

NARRATIVE OF MOM'S BARBEQUE BAKERY
AND
IMPACT STATEMENT ----#823828 ENCLOSED

1. The location of above business is: 2122 North 12th Street
Grand Jct., Colo. 81501

2. Background

- a. Existing character of property
- b. Existing character of surrounding property

3. Narrative of Project

- a. Property will be used for a barbeque & bakery business

90% of business will be catering; a very small percentage of the business will be sit down; most customers pick up bakery orders or phone in for catering business.

Approximately 15 cars per day pull in and park--- most of which take out orders. Many customers are walk-ins.

There are two employees besides the owner at this time.

Hours of operation --- 6:30 a.m. to 9:00 p.m. to begin with --- we plan to be open until 11:00 as business warrants.

Seating ---- whatever the department will approve for the sq. footage of the site.

The sign will not be changed in size --- presently standing; previously approved.

There are presently approximately 25 spaces approved.

As Mrs. Graves' business increases --- she will return for addition permission for approval from your offices.

(The parking at the side of building ---- is for take-out customers.)

Original
Do NOT Remove
From Office

#28 84

2945-111-00-083 MKS Chiro Enterprises 1916 N. 12th St. Grand Junction, CO 81501 #28 84	2945-122-00-084 Burns, James M. 2032 N. 22nd Grand Junction, CO 81501 #2	2945-122-02-001 Taylor, Isabell 1301 Cedar Ave. Grand Junction, CO 81501 #28 84
2945-111-00-089 Burgeson, Robert F. 2137 Bryce Ct. Grand Junction, CO 81503 #28 84	2945-122-00-115 Kugeler, Frederick J. 2182 Lassen Ct. Grand Junction, CO 81503 #28 84	2945-122-00-130 Wood, Donald R. 2775 Webster Dr. Grand Junction, CO 81503 #28 84
2945-111-00-090 Richardson, George A. 2101 N. 12th St. Grand Junction, CO 81501 #28 84	2945-122-00-120 Austin, Charles E. & Donna J. 2205 N. 13th Grand Junction, CO 81501 #28 84	2945-122-00-117 P. B. Dean & N. R. Dean Family Trust 9949 Alameda Pl. San Diego, CA 92103 #2
2945-111-00-082 McCallister, Flora Lee 707 Putter Drive Grand Junction, CO 81501 #2	2945-122-00-131 Spomer, Marjorie E. 1720 Ridge Dr. Grand Junction, CO 81501 #2	2945-122-00-125 Rees, Richard W. 2253 Kingston Rd. Grand Junction, CO 81503 #2
2945-111-00-137 MKS Chiro Enterprises 1916 N. 12th St. Grand Junction, CO 81501 #2	2945-122-00-091 Rambolt, Richard G. & Caryl Sue 1275 Walnut Ave. Grand Junction, CO 81501 #28	2945-122-00-126 Born, Philip L. 2215 N. 13th St. Grand Junction, CO 81501 #28
2945-111-00-971 Lincoln Park Osteopathic Hospital Association P. O. Box 220 Grand Junction, CO 81502 #28 84	2945-122-00-092 Brooks, Edward H. 1261 Walnut Ave. Grand Junction, CO 81501 #2	2945-122-00-076 Hodges, Eacel 4823 Hillcrest Boise, ID 83705 #2
2945-122-00-064 Crozier, John D. 13 Vista Drive Brookfield, CT 06804 #28 84	2945-122-00-093 Harrison, Alma L. 1251 Walnut Ave. Grand Junction, CO 81501 #28	2945-111-00-016 White, Betty J. 1160 Bookcliff Grand Junction, CO 81501 #2
2945-122-00-074 Kugeler, Frederick J. 2182 Lassen Ct. Grand Junction, CO 81501 #28 84	2945-122-00-158 Copeland, M. Larry 639 19½ Road Grand Junction, CO 81503 #2	2945-111-00-015 Hornbuckle, Michael & Huffaker, Richard C. Otisville, NY 10963 #2
2945-122-00-075 Jacob, Harland E. 2125 N. 13th St. Grand Junction, CO 81501 #28 84	2945-122-00-159 Shafer, Michael N. 605 N. 7th St. Grand Junction, CO 81501 #28	2945-111-00-078 Onan, Floyd & Lorraine M. 1153 Bookcliff Ave. Grand Junction, CO 81501 #2
2945-122-00-082 Rogers, Harry G. 1290 Walnut Ave. Grand Junction, CO 81501 #28	2945-122-01-010 Wilson, David Lee 1302 Cedar Ave. Grand Junction, CO 81501 #28	2945-111-00-079 Young, Earl A. 2303 N. 1st St. Grand Junction, CO 81501 #28 84

2945-111-00-016
White, Betty J. #28 84
1160 Bookcliff
Grand Junction, CO 81501

2945-111-00-080 #28 84
Federal Land Bank
Association of Grand Jct
P. O. Box 1087
Grand Junction, CO 81502

2945-111-00-081
McCallister, Flora Lee
707 Putter Dr #2
Grand Junction, CO 81501

2945-111-24-001 #28 84
Moss, Harold P. &
R. G.
964 Lakeside Ct
Grand Junction, CO 81501

2945-111-24-002 #28 84
Moss, Harold P. &
R.G.
964 Lakeside Court
Grand Junction, CO 81501

2945-111-24-003
Moss, Harold P. &
R.G.
964 Lakeside Ct
Grand Junction, CO 81501

2945-111-24-004
Moss, Harold P. &
R.G.
964 Lakeside Ct
Grand Junction, CO 81501

2945-111-24-005
Moss, Harold P. &
R.G.
964 Lakeside Ct.
Grand Junction, CO 81501

2945-111-24-006
Moss, Harold P. &
R.G.
964 Lakeside Ct.
Grand Junction, CO 81501

2945-111-26-014
Moritz, Terrell C.
2150 College Pl, Unit 26
Grand Junction, CO 81501

2945-111-26-015
Columbia Savings &
Loan Association #28 84
P. O. Box 17127
Denver, CO 80217

2945-111-26-016
Columbia Savings &
Loan Association
P. O. Box 17127 #28 84
Denver, CO 80217

2945-111-26-017
Columbia Savings &
Loan Association #28 84
P. O. Box 17127
Denver, CO 80217

2945-111-26-018
Columbia Savings &
Loan Association #28 84
P. O. Box 17127
Denver, CO 80217

2945-111-26-019
Columbia Savings &
Loan Association #28 84
P. O. Box 17127
Denver, CO 80217

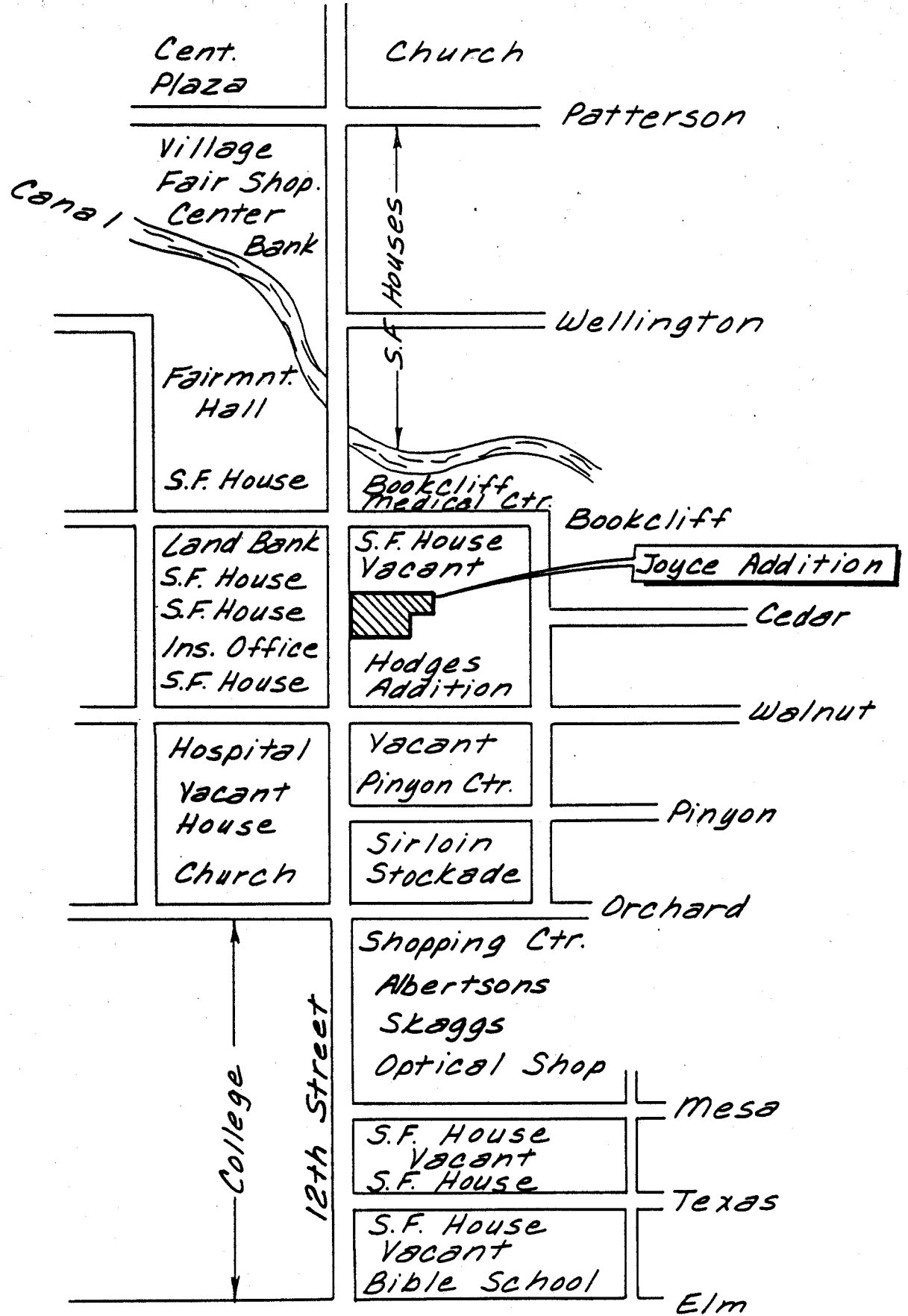
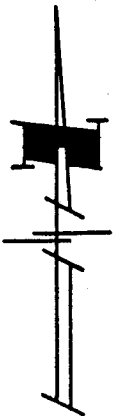
2945-111-00-020
Columbia Savings &
Loan Association #28 84
P. O. Box 17127
Denver, CO 80217

2945-111-26-021
Columbia Savings &
Loan Association #28 84
P. O. Box 17127
Denver, CO 80217

2945-111-26-022
Columbia Savings &
Loan Association #28 84
P. O. Box 17127
Denver, CO 80217

2945-111-26-023
Columbia Savings &
Loan Association #28 84
P. O. Box 17127
Denver, CO 80217

LOCATION & VICINITY MAP



JOYCE ADDITION

#28-84

MOVED IN SEPTEMBER 15TH

MIKE SUTHERLAND

MOM'S BAR-B-Q & BAKERY
2122 North 12th Street
Grand Junction, Colorado 81501

TRAFFIC SURVEY

OCCUPANCY SEPTEMBER 15, 1984 (COUNT 3/4 of below)

TOTAL PER DAY (HOURS - Open 6:30 a.m. to 9:00 p.m.)

11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	October 1984 Days
75	80	76	34	65	68	60	50	77	85	32	57	57	56	62	53	51	30	Number of Sales
76	89	79	38	68	71	68	48	82	95	33	52	60	60	72	70	68	36	Sit Down, Take-out, Walk-in Number of People Entered
27	29	28	19	26	28	27	25	28	29	24	23	27	25	25	26	22	15	Number of Cars Parked

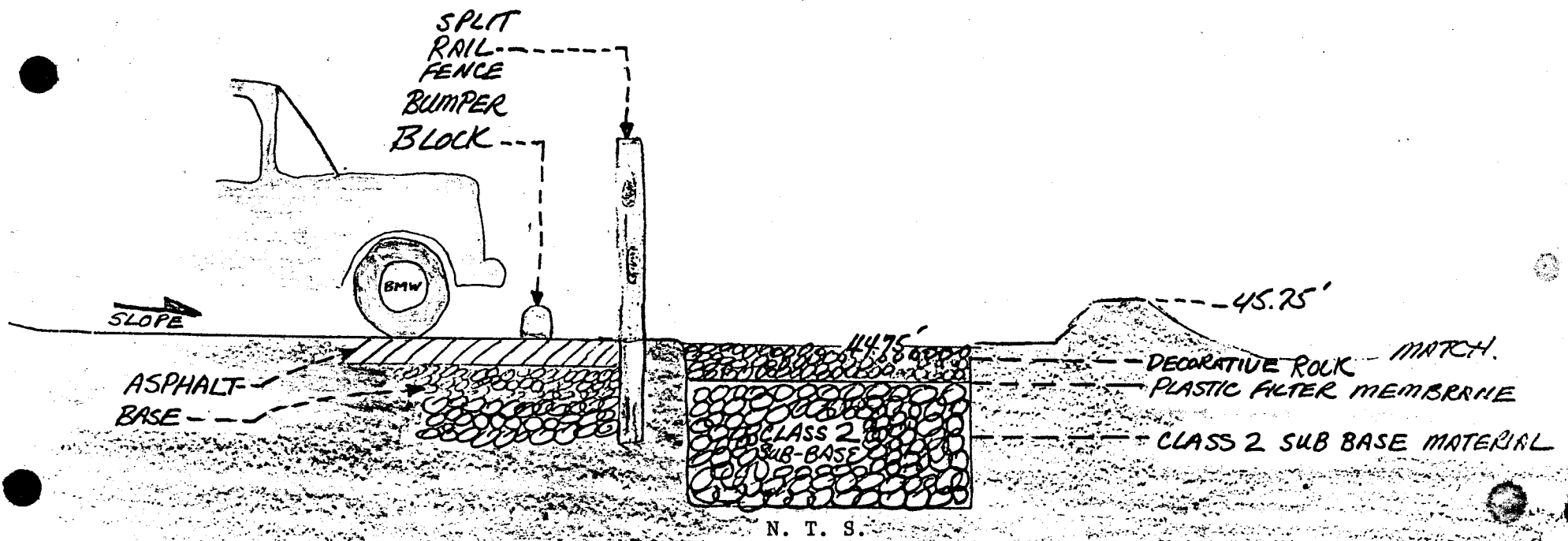
RANGE (TOTAL PER DAY)

Average sit-down: approximately 5-7 people at once
Average parking: approximately 3-5 cars at a time

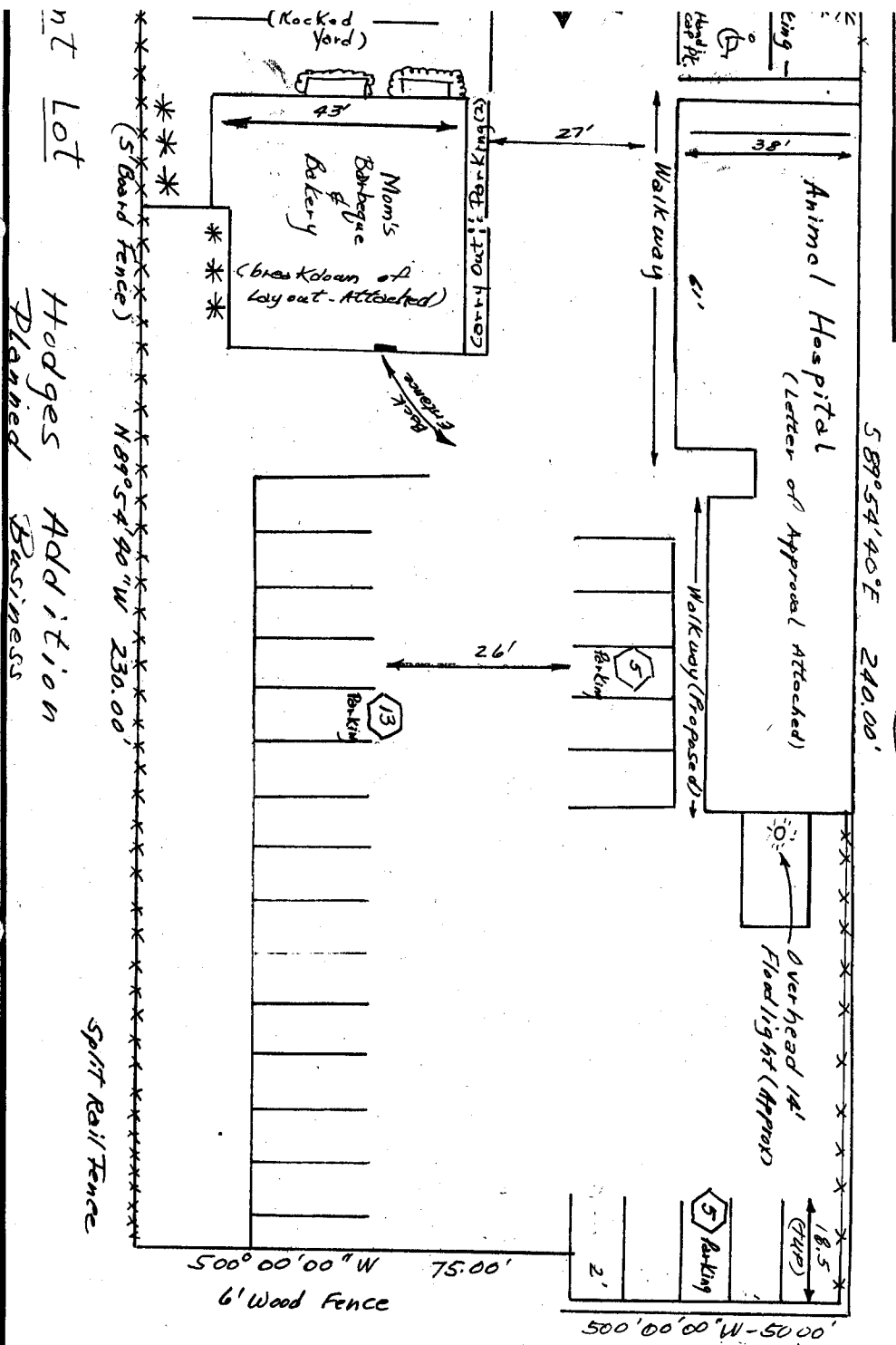
People walk-in and sit down: 33-95 (over a 14-hr. period)
Number of sales: 30 - 85 (transactions)
Number of cars: 15 - 29 (over a 14-hr. period)

Joyce Addition
PB

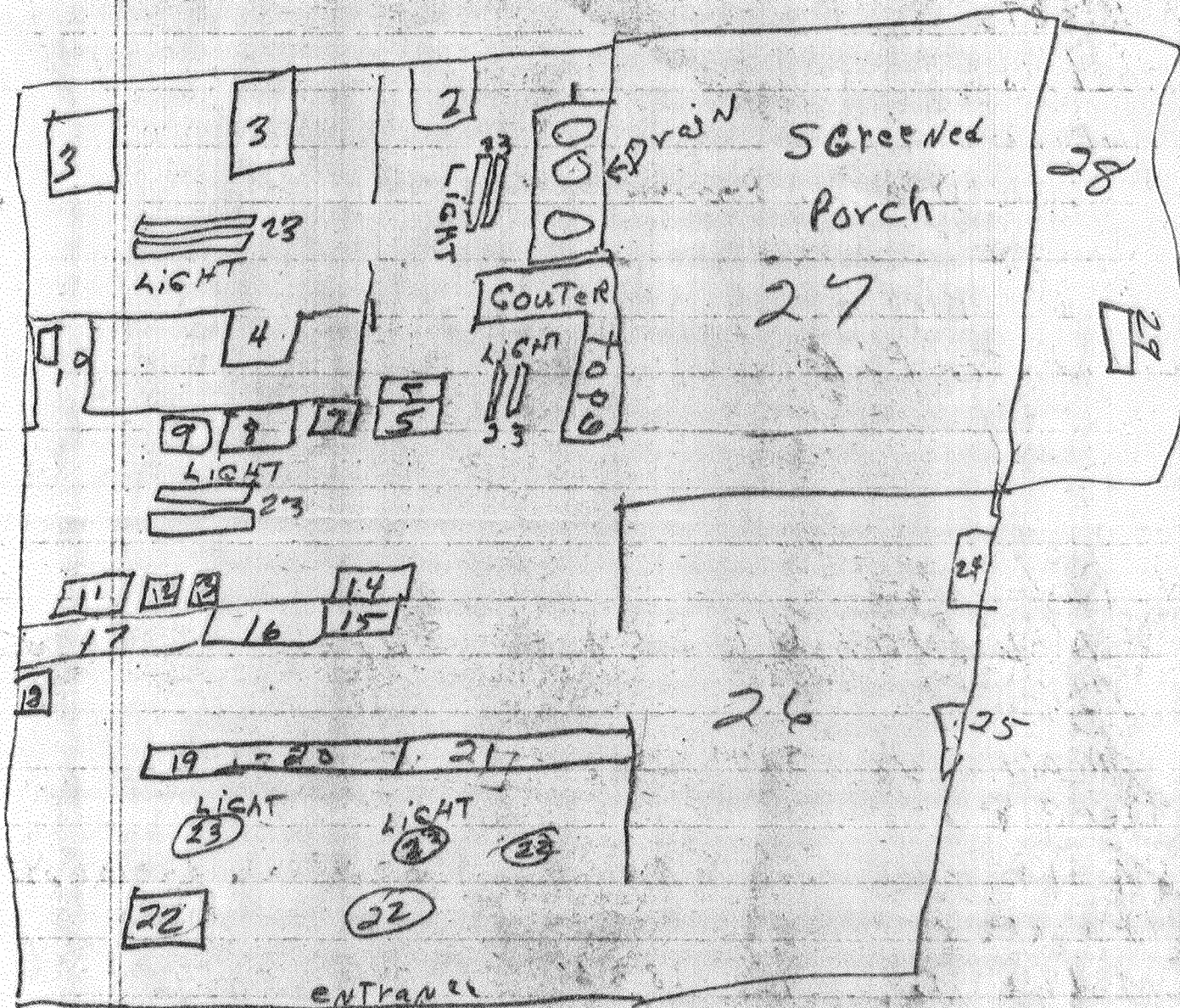
TYPICAL OF PROPOSED SUB-SURFACE DRAINAGE PIT FOR JOYCE ADDITION (823828)



NOTE: The area provided for the sub-surface retention pit as shown on the revised plan is adequate for retention of drainage developed for a 100 yr. event. Specific sizing depends on percolation test results. Sizing and percolation tests to be done prior to construction.



Multi-Family Uses RMF-64



Mom's Barbeque and Bakery --- (this illustration approved by Health Department). September 1984.

- | | |
|--------------------|----------------------|
| 1. sink | 11. oven |
| 2. Ice machine | 12. Deep Fryer |
| 3. Storage | 13. 2 Burner stove |
| 4. mop Room | 14. Refrigerator |
| 5. work Bench | 15. Pop Machine |
| 6. Counter Top | 16. Prep TABLE |
| 7. Mixer | 17. Dish CASE |
| 8. Refrigerator | 18. Bread SLICER |
| 9. Refrigerator | 19. STEAM TABLE |
| 10. PROOFER (oven) | 20. Show Case #28 84 |

Original
Do NOT Remove
From Office



Mrs. Earl A. (Floy E.) Young
 2303 North First Street
 Grand Junction, Colorado 81501



September 14, 1984

RECEIVED GRAND JUNCTION
 PLANNING DEPARTMENT
 SEP 14 1984

Mr. Michael Souterland,
 Assistant Zoning Administrator
 and Development Enforcement Officer
 City of Grand Junction Colorado
 559 White Avenue, No. 60
 Grand Junction, Colorado 81501

Subject: Margaret Graves' permit to operate
 her business "Mom's Barbeque & Bakery"
 at 2122 North 12th Street, Grd. Jct.,
 Colorado 81501

Dear Mr. Souterland:

As per Mr. Tom Brunson's request - we have listed
 the following:

Project Narrative-----

Type of Business - barbeque & bakery
 Number of employees 2-4

Hours to be in operation - 6:30 a.m. to
 9:00 p.m. to begin (plan to be open 'til
 11:00 as business warrants).

Seating -- whatever your department will
 approve for the sq. ft. of the site.

The sign will not be changed in size -
 presently standing; previously approved.

There are presently 24 spaces approved for
 parking which includes a handicapped parking.

Margaret Graves will only do business as you approve -
 and at such time as you approve her business for the
 square footage that is presently planned for the
 future - she will only increase her sit-down business
 as you approve it.

Sincerely,

Floy E. Young

Margaret Graves

Approved:

RECEIVED GRAND JUNCTION
 PLANNING DEPARTMENT
 SEP 14 1984

City of Grand Junction
ZONING VIOLATION REPORT

NO. _____

DATE _____

OCCUPANT Mom's Bar B-Q ADDRESS 2122 N. 12th St.

OWNER Margaret Grzes - Ploy Young ADDRESS _____

PHONE _____ DIRECTIONS _____

REFERRED BY _____ DATE _____

VIOLATION sit down restaurant not allowed in this P.B. ZONE _____

COMPLAINANT _____ ADDRESS _____ PHONE _____

9-21-84: Ms. Young phoned & cancelled her appointment. I tried to contact here, got the answering service; requested her to return my call, she didn't.

9-24-84: Phoned her @ Dr. Young's office, appointment w/ her @ 1:30 p.m. Wed. 26th

9-26-84: pre-app conference @ 1:30 p.m. for Oct. 1 submital

9-27-84: A Mr. Steve Leary (happy patron of "Mom's") called with encouragement & support for her project. I suggested he write a letter &/or appear @ hearing.

9-28: Spoke w/ Ms. Young, she wants info on how Gladstones was allowed but they are not. Told her I would do some research. Also told her that if money is invested in vent/hood work she could not plead "money we've already put in" before planning Commission.

10-1-84: submital on time.

10-9-84: site ✓ w/ Ken Reedy, Jim Bregdan
Bob Goldin: Engineering primarily feels that the big problems are - use counter to 12th St. Policy & that it could set a precedent. Nothing short of median/divider would cure in/egress problems

MEMORANDUM

Reply Requested
Yes No Date
9-14-84To: (From:) FILE From: ~~(Foster)~~ M. Sutherland

RE: Mom's BAR-B.Q @ 2122 NORTH 12 ST.

- Rec'd. short narrative from Ms. Young on Friday 9-14.
- Per Tom Brunson he has no real problems except the walk thru and the hood vent system. As soon as those are taken care of he will release it. (Ms. Young was Haining lined up to do vent work)
- I requested a (rough) site plan & a floor plan w/sq. footages indicated for seating area and cooking (at least)
- approved temporary usage (without deep-frying) until we have time to work on it Monday Sept. 17th.
- Told Ms. Young that we would contact her sometime Monday a.m.
- Explained that it may be necessary to take this before the GJPC (yes, it is necessary, Submittal due 10-1-84)
- Oct. 5/1984 Mr. Foster showed up, removed kitchen equipment (including the sink) then reported to the Health Department. Health Dept. closed her down, Ms. Young purchased sink back from Mr. Foster so that "Mom's" could be reopened.

development summary



File # 28-84 Name Mom's Barbeque and Bakery Date 11/8/84

PROJECT LOCATION: 2122 North 12th Street

PROJECT DESCRIPTION: The petitioner, Margaret Graves, is requesting a revised final plan in a Planned Business zone to allow a Barbeque and Bakery in an existing structure. The owner is Fred Krugler.

REVIEW SUMMARY (Major Concerns)

POLICIES COMPLIANCE	YES		NO *		TECHNICAL REQUIREMENTS	SATISFIED		NOT SATISFIED *	
Complies with adopted policies			X		Streets/Rights Of Way	X			
Complies with adopted criteria			X		Water/Sewer	X			
Meets guidelines of Comprehensive Plan	n/a				Irrigation/Drainage	X			
					Landscaping/Screening	X			
					Other: <u>parking</u>	X			

* See explanation below

The 12th Street Corridor Policy, adopted in mid-1982, discouraged high traffic generating uses and encouraged low volume, professional office and medical related businesses fronting along 12th Street. At the time of approval for this Planned Business, restaurants were not an allowed use. Due to an misunderstanding between the petitioner and owner, she moved in without obtaining approval from the City. Working with the petitioner, we allowed her to remain open until an official approval or denial was received from the Planning Commission and City Council.

STATUS & RECOMMENDATIONS:

The staff and Planning Commission are concerned about access, traffic flow and precedent setting for other uses coming in along 12th Street. The concern is to prevent another North Avenue strip development along 12th Street. There still exists many undeveloped parcels which could become a problem in the future.

Planning Commission Action

The Grand Junction Planning Commission received approval but limited the seating capacity to a maximum of 20 people on October 30, 1984. No adverse comments were received.

REVIEW SHEET SUMMARY

FILE NO. 28-84 TITLE HEADING Mom's Bar-B-Que and Bakery DUE DATE 10/10/84

ACTIVITY - PETITIONER - LOCATION - PHASE - ACRES Location: 2122 North 12th Grand Jct., CO

Petitioner: Margritte C. Graves

PETITIONER ADDRESS 2122 North 12th Street Grand Junction, CO 81501

ENGINEER N/A

DATE REC.

AGENCY

COMMENTS

10/15/84

Development
Dept.

HISTORY/IMPACT STATEMENT

LATE

1. On June 29, 1982 the Grand Junction Planning Commission approved the rezone of this property but denied the plan based on drainage, parking, traffic flow onto 12th Street, and because the proposed uses were high traffic generating uses.
2. Based on the denial by the Grand Junction Planning Commission, the following uses were removed from the list proposed:
 - All retail uses (except sewing machine sales, sound equipment sales and repair.)
 - All limited restaurant uses.
3. On July 21, 1982 City Council approved the rezone and plan based on mutually agreed upon revisions made previous to the Council hearing.
4. Per Dr. Anderson's proposal of August 8, 1982 (and his subsequent proposal for the boarding kennel of June 20, 1983) he anticipated 10 clients daily (initially) progressing to 20 clients per day. Please provide historical data for the comparison to these projections.
5. As a result of the GJPC workshop of February 1, 1983, the Commission offered the following guidelines:
 - a. No objections to professional office uses.
 - b. Negative feelings toward low-volume retail uses.
6. On September 28, 1983 Mr. Donald Foster requested clearance to establish a bakery at 2122 North 12th Street. His narrative stated "We may look at inside seating for up to 20 people at a future date. We will not consider seating for at least 6 months. We expect to average 12 to 15 customers per hour--peak, and 75 to 100 customers per day."
On the Building Permit clearance dated November 14, 1983 the specific use was for "bakery" with a Special Conditions statement: "Per GJPC, if restaurant is constructed, then applicant will need to present letter/plan to GJPC." The clearance was signed, acknowledging an agreement to comply with the requirements.
7. Per Mr. Foster's letter, he stated that they would not consider seating for at least 6 months (November 14, 1983 + 6 mos. = May 14, 1984.) On March 15, 1984 it was observed that there was seating being provided. A request for seating was never presented to the Planning Department and/or the GJPC.
8. Ms. Graves moved her barbeque operation from its location on North 23rd Street into the location of the former bakery without gaining approval from the Planning Department or the Building Department. The week of 9/18/84, the business was closed down by the Building Department due to insufficiencies in the building, primarily the kitchen vent system.

- 9. Per recommendations by the CJPC, staff requested that the petitioner submit a revised plan for this proposal, with the agreement that Ms. Graves be allowed to continue limited operations providing that a complete submittal be made in time for the October 1st submittal deadline.
- 10. On October 5, 1984 the business was temporarily closed by the Health Department due to removal of necessary food service equipment. The problem was corrected and limited operation was again resumed.
- 11. Staff has concerns that if this business is allowed, it may set an unfavorable precedent for allowing high volume restaurant and fast food business uses in this area, contradictory to the approved 12th Street Corridor Policy. The following are findings from the ITE Manual regarding traffic volume for these uses:

FROM ITE MANUAL
AVERAGE WEEKDAY VEHICLE TRIP ENDS

	Per 1,000 sq. ft.	Per 1,500 sq. ft.
General Office Building	12.30	18.45
Insurance Building	11.50	17.25
Medical Office Building	75.00	112.50
15-16 Hr. Open Convenience Store	322.60	483.90
Quality Restaurant	56.30	84.45
Sit Down Restaurant (T.O. Rate 1 hr.)	164.40	246.60
Drive-in and Fast Food	553.00	829.50

- 12. The 12th Street Policy was developed and approved in 1979 with additional amendments since then, and has been upheld and supported in cases such as the denial of proposed uses in #105-81, the Hodges Addition and the approval of #45-83, Orthopedic Sports Medicine Center which was found to be "Compatible with the 12th Street Policy, it will be a low-traffic area in use..."

SITE PLAN

- 13. Staff recommends removal of the 2 parking spaces at the side of the building since these were never approved as part of the P.B. plan and double parking has been observed in that area.
- 14. Staff recommends the designation of this area as Fire Lane with petitioner providing adequate pavement striping and signage to insure against patron parking along side of the building.
- 15. The number of parking spaces as shown are adequate. Several curb blocks are broken and should be replaced along with the placement of blocks in those spaces presently having none. (This was a requirement of the original proposal.)
- 16. If trash pickup is to be provided by the City, coordination should be arranged with the City Sanitation Engineer.
- 17. All building, fire and health codes must be complied with.
- 18. A sign permit will be required for any changes to the permanent signage, and all signage must comply with City sign codes.
- 19. Please clarify the narrative statement, "As Mrs. Graves' business increases, she will return for additional permission for approval."
- 20. Landscaping--existing and shown on plan is sufficient.
- 21. All other agency concerns must be resolved.

10/15/84 Transportation Engineer

LATE

Based on a brief visit, I would guess that the estimate of 15 cars per day for traffic generation is very low. I don't see how a bakery (and a restaurant) can survive with low volume traffic. As I understand the policy, a restaurant would not fit into the 12th Street Corridor policy. Even though there is a two-way left turn lane on 12th Street, it is only about 10 feet wide and certainly not adequate for a high volume left-turning movement.

MOTION: MR. CHAIRMAN, ON FILE #28-84, MOM'S BARBEQUE AND BAKERY-REVISED FINAL PLAN, I RECOMMEND THAT WE SEND THIS TO THE CITY COUNCIL WITH RECOMMENDATION OF APPROVAL WITH THE STIPULATION THAT THE SEATING BE LIMITED TO A MAXIMUM OF 20 PEOPLE. (PASSED 5-0)

5/10/84

Rec'd 10-24-84 #6



Mrs. Earl A. (Floy E.) Young
2303 North First Street
Grand Junction, Colorado 81501



RECEIVED GRAND JUNCTION
PLANNING DEPARTMENT
OCT 24 1984

October 24, 1984

Mr. Michael Sutherland
Assistant Zoning Administrator
City - County Planning
559 White Avenue, Rm. 60
Grand Junction, Colorado 81501

Subject: Mom's Bar-B-Que and Bakery; File No. 28-84

Dear Mr. Sutherland:

Please be advised that the Site Plan on subject Review Sheet Summary has been reviewed as follows:

- 13. The two (2) parking spaces at the side of the building have been contracted for removal at this date.
- 14. Arrangements have been made to have a Fire Lane area stripped and signage to insure against patron parking along side of the building.
- 15. A request has been made to Mr. Fred Kugler, owner of property, to have blocks repaired and replaced with additional blocks placed for parking where there are none.
- 16. The City Sanitation Engineer was advised this date that trash pickup is to be arranged.
- 17. All building, fire and health codes must be complied with ---- and will be followed to the best of our abilities.
- 18. A sign permit will be requested if any changes are to be made.
- 19. The statement made "As Mrs. Graves' business increases" should have been stated "If Mrs. Graves' business increases and she needs additional seating ---- she will ask for the proper permission before seating more.
- 20. Landscaping--- existing has been approved.
- 21. We will do whatever is required to achieve the proper approval from all agencies.

*** The note from the Transportation Engineer ---- most of Mrs. Graves' business will be take-out catered orders; therefore, this reduces the traffic factor.

Sincerely yours,
Margritte C. Graves
Margritte C. Graves

MCG:fey

M E M O R A N D U M

TO : Andy Anderson, Chief Building Official
FROM: Mark Eckert, ^{ME}Assistant County Administrator
SUBJ: Mom's and Related Issues

As a result of discussions with Tom Douville and Bob Goldin, I believe I've gotten a fair picture of what has transpired with regards to Mom's restaurant and 12th Street in Grand Junction. Two major concerns have arisen as a result:

1) It appears as if there is something of a communication problem between Health's field sanitarians, Building's inspectors and City planners. Using the case of Mom's, the establishment seemed to be alternately closed by Health, and re-opened without Building or City Planning being notified, issuing necessary permits or the like. A higher level of coordination and communication between departments both within the County and between City and County should not be considered unique, but expected. I will assume that you will get together to establish some type of understanding that promotes this necessary communication and coordination. Questions I have focus on which department's opinion is (should or ought to be) dominant and under what circumstances, what steps are going to be taken to improve communication and coordination and lastly, to what level can the individual's judgement be allowed to supplant policy and statute.

2) My real concern focuses not on Mom's, but its potential, general ramifications. If this situation goes to litigation, the questions raised in my mind are:

- a) which entity's legal staff is in the lead position?
- b) what is the County's exposure in such situations?

Given the County's desire to place the Building Department totally under County control so as to consolidate authority with responsibility, it appears as if the long-term answers to these questions lies in a contractual agreement with the City.

If I can be of any assistance in helping you on the contract, please let me know.

