

Table of Contents

File 1978-0119

Date 9/25/00

Project Name: Arctic Circle (Dairy Queen)-Conditional Use- Drive-up Window

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>
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X	X	*Summary Sheet – Table of Contents
		Application form
		Receipts for fees paid for anything
		*Submittal checklist
		*General project report
		Reduced copy of final plans or drawings
		Reduction of assessor's map
		Evidence of title, deeds
		*Mailing list
		Public notice cards
		Record of certified mail
		Legal description
		Appraisal of raw land
		Reduction of any maps – final copy
		*Final reports for drainage and soils (geotechnical reports)
		Other bound or nonbound reports
		Traffic studies
		Individual review comments from agencies
		*Consolidated review comments list
		*Petitioner's response to comments
		*Staff Reports
		*Planning Commission staff report and exhibits
		*City Council staff report and exhibits
		*Summary sheet of final conditions
		*Letters and correspondence dated after the date of final approval (pertaining to change in conditions or expiration date)

DOCUMENTS SPECIFIC TO THIS DEVELOPMENT FILE:

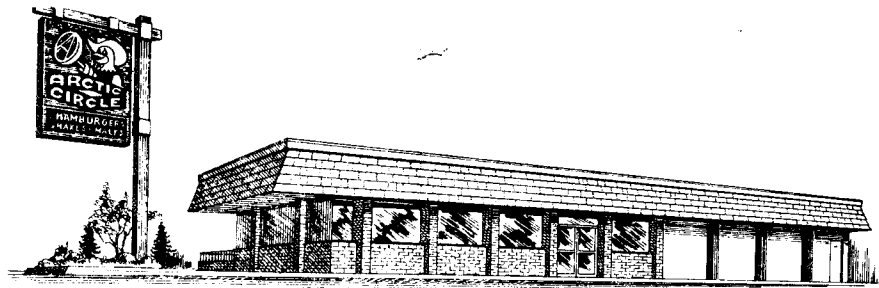
X	X	Follow-Up Form	X	X	Memo from Ron Rish to John Tasker re: \$1,000.00 volunteered toward installation of a raised concrete median in 7 th Street south of No. Ave.-10/22/79
X		Review Sheets	X	X	Memo from Ron Rish to Karl Metzner re: unfinished Curb and Gutter – 8/3/79
X	X	Handwritten Notes – no date			Letter from Bourtai Hargrove to Sam Middleton re: conformance to conditional use permit-6/3/82
X	X	Memo from Mike Sutherland to Tom Brunson re: Name change to from Arctic Circle to Dairy Queen – 1/7/85	X		Letter from Lance Williams to Lloyd Adamson and Partners re: agreement-6/23/82
X	X	Letter from Karl Metzner to Helen Pringer re: amendments to Arctic Circle Site Plan – 11/20/84	X	X	Conditional Use Application
X	X	Letter from Hall & Pearce to Helen Pinger re: no problem with removing the fence – 11/7/84	X	X	Planning Commission Minutes - ** - 5/29/79, 6/26/79
X	X	Letter from Richard Hall to Karl Metzner re: improvements to the property – 11/5/84	X	X	Adjacent Land Owners
X	X	Review Sheet Summary	X	X	Zoning Violation Report
X	X	Letter form Lance Williams to Lloyd Adamson re: payment of \$1,000.00 for street improvements received – 8/23/82	X	X	Letter from Lori Hill to Michael Coyne re: approval of the above-referenced item – 6/28/79
X		Letter from Lance Williams to Lloyd Adamson re: payment for Conditional Use Permit – 7/22/82	X	X	Proposed Site Plan

Arctic Circle

7th & North Avenue

Grand Junction, Colorado 81501

Phone 242-2466



LAND OWNERS!

East Side:

James & Carole Flynn
165 Willow Brook Drive
Grand Junction, Colo. 81501

South Side:

Helen Pingree
548 Hwy 50
Grand Junction Colo. 81501

DAIRY QUEEN @ 709 NORTH AVE 245-5782

Conditions for Coll. of Drive-Up Windows REQUIRES:

- Continuous curbing, timbers etc. running from west sidewalk to North/South alley.
- No access into alley except @ N/S alleyway
- angle parking O.K.

Reasons: to tight ^{of a} radius to exit drive-up into alley so close to 7th Street

- Would create conflict w/ cars turning into alley from 7th Street

Ms. Willie Porter - owner

Spoke w/ Ms. Porter @ 10:50 a.m. on 6-11-85

"Elam Const. was supposed to return & pour concrete curb barrier along alleyway, along with other items needing fixing".

NO. 119-78

ZONING VIOLATION REPORT

DATE 3/29/82

OCCUPANT Arctic Circle ADDRESS SE Cor. North Ave + 7th St.
 OWNER Sam Middleton ADDRESS (709 North Ave.)
 PHONE 242-2466 DIRECTIONS _____
 REFERRED BY Bob S., Alex DATE _____
 VIOLATION open curb cut, missing some plantings CODE _____
 COMPLAINANT _____ ADDRESS _____

4/7 SAM MIDDLETON

met w/ him, discussed requirements of cond. use
 asked him to provide us with a plan showing what they
 intend to do

FOLLOW UP IN A MONTH

5/7 phone call w/ Sam - he + his partner will meet w/ me
the wk. of May 24-28.6/2 Bourtai Hargrove - will write letter6/21 Lloyd Adamson - a partner - wants to get together6/22 John Tasker, Jerry Ashby

we should pursue completion of the requirements ^{by} ~~with~~ the
 new owners

6/23 Lloyd and Adamson and his wife and a partner and his wife -
will close curb cut ASAP, put low shrubs in 2 diamond-
shaped planters, pay city \$1,000 toward cost of median strip7/21 Mrs. Adamson - will leave message for Mr. Adamson to call me

LLOYD ADAMSON
 606 S. BROADWAY
 BUHL, ID
 (208) 543-5321 (ARCTIC
 CIRCLE)
 543-5501 (HOME)

7/22 Lloyd Adamson - gave him 30 days to get
curb cut filled pay \$500; Mr. Koiter will
also pay \$500.8/23 \$1,000 rec'd from John Koiter and turned
over to City Finance Director; closing of
curb cut requirement was dropped

file

City
County
Development
Department

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

June 28, 1979

Michael E. Coyne
c/o Arctic Circle
709 North Avenue
Grand Junction, CO 81501

Re: Conditional Use Drive-Up
File #119-78

Dear Mr. Coyne,

The Grand Junction Planning Commission recommended approval of the above-referenced item on June 26, 1979. This item will be heard before the Grand Junction City Council on July 18, 1979.

Conditions, restrictions or special requirements are as follows:

1. Staff and review comments enclosed.

If you have any questions concerning this item, please contact our office.

Sincerely,

Lori L. Hill

Lori L. Hill
Planning Technician

cc: File#119-78
Correspondence

LLH/njh

MEMORANDUM

Reply Requested

Yes No

Date

August 3, 1979

To: (From:) Karl Metzner From: (To:) Ron Rish

Subject: Unfinished Curb and Gutter work at Drive-in Restaurants

I issued permits for curb, gutter and sidewalk modifications for both Dustys and Arctic Circle drive-in facilities at 7th and North. Work was to comply with the stipulations of the conditional uses allowed by City Council.

Construction remains incomplete on both projects. Two sections of curb and gutter on 7th Street at Dustys are missing and/or tilted so as to create a drainage problem. I called Sam Haupt on July 24 and today and he promised both times that he would get the contractor out to do the work

At Arctic Circle, one drive cut on North Avenue that was to be closed with new curb, gutter and sidewalk (as shown on their plan also) has not been done. A triangle was added to the north corner of the alley but the alley apron was left with gravel only. I discussed this with Mr. Coyne at the site on July 10 and on the phone on July 24. He indicated on July 24 that he didn't think he had to close the North Ave. cut with new curb, gutter and sidewalk since his fence blocked the cut. (His plan and the permit clearly show the new curb, gutter and sidewalk). He was non-committal on the alley apron but had expressed dismay on July 10 that he had to do the "City's work". (His plan is vague and the permit shows the apron).

The only recourse I have is to notify the contractor's to whom the permits were issued by registered mail that they have 30 days to complete the work or we will have it done and will exercise their \$500 bond to pay for it. This seems unfair to the Contractors involved if the property owners haven't authorized the work and will not pay for it.

Since these developments were a direct result of conditional uses processed through City Council, I request your assistance in convincing the petitioners to fulfill their responsibilities. My personal opinion is they should not be allowed to open the drive-in windows until all stipulations have been met but that is water under the bridge.

How will the \$1000 contribution toward the 7th Street median at Arctic Circle be administered? How will it get into our curb, gutter and sidewalk account?

cc - Gerald Ashby
John Kenney
Jim Patterson
John Tasker
Jim Wysocki



CITY - COUNTY PLANNING

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

(303) 244-1628

CERTIFIED RETURN RECEIPT
P201460954

June 23, 1982

Mr. Lloyd Adamson and Partners
Arctic Circle Restaurant
709 North Avenue
Grand Junction, CO 81501

Dear Mr. Adamson et al:

To confirm the outcome of our conversation on June 22, 1982, the following actions are required of you in order to be in compliance with the stipulations of your conditional use permit:

1. Close the unused curb cut on North avenue.
2. Make payment of \$1,000.00 to the City of Grand Junction, Attention John Tasker, Director of Finance. This is Arctic Circle's contribution to the cost of construction of the raised median on Seventh Street.
3. Landscape the two diamond-shaped planters on Seventh Street with low shrubs.

We will expect the curb cut to be closed as soon as a licensed concrete contractor can get on the job, or at least within 30 days. The payment to the City should also be made within 30 days. I understand from you that the plantings have already been installed. Your cooperation in these matters is greatly appreciated.

As per my discussion with Bob Goldin, City Planner, this department is authorizing you to make the following additional modifications to your property, as you requested:

1. Remove post-and-pole fence on east side of picnic tables.
2. Relocate the central section of alley fence to inside of east property line and add one additional parking space. Take precautions to insure that cars cannot circulate between the fence and the building.

Letter to Mr. Lloyd Adamson
June 23, 1982
Page 2

3. Open up a section of fence on North Avenue to permit pedestrian ingress and egress at the northwest corner of the property. At the time this is done, the westernmost parking space, near the Arctic Circle sign, should be striped off to prohibit further parking in that space.

Please stay in touch with me as necessary until your obligations have been met in full. If at any time you have any questions, please feel free to call me at 244-1628. It was a pleasure meeting all of you.

Sincerely,

Lance R. Williams
Development Enforcement Officer

LW/vw



CITY - COUNTY PLANNING

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

(303) 244-1628

August 23, 1982

Mr. Lloyd Adamson
606 S. Broadway
Buhl, ID 83316

Re: Arctic Circle Restaurant, 709 North Avenue, Grand Junction, CO (File 119-78)

Dear Lloyd:

Mr. John Koiter today delivered to us a check in the amount of \$1,000.00 to be used for street improvements in the city. The Planning Department now considers you and Mr. Koiter to have met in full your obligations under the Conditional Use permit.

We would like to express our thanks to you for your excellent cooperation.

Sincerely,

Lance R. Williams
Development Enforcement Officer

LRW/mm

xc: Mr. Sam Middleton, c/o Arctic Circle
Mr. Gerald Ashby, City/County Attorney
Mr. Don Warner, Planning Analyst
Mr. John Koiter

Hall & Pearce

attorneys at law

843 Rood Avenue, Grand Junction, Colorado, 81501

(303) 245-3535

Richard M. Hall Randall B. Pearce

Planning Department
559 White, Room 60
Grand Junction, CO 81501

November 5, 1984

ATTN: Karl Metzner

Re: Arctic Circle Site; 7th Street & North Avenue

Dear Mr. Metzner:

This office represents Helen Pinger, owner of the property presently under lease to Arctic Circle. As you are probably aware, Arctic Circle ran into trouble at that location and is now, I believe, closed. My client is negotiating with a new party to reactivate the location. However, my client needs to do some improvements to attract a proper tenant. Included in these improvements are improving the landscaping and resurfacing the parking/surrounding area. To accomplish the resurfacing, the existing (but somewhat dilapidated) fence needs to be removed. I find it hard to believe your department would have any objection to her taking this action, since it will be in the financial and aesthetic best interest of the City as well, but if I am incorrect, would you please contact me at your earliest convenience?

Thank you.

Yours truly,

HALL & PEARCE


Richard M. Hall

mh

cc: Helen Pinger

Hall & Pearce

attorneys at law

843 Rood Avenue, Grand Junction, Colorado, 81501

(303) 245-3535

Helen Pinger
2802 Hall
Grand Junction, CO 81501

November 7, 1984

Dear Mrs. Pinger:

On 11/5/84 I delivered the letter to Karl Metzner and discussed the contents with him. He said there was no problem with removing the fence. However, the plans for any major changes to the landscaping, parking arrangement or driveup window should be submitted to him before commencing the work.

Yours truly,

HALL & PEARCE

Richard M. Hall

cje
cc: Karl Metzner

Re: 7th & North Arctic Circle

NOV 03 1984

Richard M. Hall Randall B. Pearce



City of Grand Junction, Colorado 81501
250 North Fifth St.,

November 20, 1984

Mrs. Helen Pringer
2802 Hall Avenue
Grand Junction, CO 81501

RE: Amendments to Arctic Circle
Site Plan

Dear Mrs. Pringer:

This letter is to confirm our discussion on your proposed changes to the site plan of the Arctic Circle located at 7th and North Avenue.

1. Removal of the split rail fence on the entire site is approved. Traffic control in the form of the timber curbing should be maintained along the alley and posts or curbing should be installed at the east end of the parking lot to separate the parking from the alley traffic.
2. Resurfacing of the parking lot is not a problem, but the number and configuration of parking spaces should not be changed.
3. Removal of the small strip of gravel between the drive-up lane and the sidewalk on 7th Street is approved, but the curbing must be retained to separate vehicles in the drive-up lane from pedestrians on the sidewalk.
4. Replacement of the timbers around the outdoor tables with a similar brick structure is approved.
5. A landscaped strip along North Avenue must be maintained but we will leave it to your discretion as to what specifically to do with it. The timber curbing or some other type of traffic barrier must remain to separate vehicles from pedestrians and to block the westerly access onto North Avenue. We strongly recommend a good

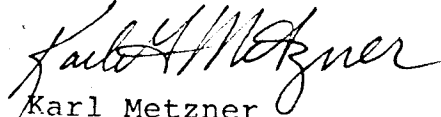
Mrs. Helen Pringer
November 20, 1984
Page 2

landscape treatment of this area since it will enhance the attractiveness of the site as well as the North Avenue strip.

It is acceptable to us if you wish to pave to the edge of the sidewalk and install the planters as shown on the original plan.

I am enclosing a copy of the site plan noting some of these changes. Please let me know if my understanding of any of these changes is not correct or if you have any other questions.

Sincerely,


Karl Metzner
Director of Planning

KM/tt

Enclosure

MEMORANDUM

Reply Requested

Yes No

Date

1-7-85To: (From) TOM BEWISONFrom: (To) MIKE SUTHERLAND**RE: Change from ARTIC CIRCLE to DAIRY QUEEN**

Attached is a letter from Karl Metzner to Mrs. Pringer, the property owner. Karl gave his approval for replacement and removal of said landscape & site improvements. There was to be no change in use and no remodeling of interior to the extent of needing a building permit. The owners were supposed to contact Bldg. Dept. if they had intentions of remodeling the building.

The seating was approved on the original plan & the brickwork is replacement of the previously erected divider

If you have problems with the work at the building proceed however you need to in order to get compliance. As far as we are concerned the site improvements are within approved limits.

REVIEW SHEET SUMMARY

FILE# 119-78

ITEM COND. USE - ARTIC CIRCLE -- DRIVE-UP

MEETING DATE _____

COMMENTS:

CITY ENGINEER/JENSEN

Trash facilities will not work. Should be at an angle to the alley to allow a straight forward approach.

FIRE DEPT

As per our comments and shown on drawing of plan.

CITY ENGINEER/MCKEE

North Avenue entrance closest to 7th Street should be designated solely entrance as well as signed "no exit". Drive through lane at exit could be brought into North-South alley at southeast corner of building allowing vehicles to approach North Avenue on the right side of the alley. Additional parking could be obtained by this revision. Landscaping on North west corner of lot should be carefully planned to avoid sight obstruction.

CITY ENGINEER/RISH

I agree with Steve's comments above. The exit should be via the alley, add 2 parking spaces at east end of lot and entrance from North Avenue should be marked for "Do Not Exit". Then I think this proposal would be okay.

POLICE DEPARTMENT

Recommend exits onto east alley.

CITY FIRE 5-16-79

Closure of the present curb cut on North Ave. will nearly double the hose distance from the hydrant on the NE corner of 7th and North; it will also create difficult F.D. pumper accessibility to the structure. In addition, use of the 7th and North hydrant for this property causes closure of North Ave. traffic. Therefore, a hydrant is needed on the south side of North Ave. at 8th St., or 7th & Belford. Particular attention should be given to pumper accessibility - the proposed design (curb-cut) is not adequate.

CITY PARKS & RECREATION 5-17-79

Check on trees along 7th St. On the plan they are called out as Ash trees. I think the existing trees are Honeylocust of some type.

RON RISH/CITY ENGINEER

1. A triangle of land should be dedicated at the west corner of the alley at North Avenue to insure the directional alley entrance will always be available with public access. (16' lane desired). (2) How much room exists for right angle parking along east edge of north-south alley? (3) We will construct a raised median on 7th Street and I understand that Artic Circle will contribute \$1000 to that effort. (4) This layout is optimum mitigation in my opinion. My compliments to the designer.

PLANNING STAFF RECOMMENDATIONS

Recommend approval based on review comments and directionalizing ingress on westerly curb cut on North Avenue and relocation of trash pickup area and relocation of fencing.

GJPC 5-29-79

FLAGGER/PICKENS/PASSED 6-0/A MOTION TO TABLE THIS ITEM UNTIL THE NEXT REGULAR MEETING, DUE TO THE FAILURE OF THE PETITIONER TO APPEAR.

GJPC 6-26-79

MIKESELL/RIDER/PASSED 5-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL, SUBJECT TO STAFF COMMENTS.

CITY COUNCIL 7-5-79

MOVED BY COUNCILMAN DUNN AND SECONDED BY COUNCILMAN HOLLINGSWORTH THAT THE REQUEST FOR A DRIVE UP WINDOW AT ARCTIC CIRCLE, BE APPROVED.

Acres _____
Units _____
Density _____

ACTION SHEET

File # 119-78
Zone C1
Tax Area Code _____

Activity Conditional Use - Drive up window - Revised

Phase _____ Date Neighbors Notified _____

Date Submitted 5-1-79 Date CIC/MCC Legal Ad _____

Date Mailed Out 5-4-79 PC Hearing Date _____

Review Agencies _____ 10 Review Period - Return By _____

- | Send | Send |
|--|---|
| <input type="checkbox"/> COUNTY ROAD DEPARTMENT | <input checked="" type="checkbox"/> FIRE <u>city</u> |
| <input type="checkbox"/> COUNTY HEALTH DEPARTMENT | <input type="checkbox"/> IRRIGATION _____ |
| <input type="checkbox"/> COUNTY SURVEYOR | <input type="checkbox"/> DRAINAGE _____ |
| <input type="checkbox"/> COMTRONICS | <input type="checkbox"/> WATER (UTE, CLIFTON) _____ |
| <input type="checkbox"/> GRAND VALLEY RURAL POWER | <input type="checkbox"/> SEWER _____ |
| <input type="checkbox"/> MOUNTAIN BELL | <input checked="" type="checkbox"/> CITY ENGINEER/UTILITIES <u>Rish</u> |
| <input type="checkbox"/> PUBLIC SERVICE | <input type="checkbox"/> MACK, LOMA, MESA, COLLBRAN |
| <input type="checkbox"/> SOIL CONSERVATION SERVICE | <input type="checkbox"/> FRUITA, PALISADE |
| <input type="checkbox"/> SCHOOL DISTRICT 51 | <input checked="" type="checkbox"/> <u>Parks & Rec.</u> |
| <input type="checkbox"/> STATE HIGHWAY | <input checked="" type="checkbox"/> <u>P.D. - Ed VanderTook</u> |
| <input type="checkbox"/> STATE GEOLOGICAL | _____ |
| <input type="checkbox"/> STATE HEALTH - RADIOLOGICAL | _____ |
| <input type="checkbox"/> TRANSAMERICA TITLE | _____ |

Board	Date	Comments
<u>WJPC</u>	<u>5-29-79</u>	<u>tabled to next regular meeting</u>
<u>WJPC</u>	<u>6-26-79</u>	<u>RECOMMEND APP SUBJ to STAFF COMMENTS</u>
<u>C.C.</u>	<u>7-5-79</u>	<u>Approved subject to P.C.</u>

Common Location Southeast corner of North Ave + 7th Street.

Staff Comments _____

Original Documents
 Imp. Agreement \$ _____ Appraisal x .05 = \$ _____ Open Space;
 Imp. Guarantee Receipt # _____ Check # _____
 Covenants _____ Open Space Dedication
 Power of Attorney
 Dev. Schedule

Subdivision COND. USE DRIVE-UP Arctic Circle
 Date 9 Nov 78 Item # 119-78
 Petitioner Arctic Circle

Review Agencies Comments

~~Review Agencies Comments~~

21 Mar 79 - City Council
 approved request to
 reconsider application.
 -Kou

Action Taken

Action Taken

P.C. re approval subj
 its staff comments
 C.C. refer to fact finding and
12/26/78 action to 1/3/80 mtg
 Comments

P.C.

C.C.

Comments

subject to staff
comments

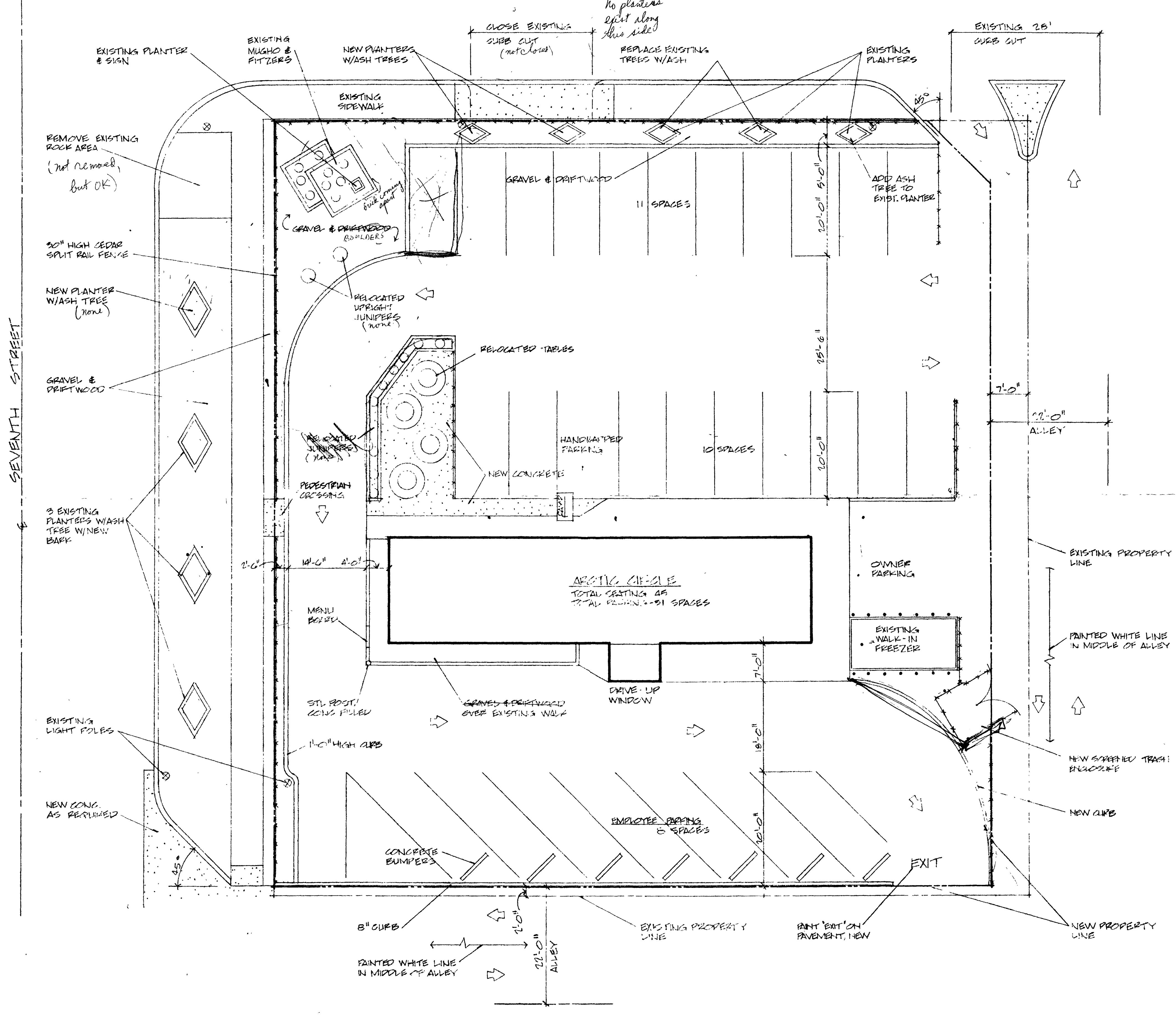
Participate in
staff

ITEMS REQUIRED FROM DEVELOPER

- | | | |
|---------------------------------------|--|--|
| <input type="checkbox"/> Check | <input type="checkbox"/> Utility Agreement | <input type="checkbox"/> Title Investigation |
| <input type="checkbox"/> Drainage | <input type="checkbox"/> Landscaping | <input type="checkbox"/> Covenants |
| <input type="checkbox"/> Improvements | <input type="checkbox"/> Guarantee | <input type="checkbox"/> Annexation |
| | | <input type="checkbox"/> Other (Specify) |

NORTH AVENUE

SEVENTH STREET



SITE PLAN
1"=10'-0"

NORTH

RESERVED PARKING
88 928 - 6182

ARCTIC CIRCLE	
SCALE: 1"=10'-0"	APPROVED BY:
DATE: 6-14-79	
SITE PLAN	
CHRIS GRAY ARCHITECT 376 N 1ST, SUITE 13, GRAND JUNCTION	