

TCP \$
Drainage \$
SIF \$
Inspection \$

#788-0

Planning \$ 5.00
Bldg Permit #
File #

PLANNING CLEARANCE

(Multifamily & Nonresidential Remodels and Change of Use)

Public Works & Planning Department

Building Address 200 W. Grand Ave #1
 Parcel No. 294515123001
 Subdivision Grand Central Plaza
 Filing _____ Block _____ Lot _____

Multifamily Only:
 No. of Existing Units _____ No. Proposed _____
 Sq. Ft. of Existing _____ Sq. Ft. Proposed _____
 Sq. Ft. of Lot / Parcel _____
 Sq. Ft. Coverage of Lot by Structures & Impervious Surface
 (Total Existing & Proposed) _____

OWNER INFORMATION:

Name Smoke Shack, Nathan Barnum
 Address 200 W. Grand Ave #1
 City / State / Zip Grand Jct Colo 81501

DESCRIPTION OF WORK & INTENDED USE:

Remodel Change of Use (*Specify uses below)
 Addition Change of Business
 Other: interior remodel only

APPLICANT INFORMATION:

Name Merritt Sixbey
 Address 2102 Hwy 6250
 City / State / Zip Grand Jct. Colo 81505
 Telephone 970-261-1463

* FOR CHANGE OF USE:
 *Existing Use: Retail (Retail Tobacco Store)
 *Proposed Use: Retail
POOL + OTHER GAMES INCIDENTAL USES
 Estimated Remodeling Cost \$ 29,000.00
 Current Fair Market Value of Structure \$ 265,500.00

REQUIRED: One plot plan, on 8 1/2" x 11" paper, showing all existing & proposed structure location(s), parking, setbacks to all property lines, ingress/egress to the property, driveway location & width & all easements & rights-of-way which abut the parcel.

THIS SECTION TO BE COMPLETED BY PLANNING STAFF

ZONE <u>C-1</u>	Maximum coverage of lot by structures _____
SETBACKS: Front _____ from property line (PL)	Landscaping/Screening Required: YES _____ NO _____
Side _____ from PL Rear _____ from PL	Parking Requirement _____
Maximum Height of Structure(s) _____	Floodplain Certificate Required: YES _____ NO _____
Voting District _____	Special Conditions: _____
Ingress / Egress Location Approval _____ (Engineer's Initials)	

Modifications to this Planning Clearance must be approved, in writing, by the Public Works & Planning Department. The structure authorized by this application cannot be occupied until a final inspection has been completed and a Certificate of Occupancy has been issued, if applicable, by the Building Department.

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 building(s).

Applicant Signature Merritt Sixbey Date 1-5-2010
 Planning Approval Lynia Reynolds Date 1-6-2010

Additional water and/or sewer tap fee(s) are required: YES _____ NO <input checked="" type="checkbox"/> W/O No. <u>interior remodel</u>
Utility Accounting <u>Katie Vanover</u> Date <u>1-6-10</u>

VALID FOR SIX MONTHS FROM DATE OF ISSUANCE (Section 2.2.C.4 Grand Junction Zoning & Development Code)
 (White: Planning) (Yellow: Customer) (Pink: Building Department) (Goldenrod: Utility Accounting)

8-5-10
 8-5-10
 8-5-10



To whom it may concern,

This letter is written to describe the proposed business to be located at 200 W. Grand Ave., Unit #7 which was the previous location of Riley's furniture store. This type of business is commonly referred to as a Hookah Bar or Hookah Lounge. The main purpose for patrons to go to this establishment would be for the purchasing and smoking of Hookah tobacco known as shisha (pronounced she-shah) which is flavored tobacco that has been cured in molasses or honey.

As mentioned previously, the primary purpose for patrons to go this establishment is for the purchasing of tobacco products and accessories. Other incidental forms of income the business would generate would come from coin operated pool tables (2), dart board, foosball table, Oxygen bar and potentially arcade games. Other amenities that will be provided free of charge would include televisions, board games and wireless internet. We plan on also selling beverages such as coffee and soft fountain drinks as well as prepackaged beverages. We will not be selling food that is prepared on the premises nor will we be serving alcoholic beverages. We may choose to sell limited amounts of prepackaged food items at some point.

Our anticipated hours of operation would be from 3 PM until 4 AM, Monday through Sunday. Peak operating hours are expected to be from about 10 or 11 PM until 3 or 4 AM. These peak hours are based off of our research into other Colorado hookah lounges. These lounges typically open at 9 PM. We anticipate continued adjustment of our hours of operation which will be based mainly on customer demand.

If you have any questions please do not hesitate to call Michelle at 970-812-6206. Convenient call times would be after 10 AM and before 11 PM.

Sincerely,

Nathan and Michelle Barnum

**MICHAEL J. GRATTAN III, P.C.
ATTORNEY-AT-LAW**

**109 WEST KENNEY AVENUE, GRAND JUNCTION, COLORADO 81505
PHONE:(970) 243-6333; FAX:(970) 243-6388;
EMAIL:MICHAEL@GJLAWYER.COM**

December 16, 2009

Michelle and Nathan Barnum
P.O. Box 1553
Clifton, CO 81520

Re: Proposed Hookah Bar

Dear Mr. and Mrs. Barnum:

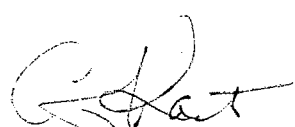
Enclosed please find the original letter from John Shaver, City Attorney, dated December 15, 2009.

If you have any questions or comments, please contact Mr. Grattan. Thank you.

Sincerely,

MICHAEL J. GRATTAN III, P.C.

By:



Cathy Kast, Assistant

/ck
Enclosure

December 15, 2009

Michael J. Grattan III
Michael J. Grattan III, P.C.
109 West Kennedy Avenue
Grand Junction, CO 81505

RE: Michelle and Nathan Barnum – Proposed Hookah Bar at 200 W. Grand Avenue #7

Dear Mike,

I write in response to your request for an interpretation of City laws pertaining to hookah bars. It is my understanding that your clients, the Barnums, would like to open a tobacco sales and smoking establishment, known as a hookah bar, and would like some assurance that they are in compliance with City regulations regarding such an establishment.

It is my understanding that the Barnums have met with Ivy Williams of the City's Planning Department. Your clients' request has been reviewed and approved by Ms. Williams. I have reviewed the information provided by your clients and Ms. Williams' assessment of that and the Code. It is my opinion that the proposed business would be allowed as a "retail tobacco store", as defined in the City code (8.20.020(f)(1)(ii)).

Some care should be taken by your clients, however, to make sure their establishment does not become a billiard or pool hall, as smoking is not allowed in that type of indoor establishment (8.20.020(c)(1)(xiv)). At present we understand that pool and other games will be incidental uses.

I understand that a planning clearance for an interior remodel is the only requirement the Barnums will need to obtain from the City's Planning Department. Ms. Williams can assist them with that process.

If you need further information or have questions, please give me a call.

Sincerely,

OFFICE OF THE CITY ATTORNEY

By:


John P. Shaver, City Attorney

pc: Ivy Williams