

PK ENTERPRISES, INC.

P.O. Box 729 • 11115 W. Hwy. 24 • Divide, CO 80814 • 719-687-6011 • Fax 719-687-6788

February 10, 2015

Divide Planning Committee
Attn: Jim Irving, Chair

RE: Conditional Use Permit Application for a Craft (Micro) Brewery

Mr. Irving,

This letter is to inform the Divide Planning Committee that I plan on submitting a Conditional Use Permit Application for a Craft (Micro) Brewery as defined in Section 8.3.E.2 of the Teller County Land Use Regulations in the very near future.

The proposed location of Craft (Micro) Brewery is within the Divide Town Center as depicted Appendix B: Divide Town Growth and Conservation Map of the Teller County Land Use Regulations. More specifically the proposed location of the Craft (Micro) Brewery is 10 Buffalo Court, Divide, CO 80814 also known as Lot 8 Old Buffalo Subdivision. There is an existing 7,200 +/- sq. ft. building on the 2.77 acre lot which would serve as the brewery and tasting room with plenty of native grassed undeveloped open space. There are some minor improvements proposed such as a small grain silo, outdoor seating area, and outdoor food concession area.

I would like to offer the Divide Planning Committee the following per the Divide Regional Plan: Section C2.01 There is only one Town Center in the Divide Region.

The proposed Craft (Micro) Brewery is located within the Town Center; please see the attached Divide Town Growth and Conservation Map with the proposed location.

Section C2.02 All new commercial, denser residential and light industry should be in the Town Center.

The proposed Craft (Micro) Brewery is located within the Town Center, please see the attached Divide Town Growth and Conservation Map with the proposed location.

Section C2.03 Provide land uses for living, shopping, working, and recreating.

A recommendation for approval of a C.U.P. from the Divide Planning Committee for the proposed location helps ensure that the Town Center as depicted in the Divide Town Growth and Conservation Map is a place for people to shop, work, recreate.

Section C2.04 Promote compact, cohesive pedestrian community over disjointed strip vehicular community.

The proposed location of the Craft (Micro) Brewery promotes a compact, cohesive pedestrian community as seen in the attached Divide Town Center Growth and Conservation map with the proposed location.

Section C2.05 Growth should be based upon infrastructure, community values, and physical opportunities, and constraints.

This proposal for Craft (Micro) Brewery is for an existing building on a lot within the Town Center as depicted in the Divide Town Center Growth and Conservation Map, a map where the community chose where the majority of commercial, denser residential and light industry should be located.

Section C2.06 Town Center should not develop in a leapfrog pattern.

This proposal for Craft (Micro) Brewery is for an existing building on a lot within the Town Center as depicted in the Divide Town Center Growth and Conservation Map therefore no leap frog development is occurring.

Section C3.01 Encourage distinct, cohesive, attractive, efficient downtown and business parks.

This proposal for Craft (Micro) Brewery is for an existing building on a lot within the Town Center as depicted in the Divide Town Center Growth and Conservation Map and a recommendation for approval would encourage a distinct and cohesive downtown.

Section C3.02 Encourage infill and redevelopment before any expansion of the Business Area.

This proposal for Craft (Micro) Brewery is for an existing building on a lot within the Town Center as depicted in the Divide Town Center Growth and Conservation Map and a recommendation for approval would encourage infill and redevelopment and not an expansion of the Business Area.

Section C3.03 Encourage businesses that don't need retail visibility to locate further from the highways.

The proposed Craft (Micro) Brewery location is not highly visible from the highways or county roads. Please see the attached Divide Town Center Growth and Conservation Map with the proposed location.

Section C3.04 Prevent strip commercial zoning along highways 24 and 67-Town Center area should expand in a nodal form rather than along highway strips.

This proposal for Craft (Micro) Brewery is for an existing building on a lot within the Town Center and does not encourage strip zoning along US Highway 24 or State Highway 67 as clearly seen on the attached Divide Town Center Growth and Conservation Map with the proposed location.

Section C3.05 Promote strong downtown commercial areas to help create a broader tax base.

A recommendation for approval of a Craft (Micro) Brewery within the Town Center would show Teller Counties elected officials and staff that the Divide Planning Committee encourages business opportunities within the Town Center as they help increase the tax base significantly.

Section C3.06 Promote the maintenance and repair of downtown buildings and county-owned facilities.

A recommendation for approval of a Craft (Micro) Brewery within the Town Center would show Teller Counties elected officials and staff that the Divide Planning Committee encourages business opportunities within the Town Center as they help increase the tax base significantly which is the best way to promote maintenance and repairs of downtown buildings and county-owned facilities.

Section C3.07 Discourage downtown business encroachment on residential or adjacent land uses.

Encroachment includes "external effects" such as noise, glare, dust, and trash, as well as impact on views.

The proposed location of the Craft (Micro) Brewery doesn't encroach on residential or adjacent land uses as clearly seen on the attached Divide Town Center Growth and Conservation Map with proposed Location.

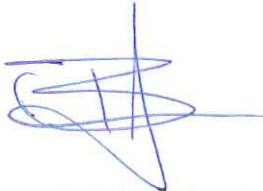
I have attached the following to assist the Divide Planning Committee with considering my proposal for a Craft (Micro) Brewery.

1. Preliminary Site Plan
2. Divide Town Growth and Conservation Map with proposed location
3. Divide Regional Plan, Pages 4 and 5
4. Section 8.3.E.2 of the Teller County Land Use Regulations

If you could please schedule a Divide Planning Committee meeting so that I may have an opportunity to answer any questions the committee members may have I would certainly appreciate it. It is my hope that the Divide Planning Committee would see the value in my proposal and write a favorable recommendation for me to include in my Conditional Use Application.

Thank you for your time and consideration regarding my Craft (Micro) Brewery proposal.

Sincerely,

A handwritten signature in blue ink, appearing to be "Bryan Johnson", with a stylized, overlapping loop structure.

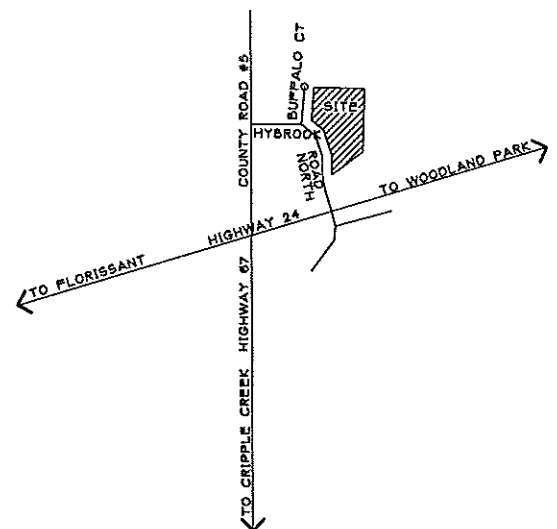
Bryan Johnson
Secretary and Treasurer

GENERAL INFORMATION	
PROPERTY OWNER:	PETE KUYPER
P.O. BOX 729	DIVIDE, CO 80814
PROJECT NAME:	PARADOX BREWING
PROJECT ADDRESS:	10 BUFFALO COURT
EXISTING USE:	VACANT ICE MANUFACTURING
PROPOSED USE:	BEER BREWING AND TASTING
ZONING:	C-1
TOTAL SITE SIZE:	2.77 ACRES (120,617 SQ.FT.)
TOTAL BUILDING SIZE:	7,200 SQ.FT.
SOIL TYPE:	ALTMAN GRAVELLY LOAM, 8 - 40 % SLOPES
BUILDING SETBACKS IN GROWTH AREA:	FRONT: 10' SIDE: PER 18C REAR: 20'
PARKING FORMULA:	
BREWING SPACE @ 1:3 (EMPLOYEES = 1 SPACES)	
WAREHOUSE SPACE @ 1:3 (EMPLOYEES = 1 SPACES)	
TASTING RM SPACE @ 1:4 (64)SEATS = 16 SPACES	
	1/ (2) EMPLOYEE = 2 SPACES
TOTAL REQUIRED:	20 SPACES
TOTAL PROVIDED:	38 SPACES
OPEN SPACE:	
BUILDING FOOTPRINT 7200 SF	
TOTAL SITE SIZE: 2.77 ACRES (120,617 SQ.FT.)	
TOTAL OPEN SPACE 113,416SF = 83.2%	

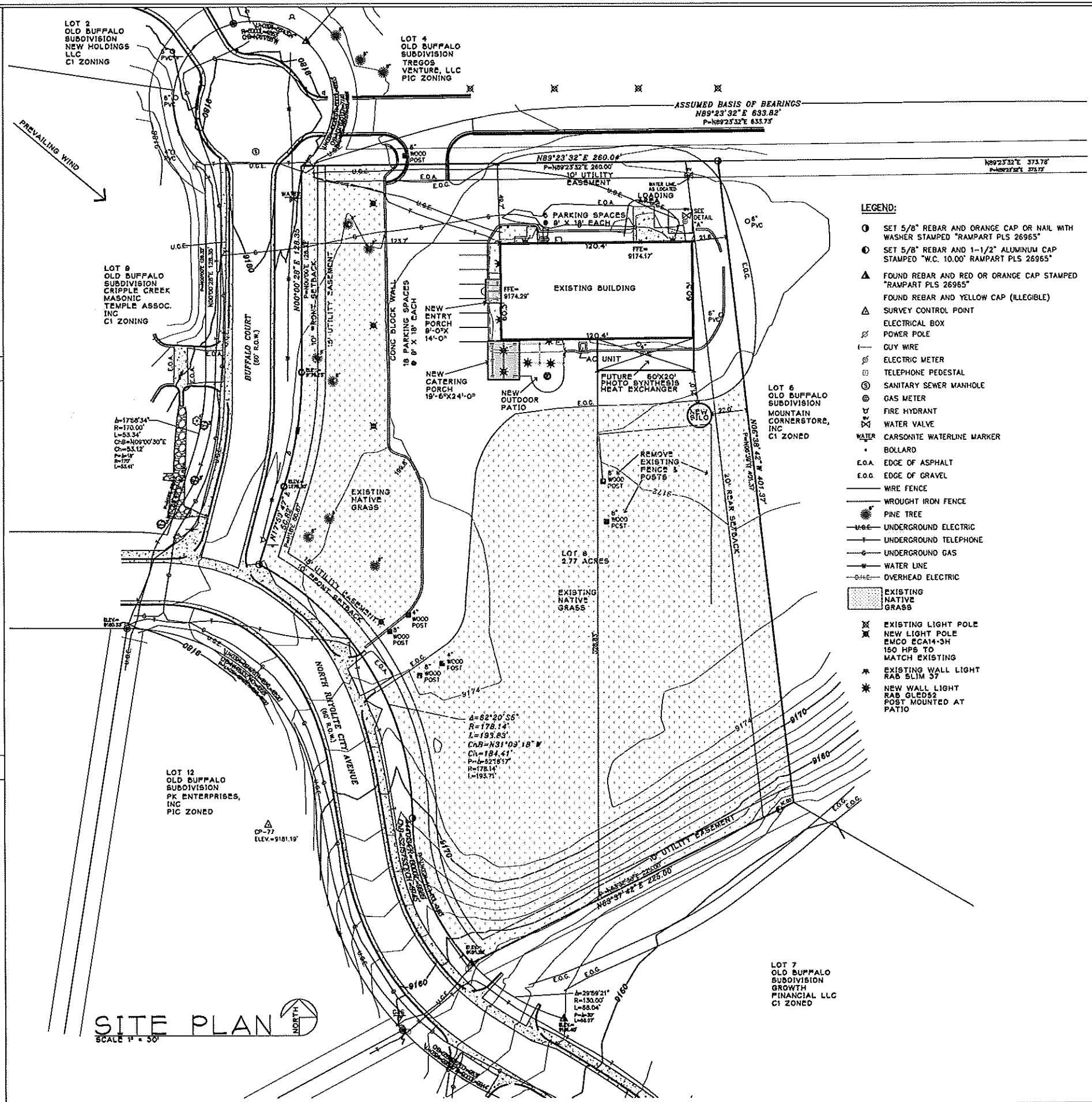
1	GENERAL INFORMATION
SP1	NTS

BUILDING CODE	
SCOPE OF PROJECT:	REMODEL ICE MANUF. TO BREWERY
EXISTING:	
F-2 OCCUPANCY	
ICE MANUFACTURING	
7411 SQ FT GROSS	
PROPOSED:	
F-2 OCCUPANCY	
FACTORY INDUSTRIAL	
BEVERAGES 16% ALCOHOL OR LESS	
7411 SQ FT TOTAL BUILDING	
ACCESSORY USE 410X = 741 SQ FT	
691 SQ FT TASTING AREA	
OCCUPANT LOAD:	
4200 SQ FT WAREHOUSE @ 1/500 = 8.4 OCCUPANTS	
339 SQ FT SPRINKLER RM & REST RMS	
2104 SQ FT BREWING AREA @ 1/200 = 10.52 OCCUPANTS	
539 497 SQ FT UNCONCENTRATED TABLES @ 1/15 = 35.1 OCCUPANTS	
184 SQ FT BAR/KITCHEN @ 1/200 = 10 OCCUPANTS	
TOTAL BUILDING OCCUPANTS = 63 OCCUPANTS	

2	BUILDING CODE
SP1	NTS



3	VICINITY MAP
SP1	NTS



4	SITE PLAN
SP1	SCALE 1" = 30'

SEAL

PRELIMINARY

DATE
1-26-16

REVISIONS

PARADOX BREWING

BREWERY AND TASTING ROOM

LOT 8 OLD BUFFALO SUB

10 BUFFALO COURT

DIVIDE, COLORADO

CRS Architects, LLC

1231 Rampart Range Road

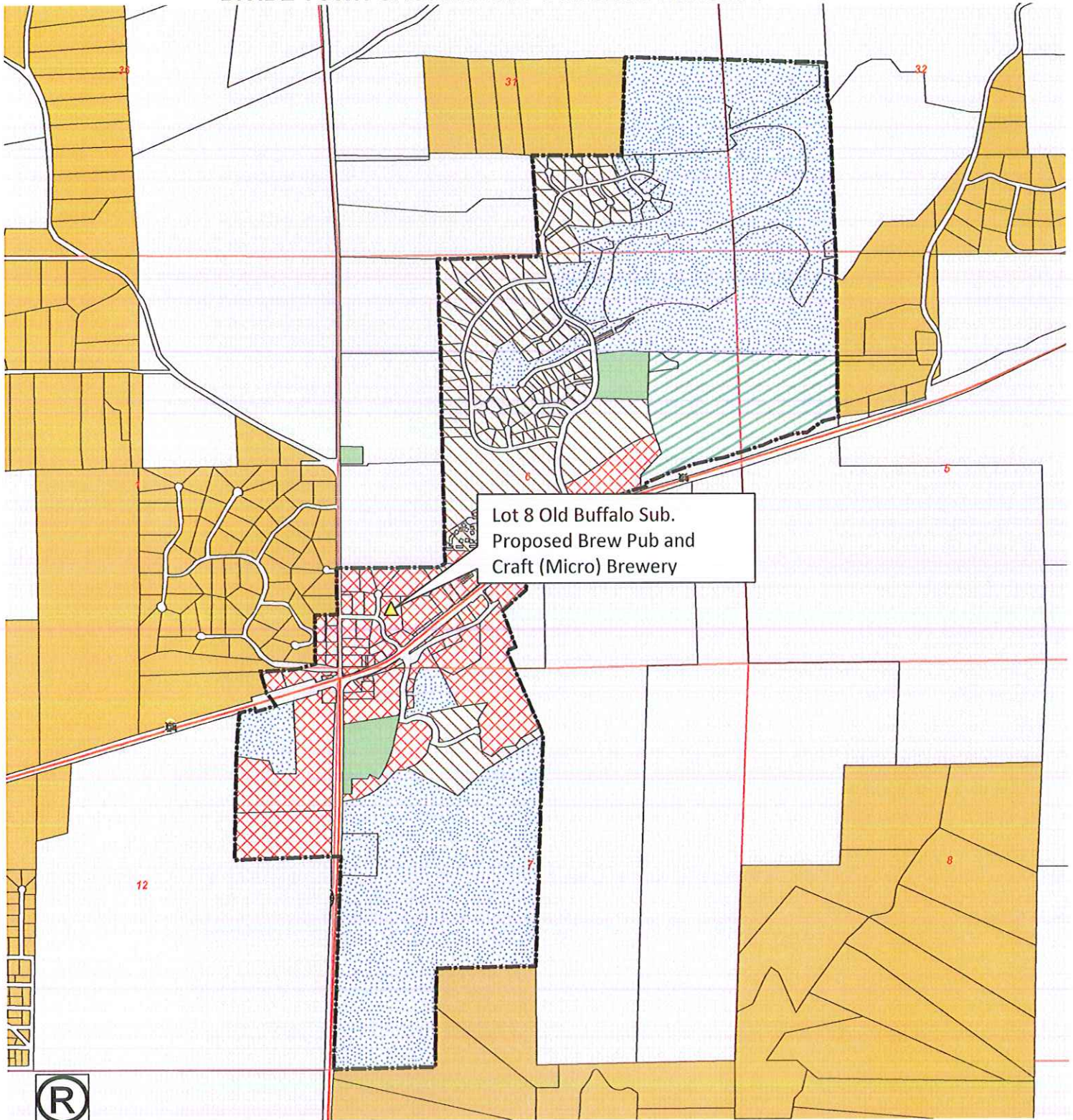
Woodland Park, CO 80863

719-687-1787 719-687-1443 FAX

SHEET

SP1

APPENDIX B: DIVIDE TOWN GROWTH AND CONSERVATION MAP



OFFICIAL MAP - TELLER COUNTY PLANNING DEPARTMENT

<p>LIMITED GROWTH AREAS</p> <p> RURAL LANDS (Fringe Protection Areas/Resource & Environmentally Sensitive Areas)</p> <p> RURAL RESIDENTIAL (Rural Lifestyle Protection Area)</p>	<p>GROWTH AREAS</p> <p> DIVIDE TOWN CENTER (Urban Service Area) BOUNDARY</p> <p> TOWN CENTER COMMERCIAL (Community Center)</p> <p> TOWN RESIDENTIAL - EXISTING (Older Neighborhoods, etc.)</p> <p> TOWN RESIDENTIAL - NEW (Potential Development)</p> <p>NOTE: Terms in parentheses refer to the Functional Planning Areas defined in the Teller County Growth Management Plan.</p>
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Table of Map Amendments	
Original date of map: 10/05/98 Incorporation into TCLUR: 10/22/98	
Amended by Res. 9-9-99 (57) Amended by Res. 6-12-03 (23) Amended by Res. 6-23-03 (31) Amended by Res. 9-25-03 (41) Amended by Res. 9-7-06 (40) Amended by Res. 3-21-07 (17) Amended by Res. 3-16-10 (13)	
This map provides general information concerning land use. For information regarding a specific property or properties, refer to the Teller County Planning Department. This map does NOT meet National Mapping Accuracy Standards	
0	2,150 4,300 Feet

and Rural Lands are large tracts making up the rest of the Region. (See Maps 1 and 2)

C1. GENERAL

- C1.01 Rural Lands: Maintain existing uses, density, and open character.
- C1.02 Rural Residential: Continue infilling of existing lots. Encourage vacation of lot lines. Discourage additional rural residential development.
- C1.03 Town Center: Includes business and residential areas, has a specific outer boundary, and additional future development is encouraged to locate within the Town Center.
- C1.04 Encourage developers to mitigate identifiable impacts.
- C1.05 Locate high impact uses (e.g. industry) to minimize pollution of land, air soil and water.
- C1.06 Encourage energy conservation.
- C1.07 Prevent commercial and industrial development outside of the Town Center.
- C1.08 Establish the carrying capacity of the land.
- C1.09 Maintain peaceful and desirous place to live, work, recreate in beautiful mountain environment.
- C1.10 Exterior lighting should be downcast and shielded to prevent glare onto adjacent properties and roadways.
- C1.11 Develop sign regulations and apply in all 3 Planning Areas.

C2. TOWN CENTER - GENERAL (SEE MAP 2)

- C2.01 There is only one Town Center in the Divide Region.
- C2.02 All new commercial, denser residential, and light industry should be in the Town Center.
- C2.03 Provide land uses for living, shopping, working, and recreating.
- C2.04 Promote compact, cohesive pedestrian community over disjointed strip vehicular community.
- C2.05 Growth should be based upon infrastructure, community values, and physical opportunities and constraints.
- C2.06 Town Center should not develop in a leapfrog pattern.

C3. TOWN CENTER - BUSINESS AREA

- C3.01 Encourage distinct, cohesive, attractive, efficient downtown and business parks.
- C3.02 Encourage infill and redevelopment before any expansion of the Business Area.
- C3.03 Encourage businesses that don't need retail visibility to locate further from the highways.
- C3.04 Prevent strip commercial zoning along Highways 24 and 67 - Town Center area should expand in a nodal form rather than along highway strips.
- C3.05 Promote strong downtown commercial areas, to help create a broader tax base.

- C3.06 Promote the maintenance and repair of downtown buildings and County-owned facilities.
- C3.07 Discourage downtown business encroachment on residential or adjacent land uses. Encroachment includes "external effects" such as noise, glare, dust and trash, as well impact on views.

C4. RURAL RESIDENTIAL AREAS - Existing parcels of less than 35 acres

- C4.01 Promote design and site planning compatible with the area's character.
- C4.02 Protect existing neighborhoods from the intrusion of higher intensity land uses.
- C4.03 Existing Rural Residential area may not expand without:
 - (a) Paved road access from the Town Center adequate for the additional traffic.
 - (b) Central water and sewer, paved roads, adequate fire safety, schools, and parks.
 - (c) Reduction of 2 existing lots for each new lot created.
- C4.04 Adhere to State and County noise regulations.

C5. RURAL LANDS - Including recreational uses (as defined by this document)- private or public tracts of land generally 35 acres or larger (see definition).

- C5-1 Rural Lands should be encouraged to stay as they are.
- C5-2 Restrict new developments that could cause noise, visual blight, or noxious odors.
- C5-3 Existing designated recreational uses within the Divide Region should be encouraged to be successful and encouraged to improve their facilities and operations.
- C5-4 New recreational developments should be required to amend the Divide Growth and Conservation Maps using map amendment criteria attached to this Plan, as well as County Regulations.
- C5-5 Cumulative impacts of recreational uses should be analyzed and considered as outlined in the attached criteria for amending maps for recreational use and all Conditional Use Permits.
- C5-6 New development with over a 100-participant capacity should annex into the Town Center subject to the "criteria".

D. TOWN CENTER GROWTH: To promote a cohesive community, growth in the Town Center should serve to enhance both the commercial and residential communities; and infrastructure needs in the expansion area should be pre-approved before any additional growth is considered.

- D1. Outer boundary of the Town Center should not expand before the Town Center is 75% developed or the map amendment criteria show a demonstrable community need and benefit. "Developed" means platted, approved and ready for building permit application.
- D2 Encourage high quality buildings.
- D3 Encourage development that is compact, environmentally positive, and aesthetically pleasing.

Section 8.3.D.4

Traditional, Legitimate, and Reasonable agricultural operations, including those with grazing leases, are exempt from the definition of Livestock Boarding Facility.

- E. **Breweries and Distilleries.** All such operations must comply with applicable County, State and Federal health and alcohol permits and regulations. Demonstration of compliance shall be submitted with the Permit application.
1. **Brew Pubs.** A Brew Pub is a brewing or distilling operation that manufactures not more than 51,666.67 barrels (70,406.165 hectoliters) of malt liquor on its premises each year, and that is specifically attached to and an explicit part of a restaurant or other on-site food sales operation. Sales and distribution is limited to patrons of the restaurant and the general public, including wholesale to licensed retailers in an amount up to 8,333.33 barrels (11,355.83 hectoliters) per year.
 2. **Craft (Micro) Breweries.** A Craft or Micro Brewery is a specialty brewing operation with production less than 15,000 barrels (17,600 hectoliters) of malt liquor per year. Sales and distribution is primarily, although not exclusively, through wholesale to licensed retailers
 3. **Regional Brewery.** A Regional Brewery is a brewery with the capacity to produce between 15,000 and 500,000 barrels (17,500 and 586,700 hectoliters) of malt liquor per year. For the purposes of these Regulations, "regional" refers only to the brewery's size.
 4. **Large Brewery.** A Large Brewery is a company with one or more brewing facilities and with sales of more than 500,000 barrels (586,700 hectoliters) per year.
- F. **Campground / Recreational Vehicle Park.** Except for those pre-existing, legally non-conforming campgrounds previously approved in the obsolete Campground (CG) Zone District, a campground is not permitted except by Special Use Permit. (See *Chapter 2, Section 2.10.1 Campground Zone District (CG).*) The following apply:
1. **Definitions**
 - a. **Campground.** A campground provides overnight or short-term sites for two or more tents or camper vehicles. Continuous occupancy of a Campground by a person for a period in excess of 90 days is prohibited.
 - b. **Recreational Vehicle Park.** A Recreational Vehicle Park provides overnight or short-stay parking spaces for two or more recreational vehicles, including travel trailers, mobile