Table of Contents

Fi	le	Name: TCBY – Drive Thr	<u>u –</u>	Co	nditional Use Permit – 1145 North Avenue
P r e s e n t	S c a n e d	A few items are denoted with an asterisk (*), which means the retrieval system. In some instances, items are found on the liss file because they are already scanned elsewhere on the system be found on the ISYS query system in their designated categor. Documents specific to certain files, not found in the standard comparison of the second design of the second desig	t b a. T ries hee	out The s. ckl	are not present in the scanned electronic development ese scanned documents are denoted with (**) and will list materials, are listed at the bottom of the page.
		the contents of each file.			ten procente ante much can serve as a quick gaine for
X	X	Table of Contents			
		*Review Sheet Summary			
X	X	Tippileution form			
X		Review Sheets			
		Receipts for fees paid for anything			
X	X				·
X	Χ	ounder project report			
		Reduced copy of final plans or drawings			
		Reduction of assessor's map.			n de la construction de la construc
	V	Evidence of title, deeds, easements			
X	X	intuining list to adjucent property owners			1 - Andrew State (1997)
		Public notice cards			en de la construction de la constru
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		Legal description			
		Appraisal of raw land			
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		*Final reports for drainage and soils (geotechnical reports)			i territori parakon fina de la composición de la composición de la composición de la composición de la composic
		Other bound or non-bound reports			
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		*Planning Commission staff report and exhibits *City Council staff report and exhibits			
		*Summary sheet of final conditions			
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		<u>DOCUMENT DESC</u>	<u>111</u>	<u></u>	<u>1011.</u>
X		Correspondence			
	X	Planning Commission Minutes – 12/6/94 - **			
X		Posting of Public Notice Signs – 11/22/94			
X		Warranty Deed – Bk 1918 / Pg 755 – not conveyed to the City			
X	X	Landscape Plan			
X	x	Site Plan			
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DEVELOPMENT APPLICATION Community Development Department

250 North 5th Street Unction, CO 81501 (303) 244-1430

чесзірг	1730	7
Date	1730	94
Rec'd By	m	0
File No.	186	94

We, the undersigned, being the owners of property situated in Mesa County, State of Colorado, as described herein do hereby petition this:

Original Do NOT Remove

From Office

PETITION	PHASE	SIZE	LOCATION	ZONE	LAND USE
[] Subdivision Plat/Plan	[] Minor [] Major [] Resub				
[] Rezone				From: To:	
[] Planned Development	[] ODP [] Prelim [] Final				
Conditional Use			1145 North	C-1	Fast Food Prive-Thu
[] Zone of Annex					
[] Text Amendment					
[] Special Use					
[] Vacation					[] Right-of-Way [] Easement
PROPERTY OWN	IER	<u>ک</u>	EVELOPER	×	REPRESENTATIVE
ED RANDELL		JON Name	GOODSON	FRANCIS	CONSTRUCTORS, INC.
<u>1145 NORTH AV</u> Address	/ENUE	2183 Address	DINOSAUR COUR	T P.O.E Address	OX 1767
GRAND JUNCTIO	DN, CO 81501	GRAN City/State/Zip	D JUNCTION, CO	81503 GRAND J City/State/Zip	UNCTION, CO 81502
245-6838 Business Phone No.	- <u></u>	241- Business Phor	2018	<u>434–909</u> Susiness Phone	3 No.

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the applicatio, and the review comments. We recognize that we or our representative(s) must be present at all hearings. In the event that the petitioner is no represented, the item will be dropped from the agenda, and an additional fee charged to cover rescheduling expenses before it can again be prace-

on the agenda. matri der Signature of Person Completing Application

Signature of Property Owner(s) - Attach Additional Sheets if Necessary

D RONALD BOICE NORA 206 N BUENA VISTA CT FARMINGTON, NM 87401-6962

H JOHN BELLIO MARGARET J P.O. BOX 150 SILT, CO 81652-0150

ARTHUR F BROCKMAN 1130 BELFORD AVENUE GRAND JUNCTION, CO 81501-3137

BOICE ENTERPRISES INC 206 N BUENA VISTA CT FARMINGTON, NM 87401-6962

OLLIN WINELAND NAOMI LEE (DOUBLE D & I LEASE) 3902 GREEN HILL CT NORMAN, OK 73072

FULENWIDER COMPANY P.O. BOX 28133 LAKEWOOD, CO 80228-0010

JOHN W TEMMER 3053 WELLINGTON ANE GRAND JUNCTION, CO 81504

HOBBY-FRAIZER C/O TIM WOLLIN 526 20 1/4 ROAD GRAND JUNCTION, CO 81503 D RONALD BOICE NORA 206 N BUENA VISTA CT FARMINGTON, NM 87401-6962

ANNE HOLDEN GOULD P.O. BOX 28133 LAKEWOOD, CO 80225-0010

LORA E GREER 1136 BELFORD AVENUE GRAND JUNCTION, CO 81501-3137

STATE OF COLORADO MESA COLLEGE

×.

GRAND JUNCTION, CO 81501

OLLIN WINELAND NAOMI LEE (DOUBLE D & I LEASE) 3902 GREEN HILL CT NORMAN, OK 73072

DAVID R EVARTS 42706 N 20TH ST WEST LANCASTER, CA 93534-0000

OLLIN WINELAND 3902 GREEN HILL CT NORMAN, OK 73072

а.

H JOHN BELLIO MARGARET J P.O. BOX 150 SILT, CO 81652-0150

ANNE HOLDEN GOULD P.O. BOX 28133 LAKEWOOD, CO 80228-0010

DAVID R EVARTS 42706 N 20TH STREET WEST LANCASTER, CA 93534-0000

OLLIN WINELAND N L 3902 GREEN HILL CT NORMAN, OK 73072

CITY OF GRAND JUNCTION LINCOLN PARK

GRAND JUNCTION, CO 81501

ERNEST M COHAN VIVIAN S 12500 BOSTWICK PARK RD MONTROSE, CO 81401-9717

BELFORD ASSOCIATES 1112 BELFORD AVENUE GRAND JUNCTION, CO 81501-3137

186 94

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PRE-APPLICATION CONFERENCE

	Date: <u>19/13/94</u> Conference Attendance: <u>Kristen Ashbeck</u> , <i>Paryl Becker (Francis)</i> Proposal: <u>TZBY Drive-Hwv</u> Location: <u>1145 North Avenue</u> Tax Parcel Number: <u>2945-141-06-025</u> Review Fee: <u>\$350</u> (Fee is due at the time of submittal. Make check payable to the City of Grand Junction.)	•
Х	Additional ROW required?	tand Value
	Applicable Plans, Policies and Guidelines	. 1
	Located in identified floodplain? FIRM panel #	
	Located in established Airport Zone? Clear Zone, Critical Zone. Area of Influence?	
	While all factors in a development proposal require careful thought, preparation and design, the following "checked" items are brought to the petitioner's attention as needing special attention or consideration. Other items of special concern may be identified during the review process.	
	O Access/Parking O Screening/Buffering O Land Use Compatibility O Drainage O Landscaping O Traific Generation O Floodplain/Wetlands Mitigation O Availability of Utilities O Geologic Hazards/Soils O Other	
	It is recommended that the applicant inform the neighboring property owners and tenants of the proposal prior to the public hearing and preferably prior to submittal to the City.	
	PRE-APPLICATION CONFERENCE	
	WE RECOGNIZE that we, ourselves, or our representative(s) must be present at all hearings relative to this proposal and it is our responsibility to know when and where those hearings are.	
	In the event that the petitioner is not represented, the proposed item will be dropped from the agenda, and an	

additional fee shall be charged to cover rescheduling expenses. Such fee must be paid before the proposed item can again be placed on the agenda. Any changes to the approved plan will require a re-review and approval by the Community Development Department prior to those changes being accepted.

WE UNDERSTAND that incomplete submittals will not be accepted and submittals with insufficient information, identified in the review process, which has not been addressed by the applicant, may be withdrawn from the agenda.

WE FURTHER UNDERSTAND that failure to meet any deadlines as identified by the Community Development Department for the review process may result in the project not being scheduled for hearing or being pulled from the agenda.

Signature(s) of Petitioner(s)

REVIEW COMMENTS

Page 1 of 2

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FILE #186-94

TITLE HEADING: Conditional Use Permit -Drive-thru window for TCBY

LOCATION: 1145 North Avenue

PETITIONER: Jon Goodson

PETITIONER'S ADDRESS/TELEPHONE:

2183 Dinosaur Court Grand Junction, CO 81503 241-2018

PETITIONER'S REPRESENTATIVE:

Francis Constructors - 434-9093

STAFF REPRESENTATIVE: Kristen Ashbeck

NOTE: THE PETITIONER IS REQUIRED TO SUBMIT FOUR (4) COPIES OF WRITTEN RESPONSE, AND REVISED DRAWINGS, ADDRESSING ALL REVIEW COMMENTS ON OR BEFORE 5:00 P.M., NOVEMBER 28, 1994.

CITY UTILITY ENGINEER Bill Cheney	11/4/94 244-1590	
No comment.		
CITY PARKS & RECREATION DEPARTMENT Don Hobbs	11/1/94 244-1542	
If an open space fee is required for this action we will nee	d an appraisal.	
	44/0/04	

GRAND JUNCTION FIRE DEPARTMENT	11/8/94	
Hank Masterson	244-1414	
The Fire Department has no requirements for this propos	sal.	
CITY DEVELOPMENT ENGINEER	11/9/94	
Jody Kliska	244-1591	

- 1. There appears to be a conflict between the customers exiting the building and drivethrough customers. The proximity of the drive-through window and the railing by the door may cause some drive-through customers to have to back-up to exit.
- 2. Parking along the side will conflict with drive-through maneuvers. Existing parking is not clearly shown on the submitted site plan.

FILE #186-94 / REVIEW COMMENTS / page 2 of

COMMUNITY DEVELOPMENT DEPARTMENT	11/16/94
Kristen Ashbeck	244-1437

- 1. What is seating capacity of restaurant. Must retain 1 parking space per each 3 seats (including any outdoor seating).
- 2. Existing door swing, landing and safety rail on east side of building must be removed if drive-through is to operate where it is currently located. Door must be completely removed, not just locked and/or blocked.
- 3. Provide a 24" x 36" site plan to be able to scale parking, aisle widths off of (see submittal for Site Plan Review).

POSTING OF PUBLIC NOTICE SIGNS

The posting of the Public Notice Sign is to make the public aware of development proposals. The requirement and procedure for public notice sign posting are required by the City of Grand Junction Zoning and Development Code.

To expedite the posting of public notice signs the following procedure list has been prepared to help the petitioner in posting the required signs on their properties.

- 1. All petitioners/representatives will receive a copy of the Development Review Schedule for the month advising them of the date by which the sign needs to be posted. IF THE SIGN HAS NOT BEEN PICKED UP AND POSTED BY THE REQUIRED DATE, THE PROJECT WILL NOT BE SCHEDULED FOR THE PUBLIC HEARING.
- 2. A deposit of \$50.00 per sign is required at the time the sign is picked up.
- 3. You must call for utility locates before posting the sign. Mark the location where you wish to place the sign and call 1-800-922-1987. You must allow two (2) full working days after the call is placed for the locates to be performed.
- 4. Sign(s) shall be posted in a location, position and direction so that:
 - a. It is accessible and readable, and
 - b. It may be easily seen by passing motorists and pedestrians.
- 5. Sign(s) MUST be posted at least 10 days before the Planning Commission hearing date and, if applicable, shall stay posted until after the City Council Hearing(s).
- 6. After the Public Hearing(s) the sign(s) must be taken down and returned to the Community Development Department within three working days to receive full refund of the sign deposit. For each working day thereafter the petitioner will be charged a \$5.00 late fee. After eight working days Community Development Department staff will retrieve the sign and the sign deposit will be forfeited in its' entirety.

Community Development Department staff will field check the property to ensure proper posting of the sign. If the sign is not posted, or is not in an appropriate place, the item will be pulled from the hearing agenda.

I have read the above information and agree to its terms and conditions.

DAT RECEIPT FILE #/NAME Becker Francis love tour lors PETITIONER/REPRESENTATIVE: PHONE # 4.34 DATE OF HEARING: POST SIGN(S) BY DATE SIGN(S) PICKED-UP DATE SIGN(S) RETURNED RECEIVED BY:

DEVELOPMENT APPLICATION

Prepared for

"TCBY" The Country's Best Yogurt

Original Do NOT Remove From Office

186 94

Mr. Jon Goodson 2183 Dinosaur Ct. Grand Junction, Colorado 81503

NARRATIVE

Application is sought to begin use of an existing drive through window of a nationally franchised specialty food shop catering dessert yogurt via efficient service and reasonable prices. The restaurant occupies an otherwise small niche of businesses offering this healthy - alternative bill of fare. No alcoholic beverages will be offered.

TCBY is on four-tenths of an acre of city lots 11, 12 and the West half of 13, 1145 North Avenue, adjacent to the West of the Arby's Restaurant located at 12th and North Avenue. The property is bounded on the North by North Avenue, on the West by small resale businesses, on the South by an East-West city alley, and on the East by Arby's. The property South of the alley is a residence.

Drive through service is expected to follow immediately upon approval of the drive through submitted within the application. A late December or early 1995 completion date is planned, enabling the applicant to begin service at that time.

The business will utilize the existing street access provided on North Avenue. Data furnished from similar establishments places the peak business hour between 3:00 pm and 4:00 pm. By the same fact, customer count is approximately 15 vehicles during this time. This does not coincide with the peak traffic hours of North Avenue which are 11:45 am to 12:14 pm and 4:30 to 5:30 pm. Very minor traffic impact is expected along North Avenue.

The drive through design plans will conform to all City specifications and guidelines for minimum standards regarding parking, access, will adhere to recommendations from the review and approval of the plan as submitted by this application.

Sincerely, Jon/Goodson

RESPONSE TO COMMENTS

TCBY

FRANCIS CONSTRUCTORS

11/23/94

CITY DEVELOPMENT ENGINEER Jody Kliska

- 1. The railing and slab will be removed and the door will be in-filled with a window. The walk-in customers will use the North & West door.
- 2. Parking along the East is not required. The parking along the West, South and East end accommodates for the one parking space for every 3-seat requirement.

COMMUNITY DEVELOPMENT DEPARTMENT Kristen Ashbeck

- 1. TCBY has a seating capacity of 50 chairs, inside and out, and maintains 18 spaces and 1 handycap space.
- 2. The landing and safety rail will be removed and the door will be in-filled with a window.

Sec. B. S. B. B. S. S. Stat. S. S. S. S.

CITY OF GRAND JUNCTION DEPARTMENT OF PUBLIC WORKS & UTILITIES ENGINEERING DIVISION PROJECT TOBY DRIVE -THRE SUBJECT ICL DATE 11-30-94 BY TKK FILE NO.____SHEET___OF_ 1800 SF BUILDING DRIVE - THRU \$3712 1000 SF \$3712 × 1.0 = \$6601.60 RESTAURANT (EXISTING W/O DRIVE-THEO) \$ 1238 / 1000 SF= \$1238 × 1.8 = \$2228.40 \$ 6621.60 - 2220,40 \$44,53,20

STAFF REVIEW

FILE: 186-94

DATE: November 30, 1994

REQUEST: Conditional Use Permit - Drive-Through Window

LOCATION: 1145 North Avenue

APPLICANT: Jon Goodson

STAFF: Kristen Ashbeck

EXISTING LAND USE: T.C.B.Y. Restaurant

PROPOSED LAND USE: T.C.B.Y. with Drive-Through

SURROUNDING LAND USE:

NORTH: Mesa State College SOUTH: Multifamily Residential EAST: Commercial (Restaurant-Arby's) WEST: Commercial

EXISTING ZONING: Light Commercial (C-1)

SURROUNDING ZONING: NORTH: Public Zone (PZ) SOUTH: Residential Multifamily 64 units per acre (RMF-64) EAST: C-1 WEST: C-1

STAFF ANALYSIS: The existing T.C.B.Y. establishment is proposing to construct a drivethrough lane on the eastern side of the building. The drive-through window itself was installed when the building was remodelled for use by T.C.B.Y. however, a drive-through lane was not implemented at the time the restaurant originally opened.

The eastern entrance to the building is to be closed and the exterior landing and railing removed in order to make the proposed drive-through lane functional. Staff is recommending that the entrance not only be closed but the door actually removed so that it does not appear as a functional entrance. This would help to avoid the situation of patrons walking across the drive-through lane thinking they can walk in the east entrance. The petitioner has responded that the doorway will be infilled and a window installed in its place.

Parking along most of the eastern boundary must be removed in order for there to be enough space for a vehicle in the drive-through lane and for a vehicle to pass on the right to exit the site. The

186-94 / November 30, 1994 / page 2

total parking requirement for the site is 17 spaces (1 space per 3 seats including outdoor seating). The required parking can be retained even if the parking along the eastern boundary is removed. The Transportation Capacity Payment (TCP) was calculated based on the new use (restaurant with drive-through) less the amount calculated for the current restaurant use.

STAFF RECOMMENDATION: Approval provided the following concerns are met prior to issuing a Planning Clearance for a Building Permit: (1) the site is striped to allow for and indicate adequate geometry for the drive-through lane; 2) payment of TCP in the amount of \$4,453.20; and 3) the area along the eastern boundary is signed "no parking".

SUGGESTED PLANNING COMMISSION MOTION: Mr. Chairman, on item 186-94, I move that we approve the Conditional Use Permit for a drive-through at T.C.B.Y. located at 1145 North Avenue subject to the concerns outlined in the staff recommendation being resolved prior to issuing a Planning Clearance.



1145 NORTH AVENUE GRAND JUNCTION, COLORADO 81501 (303)) 245-6038 OFFICE (303) 245-6058

3120E BLAKE AVENUE GLENWOOD SPRINGS, COLORADO 81601 (303) 945-2922

12-12-94

Dear Mrs. Kliska:

After our conversation last week about our drive-thru proposal and the conditional use permit I decided to provide you with the numbers and sales of our Grand Junction "TCBY". As you can see Francis Construction Company went back into there records to see the exact cost of improvements made along North ave. when we were remodeling the old location and building our new location at 1145 North ave.

1. The average "TCBY" store will have gross sales around 225,000 per year. Once a drive-thru is attached, on average sales go up 10-15%.

*** Numbers can be verified by calling "TCBY" Inc. Little Rock AR. 72201 501-688-8229

2. Sales: Last 3 months

Sept.- \$21,142.90 Oct.- \$17,461.35 Nov.- \$12,100.21

- *** These figures can be verified by calling The accounting firm of Funderburke and Kaper. Grand Junction, CO. 245-5420
- 3. "TCBY" is not your normal fast food restaurant, you can look at our sales and see that for Yourself. I know the number you gave me was based on fast food restaurants and there sales are typically higher. We just happen to have a really good location along North ave. and want to increase our off peak times. With the improvements we made in 1993 along North ave. and our sales not being that of your traditional drive-thru restaurant I feel the committee needs to take a second look at our situation.

Sincerely, Jon Goodson Owner Operator

TCBY

The following improvements to the North Avenue side of the TCBY restaurant were completed during the original construction in 1992.

1.	Demolition of old sidewalk, curb & gutter	\$	2,674
2.	Replace sidewalk, curb & gutter, concrete paving	S	4,402
3.	3" asphalt paving	\$	9,890
4.	landscaping by owner	\$	180.00

Francis Constructors

n

Daryl Becker

Grand Junction Community Development Department Planning • Zoning • Code Enforcement 250 North Fifth Street Grand Junction, Colorado 81501-2668 (303) 244-1430 FAX (303) 244-1599

Mr. Daryl Becker Francis Constructors, Inc. P.O. Box 1767 Grand Junction, Colorado 81502

December 16, 1994

RE: TCBY Drive-Through (#186-94)

Dear Daryl,

As you are aware, the Grand Junction Planning Commission recommended approval of the Conditional Use Permit for a operation of a drive-through to be located at the T.C.B.Y. at 1145 North Avenue at its December 13, 1994 hearing. This action was subject to the applicant providing a revised site plan for City approval prior to issuing a Planning Clearance for a Building Permit. The plan must indicate that the following improvements will be made: 1) restriping the parking lot to allow for access in the southeast corner as well as provide a minimum of 17 parking spaces; 2) striping for drive-through lane which provides adequate geometry; and 3) post "No Parking" signs along the northern portion of the eastern boundary.

Please call you have any questions regarding this Conditional Use Permit.

Sincerely,

Kristen Ashbeck Planner

c: Mr. Jon Goodson

#186-94 NOTES KKA 5/3/95 Per PC Minutes -- need to see newised plans to show adequate parking and leaving opening outo alley (need Jody to okay). PC did not require curping along alley -- see conditions in minutes. No TEP.





