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File 1985-0020 **DENIED**

Project Name 1037 North Avenue - Conditional Use-3.2 Beer License

**P** A few items are denoted with an asterisk (\*), which means they are to be scanned for permanent record on the in some  
**r** instances, not all entries designated to be scanned by the department are present in the file. There are also documents  
**e** specific to certain files, not found on the standard list. For this reason, a checklist has been provided.  
**s** Remaining items, (not selected for scanning), will be marked present on the checklist. This index can serve as a quick  
**e** guide for the contents of each file.  
**n** Files denoted with (\*\*) are to be located using the ISYS Query System. Planning Clearance will need to be typed in  
**t** full, as well as other entries such as Ordinances, Resolutions, Board of Appeals, and etc.

X	X	<b>Table of Contents</b>
		<b>Review Sheet Summary</b>
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		Review Sheets
		Receipts for fees paid for anything
		<b>*Submittal checklist</b>
X	X	<b>*General project report</b>
		Reduced copy of final plans or drawings
X		Reduction of assessor's map
		Evidence of title, deeds, easements
X	X	<b>*Mailing list to adjacent property owners</b>
		Public notice cards
		Record of certified mail
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		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
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		Individual review comments from agencies
X	X	<b>*Petitioner's response to comments</b>
		<b>*Staff Reports</b>
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		<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	Action Sheet		
X	X	Review Sheet Summary		
X	X	Planning Commission Minutes - ** - 7/30/85		
X	X	Floor Plan		
X	X	Parking Plan		
		Lease between to Tay Truong and Bich Kim Truong and William A. Baca		
X	X	Development Summary - 8/2/85		
X		Development Application - 7/16/85		
X	X	Site Plan		
X	X	Letter from Samuel J. Baldwin, Mike Starr, Edward Jaros and Bruce Jones to Bill Baca re: allowing the use of parking spaces during peak business hours - 7/15-17/85		
X	X	City Council Agenda - 8/7/85		
X		Handwritten notes to file - no date		
X		Two opposition letters		
X	X	Letter from Bruce Sims, Total Petroleum, Inc. to William Baca re: Mr. Starr never discussed parking with superiors parking spaces denied- 8/29/85		
X	X	Letter from Bruce W. Sims to Mike Sutherland re: Mr. Starr acted completely outside the scope of authority - 8/29/85		

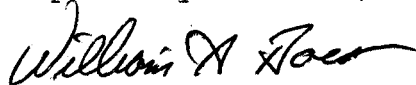
July 16, 1985

William A. Baca  
dba:  
The Filling Station  
1037 North Avenue  
Grand Junction, Co. 81501

PROJECT NARRATIVE FOR CONDITIONAL USE FOR 3.2% BEER LICENSE REQUESTS

1. The Filling Station will be located at 1037 North Avenue, Grand Junction, Colorado, 81501.
2. The hours of operation will be 3:00pm to 12:00am Monday through Friday, and 12:00pm to 12:00am on Saturday and Sunday. Bands will appear from Wednesday through Sunday from 7:00pm to 11:30pm. Dancing and MIV will be the main source of entertainment. Peak hours will be provided with a security guard from a private sector (parking lot and inside building). We will have four (4) teen nights per month, with no alcohol being served on those nights, soft drinks only will be served. On special promotions, police officers and security guards will be utilized.
3. I would anticipate at least full capacity three nights per week.
4. Fire department rated capacity is 150.
5. Parking available on premises are 30 regular parking and 1 handicapped space. I have obtained additional parking for peak hours of 58 letters enclosed.
6. All outside lights will remain the same as it was - the outside sign, only the lettering will change.
7. I would like to have a first class operation in regard to providing quality entertainment to the younger segment of our community, something the City of Grand Junction can be proud to have as a part of its business community.

Respectfully submitted,



William A. Baca

Original  
Do NOT Remove  
From Office

WAB:jp

#20 85

Porter Kane Inc  
175 Belaire Dr. # 4  
Grand Jct. Colo. 81501

James P Brodack  
415 Ridgewood Lane  
Grand Jct. Colo. 81501

ST. MATHEWS Episcopal Church  
No. Ave + College Place  
Grand Jct. Colo. 81501

Bernard W Brodack  
1060 Belford  
Grand Jct. Colo. 81501

MARY Delp.  
1326 Poplar #6  
Grand Jct. Colo. 81505

Bernard W Brodack  
415 Ridgewood Lane  
Grand Jct. Colo. 81505

Connie M BADINI  
710 Centauri Dr.  
Grand Jct. Colo. 81501

George D Hooker JR.  
161 M Ave  
Grand Jct. Colo. 81501

Connie M BADINI  
710 Centauri Dr.  
Grand Jct. Colo. 81501

WALTER R THOMAS  
621 20 Rd.  
Grand Jct. Colo. 81503

Connie M BADINI  
710 Centauri Dr.  
Grand Jct. Colo. 81501

TOTAL PETROLEUM  
P.O. Box 500  
Denver Colo 80201

Connie M BADINI  
710 Centauri Dr.  
Grand Jct. Colo. 81501

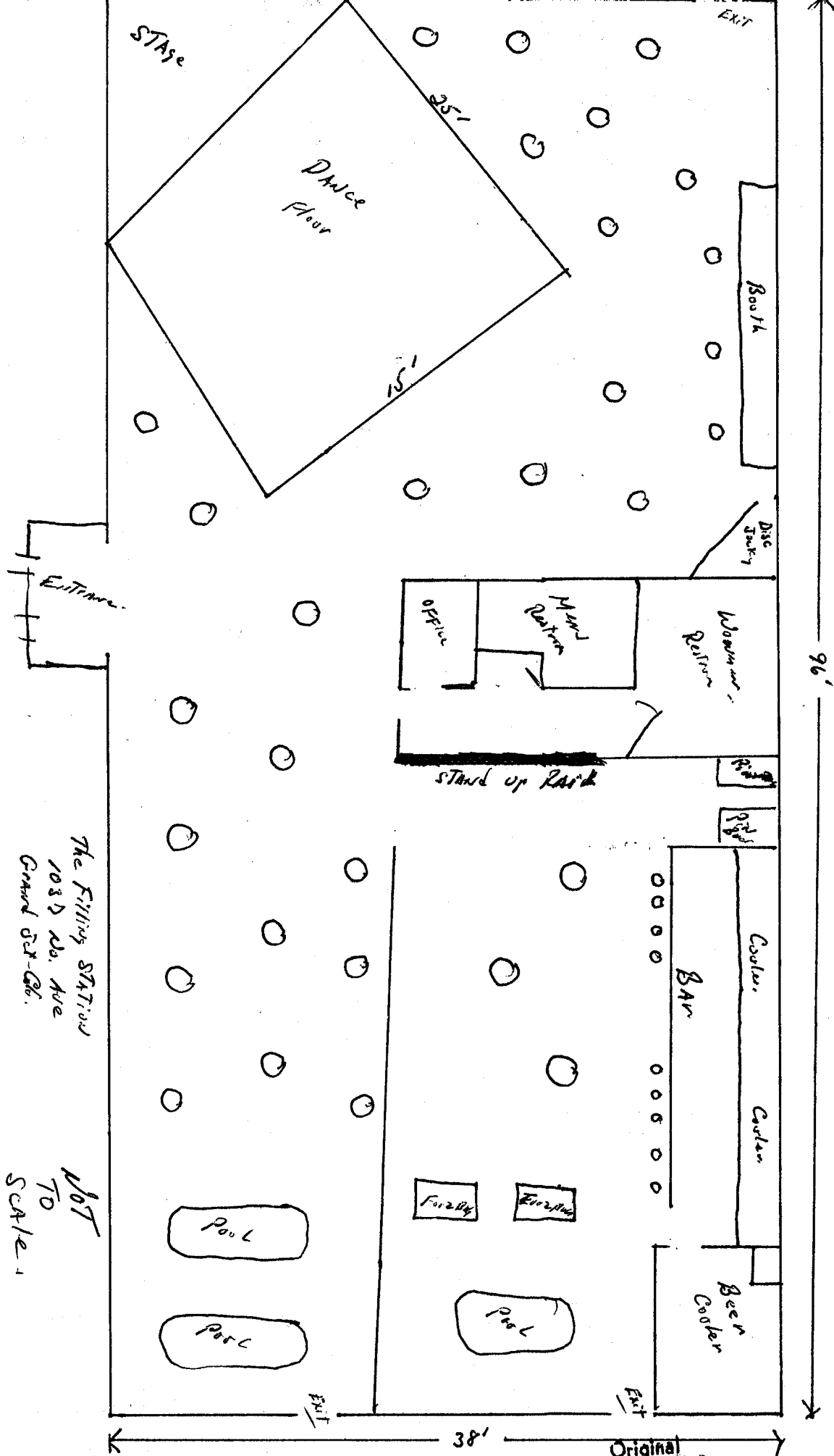
Connie M BADINI  
710 Centauri Dr.  
Grand Jct. Colo. 81501

To Kay TRUONG  
1036 Belford  
Grand Jct. Colo. 81501

To Kay TRUONG  
1036 Belford  
Grand Jct. Colo. 81501

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From Office

Adv Prop. owners H



The Filling Station  
 1035 Ab. Ave  
 Grand St. Cal.

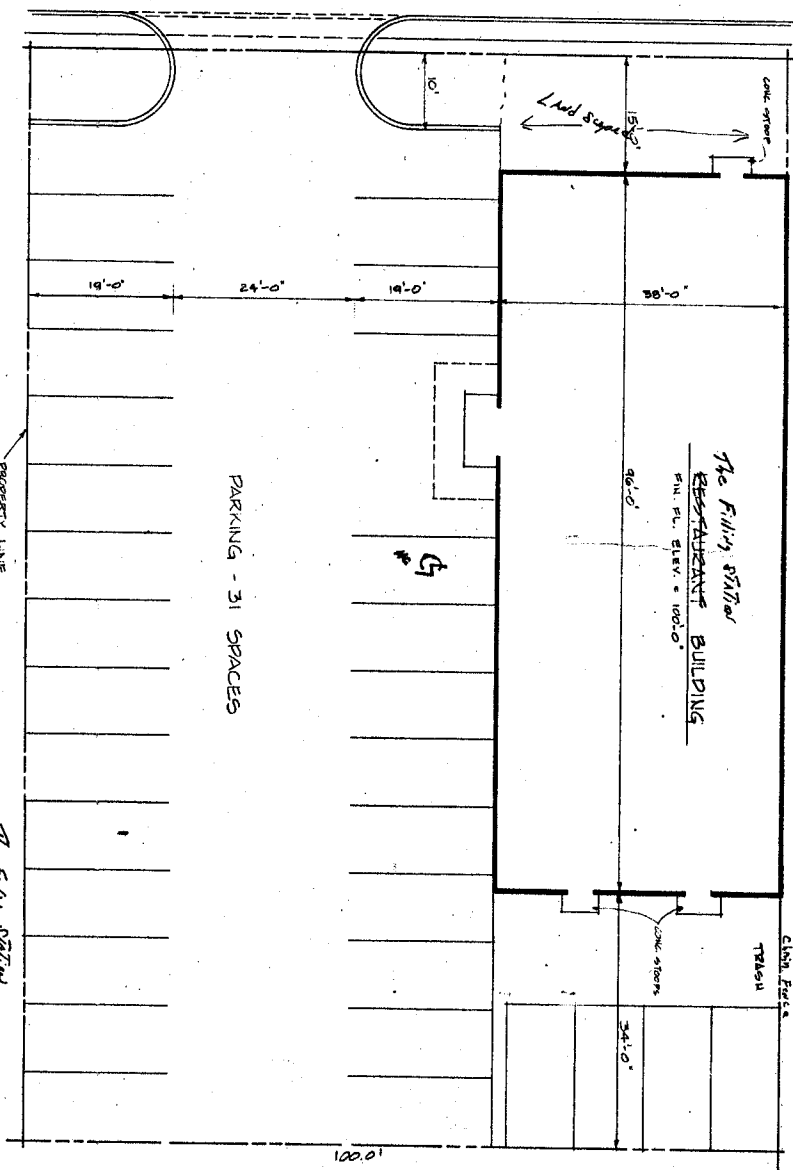
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Commercial  
Commercial

NORTH AVENUE



SITE PLAN  
SCALE: 1" = 10'-0"

Commercial



The Filthy Station  
1050 1/2 Ave  
Grand St. Dr. NW

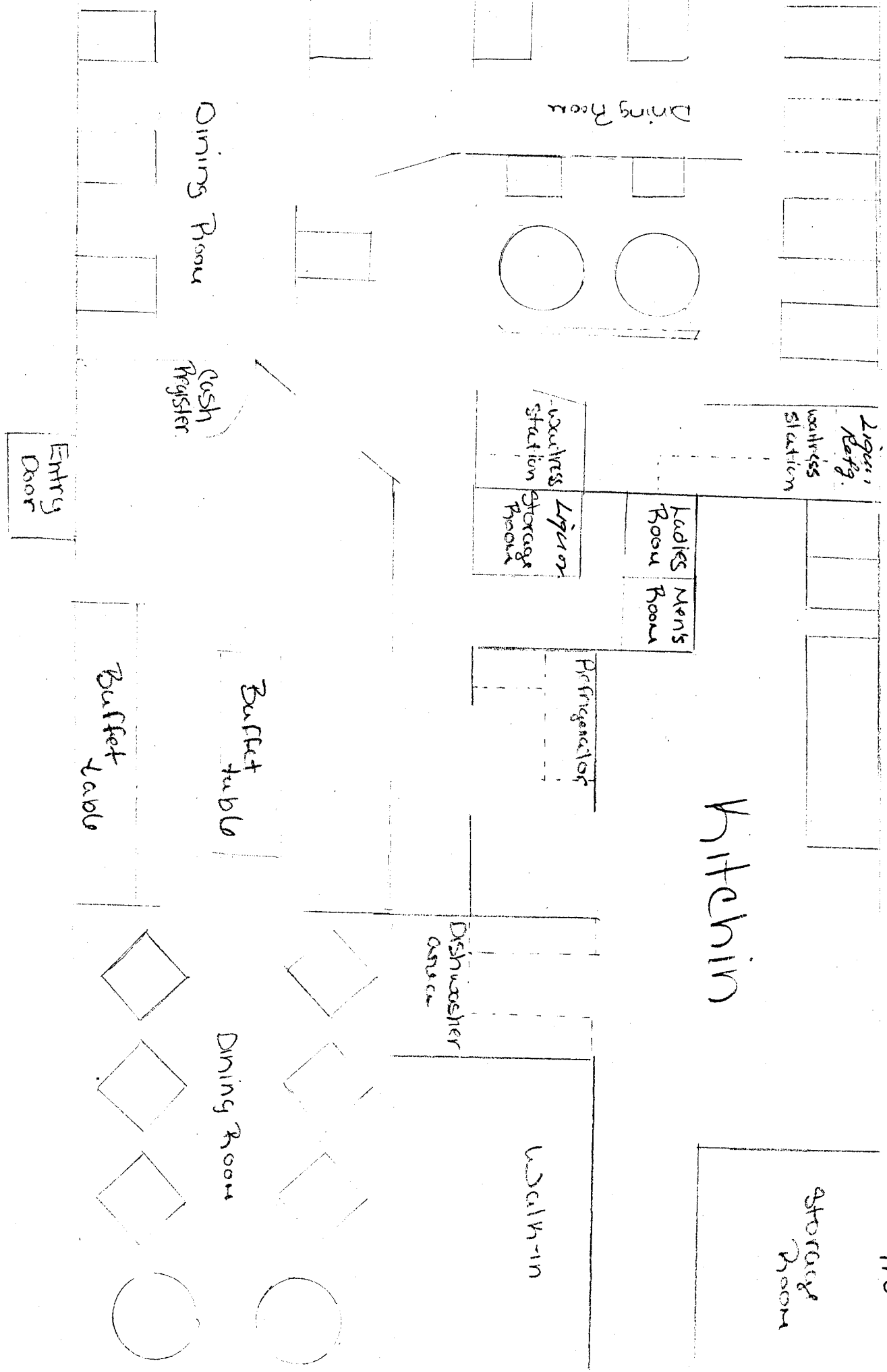
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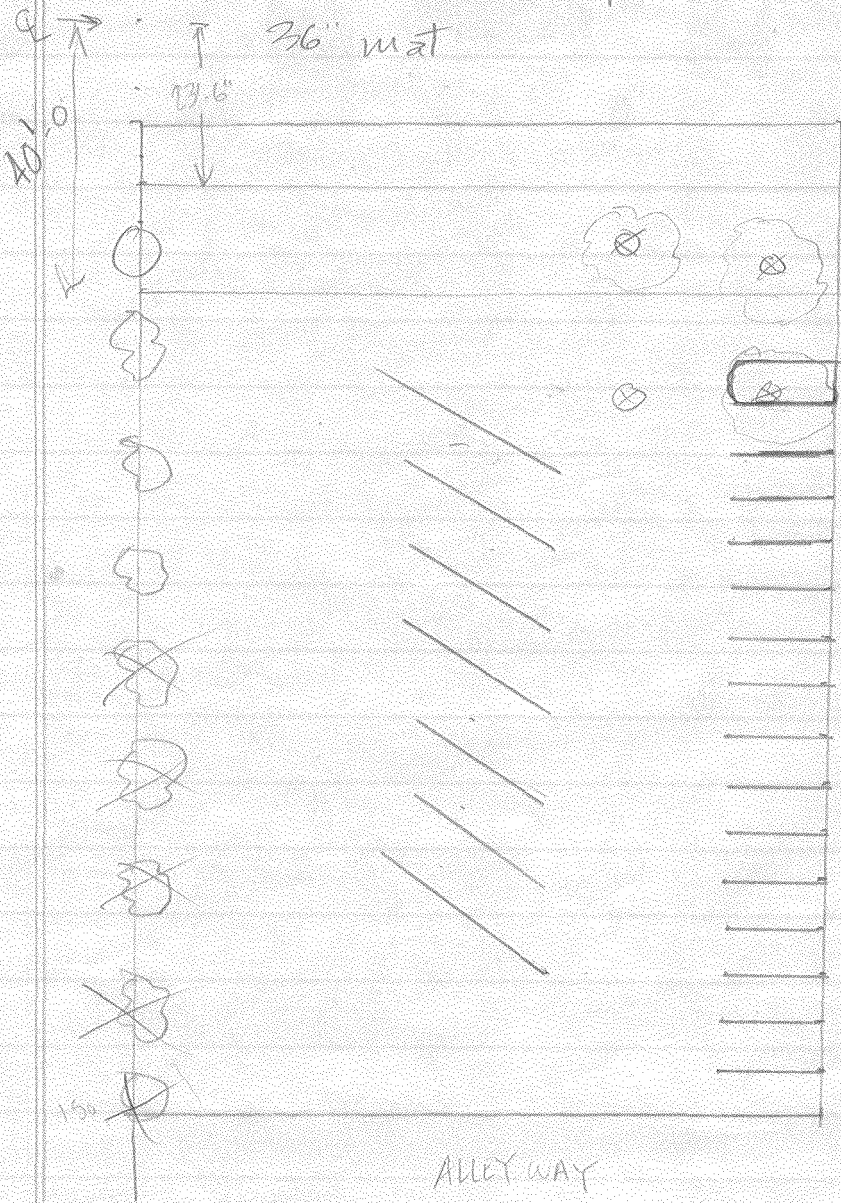
Residential

Shanghai Garden Restaurant 1037 North Ave.

73 Seat  
110



± 23'6" from E Belford to N. edge of sidewalk



save

(save 4 jumpers in front of house?)  
92 colors  
3 spreading Jun. along sidewalk

July 15, 1985

Upon contacting Mr. Bruce Jones at 960 Belford Ave., Grand Junction, Co. 81501, Mr. Jones agrees to allow The Filling Station the use of 20 parking spaces during the peak business hours. These spaces are located to the north side of his building, and the location of the spaces will be posted inside The Filling Station. It is further agreed by the management of The Filling Station that it will be responsible for cleaning up any litter which may be left by its Patrons.

Grantor

  
Bruce Jones

Original  
Do NOT Remove  
From Office

#20 85



July 16, 1985

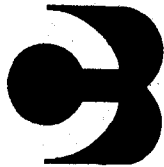
Upon contacting Mr. Mike Star, at 1015 North Avenue, he agrees to allow to The Filling Station the usage of 20 parking spaces during peak business hours. These will consist of those located to the west and south of his business, with the provision that The Filling Station will take responsibility of cleaning up anything in the way of litter left behind by our patrons. The location as described above will be posted in the entrance of The Filling Station.

Grantor

Mike Star  
Mike Star

Original  
Do NOT Remove  
From Office

#20 85



**Cucchetti, Baldwin & Co.**  
Certified Public Accountants

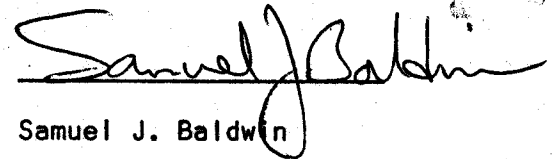
July 17, 1985

Bill Baca  
Grand Junction, Colorado

Dear Mr. Baca:

As owner of the vacant lot at 1102 Belford, Grand Junction, Colorado, 81501, I agree to allow the use of 18 parking spaces during the peak business hours of The Filling Station. These spaces will be posted at that location on a notice located inside The Filling Station. It is agreed by the management of The Filling Station that the area will be cleaned of any litter which may be left by its patrons.

Grantor

  
Samuel J. Baldwin

Original  
Do NOT Remove  
From Office

#20 85

Received 7-30-85 from  
Mr. Baca @ GJPC hearing

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To Whom It May Concern:

Coast to Coast, at 950 North Avenue, will allow the Filling Station to use 15 parking spaces during the peak business hours of The Filling Station, provided their management polices the area after closing.

Edward J. Jaro  
Grantor

July 30, 1985

# TOTAL

Total Petroleum, Inc.

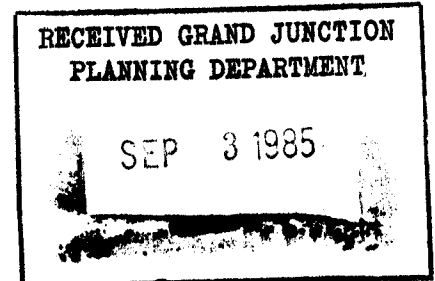
ONE DENVER PLACE - SUITE 2201  
999 18TH STREET  
DENVER, COLORADO

TELEPHONE 303 291-2000

MAILING ADDRESS  
P. O. BOX 500  
DENVER, COLORADO 80201

August 29, 1985

Mr. Mike Sutherland  
Planning Committee  
City and County Auditorium  
520 Rood Avenue  
Grand Junction, Colorado 81501



Re: Statement Dated July 16, 1985, Signed by Mr. Mike Starr

Dear Mr. Sutherland:

I obtained your name and address from our District Manager, Roger Woehrle. It is my understanding that Mr. William Baca has approached your committee for permission to conduct certain business activities at 1037 North Avenue in Grand Junction and that in support of his efforts, he has submitted a document that purports to be a grant from Total Petroleum, Inc. to use a portion of our adjoining property as parking for his business.

Although this document is signed by one of Total's service station employees, Mr. Mike Starr, Mr. Starr acted completely outside the scope of his authority in signing this document. Mr. Starr has never had the authority to grant or permit any kind of "use" of any portion of our property to third parties nor would he be given such authority. I am certain that Mr. Baca had no reason to believe that Mr. Starr was cloaked with any such authority. Please be advised that we do not consider the document signed by Mr. Starr to be binding on Total Petroleum, Inc. Mr. Baca has not received any grant, permission or any other type of authorization from any authorized representative of Total Petroleum, Inc. to utilize any portion of our property for any reason.

I would appreciate it if you would either remove the document in question from your files or attach this letter to said document. Please call me if you have any questions.

Thank for your cooperation.

Sincerely,

Bruce W. Sims  
Office of the General Counsel

BWS:yan

cc: Walt Wilson  
Roger Woehrle  
William A. Baca

# development summary



File # 20-85 Name The Filling Station Date 8/2/85

PROJECT LOCATION: 1037 North Avenue

PROJECT DESCRIPTION: This is a request for a conditional use permit for a 3.2 beer license at the former location of the Golden Dragon Restaurant. Mr. William Baca has a lease agreement for the property from Mr. To Tay Truong. The proposal is 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 property has 30 parking spaces on site and the petitioner has acquired letters of commitment for the use of an additional 53 spaces on three parking lots near his establishment (see map). Planning Department anticipates that 75 spaces will be required for the proposed use (number to be based on the occupancy load which will be assigned by the Fire Department prior to issuance of building permit).

The petitioner has agreed to and will resolve all technical concerns of the city staffs.

### STATUS & RECOMMENDATIONS:

One letter of opposition has been received from Mary Delp, the owner (but not occupant) of the property to the east of this proposal.

### Planning Commission Action

The Grand Junction Planning Commission recommended approval at the regular hearing of July 30, 1985 (subject to staff recommendations).

# TOTAL

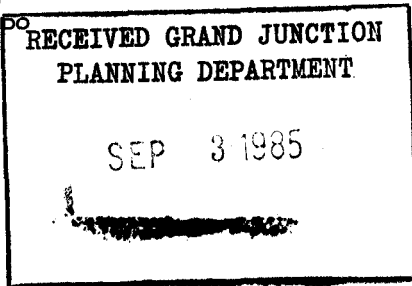
Total Petroleum, Inc.

ONE DENVER PLACE - SUITE 2201  
999 18TH STREET  
DENVER, COLORADO

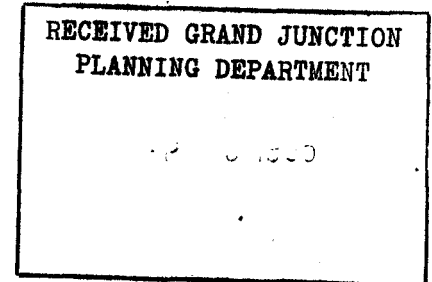
TELEPHONE 303 291-2000

MAILING ADDRESS

P. O. BOX 500  
DENVER, COLORADO 80201



August 29, 1985



Mr. William A. Baca  
1037 North Avenue  
Grand Junction, Colorado 81501

Re: Statement Dated July 16, 1985, Signed by Mr. Mike Starr

Dear Mr. Baca:

It has been brought to the attention of the Legal Department that you have submitted to the Planning Committee for the city of Grand Junction a statement signed by Mr. Mike Starr and purporting to be some sort of document permitting or granting to "The Filling Station" the use of a portion of Total Petroleum, Inc.'s ("TPI") property for parking spaces.

This letter is to inform you that Mr. Starr, although a service station employee of TPI, had no authority nor has he ever had any authority with respect to the use or permitted use of the service station property in question. Mr. Starr never discussed this matter with any of this superiors and we only became aware of this matter recently. Please be advised that we do not consider Mr. Starr's "grant" to be binding on TPI and TPI does not agree to the use of any of our property at 1015 North Avenue for parking or for any other purpose by you or your business establishment.

If you anticipate any additional discussions regarding any kind of permissive use of any portion of our property, you must contact our corporate headquarters here in Denver. None of our service station personnel are authorized to exercise any discretion as to the uses of any of our properties by third parties.

Thank you for your attention to this matter.

Sincerely,

Bruce W. Sims  
Office of the General Counsel

BWS:yan

cc: Walt Wilson  
Roger Woehrle  
Mike Sutherland

# REVIEW SHEET SUMMARY

FILE NO. 20-85 TITLE HEADING Conditional Use-3.2 Beer License DUE DATE 7/22/85

ACTIVITY - PETITIONER - LOCATION - PHASE - ACRES Location: 1037 North Avenue

Petitioner: To Tay Truong

PETITIONER ADDRESS 621½ Oxbow Road Grand Junction, CO 81501

ENGINEER N/A

<u>DATE REC.</u>	<u>AGENCY</u>	<u>COMMENTS</u>
7/22/85	Building Dept.	Building permit required for interior modifications. Building plans required. City licensed contractor may be required depending on the extent of remodel. All subcontractors must be City licensed.
7/22/85	Fire Dept.	The Grand Junction Fire Department will have no objections to this conditional use if the following is complied with: <ol style="list-style-type: none"><li>1. Building must meet Uniform Fire and Building Code requirements for a Group "A," Division 3 occupancy.</li><li>2. Detailed plans of building remodeling, to scale, must be submitted to compute new occupancy load.</li></ol>
7/23/85	City Engineer <b>LATE</b>	The end parking place at the northwest corner of the property will not be usable because the existing sign is in the middle of it. A raised curb will be required along the south property line. One 24' opening will be allowed in the curb for access to the alley. Backing into the alley from the four parking places shown at the southeast corner of the lot will not be allowed. The curb radius shown on the west side of the North Avenue driveway should be extended south to contain the existing sign. The North Avenue driveway should be widened to 24' to allow entrance and exit.
7/23/85	City Planning <b>LATE</b>	<ol style="list-style-type: none"><li>1. The parking lot as it now exists does not match the specifications provided with the submittal. Parking must be re-striped in order to provide the following:<ol style="list-style-type: none"><li>a. Spaces of 9' in width.</li><li>b. Spaces of 18.5' in length.</li><li>c. An aisle width of 25' between parking areas.</li></ol></li><li>2. The freestanding sign occupies some space in the two end parking spaces (along North Avenue). We recommend that signage should designate those spaces as "compact cars only."</li><li>3. If overflow parking is to be utilized on Vicker's property, a site plan must be provided showing the intended parking layout. If this project is approved, painted striping must be in place on both properties prior to opening for business.</li><li>4. Since plans are to cater to college students, one or more bike racks should be provided.</li><li>5. City policy regarding alleyway usage for parking does not allow direct parking off of alley--only access into parking lots. Therefore, the following must be addressed:<ol style="list-style-type: none"><li>a. A barrier constructed along alleyway (continuous concrete curb is recommended) the full length of petitioner's property to channel vehicles into the parking lot aisles.</li></ol></li></ol>

- b. Parking behind building be rearranged so cars pull in off of alley from the east with cars facing toward the west. Two or three spaces with room for a bike rack near building should fit in that area. Also, we recommend that those spaces be designated employee parking with signage to indicate same.
  - c. An aisle of at least 20' along east property line to allow access off of alley, employee parking, and access to trash containers is recommended.
  - d. All parking spaces should have curb blocks in place.
6. We recommend that painted arrows be placed for in/out at North Avenue curb cut and at alleyway access.
  7. Handicapped parking should be designated with a sign on the building and/or painted on pavement.
  8. Any changes to signage will require a separate sign permit (excluding parking or directional signage).
  9. If this project is approved, all site requirements must be in place before a Certificate of Occupancy can be released.

MOTION: "MR. CHAIRMAN, ON ITEM #20-85 CONDITIONAL USE FOR A 3.2 BEER LICENSE, I RECOMMEND WE SEND THIS TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL SUBJECT TO STAFF COMMENTS AND CLARIFICATION OF THE QUANTITY OF PARKING SPACES."





