

Planning \$ <u>Pd w/ App</u>	Drainage <u>—</u>
TCP \$ <u>30,787.00</u>	School Impact \$ <u>—</u>

DG PERMIT NO.
FILE # <u>CLIP-2008-158</u>

Referenced Fees
Zoning
Approval

PLANNING CLEARANCE

(site plan review, multi-family development, non-residential development)
Grand Junction Community Development Department

pd 10000^w checks
PAID
 9/30/10 \$10,000
 11/29/10 \$10,787
 paid in full

THIS SECTION TO BE COMPLETED BY APPLICANT

BUILDING ADDRESS ~~2259~~ COLEX
 SUBDIVISION HIGH DESERT COMMERCIAL
 FILING _____ BLK 1 LOT 1
 OWNER KEVIN EARDLEY
 ADDRESS 349 DAKOTA CIR
 CITY/STATE/ZIP GJ, CO 81503
 APPLICANT Rob ROWLANDS
 ADDRESS 917 MAIN ST
 CITY/STATE/ZIP GRAND JT., CO 81501
 TELEPHONE 241-1903

TAX SCHEDULE NO. 2701-314-17-001
 SQ. FT. OF EXISTING BLDG(S) 0
 SQ. FT. OF PROPOSED BLDG(S)/ADDITONS 9172 SF
 MULTI-FAMILY:
 NO. OF DWELLING UNITS: BEFORE _____ AFTER _____
 CONSTRUCTION
 NO. OF BLDGS ON PARCEL: BEFORE 0 AFTER 2
 CONSTRUCTION
 USE OF ALL EXISTING BLDG(S) 0

DESCRIPTION OF WORK & INTENDED USE: CONSTRUCT 1
NEW BUILDING - GENTLEMEN'S CLUB

Submittal requirements are outlined in the SSID (Submittal Standards for Improvements and Development) document.

THIS SECTION TO BE COMPLETED BY COMMUNITY DEVELOPMENT DEPARTMENT STAFF

ZONE I-1
 LANDSCAPING/SCREENING REQUIRED: YES NO _____
 SETBACKS: FRONT: 15' from Property Line (PL) or from center of ROW, whichever is greater
 SIDE: 5 from PL REAR: 10' from PL
 PARKING REQUIREMENT: Per Plan
 SPECIAL CONDITIONS: _____
 MAX. HEIGHT 40'
 MAX. COVERAGE OF LOT BY STRUCTURES FAR 2.00

Modifications to this Planning Clearance must be approved, in writing, by the Community Development Department Director. The structure authorized by this application cannot be occupied until a final inspection has been completed and a Certificate of Occupancy has been issued by the Building Department (Section 307, Uniform Building Code). Required improvements in the public right-of-way must be guaranteed prior to issuance of a Planning Clearance. All other required site improvements must be completed or guaranteed prior to issuance of a Certificate of Occupancy. Any landscaping required by this permit shall be maintained in an acceptable and healthy condition. The replacement of any vegetation materials that die or are in an unhealthy condition is required by the Grand Junction Zoning and Development Code.

Four (4) sets of final construction drawings must be submitted and stamped by City Engineering prior to issuing the Planning Clearance. One stamped set must be available on the job site at all times.

I hereby acknowledge that I have read this application and the information is correct; I agree to comply with any and all codes, ordinances, laws, regulations, or restrictions which apply to the project. I understand that failure to comply shall result in legal action, which may include but not necessarily be limited to non-use of the buildings.

Applicant's Signature [Signature] Date 5/20/08
 Department Approval [Signature] Date 8/16/09

Additional water and/or sewer tap fee(s) are required:	YES <input checked="" type="checkbox"/>	NO _____	W/O No. <u>21507</u>
Utility Accounting <u>[Signature]</u>			Date <u>9/9/09</u>

VALID FOR SIX MONTHS FROM DATE OF ISSUANCE (Section 2.2.C.1 Grand Junction Zoning and Development Code)

(White: Planning) (Yellow: Customer) (Pink: Building Department) (Goldenrod: Utility Accounting)

RECORD OF DECISION / FINDINGS OF FACT

DATE: June 15, 2009
FILE: CUP-2008-158
LOCATION: 2256, 2258 Colex Drive

PETITIONER: Kevin Eardley
349 Dakota Circle
Grand Junction, CO 81503

PLANNER: Senta L. Costello

PROJECT IS: **APPROVED**

The project is located at 2256, 2258 Colex Drive (tax schedule #'s 2701-314-17-001, 2701-314-17-002).

On August 12, 2008, the Grand Junction Planning Commission denied the request for a Conditional Use Permit for a bar/nightclub citing the use was incompatible with the neighborhood, defining neighborhood as the entire City. The applicant appealed the Planning Commission decision to City Council August 22, 2008.

On November 5, 2008, the Grand Junction City Council remanded the request back to Planning Commission with the instructions to:

- (1) consider "neighborhood" in accord with the definition of "neighborhood" in Chapter Nine of the Zoning and Development Code rather than as the entire community or city;
- (2) base its decision on the use that triggers the requirement of a Conditional Use Permit (namely, the bar/nightclub operation, rather than the adult entertainment, which is a use by right in this zone district);
- (3) articulate site-specific reasons supporting its determination(s); and
- (4) address the Code criteria with specificity as a basis for its decision.

On November 25, 2008, the Grand Junction Planning Commission denied the request for a Conditional Use Permit; two of the three Commissioners voting to deny the Conditional Use Permit found that a bar/nightclub use is not compatible with the I-1 zone in general, and also not compatible with the residential use adjacent to the east. The applicant appealed the Planning Commission decision to City Council December 2, 2008.

On January 21, 2009, the Grand Junction City Council remanded the request back to Planning Commission with the instructions to:

- (1) state specifically, using examples specific to the particular site, the conflict(s) with the residential use to the east, and to provide a site-specific factual basis for its finding that there are conflicts between the commercial bar/nightclub use and industrial uses.

On February 24, 2009, the Grand Junction Planning Commission approved the Conditional Use Permit request based on the findings and conclusions in the staff report. The approval was appealed to City Council by a citizen, Michael MacFarlane, on March 4, 2009.

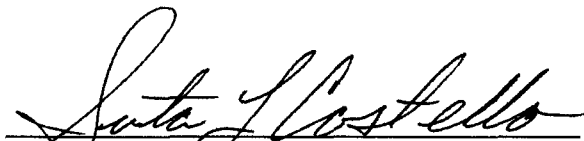
On April 1, 2009, the Grand Junction City Council supported the Planning Commission's February 24, 2009 decision based on the specifics in the record and making the findings and conclusions that support the decision.

The Site Plan Review to a nightclub and office/warehouse in I-1 zone district, located at 2256 and 2258 Colex Drive, was considered administratively by the City of Grand Junction on April 14, 2009. After considering all pertinent data, the Administrator **APPROVES** with conditions the Site Plan upon finding that the proposal complies with all applicable sections of the Grand Junction Zoning and Development Code.

The approval is subject to the following Conditions:

This approval is valid for a period of 1 year from the date of approval. Failure to develop or establish such use accordingly shall constitute sufficient basis to revoke this approval.

All landscaping must be maintained in a healthy manner. Should any of the plantings die or become unhealthy for any reason, they must be replaced.



Senta L. Costello
Senior Planner

Cc: City Development Engineer – Rick Dorris
Design Specialists – Rob Rowlands

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Payment 1 of 3

35598

City of Grand Junction
Public Works & Planning Department, Planning Division

Date 7/29/10

Payee Name Kevin Eardley

Mailing Address 349 Hakota Cir

City, State, Zip Code 81507

Telephone 241-1903

Project Address/File/Name 2258 Coley Dr.

DESCRIPTION	ACCOUNT	AMOUNT
PLANNING CLEARANCE	PLAN 100-310-010.4100_13	
TRANSPORTATION IMPACT FEE	TCP 207-330-140.4315	10,000 ⁰⁰
SCHOOL IMPACT FEE	SLD 701-904.4315	
PERMITS (SIGN, FENCE, HOME OCCUPATION, etc.)	PERMIT 100-310-010.4100_12	
GENERAL MEETINGS AND PREAPPLICATION FEES	PREAPP 100-310-010.4315	
DEVELOPMENT PROJECTS	DEV 100-310-010.4315	
DEVELOPMENT INSPECTION FEE	INSPECT 100-335-360.4360	
SEWERAGE FEE	DRAIN 202-330-140.4315	
UNDERGROUNDING UTILITY FEE	UTILITY 201-330-010.4385	
MAPPING SERVICES, MAP BOOKS, MAPS GENERAL	ITMAPS 401-150-230.4300	
CODES, PLANS, MANUALS, COPIES	MANUAL 100-310-010.4700_02	

Treasurer Receipt No.

TOTAL \$ 10,000⁰⁰

Planning Initials

Cash Check Other

(White: Customer) (Canary: Finance) (Pink: Planning) (Goldenrod: File)

Transaction Detail

Journal Number 2010-00004962
 Journal Type Journal Entry
 Source Billings
 Reference
 Sub Ledger Miscellaneous Billing
 Originating Department Fin Ops.Budget & Acct
 G/L Account 207-330-140.4315 (Transportation Ca
 G/L Date 09/01/2010
 Transaction Description MB Invoice Billing Post
 Transaction Amount \$10,000.00
 Due To/Due From
 Organization

Customer Invoice
 12915 - Eardley, Kevin RE PLANNING - 20

port History

Comments

note Documents

provals

Miscellaneous Billing Invoice Inquiry

The following errors have occurred:
 • You do not have view/use rights to Miscellaneous Billing - Invoice Type.
 Please make corrections below:

Invoice Batch		Invoice Customer		Billing Summary	
Batch Number	2010-0000370	Customer	Eardley, Kevin	Billing Amount	\$10,000.00
Batch Date	9/1/2010	Mailing Address	Kevin Eardley	Late Fees	
Created By User	Kelli Forsythe		349 Dakota Circle	Finance Charges	
Department	02-210 - Fin Ops.Budget & Acct		Grand Junction, CO 81507	Write Offs	
				Payments	\$10,000.00
				Memo Relief	
				Invoice Balance	
Invoice Summary		Invoice			
Status	Paid	Type	Planning Department		
Billing Date	09/01/2010	Number	2010-00063003		
G/L Date	09/01/2010	Description	Installment on Promissory Note dated July 2, 2010		
Due Date	10/01/2010	Memo Invoice			
Resolution Date	09/30/2010	Detail			
Apply Late Fees					
Apply Finance Charges					
Reclassified					
Collection Agency					

Detail

Transactions							
Posted	Transaction Date	Transaction Type	Comments	Invoice Amount	Late Fees	Finance Charges	Undesignated
<input checked="" type="checkbox"/>	09/30/2010	Payment		\$10,000.00	\$0.00	\$0.00	\$0.00 \$10,000.00
<input checked="" type="checkbox"/>	09/01/2010	Billing		\$10,000.00	\$0.00	\$0.00	\$0.00 \$10,000.00

Approvals

G/L Transaction Detail

Journal Number 2010-00006129
 Journal Type Journal Entry
 Source Billings
 Reference
 Sub Ledger Miscellaneous Billing
 Originating Department Fin Ops.Budget & Acct
 G/L Account 207-330-140.4315 (Transportation Ca
 G/L Date 11/02/2010
 Transaction Description MB Invoice Billing Post
 Transaction Amount -\$10,787.00
 Due From
 Organization

Customer Invoice
 12915 - Eardley, Kevin RE PLANNING - 20

Export History
 Documents
 Remote Documents
 Approvals

Miscellaneous Billing Invoice Inquiry

The following errors have occurred:
 • You do not have view/use rights to Miscellaneous Billing - Invoice Type.
 Please make corrections below.

Invoice Batch		Invoice Customer		Billing Summary	
Batch Number	2010-00000445	Customer	Eardley, Kevin	Billing Amount	\$10.7
Batch Date	11/2/2010	Mailing Address	Kevin Eardley	Late Fees	
Created By User	Kelli Forsythe		349 Dakota Circle	Finance Charges	
Department	02-210 - Fin Ops.Budget & Acct		Grand Junction, CO 81507	Write Offs	
Invoice Summary		Invoice		Payments	\$10.7
Status	Paid	Type	Planning Department	Memo Relief	
Billing Date	11/02/2010	Number	2010-00063004	Invoice Balance	
G/L Date	11/02/2010	Description	Installment on Promissory Note dated July 2, 2010		
Due Date	12/02/2010	Memo Invoice			
Resolution Date	11/29/2010	Detail			
Apply Late Fees					
Apply Finance Charges					
Reclassified					
Collection Agency					

Detail

Transactions							
Posted	Transaction Date	Transaction Type	Comments	Invoice Amount	Late Fees	Finance Charges	Undesignated
<input checked="" type="checkbox"/>	11/29/2010	Payment		\$10,787.00	\$0.00	\$0.00	\$0.00
<input checked="" type="checkbox"/>	11/02/2010	Billing		\$10,787.00	\$0.00	\$0.00	\$0.00