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File 1985-0016

Project Name Hardees Drive-in - Conditional Use - 505, 515 North Ave.

P r e s e n t e d		<p>A few items are denoted with an asterisk (*), which means they are to be scanned for permanent record on the in some instances, not all entries designated to be scanned by the department 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 provided.</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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<u>DOCUMENTS SPECIFIC TO THIS DEVELOPMENT FILE:</u>			
X	X	Action Sheet	X X Letter from Michael Sutherland to Wayne Davis re: response to request for information regarding approval - 8/8/85
X	X	Review Sheet Summary	X X Picture of site
X	X	Planning Commission Minutes - ** - 6/25/85	X X Letter from Kathy Portner to William Snively re: requirements of extension will need to be met by fall -11/4/88
X		State Dept. of Highway Access Permit - 6/30/85	X X Letter from Dave Thornton to interested party re: items to be completed prior to establishing restaurant (previously Hardees)- 12/11/90
X		Handwritten Notes to file - 4/14/86	X X Development Summary - 6/27/85
X		Development Application - 6/3/85	X X Site Plan
X		Commercial Contract to Buy and Sell Real Estate - 5/22/85	X Grade Plan
X		Deed	X Certificate of Occupancy
X	X	Planning Clearance - ** - 9/10/85	
X	X	Development Summary - 6/27/85	
X	X	Memo From Karl Metzner to file re: no tax license to be issued- no date	
X	X	Certified letter to Mike Matchett, Hardees Restaurant Mike Sutherland re: if improvements not installed CUP rescheduled-4/22/86	
X	X	Letter from Don Newton to Mike Matchett re: pavement failure- 5/20/86	
X	X	Landscaping Plan - 7/25/88	

PROJECT NARRATIVE
FOR
PROPOSED HARDEE'S RESTAURANT

It is the desire of Sunrise Ventures, Inc. to build and operate a Hardee's Restaurant at 515 North Avenue, Grand Junction, Colorado. Construction will feature a brick exterior with a mansard-type roof and approximately 3730 square feet of heated area. The structure will be located on a site having a North Avenue frontage of 200 feet, and a Fifth Street frontage of 135 feet.

The Restaurant will be located in close proximity to Walker Field, Lincoln Park, Mesa College, and Grand Junction High School. It will provide patrons with quality food; service that is fast, friendly, and courteous; and surroundings that are exceptionally clean. Approximately ninety-six seats will be furnished for inside customer use. A drive-thru facility is an integral part of our layout and will be conveniently located for customer usage. Without the drive-thru, the Restaurant is not a viable investment since the value of drive-thru sales can approach forty percent (40%) of total sales volume.

The investment in the unit will approach \$900,000.00 and will create jobs for forty to forty-five local residents. The structure is architecturally and aesthetically pleasing in appearance. Landscaping will provide further enhancement of the site. The layout of the site will provide good traffic circulation and adequate parking. Unobstructed staking as well as convenient ingress and egress are featured for the drive-thru customer. Bike racks will be furnished for short-distance travelers.

We wish to be a part of the trend toward the economic recovery of Grand Junction. We support various community and school projects and look forward to a "Grand Opening" in Grand Junction.

DEVELOPMENT SCHEDULE

<u>DATE</u>	<u>FUNCTION</u>
June 3, 1985	Application to City of Grand Junction
July 5, 1985	Application Approved by City
July 15, 1985	Closing on Property Start of Construction
October 15, 1985	Construction Completed Opening of Restaurant

Original
Do NOT Remove
From Office

Martin Ltd. Partnership
11007 Piney Lake Road
Parker, CO 80134

#16 85

Sara R. Wolf
456 North Avenue
Grand Junction, CO 81501

#16 85

Pauline M. Mast
445 N. 7th Street
Grand Junction, CO 81501

#16 85

Carl Gaumer
853 White
Grand Junction, CO 81501

#16 00

#16 00

Gerald K. Geske
1020 Rico Court
Grand Junction, CO 81501

#16 85

Jim Cannon
346 Belaire Drive
Grand Junction, CO 81501

#16 85

Myrtle Kendall
554 Belford Avenue
Grand Junction, CO 81501

#16 85

Ronald L. Shreeves
548 Belford Avenue
Grand Junction, CO 81501

#16 85

Frances B. Paris
538 Belford Avenue
Grand Junction, CO 81501

#16 85

F. A. Strachan
526 Belford Avenue
Grand Junction, CO 81501

#16 85

William E. Pomrenke
710 Victor Drive
Grand Junction, CO 81501

#16 85

William E. Pomrenke
710 Victor Drive
Grand Junction, CO 81501

#16 85

Jon C. Kephart
535 North Avenue
Grand Junction, CO 81501

#16 85

Southland Corp.
P. O. Box 719
Dallas, Tex. 75221

#16 85

Edna Mae McElvain
1025 N. 5th Street
Grand Junction, CO 81501

#16 85

Orville R. Barbour
2015 N. 6th
Grand Junction, CO 81501

#16 85

Orville R. Barbour
2015 N. 6th
Grand Junction, CO 81501

#16 85

Joseph S. Hughes
555 North Avenue
Grand Junction, CO 81501

#16 85

Tru V. W. Perino
606 Viewpoint Drive
Grand Junction, CO 81501

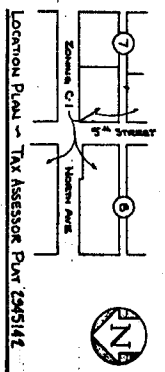
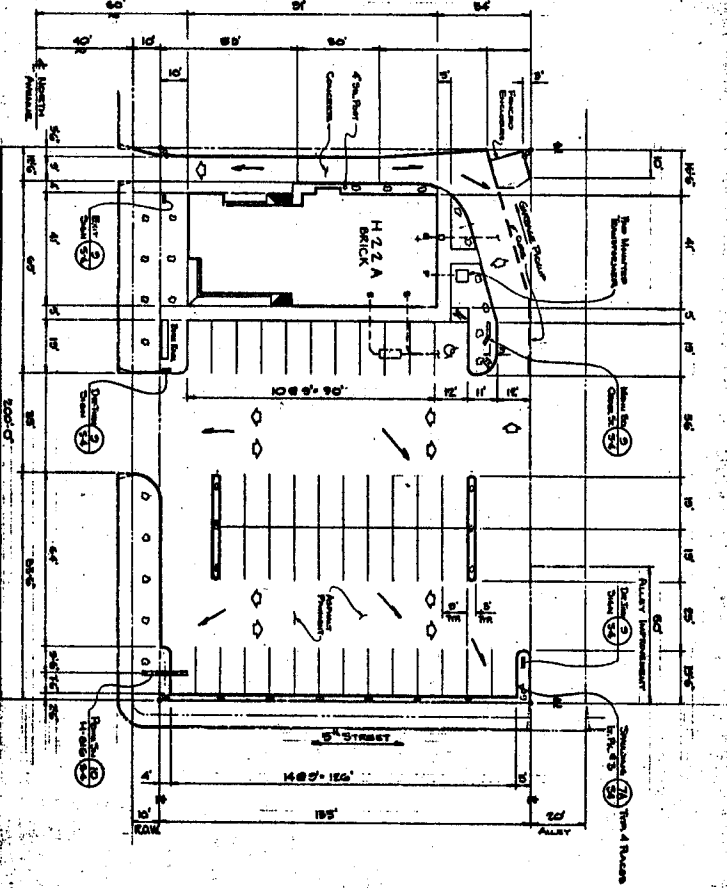
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NO.	DATE	DESCRIPTION	BY	DATE	DESCRIPTION	BY	DATE
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SITE PLAN



LOCATION PLAN - TAX ASSESSOR PLAN 1295142

Adjacent Land Use

The site is located on the east side of the street, adjacent to the existing building. The site is bounded by the street to the north and the existing building to the east. The site is bounded by the street to the south and the existing building to the west.

Utilities and Services

The site will be served by a water line to the existing building. The site will be served by a gas line to the existing building. The site will be served by a sewer line to the existing building. The site will be served by a storm water line to the existing building.

Utilities

Electricity, gas, and water services will be provided to the site. The site will be served by a water line to the existing building. The site will be served by a gas line to the existing building. The site will be served by a sewer line to the existing building. The site will be served by a storm water line to the existing building.

Landscaping

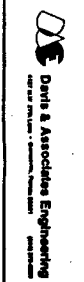
Landscaping will be provided to the site. The site will be served by a water line to the existing building. The site will be served by a gas line to the existing building. The site will be served by a sewer line to the existing building. The site will be served by a storm water line to the existing building.

Permits

Permits will be required for the site. The site will be served by a water line to the existing building. The site will be served by a gas line to the existing building. The site will be served by a sewer line to the existing building. The site will be served by a storm water line to the existing building.

Structural

The building will be constructed of brick. The site will be served by a water line to the existing building. The site will be served by a gas line to the existing building. The site will be served by a sewer line to the existing building. The site will be served by a storm water line to the existing building.



Davis & Associates Engineering
 1000 W. 1st Street, Suite 100
 Denver, CO 80202
 Phone: (303) 733-1111
 Fax: (303) 733-1112
 Website: www.daviseng.com

OWNER	SHARON VENTURES, INC.
DESIGNER	DAVIS & ASSOCIATES ENGINEERING
DATE	10/15/03
SCALE	AS SHOWN
PROJECT NO.	03-001
DRAWING NO.	03-001-01
SHEET NO.	5-1

August 8, 1985

Mr. Wayne Davis
2207 NW 13th St.
Gainesville, Florida 32609

RE: Approval for #16-85 Conditional Use--Hardee's

Dear Mr. Davis:

In response to your request for information regarding the approval for the Hardees project, I am enclosing copies of the minutes from the Grand Junction Planning Commission and City Council hearings.

I understand that Mr. Cannon is no longer involved with this project so I will also specify some changes that were agreed upon (as conditions of approval) regarding the site design:

- 1) Access into the parking lot from the alleyway was approved providing that a raised curb is placed along your property parallel to the alley. A 25 foot access opening in the curb will be allowed, no closer than 35 feet from the west property line.
- 2) Full width alley improvements are necessary for a distance of 50 feet inward from the west property line. Plans for alley improvements must be approved by and coordinated with City Engineering.
- 3) The 36 foot aisle between the east most parking and the center row of parking spaces will be reduced to 25 feet with the additional 11 feet being utilized along the west property line to increase the landscape strip from 2'6" to 13'6". We would encourage the planting of large species trees in that area.
- 4) City Engineering has stated that the North Avenue access should be reduced to 25 feet (to match the proposed aisle width) which would also increase the distance from the 5th Street intersection from 83'6" to 93'6".

The Planning Department will require a revised site plan prior to issuance of a clearance for the building permit. All site improvements must be completed prior to the release of the Certificate of Occupancy (C.O.).

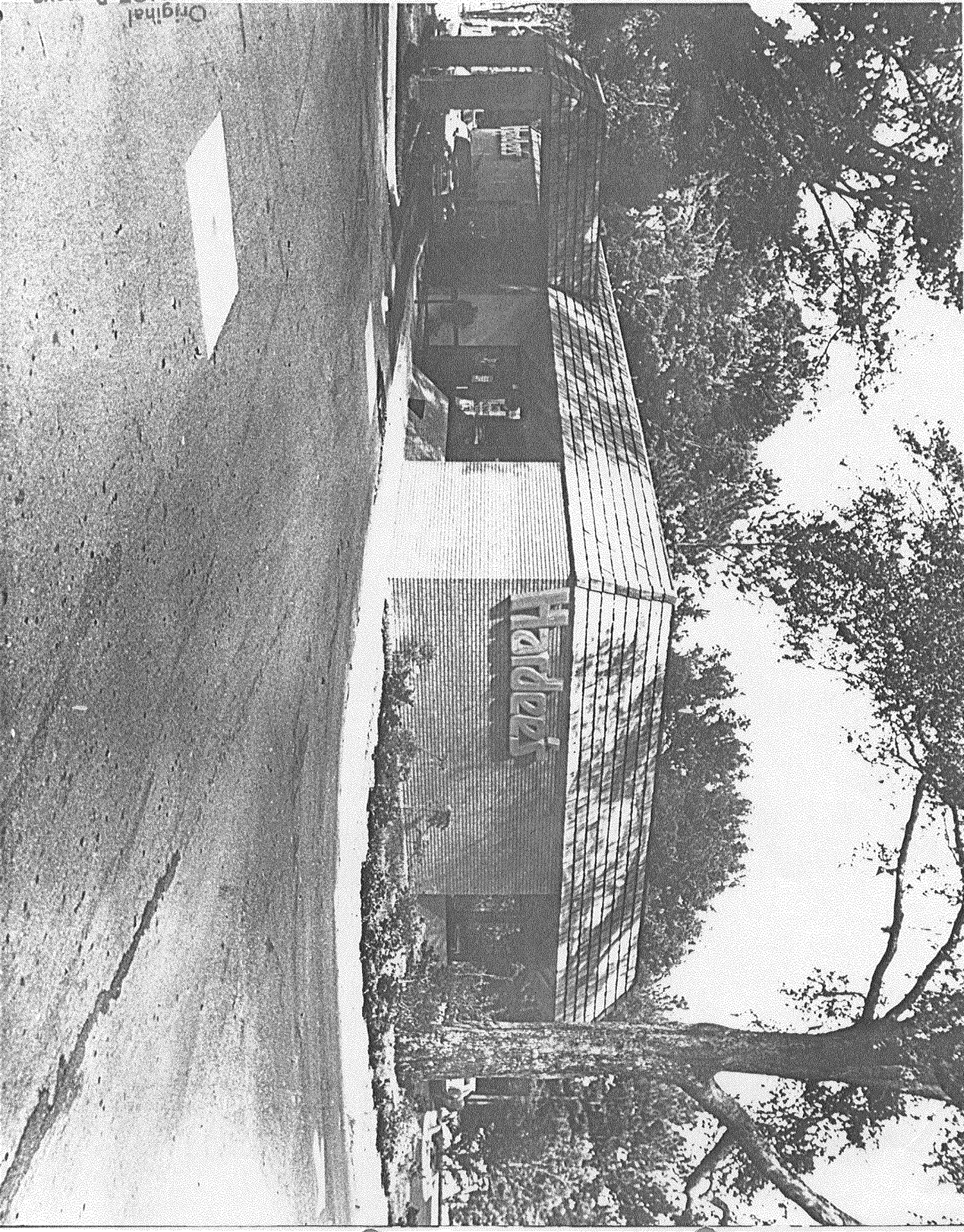
Your proposal appears to be a very good one and we as the City are looking forward to having Hardee's in the community.

If I can answer questions or be of any assistance please feel free to contact me at 244-1648.

Sincerely,

for Michael E. Sutherland
City Planning Department

*agreed to 33' aisle
revised L.S. plan prior to C.O.
painted lines instead of plantings
by parking spaces 8/15/85 KGM*



#16 85

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REVIEW SHEET SUMMARY

FILE NO. 16-85 TITLE HEADING Drive Up Window--Hardee's DUE DATE 6/14/85

ACTIVITY - PETITIONER - LOCATION - PHASE - ACRES Conditional Use Location: 503/515

North Avenue Petitioner: Jim Cannon

PETITIONER ADDRESS 346 Belaire Drive Grand Junction, CO 81501

ENGINEER Sunrise Ventures, Inc. 346 Belaire Drive Grand Junction, CO 81501

<u>DATE REC.</u>	<u>AGENCY</u>	<u>COMMENTS</u>
6/5/85	City Fire Dept.	This office has no objections to proposed conditional use. We wish to point out structure must meet requirements of UFC 1982-UBC 1982. An automatic fire extinguishing system for all cooking areas must be provided. Final detail drawing must be submitted to the Fire Department for review, and a fire flow requirement computed before building permit.
6/6/85	Transportation Engineer	I have a concern about the closeness of the first driveway to 5th Street. Because of the modifications to the east driveway and the addition of the west driveway, it will be necessary to get a permit from the state.
6/7/85	City Engineer	Raised curb should be continuous along south property line to prevent stacking of cars in alley which are waiting to use drive-up facility and to limit access from alley to one location at the southwest corner of the lot. Stacking area for cars at menu board appears to conflict with flow of traffic around parking lot.
6/7/85	Planning Dept.	This is a request for a drive-up window by way of a conditional use application. The restaurant is an allowed use.

Site Plan:

As the City staffs have discussed, access from the alley should be limited to designated entryways. We would recommend the continuation of the curb blocks along the south side to designate a single 25' to 35' maximum access from the alleyway. Internal access can still be utilized to allow egress and ingress from the alley. This is consistent with requirements of other drive-up facilities along North Avenue. Internal signage will help in directing traffic flow. Parking is more than adequate to meet the City standards based on the proposed seating. The handicapped parking space should be located next to the main entrance of building or for the easiest access.

The landscaping proposed should include shade trees. Other developments (store at 1st and Grand, Arby's, etc. have used trees effectively in their landscaping areas.) The low profile bushes are good where sight distance concerns are necessary, however, along 5th and North, trees can be a good aesthetic asset to this proposal. Also, the 35' aisle on the east side of the lot could be reduced to 25', allowing an additional 10' strip along 5th Street. This would make a more viable planting area, perhaps eligible for the City Street Trees Planting Program. Any landscaping within the

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#16 85

10' public right-of-way is permitted, however, if planters or tables are proposed, City Engineering Department should make the determination if a revocable permit will be required. Will you have a sprinkler system for maintenance? Can the existing trees on the site be retained? They should be if possible.

Access: Could the 35' curb cut along North Avenue be revised to a less than 35' cut, moving the access further east?

Trash pickup location should be verified with City Sanitation Department.

All lighting should be directional and low level. Will the alley improvements be full alley improvements or 1/2 alley improvements? All signage will require a separate sign permit. All construction will meet the UBC and UFC code.

6/13/85 Building Dept.

State licensed architect required. 1982 Uniform Building Code, Uniform Fire Code, Uniform Plumbing Code and Uniform Mechanical Codes apply. City of Grand Junction licensed contractors are required to pull permits. Demolition permit required for demolition of existing structure.

MOTION: "MR. CHAIRMAN, ON ITEM #16-85 CONDITIONAL USE FOR HARDEE'S, I MOVE THAT WE FORWARD THIS TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL."

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#16 85

RECEIVED GRAND JUNCTION
PLANNING DEPARTMENT
JUN 25 1985

MEMORANDUM

TO: GRAND JUNCTION
CITY PLANNING DEPARTMENT
559 White Avenue, Room 60
Grand Junction, CO 81501-2643
ATTN.: BOB GOLDIN

FROM: JIM CANNON
SUNRISE VENTURES, INC.

RE: RESPONSE TO REVIEW SHEET SUMMARY

DATE: JUNE 23, 1985

Please find responses to the review sheet summary on the space provided below. Should there be further information needed, please do not hesitate to call.

AGENCY	RESPONSE
1. City Fire Department	No exception
2. Transportation Engineer	State permit obtained
3. City Engineer	No exception to curb. We see no conflict in menu board stacking lane due to speed of service.
4. Planning Department	No exception to alley curb blocks. Handicapped space is next to sloped curb area. No exception to an appropriate number of trees. Prefer not to change 35' aisle to 25' since this is entry to menu board from North Avenue. Would like to investigate City Street Trees Planting Program. No sprinkler system provided. (Hoses to be used for watering and cleanup.) Existing trees must be removed for building. Access curb cut approved by State Highway Department. Alley improvement approximately 50' east from 5th Street.
5. Building Department	No exception.

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#16 85

development summary



File # 16-85 Name Hardee's Date 6/27/85

PROJECT LOCATION: 505 and 515 North Avenue

PROJECT DESCRIPTION: This is a request for a conditional use permit for Hardee's Restaurant drive-up window. The property is under contract for sale to Jim Cannon - Hardee's. It is located in a light commercial zone.

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					Irrigation/Drainage	X			
					Landscaping/Screening	X			
					Other: _____				

* See explanation below

The petitioner has agreed to and resolved all technical concerns of the review agencies.

STATUS & RECOMMENDATIONS:

No adverse comments have been received.

Planning Commission Action

The Grand Junction Planning Commission met on June 25, 1985 and recommended approval subject to all review agency comments.

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BP # 23968

CITY OF GRAND JUNCTION, COLORADO

MEMORANDUM

Reply Requested
Yes No

Date _____

To: (From:) File 16-85 From: (To:) Karl Metzner

When Hardees closed in 1986 the minimal landscaping that had been done was removed. This landscaping was not acceptable and almost a years effort had been spent in getting Hardees to live up to their commitments. (see letters in file)

Given their poor history of compliance no sales tax license is to be issued to this business until all outstanding conditions and commitments have been fulfilled. Assurances of future compliance are not acceptable.

KMM



Grand Junction Planning Department
559 White Avenue, Room 60
Grand Junction, Colorado 81501-2643
(303) 244-1648

April 22, 1986

Mr. Mike Matchett
Hardees Restaurant
109 Main Street
Delta, CO 81416

CERTIFIED

RE: Conditional Use Permit at 505 North Avenue in Grand Junction

Dear Mr. Matchett:

When we last discussed the landscaping at your store, I told you of the verbal agreement between Vayne Davis and Karl Metzner, the Planning Director. The basis of that agreement was that Mr. Davis had agreed (prior to construction) to "greatly improve upon the original landscape plan," contract with a local landscape professional to do the landscaping, and to submit a revised final landscape plan prior to completion of the site work.

Last December Mr. Davis was again contacted and reminded of his commitments, which he admitted was an oversight. Some time after that contact, our office received a revised landscape plan, but it didn't include any improvements, and was in fact, merely an "as-built" drawing of what was actually installed.

Now that spring has arrived, I feel that it is time to arrange for the following changes to be made:

- 1) I was told last year that the Gray Glean Junipers would never grow to heights exceeding about 2 1/2 feet tall. Through discussions with landscape professionals, I've discovered that the Gray Glean are, in fact, members of the Scopulorum Junipers which will grow from 10 to 15 feet tall. Because of this fact, the juniper which is planted nearest the corner of 5th and North must be removed to another location.
- 2) With the removal of that tree, it would be best if the landscaping in that corner be replaced with several spreading junipers, a different type of ground cover, and preferably flowering plants of some type.

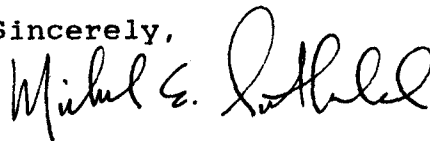
Mr. Mike Matchett
April 22, 1986
Page 2

- 3) The agreement was to allow the rock ground cover (Mostly due to the fact it was already in place) in lieu of the cover indicated on the original plan if some type of shade trees were planted along 5th Street. Very small saplings were indeed planted and although it will be several years before they yield shade, these seem to have survived the winter. It is our feeling that additional (more mature) shade trees should be provided at other locations around the lot.
- 4) As is often the case, plants which are surrounded with rock or concrete ground cover tend to dry out very quickly due to the extra heat that is absorbed by the rock. It appears that many of the plants around your parking lot are suffering for this reason. I would request that you arrange for the removal of an area of rock 5 or 6 feet around each plant, to be replaced with a natural ground cover such as bark mulch. This will not only improve the general appearance of the landscaping, but will also help to ensure the survival of the plants.

At the time of the Hardees' submittal, Mr. Cannon, who was then your official representative, assured us landscaping which would equal or exceed that of any other new fast food restaurant in town. Such has hardly been the case. If the recommended improvements are not installed by June 1, 1986, the Conditional Use permit for Hardees will be scheduled for re-review before the Grand Junction Planning Commission.

If you have questions or would like further clarification on these requests, please contact me or Karl Metzner at 244-1648. Your cooperation is greatly appreciated.

Sincerely,



Michael E. Sutherland
City Development Officer

MES/tt

xc: Mr. Vayne Davis
File #16-85

Mike



May 20, 1986

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

Mr. Mike Matchett
Hardee's Restaurants
109 Main St.
Delta, Colorado 81416

RE: Alley paving at Hardee's Restaurant

Dear Mr. Matchett:

I am writing in regard to your restaurant facility in Grand Junction which was constructed in the fall of 1985. During the planning of this project Hardee's developers agreed to pave the existing alley abutting the restaurant's south property line. The alley construction was done by G & G Paving Construction Co. as a subcontractor to Venture Construction Co.

During construction of the alley very wet and unstable soil conditions were encountered at the subgrade elevation. The project manager (Mr. Mike McCarter with Venture Construction Co.) was notified of the unstable subgrade conditions by City Staff on several occasions. There was little or no attempt to correct the problem before the alley was paved.

As can be seen on the enclosed photograph, the alley pavement has failed due to its inability to support vehicular traffic.

The alley pavement has not been accepted by the City because of the subgrade problems. Hardee's will remain responsible for maintenance of the alley until the subgrade is corrected and the alley paving is accepted by the City.

Your prompt attention to this matter would be greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "J. Don Newton".

J. Don Newton
City Engineer

JDN:pb

cc: Jim Shanks, Director of Public Works & Utilities
Mike Sutherland, City Planning
Walt Hoyt, City Construction Inspector
Wayne R. Davis, Sunrise Ventures, Inc.

Hardee's
LICENSEE®

525 North Avenue
Grand Junction, Colorado 81501
Phone: (303) 245-2800

July 25, 1988

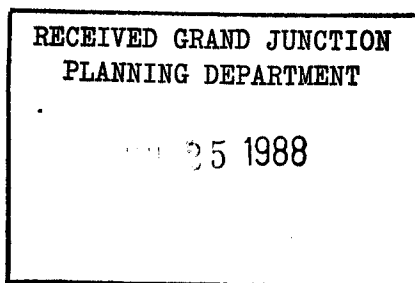
Dear Sir,

Enclosed is a very basic landscaping plan for Hardee's of Grand Junction. Additionally, we plan on having flowers and plants in our window sill boxes. I intend on adding more landscaping each spring. The first page illustrates what the store will have upon opening. I intend to add the junipers and shade trees after the bulk of the hot weather has passed. The landscaper I am working with has advised this because it will maximize the chances of the trees surviving. As I add landscaping, I intend to remove gravel. I am living here in Grand Junction and intend to make my restaurant, inside and out, a showplace. I will cooperate in any way I can with the city.

Sincerely,

Bill Snively

William J. Snively
424½ Pleasant Hollow Ct.
Grand Junction, Co. 81503
(303) 241-9726



Hardee's
LICENSEE

525 North Avenue
Grand Junction, Colorado 81501
Phone: (303) 245-2800

RECEIVED GRAND JUNCTION
PLANNING DEPARTMENT.

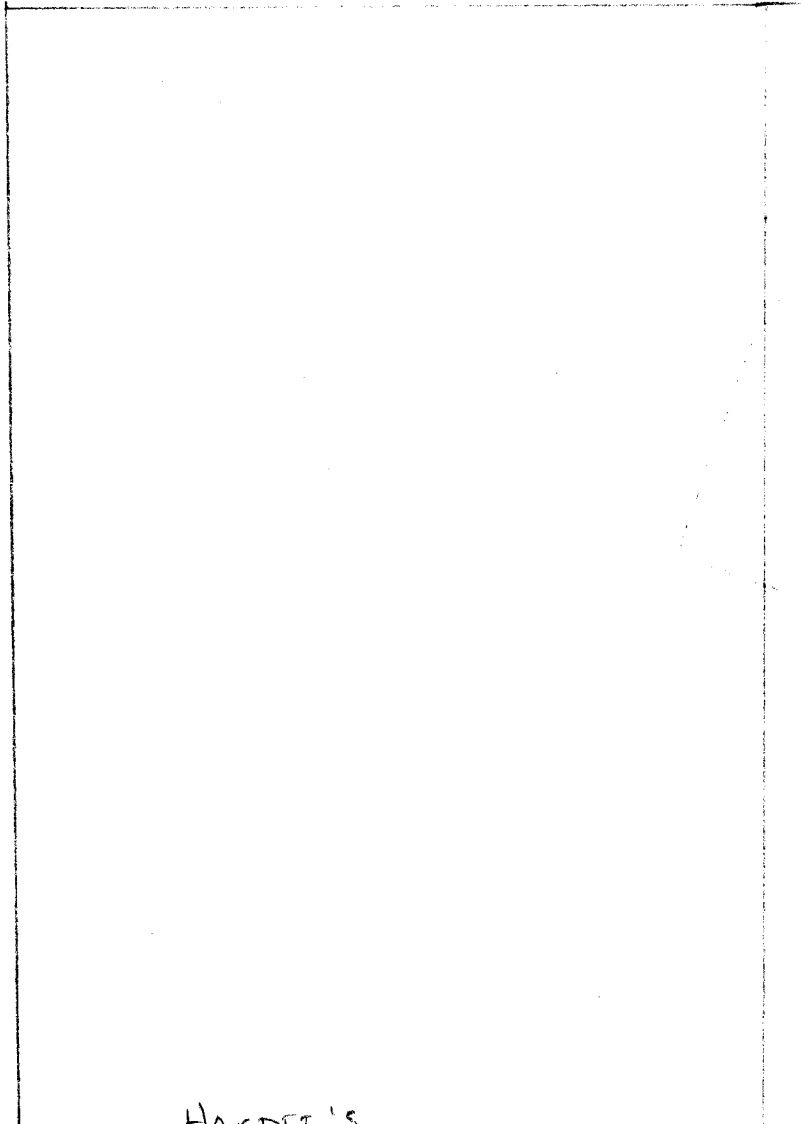
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- ① Arborvitae - tall
- ② Yellow
- ③ Mixture of yellow

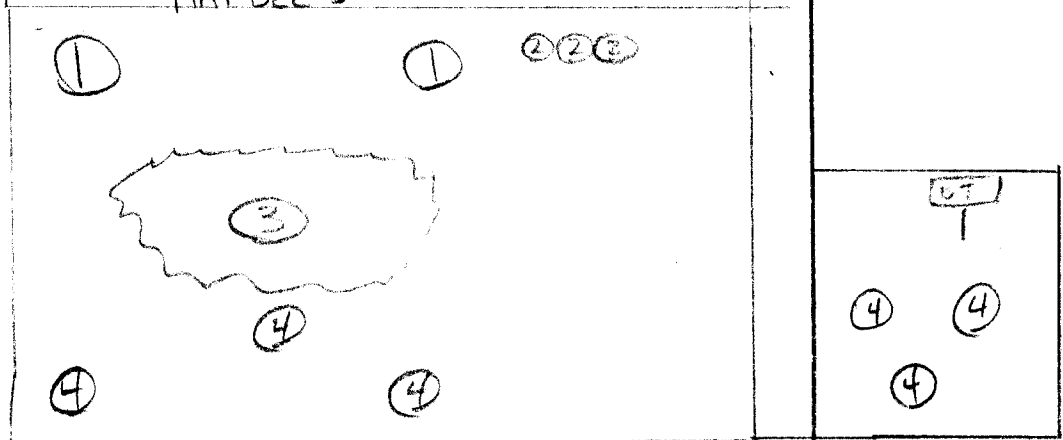
+
Gravel removed from

This AREA Ground
Cover, Bark.

- ④ Mugo Pines



HARDEE'S

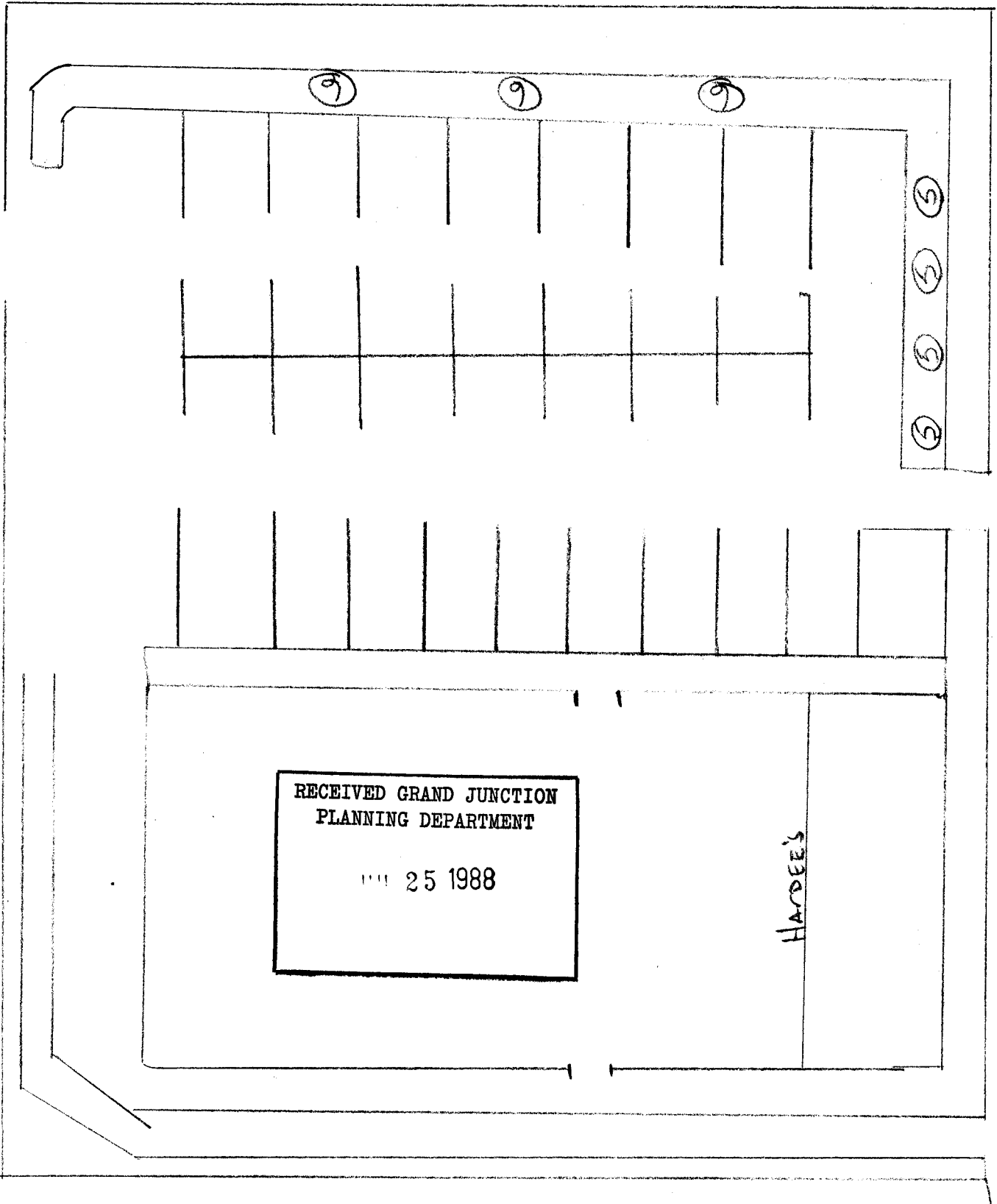


Hardee's
LICENSEE

525 North Avenue
Grand Junction, Colorado 81501
Phone: (303) 245-2800

- ⑤ SPREADING Juniper
- ⑥ SHADE trees

HS



North Ave



Grand Junction Planning Department
250 North Fifth Street
Grand Junction, Colorado 81501-2668
(303) 244-1430

Dec. 11, 1990

Dear Interested Party:

The following items will need to be completed prior to establishing any restaurant or other business/commercial use at 525 North Avenue (previously Hardee's):

- 1) A Landscaping Plan for the entire site. This must be submitted for our review and approval prior to installation. Current landscaping regulations must be adhered to. This includes the installation of a pressurized underground irrigation system.
- 2) An improvements agreement and guarantee for the landscaping will be required if the landscaping is not installed prior to opening for business. The guarantee may be in the form of escrow, bank guarantee of funds, or other forms approved by the City Attorney's office.
- 3) The Conditional Use permit for the drive thru shall remain valid as long as the permitted use is maintained and operated in compliance with the terms and conditions of approval. A conditional use that is discontinued for one year or longer for whatever reason is not valid. At this point a written notice of the invalidity will be sent by certified mail to the owner of record of the property. Within seven days of the receipt of the notice the owner may request in writing a hearing before the Planning Commission to consider an extension of the permit. If no such request is made, the permit shall be considered revoked.

A copy of the Landscaping regulations is attached. If you have any questions, please contact me at 244-1447.

Thank you,

Respectfully,

Dave Thornton
Planner

dlt

(HARDEES.LET)