 221-6341.

Sincerely,

Steve Olt,
Project Planner

cc: Stormwater Utility
Streets
File
John Howe, Schrader Oil



City of Fort Collins

CONCEPTUAL REVIEW STAFF COMMENTS

MEETING DATE: August 5, 2002

ITEM: Redevelopment of a Portion of Property Owned by Schrader Oil Co., bounded by North College Avenue, Willow Street, Jefferson Street, and Linden Street.

APPLICANT: Greg Fisher
315 Clyde Street
Fort Collins, CO. 80524

LAND USE DATA:

Request to remove the existing office and shop buildings and construct a new 6,300 square foot building on this site. The property is located on the east side of North College Avenue, south of Willow Street, and is between the existing Union Pacific Railroad tracks and the proposed Burlington Northern Railroad tracks. The property is in the T - Transition Zoning District.

COMMENTS:

1. Peter Barnes of the **Zoning Department** stated that the property is in the T - Transition Zoning District in the Land Use Code (LUC). He offered the following comments:
 - a. The proposed office land use would be permitted in the T - District, probably subject to a Building Permit review.

- b. The elimination of the existing office and shop buildings and the construction of a new office building may affect the use of the existing warehouse site to the east, which may require a development review of that site.

Please contact Peter, at 221-6760, if you have questions about these comments.


2. Sheri Wamhoff of the **Engineering Department** offered the following comments:

- a. The standard utility plan submittal requirements will apply to this development request.
- b. Street oversizing fees may apply to this development request. The fees are based on vehicle trip generation for the proposed land uses in the development plan. Please contact Matt Baker of **Engineering** (224-6108) for detailed information on the fees. The fees will be collected at the time of issuance of building permits.
- c. A Transportation Impact Study (TIS), addressing all modes of transportation, may be required with your Project Development Plan (PDP) submittal. Please contact Eric Bracke of the **Traffic Operations Department** (224-6062) and Tom Reiff of the **Transportation Planning Department** (416-2040) to determine what information may be needed in the TIS pertaining to Level of Service (LOS) for vehicle, pedestrian, bicycle, and transit modes of transportation.
- d. This project may need to dedicate additional right-of-way (ROW) for Willow Street. Also, a utility easement would then need to be granted behind the ROW.
- e. This property will be responsible for the design of improvements to Willow Street along its frontage. The design must be to current City standards.

- f. This property may be responsible for some repays for future (2003) street improvements to North College Avenue. Please contact Dean Klingner (221-6605) or John Lang (221-6583) of Engineering for information regarding potential repays.
- g. The Larimer County Road Impact Fees will apply to this redevelopment.
- h. The Colorado Department of Transportation Access Control Plan may apply to this redevelopment.
- i. A Development Agreement and a Development Construction Permit will be needed for this redevelopment.

Please contact Sheri, at 221-6750, if you have questions about these comments.

3. Roger Buffington of the Water/Wastewater Department offered the following comments:

- a. There is an existing 8" water main in Willow Street.
-  b. There is an existing 36" sanitary sewer main that goes through this site. A 30' wide utility easement (15' either side of the main) must be provided for this sewer main.
- c. The sanitary sewer service to the new office building must connect at a manhole.
- d. The City's water conservation standards for landscaping and irrigation systems will apply to this site. Information on these standards can be obtained at the Water Department and the Current Planning Department.
- e. Plant investment fees and water rights will apply to this development and they will be due at time of issuance of building permits.

Please contact Roger, at 221-6854, if you have questions about these comments.

4. Glen Schlueter of the **Stormwater Utility** offered the following comments:
 - a. The site is located in the Old Town Drainage Basin, where the development fee is \$4,150 per acre, which is subject to the runoff coefficient reduction.
 - b. The standard drainage and erosion control report and construction plans are required and they must be prepared by a professional engineer registered in the State of Colorado.
 - c. On-site storm water detention and water quality extended detention to treat the runoff is required with this redevelopment.

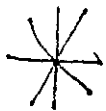
Please contact Glen, at 224-6065, if you have questions about these comments.

5. Alan Rutz of the **Light & Power Department** offered the following comments:
 - a. Power is readily available to this site.
 - b. A C-1 Commercial Form must be filled out to help determine the electric needs for this redevelopment.
 - c. The normal charges, both development and system charges, will apply to this request.

Please contact Alan, at 224-6153, if you have questions about these comments.

6. Doug Moore of the Natural Resources Department offered the following comments: 221-6600

- a. A Fugitive Dust Control Permit will be necessary. This permit would be issued by the Larimer County Environmental Health Department. Please contact them directly for information about their requirements.
- b. Native plant materials and grasses should be incorporated in the Landscape Plan. The use of bluegrass should be minimized.
- c. The trash enclosures must be designed to conform to the primary buildings materials and colors, to accommodate recycling, and must be properly screened from view.



- d. This property is considered to be a "brownfields" site. Please contact Margit Hentschel of Natural Resources (221-6263) for information regarding development of "brownfields". *John Stokes*
224-6179 Fax: 224-6177

Please contact Doug, at 224-6143, if you have questions about these comments.

7. Tom Reiff of the Transportation Planning Department offered the following comments:



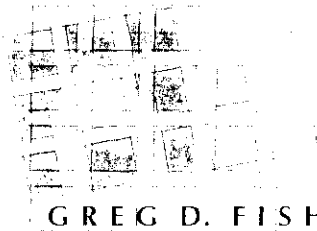
- a. A TIS, addressing all modes of transportation, may be required with your PDP submittal. Please contact Eric Bracke of the Traffic Operations Department (224-6062) and Tom Reiff of the Transportation Planning Department (416-2040) to determine what information may be needed in the TIS pertaining to LOS for vehicle, pedestrian, bicycle, and transit modes of transportation.
- b. The nature of the street and pedestrian improvements associated with this proposed redevelopment will need to be determined. Advance Planning will be of assistance regarding necessary improvements.

Please contact Tom, at 416-2040, if you have questions about these comments.

8. Timothy Wilder of the **Advance Planning Department** indicated that this property is in the Downtown River Corridor area and development/redevelopment should be consistent with the "characteristics" of downtown. The new office concept fits in but the storage area does not.
9. The submittal requirements for development/redevelopment of this property can be discussed when it is determined what type of review(s) is/are necessary.

June 26, 2003

Mr. Steve Olt
Community Planning
& Environmental Services
City of Fort Collins
P.O. Box 580, 281 North College Avenue
Fort Collins, CO 80522-0580



GREG D. FISHER, ARCHITECT

Re: Schrader Oil Company - Response to Conceptual Review Comments

Dear Steve:

This letter is address your conceptual review comments dated August 7, 2002. Most of the comments pertained to the construction of a new office facility on the Schrader North College and therefore did not warrant response at this time. The items addressed relate to the currently proposed truck wash addition on the Schrader Willow Street site. Please note that will be making a submittal for the office facility in the near future. The response numbers correspond to your comment numbers.

- 1a. Please note the Zoning Board of Appeals has granted a variance and a variance extension to allow the truck wash addition to occur in the T-Transition Zone District.
- 1b. It is our understanding that a full development review of the truckwash site is not required, as all uses exist.

- 2a. It is our understanding this comment is primarily pertaining to the office site. The truck wash site will require no new utilities other than tying a sand & oil interceptor in to an existing sanitary sewer line on site, which has been shown on the site plan. All other utilities (water, electric, phone) will be provided by the existing building.
- 2b. It is our understanding that no street oversizing fees will be required as there are no new uses being proposed on the site.
- 2c. I have had a phone conversation with Eric Bracke regarding this project and the office project and he has waived the requirement for a TIS.
- 2d. I have been informed by Michelle R. Hansen, E.I. of Felsburg Holt & Ullevig (The City's consultant for the Willow Street project) that no additional right-of-way will be required for this site or the office site.
- 2e. It is our understanding that no street design or improvements will be required for this project and it is our understanding that design for Willow Street in front of the office site is being provided by the firm of Felsburg Holt & Ullevig to the City.

- 4a/b/c. A letter prepared by Northern Engineering Services has been provided with this submittal addressing grading and drainage issues and the reasoning for not needing to provide a normal submittal and furthermore describing a net reduction in impervious area.

- 6a. Acknowledged.

Schrader Oil Company
Response to Conceptual Review Comments
06/26/2003
Page 2

7. See comment 2c above.

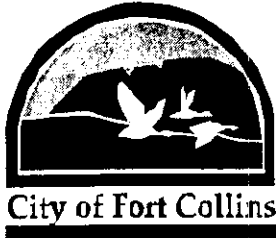
I believe this letter addresses all of the applicable comments. If this is not the case please let me know so that I can provide you with any additional material you require. Please feel free to give me a call if you have any questions.

Best Regards,

Greg D. Fisher



XC: Schrader Oil Company
Brad March – March & Olive



PROJECT COMMENT SHEET

ZONING DEPT. BASIC DEVELOPMENT REVIEW PROJECT

DATE: July 1, 2003

TO: Dave Stringer – Engineering

PROJECT: **223 WILLOW STREET – SCHRADER TRUCK WASH**
(This project is not in DMS)

This is a Basic Development Review proposal to construct an 1800 sf truck wash addition to an existing 5100 sf warehouse/maintenance building. The new addition increases the floor area of the building by more than 25%, thereby requiring that the property be brought into compliance with the standards in Article 3 of the Land Use Code **to the extent reasonably feasible**. (Note: In about 1 month, the applicant will be submitting a development application for a new Schrader Company office building on the west side of the Union Pacific Railroad tracks).

All comments must be returned to **Peter Barnes** in Zoning by July 30, 2003.

1. No Public improvements required at this time will require development agreement w/ city to discuss Willow Street improvement requirements and Right-of-way dedication.

Note - PLEASE identify your redlines for future reference

Dave Stringer 7-30-03

Name (please print)

CHECK HERE IF YOU WISH TO RECEIVE COPIES OF REVISIONS

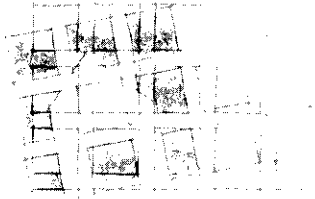
Plat Site Drainage Report Other _____

Utility Redline Utility Landscape



August 14, 2003

Mr. Steve Olt
Community Planning
& Environmental Services
City of Fort Collins
P.O. Box 580, 281 North College Avenue
Fort Collins, CO 80522-0580



GREG D. FISHER, ARCHITECT

Re: Schrader Oil Company Office - Response to Conceptual Review Comments

Dear Steve:

This letter is intended to address your conceptual review comments dated August 7, 2002. Some of the comments pertained to the construction of a new truck wash facility adjacent to the office on Willow Street. The items addressed relate to the currently proposed office facility on the North College site. Please note that the truck wash facility was submitted previously and we are presently addressing the initial staff comments. The response numbers correspond to your comment numbers.

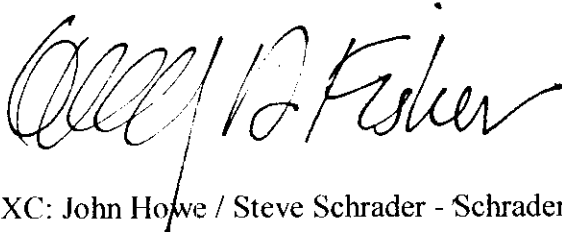
- 1a. Please note the Zoning Board of Appeals has granted a variance and a variance extension to allow the new office facility to be constructed in the T-Transition Zone District.
- 1b. The warehouse site to the east is currently under review as a part of the truck wash addition project.
- 2a. Please see the included utility plan submittal.
- 2b. Acknowledged.
- 2c. I have had a phone conversation with Eric Bracke regarding this project and he has waived the requirement for a TIS as there will be no significant new trips generated by this project.
- 2d. I have been informed by Michelle R. Hansen, E.I. of Felsburg Holt & Ullevig (The City's consultant for the North College & Willow Street projects) that no additional right-of-way will be required for this site.
- 2e. It is our understanding that no street design or improvements will be required for this project and it is our understanding that design for Willow Street in front of the office site is being provided by the firm of Felsburg Holt & Ullevig to the City.
- 2f-i. Acknowledged.
- 3a-c. Acknowledged.
- 4a-c. Acknowledged.
- 5a-c. Acknowledged.
- 6a-c. Acknowledged.
- 6d. Margit Hentschel was contacted.

- 7a. Tom Reiff differed to Eric Bracke regarding this comment. See comment 2c above.
7b. Acknowledged.
8. While it is acknowledged that the storage area is not consistent with the redeveloped "characteristics" of downtown, the storage area is an existing use. Furthermore, this proposal includes providing a new wood and masonry privacy fence with landscape buffering on the north & west sides of the storage area to improve screening of this area as viewed from College Avenue and Willow Street.
9. It is our understanding this project will be required to be reviewed under a Basic Development Review process.

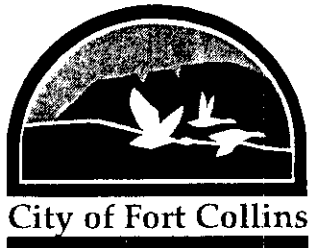
I believe this letter addresses all of the applicable comments. If this is not the case please let me know so that I can provide you with any additional material you require. Please feel free to give me a call if you have any questions.

Best Regards,

Greg D. Fisher



XC: John Howe / Steve Schrader - Schrader Oil Company
Brad March - March & Olive



PROJECT COMMENT SHEET BUILDING PERMIT REVIEW

DATE: August 22, 2003 **DEPT:** POST OFFICE

PROJECT: Schrader Oil Company Office Facility –

*All comments must be received by Dave Stringer no later than:
September 10, 2003*

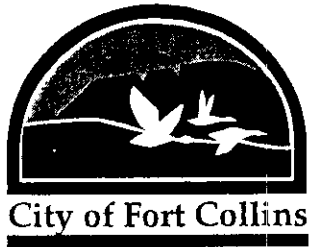
- No Problems
 Problems or Concerns (see below or attached)

Comments:

Date: 8-26-03 Signature: Carl Jenkins

PLEASE SEND COPIES OF MARKED REVISIONS

Plat Site Utility Landscape Drainage Report NO COMMENTS-SUBMIT MYLARS



PROJECT COMMENT SHEET BUILDING PERMIT REVIEW

DATE: August 22, 2003 DEPT: XCEL ENERGY

Jim Dewilde

PROJECT: Schrader Oil Company Office Facility -

*All comments must be received by Dave Stringer no later than:
September 10, 2003*

No Problems

Problems or Concerns (see below or attached)

Comments:

- PUBLIC SERVICE CO. HAS BOTH HIGH & LOW PRESSURE GAS MAINS ENTERING & EXISTING EXISTING REG. STATION SITE TO THE EAST OF PROPOSED OFFICE BLDG.
- ANY RELOCATION, CUTOFF'S OR INSTALLATIONS WOULD BE AT DEVELOPER'S EXPENSE, AND ACCORDING TO EXTENSION POLICY ON FILE WITH THE P.U.C.
- CONTACT JIM DEWILDE 970-225-7244 TO MAKE APPLICATION FOR SERVICE.

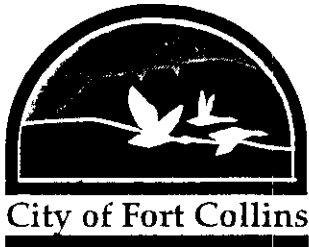
RECEIVED
AUG 28 2003
CURRENT PLANNING

Date: 8/26/03

Signature: *Jim Dewilde*

PLEASE SEND COPIES OF MARKED REVISIONS

Plat Site Utility Landscape Drainage Report NO COMMENTS-SUBMIT MYLARS



PROJECT COMMENT SHEET BUILDING PERMIT REVIEW

DATE: August 22, 2003 **DEPT:** COM CAST

PROJECT: Schrader Oil Company Office Facility –

*All comments must be received by Dave Stringer no later than:
September 10, 2003*

- No Problems
 Problems or Concerns (see below or attached)

Comments:

RECEIVED
SEP 04 2003
CURRENT PLANNING

Date: 9/4/03 Signature: Dennis Greenwalt

PLEASE SEND COPIES OF MARKED REVISIONS

Plat Site Utility Landscape Drainage Report NO COMMENTS-SUBMIT MYLARS

From: Margit Hentschel
To: Dave Stringer
Date: 9/10/03 9:54AM
Subject: Schrader Oil Company Office Facility

Comments for the "Problems or Concerns" section on the "Project Comment Sheet Building Permit Review" for the **Schrader Oil Company Office Facility:**

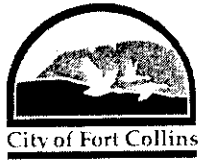
Representatives from the Region 8 Environmental Protection Agency Brownfields Program and Colorado Department of Public Health and the Environment Voluntary Clean-up Program have expressed concerns regarding building construction on the proposed site before the Targeted Brownfields Assessment Field Sampling Plan field investigations and laboratory analysis have been completed.

Contact information:

Karen Reed, Brownfields Project Manager, EPA Region VIII, 303-312-6019

Mark Walker, Voluntary Clean-up Program, Colorado Department of Public Health and the Environment, 303-692-3449

CC: Carrie M. Daggett; Doug Moore; Gregory Byrne; Joe Frank; John Stokes; Paul Eckman



STAFF PROJECT REVIEW

GREG FISHER
3115 CLYDE ST.
FT. COLLINS, CO 80524

Date: 9/22/2003

Staff has reviewed your submittal for SCHRADER OIL OFFICE FACILITY - BASIC DEVELOPMENT REVIEW, and we offer the following comments:

ISSUES:

Department: Engineering

Topic: Utility Plans

Number: 16

Need to coordinate utility work and driveway approach with City project. Please contact City project manager Dean Klingner at 221-6605 extension 7501

Issue Contact: Dave Stringer

Created: 9/17/2003

Department: Light & Power

Topic: Light & Power

Number: 1

Owner/developer will need to coordinate power requirements and costs with Light & Power Engineering (221-6700).

Issue Contact: Doug Martine

Created: 8/26/2003

Department: Police

Topic: General

Number: 7

No photometric information. Also, would recommend alt. to viburnum on west elevation to provide better surveillance between parking and building. The two Austrian pines at SE corner have a mature spread of 25-30'. Would recommend alt such as Limber or Southwestern White given the 18' of space between property line and building.

Issue Contact: Joseph Gerdom

Created: 9/9/2003

Department: Stormwater Utility

Topic: Drainage Plan

Number: 11

Please provide a hydrology summary table as well as a drainage summary table on the plans. Please call out the pond 100 year water surface elevation, compare that to the building elevation, make sure that the required minimum 1 foot of freeboard is maintained.

Issue Contact: Basil Hamdan

Created: 9/12/2003

Topic: Easement

Number: 14

Please provide a drainage easement for the area covered by the proposed detention pond.

Created: 9/15/2003

Topic: Erosion Control

Number: 12

Created: 9/12/2003

Please use the proposed detention pond as a sediment trap.

Topic: Landscape Plans

Number: 15

Created: 9/15/2003

Please show in shaded lines the proposed storm sewers, in order to check for any potential storm sewer/tree conflict.

Topic: Utility Plans

Number: 13

Created: 9/15/2003

Please call out all existing and proposed storm sewer and inlet sizes on the utility plan sheet.

Please show 100 year HGL on the pipe profile.

Storm Sewer Line 1 will tie into the existing inlet on Willow Street. Please show the inlet invert on the pipe profile, discuss whether there is any existing utilities in the Willow Street right of way that could affect the alignment and depth of that proposed line.

Please call out outfall curb and gutter on the grading plan.

Department: Transfort

Topic: General

Number: 6

NO comments

Issue Contact: Garold Smith

Created: 9/9/2003

Department: Water Wastewater

Topic: General

Number: 8

Include the standard general note on the landscape plans pertaining to the 4 feet minimum separation between water/sewer lines and shrubs. Maintain the required shrub and water/sewer separation distances.

Issue Contact: Jeff Hill

Created: 9/10/2003

Number: 9

Created: 9/10/2003

No permanent structures may be constructed within the utility easement (i.e. trash enclosures gazebos, seating walls, etc.). Provide a copy of the replat or the documentation for the proposed utility easements on this site.

Number: 10

Created: 9/10/2003

All existing water and sewer services must be used or abandoned at the main. Clearly show all existing services and define if they are to be used or abandoned. If abandoned provide complete details of the abandonment.

See site, landscape and utility plans for other comments.

Department: Zoning

Issue Contact: Peter Barnes

Topic: Zoning

Number: 2

Created: 8/29/2003

The "parking data" on the site plan states that the maximum allowed is 27 spaces based on 1/300 s.f.. However, the Code allows a maximum of 3/1000 sf (Sec. 3.2.2(K)(2)(a)). This means that the maximum allowed is 24 spaces. Fortunately, this is what they are providing, so they are ok, just need to change the max. allowed data.

Number: 3

Created: 8/29/2003

The westernmost parking row contains 16 uninterrupted parking spaces. Sec. 3.2.1(E)(5)(e) requires that no more than 15 spaces are allowed without an intervening landscape island.

Number: 4

Created: 8/29/2003

Item #8 on their 8-14-03 conceptual review response comment letter states that they are proposing a new wood and masonry privacy fence on the north and west sides of the storage area to improve screening. However I don't see that indicated on the site or landscape plan. Needs to be shown.

Number: 5

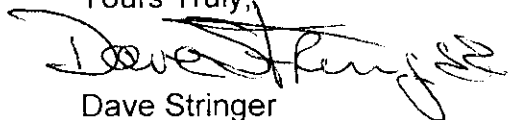
Created: 8/29/2003

The landscape area on the west side of the west row of parking requires one tree every 40'. Sec. 3.2.1(E)(4)(a).

Be sure and return all of your redlined plans when you re-submit.

If you have any questions regarding these issues or any other issues related to this project, please feel free to call me at (970) 221-6750.

Yours Truly,



Dave Stringer
Development Review Manager



October 3, 2003

Mr. Dave Stringer
Development Review Manager
City of Fort Collins
281 North College Avenue
Fort Collins, Colorado 80522

**RE: Schrader Oil Office Facility
Responses to Review Comments**

Dear Dave:

The purpose of this letter is to provide a response to the City of Fort Collins Comments, dated September 15, 2003, for the Final Utility Plans for Schrader Oil Office Facility. Please see the resubmitted Final Utility Plans, dated October 3, 2003, for the revisions referenced in this letter. These revisions include, but are not limited to the following list:

Engineering Issues:

Number 16:

The utility work and driveway approach has been coordinated with the City's Project Manager, Dean Klingner, and Felsburg Holt & Ullevig's Transportation Engineer, Michelle Hansen, regarding the Willow Street improvements.

Stormwater Utility:

Number 11:

The hydrology and drainage summary tables have been added to the Plans. The 100-year water surface elevation is called out for the pond. The pond elevation maintains the required one-foot minimum freeboard from the building elevation.

Number 14:

A drainage easement exhibit has been provided for the proposed detention pond and outlet pipe.

Number 12:

The proposed detention pond is called out as a sediment trap.

Number 13:

The existing and proposed storm sewer and inlet sizes are called out on the Utility Plans.

Water and Wastewater:

Number 10:

The existing water and sewer services will be used or abandoned at the existing corresponding mains. Additional notes have been included on the Utility Plans.

Please feel free to contact Northern Engineering Services at your convenience if you have any questions or comments concerning this letter. 221-4158, ext. 111

Sincerely,
NORTHERN ENGINEERING SERVICES, INC.



Megan L. Keefe
Project Engineer

Cc: Greg D. Fisher, Architect
File

October 3, 2003

Mr. Dave Stringer
Engineering Department
City of Fort Collins
P.O. Box 580, 281 North College Avenue
Fort Collins, CO 80522-0580



GREG D. FISHER, ARCHITECT

Re: Schrader Oil Company Office Facility - Response to Initial Basic Development
Review Comments

Dear Dave:

This letter is intended to address staff review comments dated September 22, 2003.

Engineering: Driveway approach and utility designs have been emailed to Dean Klingner & Michelle Hansen of Felsburg Holt & Ullevig. We are awaiting response from Dean as to how costs and construction will be addressed.

Light & Power: Acknowledged.

Police: All shrub material shown on west side of the building is low growing. The *Viburnum trilobum* 'compactum' species shown on landscape plan will only reach a 3' or 4' height. Austrian pines at southeast corner have been revised to limber as requested.

Stormwater:

- Number 11: See attached response from Northern Engineering
- Number 14: See attached response from Northern Engineering
- Number 12: See attached response from Northern Engineering
- Number 15: Storm lines have been added.
- Number 12: See attached response from Northern Engineering

Transport: No comments

Water Wastewater:

- Number 8: Note added and distances maintained.
- Number 9: The retaining wall will be constructed of interlocking masonry as discussed with Jeff Hill. Utility easement descriptions are attached.
- Number 10: Existing utilities have been shown. Existing water service, which originates in the northwest corner of the adjacent c-store site is to be abandoned and a new water and fire service are to be added originating from Willow Street in front of the proposed building.

Zoning:

- Number 2: Parking data has been revised as requested. Please note there are now 23 spaces rather 24 due to the addition of an intervening landscape island at the west row of parking.
- Number 3: An intervening landscape island has been added.
- Number 4: A new wood and privacy fence has been reintroduced on the north and west sides of the storage area.
- Number 5: Trees have been added as requested.

I believe this letter along with the attached drawings addresses all of the comments. If this is not the case please let me know so that I can provide you with any additional material you require. Please feel free to give me a call if you have any questions.

Best Regards,

Greg D. Fisher



XC: John Howe / Steve Schrader - Schrader Oil Company
Brad March - March & Olive

J. BRADFORD MARCH
STEWART W. OLIVE

MARCH & OLIVE, P.C.
ATTORNEYS AND COUNSELORS AT LAW
110 E. OAK STREET, SUITE 200
FORT COLLINS, COLORADO 80524-2880
(970) 482-4322
Fax (970) 482-5719

ARTHUR E. MARCH
1908-1981
ARTHUR E. MARCH, JR.
Retired, 2002

October 22, 2003

Paul Eckman
City Attorney's Office
300 LaPorte Avenue
Fort Collins, CO 80521

VIA HAND DELIVERY

Dave Stringer
Development Review Manager
Fort Collins Engineering Department
281 North College Avenue
Fort Collins, CO 80521

VIA HAND DELIVERY

Dear Gentlemen:

This letter is intended to set forth comments related to the September 23, 2003, draft of the development agreement for the truck wash on the Schrader Oil property.

1. The existing warehouse/repair facility located on the Schrader property is built essentially on a zero lot line on the south side. The property where this building is located is owned by Wayne Schrader and additional properties further to the south are owned by Schrader Oil Co. Construction of the new truck wash facility to the south of the building on property owned by Schrader Oil Co.; leaving part of the building owned by Schrader Oil and part by Mr. Schrader, would be inappropriate. Therefore, it was intended that adequate setbacks be created and Schrader Oil will convey a portion of the property owned by Schrader Oil Co. to Mr. Schrader individually. This is preferable to conveying the entire property from Schrader Oil Co. to Mr. Schrader, as a conveyance of a large tract would create tax consequences which the two owners would like to avoid. By the arrangement, a portion of the property shown on the site plan (including all of the property on which the building is to be constructed) will be conveyed from Schrader Oil Co. to Wayne K. Schrader and the balance will remain titled in Schrader Oil.

Paul Eckman
Dave Stringer
October 22, 2003
Page 2

2. There are various references throughout the development agreement to storm drainage facilities. It is my understanding that the development of the Schrader site does not require storm drainage improvements of any significance. The City, however, has existing storm drainage lines which are currently not in defined/deeded easements and are in need of repair. I have been advised that the City intends to upgrade these storm drainage lines significantly at the City's expense. There are various provisions that have Schrader Oil warranting or indemnifying the City for work related to the storm drainage lines or problems that may result from the storm drainage lines. Under the circumstances, it would appear that these provisions are not appropriate. Particularly, these include paragraphs B, D, E and particularly H. Paragraph ii(c)(6) specifically addresses storm drainage issues and affords the City an easement. We need to have further discussion over the form of the easement which the City would like to receive. I have enclosed a proposed easement draft.

3. Paragraph K provides that, to the best of the developer's knowledge, there are no environmental problems associated with the property. All parties are well aware that this is not the case. I have discussed this with Carrie Daggett and she indicated that she likewise would have concerns if Schraders make this representation, particularly based upon the circumstances and the issues surrounding the area where the property is located. As the City is aware, Schraders have not caused the contamination which has given rise to the concerns voiced of late. Instead, this contamination is remaining from a manufactured gas plant which was operated by the predecessor to Xcel Energy in the early 1900's. This provision needs to be reworked or deleted.

4. Paragraph ii(d)(2) provides that the construction of the truck wash will trigger requirements to design or construct improvements to Willow Street adjacent to the site. The provision goes on to provide that any time in the future the City may require improvements to be constructed and that Schrader shall have to pay its proportionate share of the local street portion of those improvements. We need to get some sense of how the cost of these improvements is to be calculated. This was an issue which Karen Stevens and I attempted to address in conjunction with the office building without success. Based upon the amount of property that exists and the potential improvements that the City may be contemplating, particularly in conjunction with the relocation of Willow Street which is being performed by the City outside of Schrader's needs, I would like to make sure that we further tie down the nature of Schrader's obligations.

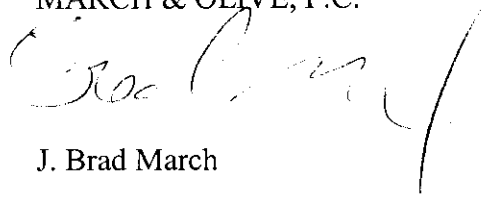
5. The Agreement has Schraders providing warranties for public improvements. I don't believe there are public improvements that are being installed in conjunction with this project, but would like to confirm that this is the case.

Paul Eckman
Dave Stringer
October 22, 2003
Page 3

If you could please take a quick look at these issues and give me a call, it would be appreciated.

Sincerely yours,

MARCH & OLIVE, P.C.

A handwritten signature in black ink, appearing to read "J. Brad March", written over the typed name.

J. Brad March

JBM:pb
Enclosure
c: Greg Fisher



STAFF PROJECT REVIEW

0001

GREG FISHER
10/29/2003
3115 CLYDE ST.
FT. COLLINS, CO 80524

Date:

Staff has reviewed your submittal for SCHRADER OIL OFFICE FACILITY - BASIC DEVELOPMENT REVIEW, and we offer the following comments:

ISSUES:

Department: Engineering

Issue Contact: Dave Stringer

Topic: Utility Plans

Number: 21

Created: 10/29/2003

[10/29/03] Please make sure that all construction that has occurred with the City Capital project is correctly reflected on next submittal. Coordinate with City Inspector Dan Peterson - 221-6605

Number: 22

Created: 10/29/2003

All work not being done by the City project is the responsibility of the Owner/Developer for compliance with the Final Development Plan Documents

Department: Light & Power

Issue Contact: Doug Martine

Topic: Light & Power

Number: 1

Created: 8/26/2003

Owner/developer will need to coordinate power requirements and costs with Light & Power Engineering (221-6700).

Department: Police

Issue Contact: Joseph Gerdorn

Topic: General

Number: 7

Created: 9/9/2003

No photometric information. Also, would recommend alt. to viburnum on west elevation to provide better surveillance between parking and building. The two Austrian pines at SE corner have a mature spread of 25-30'. Would recommend alt such as Limber or Southwestern White given the 18' of space between property line and building.

Department: Stormwater Utility

Issue Contact: Basil Hamdan

Topic: Easement

Number: 14

Created: 9/15/2003

Copy of exhibit and legal description was provided. Please note that easement should be signed and in final form prior to plan approval.

Please provide a drainage easement for the area covered by the proposed detention pond.

Topic: Erosion Control
Number: 12
10/24/03

Created: 9/12/2003

October 21, 2003

1. Please remove general notes under the heading "Grading and Erosion Control" and replace with City of Fort Collins standard erosion control notes (these have recently been revised, please use new set).
2. Please add notes to the plan indicating the pond is to be excavated as the first step in site grading, and that seeding and mulching is requires (per your report).

Topic: Inlet grate in driveway

Number: 19

Created: 10/27/2003

[10/27/03] Please make sure the inlet grate located in the driveway is traffic rated. It should also be bicycle safe. Please provide a detail for such a grate.

Topic: sidewalk chase

Number: 20

Created: 10/27/2003

[10/27/03] Please call for a metal sidewalk chase at the location where the pan draining flows on the west side of the side crosses the proposed walk.

Department: Water Wastewater

Issue Contact: Jeff Hill

Topic: General

Number: 18

Created: 10/27/2003

The existing water service is to be abandoned and the new service as well as the fire line will be installed prior to approval of these plans. Please field locate locations of these new services and reflect this information on the plans. See site, landscape and utility plans for other comments.

Department: Zoning

Issue Contact: Peter Barnes

Topic: Zoning

Number: 17

Created: 10/10/2003

General note #4 states that lighting fixtures are to be "cut-off". If that means they are down directional, that's fine. They must be down directional.

Be sure and return all of your redlined plans when you re-submit.

If you have any questions regarding these issues or any other issues related to this project, please feel free to call me at (970) 221-6750.

Yours Truly,


Dave Stringer
Development Review Manager