

# Table of Contents

File 1978-0015

Date 8/1/00

Project Name: Country Kitchen

P r e s e n t	S c a n n e d	<p>A few items are denoted with an asterisk (*), which means they are to be scanned for permanent record on the ISYS retrieval system. In some instances, not all entries designated to be scanned are present in the file. There are also documents specific to certain files, not found on the standard list. For this reason, a checklist has been included.</p> <p>Remaining items, (not selected for scanning), will be marked present on the checklist. This index can serve as a quick guide for the contents of each file.</p> <p>Files denoted with (**) are to be located using the ISYS Query System. Planning Clearance will need to be typed in full, as well as other entries such as Ordinances, Resolutions, Board of Appeals, and etc.</p>
X	X	<b>*Summary Sheet – Table of Contents</b>
		Application form
		Receipts for fees paid for anything
		<b>*Submittal checklist</b>
		<b>*General project report</b>
		Reduced copy of final plans or drawings
		Reduction of assessor's map
		Evidence of title, deeds
		<b>*Mailing list</b>
		Public notice cards
		Record of certified mail
		Legal description
		Appraisal of raw land
		Reduction of any maps – final copy
		<b>*Final reports for drainage and soils (geotechnical reports)</b>
		Other bound or nonbound reports
		Traffic studies
		Individual review comments from agencies
		<b>*Consolidated review comments list</b>
		<b>*Petitioner's response to comments</b>
		<b>*Staff Reports</b>
		<b>*Planning Commission staff report and exhibits</b>
		<b>*City Council staff report and exhibits</b>
		<b>*Summary sheet of final conditions</b>
		<b>*Letters and correspondence dated after the date of final approval (pertaining to change in conditions or expiration date)</b>

## DOCUMENTS SPECIFIC TO THIS DEVELOPMENT FILE:

X	X	Follow-Up Form	X	X	Letter from Karl Metzner to Creative Ent. re: C.O. – 3/6/78
X	X	Review Sheets			
X	X	Letter from Karl Metzner to Creative Enterprises – 1/30/78			
X	X	Memo from Don Newton to Comm. Dev. – 1/10/91			
X	X	Letter from Ron Rish to Jerome Fossenier – 11/13/80			
X	X	Memo from Ron Rish to Jim Paterson – 12/3/81			
X	X	Release from Improvements Agreement / Guarantee - **			
X	X	Subdivision Improvements Agreement from Mesa Co.			
X	X	Zoning Violation Report			
X	X	Letter from Lance Williams to Debbie Wesderath re: Certif. of Occ.- 9/21/82			
X	X	Planning Commission Minutes - ** - 1/25/78			
X	X	Power of Attorney			
X	X	Certified letter from Mark Eckert to Debbie Wederath – 8/11/81, 11/9/81			
X	X	Letter from Karl Metzner to Leo Partnership re: Cert. of Occ. – 5/17/79			

MESA COUNTY BOARD OF COUNTY COMMISSIONERS  
SUBDIVISION IMPROVEMENTS AGREEMENT

MESA COUNTY OF MESA  
 10:20 A.M.  
1086785 EARL SAWYER, RECORDER  
 MAY 2 1975

Prior to the County Commissioners' endorsement of the Record Plat of any subdivision, a duplicate original of this type of agreement must be filed with the County Commissioners. A signed copy of such an agreement must also be filed with the county (including a performance guarantee in a form satisfactory to the County Attorney equal to the amount of the total estimated improvements).

Estimated construction costs shall be reviewed by the County official having the most direct involvement in the subject improvements.

In re: HORIZON PARK PLAZA Mesa County Colorado  
 Name of Subdivision Location

Intending to be legally bound, the undersigned subdivider hereby agrees to provide throughout this subdivision and as shown on the subdivision plat of \_\_\_\_\_, dated \_\_\_\_\_, 19 \_\_\_\_\_, the following improvements to county standards:

Improvements	Unit	Estimated Construction Cost	Construction Completion Date
Street grading			
Street base			
Street paving	L.S.	\$33,000.00	June 1975
Curbs			
Sidewalks N/A			
Storm sewer Facilities	L.S.	1,000.00	
Sanitary Sewers			
Trunk Lines	L.S.	11,600.00	June 1975
Mains			
Laterals or House Connections	L.S.	2,000.00	June 1975
On-site Sewage Facilities N/A			
Filter Mains N/A			
On-site Water Supply N/A			
Fire Hydrants			
Street Monuments	7	200.00	June 1975
Street Lights N/A			
Street Name Signs	2	50.00	July 1975
Survey Monument Boxes	1	50.00	June 1975
<b>SUB TOTAL</b>		<b>\$47,900.00</b>	<b>1975</b>

Supervision of all installations (should normally not exceed 4% of subtotal) \$1,100.00

**TOTAL ESTIMATED COST OF IMPROVEMENTS AND SUPERVISION \$49,000.00**

SUBDIVISION IMPROVEMENTS AGREEMENT

(continued)

The above improvements shall be constructed in accordance with all County requirements and specifications, and conformance with this provision shall be determined solely by the below-named County or its duly authorized agent.

The improvements shall be constructed in accordance with the time schedules shown above.

*Deputy L. Spencer*  
*R. H. Bonds*  
*Earl O. Sawyer*  
\_\_\_\_\_  
Signature of Subdivider

(If corporation, to be signed by President and attested to by Secretary, together with the corporate seal.)

Dated: April 15, 19 75.

ACCEPTANCE

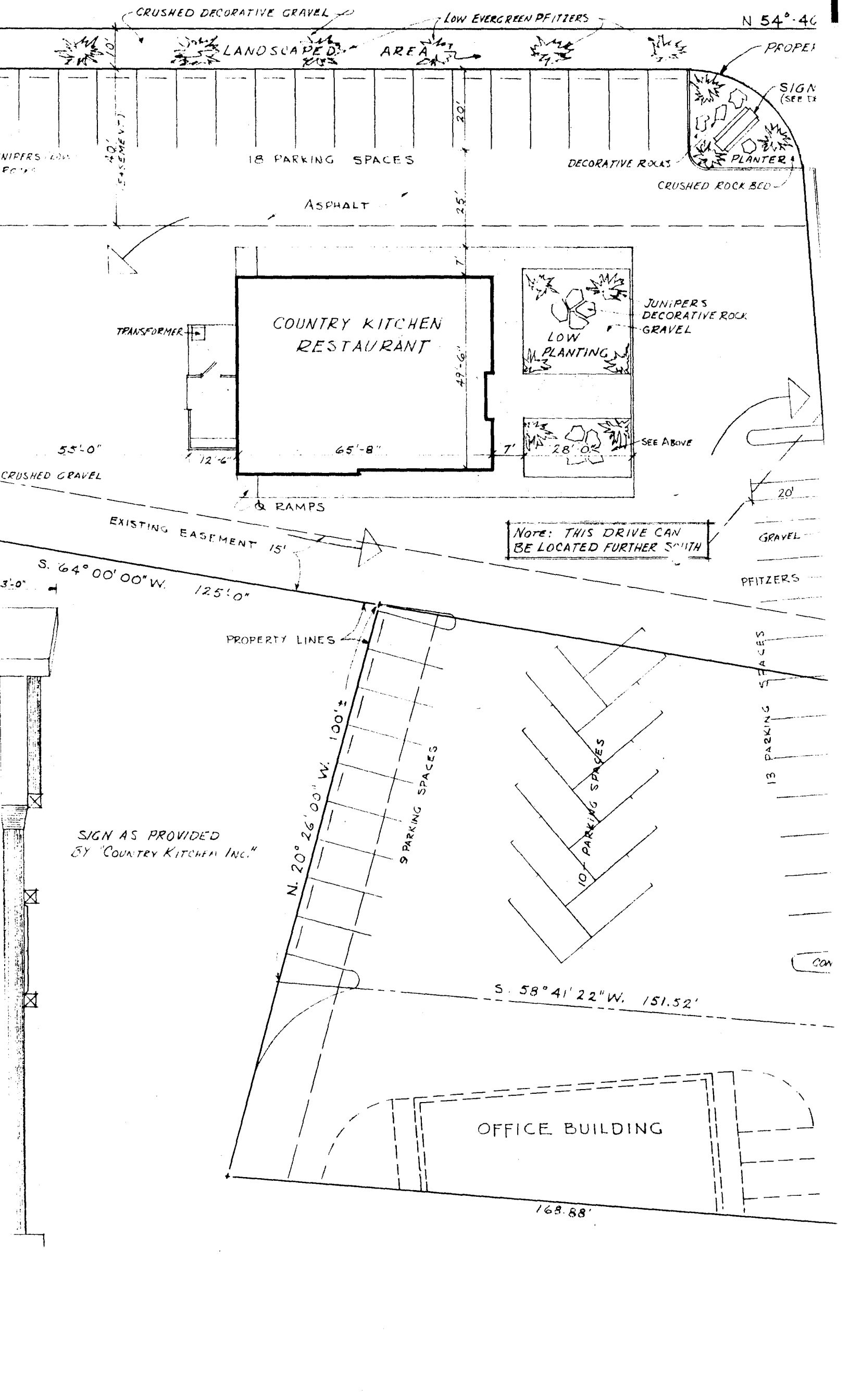
Approved by resolution of the Mesa County Commissioners  
at the meeting of April 30, 19 75.

*Lawrence C. ...*  
\_\_\_\_\_  
Signature of Authorized Office of County

STATE OF COLORADO }  
County of MESA } ss  
I hereby certify that this instrument was  
filed for record  
MAY 2 1975  
at 10:20 o'clock A.M. and recorded  
In Book 1036 Page 163  
EARL SAWYER, County Clerk & Recorder  
By \_\_\_\_\_ Deputy

*INDEXED 2/11/77*  
*1086785*

N 54°-46



CRUSHED DECORATIVE GRAVEL

LOW EVERGREEN PFITZERS

LANDSCAPED AREA

PROPEL

SIGN (SEE TX)

18 PARKING SPACES

DECORATIVE ROCKS

PLANTER

CRUSHED ROCK BED

ASPHALT

COUNTRY KITCHEN RESTAURANT

JUNIPERS DECORATIVE ROCK GRAVEL

LOW PLANTING

TRANSFORMER

49'-6"

28'-0"

SEE ABOVE

65'-8"

55'-0"

12'-6"

CRUSHED GRAVEL

RAMPS

NOTE: THIS DRIVE CAN BE LOCATED FURTHER SOUTH

EXISTING EASEMENT 15'

GRAVEL

PFITZERS

S. 64° 00' 00" W.

125'-0"

PROPERTY LINES

N. 20° 26' 00" W. 100'±

9 PARKING SPACES

10 PARKING SPACES

13 PARKING SPACES

SIGN AS PROVIDED BY "COUNTRY KITCHEN INC."

S. 58° 41' 22" W. 151.52'

OFFICE BUILDING

168.88'

January 30, 1978

Creative Enterprises  
c/o Carl Hockmuth  
536 Village Way  
Grand Junction, CO 81501

RE: File #15-78 - Development in H.O., Country Kitchen

Dear Carl:

The Grand Junction Planning Commission, on January 26, 1978, approved the development plan for Country Kitchen. Approval was subject to the following:

- 1) Power of attorney for half street improvements on Horizon Drive.
- 2) Drive to be moved further to the South (in line with driving lane).
- 3) Four foot attached sidewalk.
- 4) One fire hydrant provided on the Northwest corner of Horizon Drive and Horizon Court.
- 5) Work with staff in coordinating landscaping with the Oxy Building. (This should be done prior to requesting building permit.)
- 6) Trash container to be located so as not to conflict with delivery area.

This item will be heard before the Grand Junction City Council on February 15, 1978 at 7:30 p.m. in the City Council Chambers. If you have any questions or comments concerning this approval, please contact our office prior to this date.

Sincerely,

Karl G. Metzner  
Planner I

KGM:dlw

March 6, 1978

Creative Enterprises  
c/o Carl Hockmuth  
536 Village Way  
Grand Junction, CO 81501

RE: FILE #15-78 - DEVELOPMENT IN H.O. - COUNTRY KITCHEN

Dear Carl:

Enclosed is the Power of Attorney form required by the approval for the County Kitchen on Horizon Drive. Please have this signed by the property owner(s), notarized and returned to our department prior to any request for building permit.

Also, please remember that a revised landscape plan will be required prior to request for building permit as per my letter to you of January 30, 1978.

Karl Metzner  
Planner I

KM:bc

Enclosure

May 17, 1979

Leo Partnership or Assigns  
14750 S. Robert Trail  
Rosemount, Minnesota 55068

Re: Building Permit #8301, Grand Junction, Colorado

Dear Sirs:

A Certificate of Occupancy has been requested at 755 Horizon Court for the new Country Kitchen Restaurant. It will not be possible to issue this Certificate of Occupancy until all conditions of project approval have been met. The site was inspected by our Department on May 16, 1979, and the following deficiencies were noted:

- 1) A power-of-attorney for  $\frac{1}{2}$  street improvements for Horizon Drive has not been submitted.
- 2) Required landscaping is incomplete.

As soon as these requirements have been met please notify our department so that we may make a final inspection and issue the Certificate of Occupancy.

Sincerely,

Karl Metzner  
Senior Planner

KM/nh



City of Grand Junction, Colorado 81501

250 North Fifth St. 303 243-2633

November 13, 1980

Mr. Jerome P. Fossenier  
Vice President  
CBW Builders, Inc.  
2784 Crossroads Blvd.  
P. O. Box 2163  
Grand Junction, CO 81501

Dear Jerry:

Re: Horizon Park Plaza

As requested in your letter of October 30, 1980, I inspected the Horizon Court street improvements adjacent to the above on November 6, 1980. All construction on the Horizon Court as shown on the plan prepared by Paragon Engineering and approved by this office on October 1, 1980, appears to be satisfactorily completed.

We have received construction test results for asphalt and compaction of subgrade and base course. We have not received any test results for concrete nor the as-built drawing.

While at the site, I observed that most of the concrete sidewalk has been constructed around the building site. Although this work was not included nor required on the above-mentioned construction plans, I assume Paragon Engineering has inspected this sidewalk construction in the public right of way since you have not applied for the required permit for this work which would have resulted in inspection of the forms and base by City staff. Concrete test results will be required also for that sidewalk work. Some of the work remains to be done on the south side of the building site.

I also observed a street light pole right in the middle of the above-mentioned public sidewalk. Since this pole was not moved out of the sidewalk area prior to pouring the concrete, you should arrange to have the pole relocated out of the sidewalk. This will unfortunately of course require that the sidewalk panel around the pole be removed and replaced. Please use this letter if needed to notify Public Service Company of this City requirement. It just is not reasonable to have a brand new public sidewalk constructed with a light pole in the center of it. I understand from your construction superintendent that some problem of persuasion was experienced concerning this matter. If I can be of further assistance, please notify me.



November 13, 1980

Please arrange for submission of the concrete test results and as-built drawings. I also would appreciate being notified when the sidewalk work is completed and the street light pole is relocated.

Very truly yours,

*Ronald P. Rish*  
Ronald P. Rish, P.E.  
City Engineer

RPR/hm

cc - Bob Gerlofs-Paragon  
Bob Bright  
John Kenney  
Jim Patterson  
File ✓

City  
County  
Development  
Department

CITY OF GRAND JUNCTION—MESA COUNTY—COLORADO 81501  
559 WHITE AVE.—ROOM 60—DIAL (303) 243-9200 EXT. 343

Return Receipt  
Certified  
P 321 722 333

August 11, 1981

Debbie Wederath  
c/o Country Kitchen  
753 Horizon Ct.  
Grand Junction, Colorado 81501

*Added to  
Sept 1 -  
waiting for BOA  
from M...  
every...*

Dear Ms. Wederath:

This letter is in regard to the Country Kitchen, located at 753 Horizon Court, Grand Junction, Colorado, (File No. 15-78).

Per our phone conversation on August 10th, 1981, I have listed below items that need to be resolved prior to issuing a Certificate of Occupancy for Country Kitchen located at 753 Horizon Court.

- 1) A Power of Attorney for  $\frac{1}{2}$  street improvements for Horizon Drive needs to be submitted to this office as soon as possible.
- 2) One fire hydrant provided on the northwest corner of Horizon Drive and Horizon Court.
- 3) Landscaping as shown on site plan is different than what is existing.
  - a) As shown on site plan planters were to be provided on the northwest corner of Horizon Drive and Horizon Court.
  - b) Landscaping along Horizon Court from the curb cut south to the south limit of project were to be provided.
  - c) Landscaping along the west limits were to be provided.
  - d) Landscaping along the Horizon Drive was shown but not existing.
- 4) The rear of the building shows 8 parking spaces with a 15 foot easement for access. This is different than what is existing.
- 5) The entire parking scheme, the configurations are different than what is existing.

We would like a written response as to why the site plan as approved is different than what is presently existing, and when the issues stated above will be resolved. If unable to resolve these concerns, the City will have no choice but to take further action.

Thank you for your consideration.

Sincerely,

*Mark Eckert*

Mark Eckert  
Senior City Planner

Enclosure - Power of Attorney Form

CC: Daryl Shrum  
✓ File No. 15-78

City  
County  
Development  
DepartmentCITY OF GRAND JUNCTION—MESA COUNTY—COLORADO 81501  
559 WHITE AVE.—ROOM 60—DIAL (303) 243-9200 EXT. 343Certified  
P321 722 369  
Return Receipt

November 9, 1981

Debbie Wederath  
c/o Country Kitchen  
753 Horizon Ct.  
Grand Junction, Colorado 81501

Dear Ms. Wederath:

Per our phone conversation on September 1, 1981, we discussed the items that needed to be resolved prior to the issuing of a certificate of occupancy for the Country Kitchen at 753 Horizon Court.

You told me that the Power of Attorney (POA) for Horizon Drive was the only thing you were missing and that it was in the process of being drawn up in your main office. This was September 1, 1981. Our original contact concerning this was May 17, 1979. This office feels you have had adequate time to respond with the appropriate requirements. Since we haven't received the Power Of Attorney or response to the other items in question, the Grand Junction Planning Commission is requiring your presence at their next scheduled public hearing on November 24, 1981, in the City Council Chambers of City Hall.

If you have any questions, please feel free to contact this office at 244-1628.

Sincerely,

Mark Eckert  
Senior City PlannerBob Goldin  
City Planner

BG/ja

3 Enclosures

CC: Daryl Shrum  
File No. 15-78

## CITY OF GRAND JUNCTION, COLORADO

## MEMORANDUM

Reply Requested  
Yes  No

Date

Dec. 3, 1981

To: (From:) Jim PattersonFrom: (To:) Ron Rish *RRR*

Subject: Major Storm Sewer Under Building at Horizon Park Plaza

In January, 1980, I received from the Planning staff a drawing by "Designco" and a review sheet for development in H.O. and a road vacation for the Horizon Park Plaza building at Skyline Court and Horizon Court. On the review sheet I commented that an engineering check of the storm runoff impact on the drainage outlet system should be made. On the "Designco" drawing was a single note which read "20' drainage easement (existing pipe to be removed & replace w/conc. culvert; per engr's. specs.)"

To this day, I have not received any information, written or verbal, from anyone concerning the storm drainage system for this project. No plans (or verbal information) have been submitted for my review and approval for alterations of the existing public storm drain which existed in a dedicated public easement.

Section 27-4.3 of the Grand Junction Code of Ordinances reads "No improvements shall be made until all the required plans, profiles and specifications for the same have been submitted to and approved by the City Engineer".

Last week, while tracing storm flow routings along Horizon Drive with Don Newton as part of our preliminary design procedure, we discovered that both ends of a large pipe appeared to align right under that large building! I contacted Jerry Fossineir of CBW Builders and he confirmed that the existing pipe had been replaced with an "asbestos-bonded corrugated metal pipe" and located through the foundation caissons under the building. He said it was shown on "all the drawings". He thought it was probably a 48 inch pipe.

I have to date never been apprised of this by anyone. I assume the City may be concerned that this has occurred and that a 66,000 square foot, three story building is constructed over a 48 inch culvert pipe.

cc - Dick Hollinger  
Daryl Shrum  
Jim Wysocki  
Eile

City  
County  
Development  
DepartmentCITY OF GRAND JUNCTION—MESA COUNTY—COLORADO 81501  
359 WHITE AVE.—ROOM 60—DIAL (303) 243-9200 EXT. 343

December 11, 1981

M E M O

TO: Jim Patterson, Director of Public Works  
FROM: Richard Hollinger, Chief Building Official *RH*  
RE: Storm sewer under building at Horizon Park Plaza

A recent plan review of the approved plans of Horizon Park Plaza reveals that the storm sewer installed under the building was not shown on the plans. My first knowledge of this installation was when it was brought to my attention by Ron Rish, City Engineer.

My concern about this installation is as follows:

1. In the event of a cloud burst in the drainage area of this storm sewer, will the pipe be large enough to carry the water? If not, how will the excess water be handled and will the excess water, if any, create a hazard to this or other buildings.
2. What is the life expectancy of "asbestos-bonded corrugated metal pipe"? Will this pipe be of sufficient corrosive-resistant to last the life of the building? Obviously, if the pipe should fail sometime in the future, there could be a definite hazard to the building.

I talked to Jerry Fossenier, Engineer for CBW, Inc., builders of the building and he has agreed to supply me with technical data from ARMCO Company, manufacturers of the pipe, in order that I might evaluate the durability of this pipe. He also stated that the pipe is 48" in diameter.

cc: Ron Rish, City Engineer  
Daryl Shrum, Planning Director  
Jim Wysocki, City Manager

ZONING VIOLATION REPORT

NO. 15-78

DATE 2/25/82

OCCUPANT Country Kitchen ADDRESS 753 Hougou Ct.  
 Mrs. OWNER Debbie Wederath ADDRESS \_\_\_\_\_  
 PHONE 245-0015 DIRECTIONS 625-4331 (Rifle)  
 REFERRED BY Bob H. DATE \_\_\_\_\_  
 VIOLATION still lacking 1 fire hydrant CODE \_\_\_\_\_  
 COMPLAINANT \_\_\_\_\_ ADDRESS \_\_\_\_\_

- 2/25/82 Norm Noble of Fire Dept. made site check; there is a fire hydrant at NW corner of Hougou Dr. + Hougou Ct. (diag. across from Country Kitchen)
- 3/2 - \$1500 down, then paperwork can begin  
 this is what Mrs. Wederath found out from Ute Water; a line will have to be run across Hougou Ct.  
 She will check w/property owner in Minnesota to find out how he wants her to proceed.
- 3/2 - visited Wes Painter - will check to see if fire hydrant could be placed N across Hougou Ct.
- 3/3 - Norm Noble called - OK to place hydrant across Hougou Ct. either on corner or beyond motel driveway
- 4/19 - Mr. Reimer (sp?), the property owner, called from Minneapolis. Said today was the first he had heard about the fire hydrant requirement. Said he will get on the matter right away.
- 5-10/82 talked with Debbie Wederath ~~about~~ <sup>gave her</sup> 48 hrs  
 To supply info when hydrant will be installed
- 5/10 Will get back w/ us on Thurs., May 13
- 9/21/82 hydrant in; C.O. released  
 ↳ N.E. cor. Hougou Dr. and Hougou Ct.



## CITY - COUNTY PLANNING

grand junction-mesa county 559 white ave. rm. 60 grand jct.,colo. 81501

(303) 244-1628

CERTIFIED RETURN RECEIPT  
P321722419

March 5, 1982

Country Kitchen  
753 Horizon Ct.  
Grand Junction, CO 81501

Attention: Debbie Wederath

Dear Debbie:

As I have had trouble catching you in when I have stopped by the Country Kitchen, I decided to write you regarding the fire hydrant. I have discussed the matter with the Fire Department, and it is agreeable to them to have the hydrant placed north across Horizon Court either on the corner in the vicinity of the utility boxes on the ground or east of the motel driveway in the landscaped strip. This would save you the cost of running a line under Horizon Court. You will have to work with all parties concerned in placing it correctly and legally. These parties would include Ute Water, the motel, City Utilities and Public Service Company.

Due to the fact that the installation of the hydrant has been delayed for approximately four years, we are insisting that it be in place within 60 days. It is my understanding that a Certificate of Occupancy has not yet been issued to Country Kitchen. The City will do everything in its power to see that you meet the fire hydrant requirement. Your prompt cooperation will be appreciated.

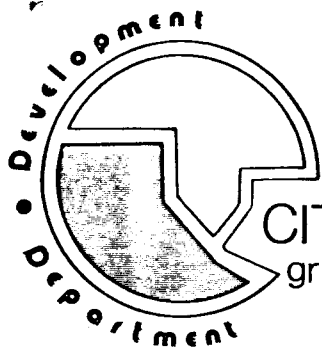
If you have any questions, please feel free to call me at 244-1628.

Sincerely,

Lance R. Williams  
Development Enforcement Officer

LW/vw

cc: Assistant City Attorney  
Grand Junction Fire Department



## CITY - COUNTY PLANNING

grand junction-mesa county 559 white ave. rm. 60 grand jct.,colo. 81501

(303) 244-1628

September 21, 1982

Ms. Debbie Wederath  
c/o Country Kitchen  
733 Horizon Court  
Grand Junction, CO 81501

Dear Debbie:

The Certificate of Occupancy for the restaurant is hereby being released by the Planning Department following the installation of the fire hydrant at the northeast corner of Horizon Drive and Horizon Court. You may pick up the C.O. at the Building Department, 634 Main.

Nearly three and a half years have elapsed since the final building inspection of Country Kitchen. It has taken this entire period of time for this department to obtain compliance with all the conditions of approval of the development. If you are ever again similarly involved with a restaurant or other development project in the city or county, your prompt attention to meeting all requirements would be greatly appreciated.

Please send the enclosed copy of this letter to the property owner in Minnesota.

Sincerely,

Lance R. Williams  
Development Enforcement Officer

LW/vw

xc: Bob Goldin



MEMORANDUM

DATE: January 10, 1991  
TO: Community Development Department  
FROM: Don Newton, City Engineer *JDN*  
SUBJ: Horizon Park Plaza Release of Improvements Agreement

The street and drainage improvements in Horizon Park Plaza were never accepted for reasons described in the attached correspondence.

As far as I know, these problems were never resolved. I will be available to discuss these items with whomever.

xc: file  
Greg Trainor

file:dn:horizimp.ag

Subdivision Development in H.O.

Date 5 JAN 78 Item # 15-78

Petitioner CARL HOCHMUTZ

S.W. CORNER Horizon Dr. & Horizon Ct.

Review Agencies Comments

① Engineering - obtain power of attorney for full 1/2 street improvements for Horizon Drive. Prefer that the drive on Horizon Ct. be moved further to the South. Prefer 4' detached S.W. on Horizon Ct.

② Utilities - show water sewer & trash

③ Require (1) hydrant on the corner of Horizon Drive & Horizon Ct.

Review Agencies Comments

② Utilities - Developer should coordinate trash pick up site w. Duane Jensen. Concerned about delivery vehicles blocking site.

④ Staff - Developer should work with staff in coordinating the landscaping with the "only" building. (Prior to asking for building permit.)

⑤ Attach S.W. & run to end of existing curb. Make planter 6' wide

Action Taken

P.C. 4/26/78 approval

C.C. Approved 15 Feb 78

Comments

Subject to all staff comments.

Action Taken

P.C. \_\_\_\_\_

C.C. \_\_\_\_\_

Comments

ITEMS REQUIRED FROM DEVELOPER

- Check
- Drainage
- Improvements
- Utility Agreement
- Landscaping
- Guarantee
- Title Investigation
- Covenants
- Annexation
- Other (Specify)