

**GRAND JUNCTION LIQUOR LICENSING AUTHORITY
MINUTES**

June 16, 2021

I. Call to Order

The meeting was called to order at 2:00 p.m. Those present were Hearing Officer Sam D. Starritt, City Attorney John Shaver and Deputy City Clerk Janet Harrell.

II. License Renewal Applications

1. Famous Dave's Ribs, Inc. dba Famous Dave's, 2440 US Hwy 6 & 50, Grand Junction, CO 81505, Hotel & Restaurant
2. Rockslide Brew Pub, Inc. dba Rockslide Brew Pub, 401 Main Street, Grand Junction, CO 81501, Brew Pub and Outdoor Dining Lease
3. J & K Enterprises, Inc. dba Citrolas, 759 Horizon Drive, Units M, N, and O, Grand Junction, CO 81506, Hotel & Restaurant
4. SSH TRS M and IH WL Acquisition Manager, LLC dba Residence Inn Grand Junction, 767 Horizon Drive, Grand Junction, CO 81506, Lodging & Entertainment
5. Cerca Trova Southwest Restaurant Group, LLC dba Outback Steakhouse, 2432 US Hwy 6 & 50, Grand Junction, CO 81505, Hotel & Restaurant

Hearing Officer Starritt read renewals 1 - 5 into the record and verified with Ms. Harrell the applications were in order. He noted Rockslide Brew Pub was cited by the Colorado Liquor Enforcement Division during a compliance check on March 17, 2021. Rockslide Assistant General Manager Sean Lange was present and noted the corrective measures Rockslide took. City Attorney John Shaver said this was a state violation that was not referred to the City. Hearing Officer Starritt then asked if anyone was present to speak against the applications, there was no one. The renewals were approved.

III. Addition of Optional Premises Applications

1. Colorado Mesa University dba Hotel Maverick, 840 Kennedy Avenue, Grand Junction, CO 81501, Hotel & Restaurant

Addition of Adjacent Lawn as an Optional Premises for Events

Hearing Officer Starritt verified with Ms. Harrell the application was order. City Attorney John Shaver explained this item will require a City ordinance to be adopted and reviewed the timing of the proposed draft ordinance (Exhibit D).

Attorney John Williams representing Colorado Mesa University and Hotel Maverick Manager Tammy Anderson were present to answer questions regarding the business, how the proposed premises would be secured (Exhibits A and B) and the statute requirements for an Optional Premises. Ms. Harrell read the survey results into the record (Exhibit E). Surveyors Christopher and Tina Stokes were present to answer questions on how the survey was conducted (Exhibit C).

Hearing Officer Starritt asked if anyone was present to speak against the application. There was no one. He found the needs and desires of the neighborhood are not being met and approved the Optional Premises contingent upon adoption of the City ordinance for this item and subject to compliance with the adopted ordinance.

IV. New License Applications - Resolutions, Findings and Decision

1. 5th & Olive, LLC dba The Color Red, 500 Main Street, Grand Junction, CO 81501, Beer & Wine

Member: David Glassmeyer, 698 Cascade Drive, Grand Junction, CO 81506

Member: Nick Santos, 455 Hall Avenue, Grand Junction, CO 81501

The Color Red Manager Megan Kuxhausen and Leah Kenyon were present to answer questions regarding the business and how the survey was conducted. Ms. Harrell reported the application was in order and read the survey results into the record (Exhibit F). Hearing Officer Starritt requested additional canvassing for two areas not previously covered.

Hearing Officer Starritt asked if anyone was present to speak against the application. There was no one. He found the needs and desires of the neighborhood are not being met and approved the license contingent upon the completion of a supplemental survey covering the two areas not previously canvassed (northeast corner and the middle of the east half).

The City Clerk's Office will prepare a resolution of findings for Hearing Officer Starritt's signature.

V. Other Business

There was none.

VI. Adjournment

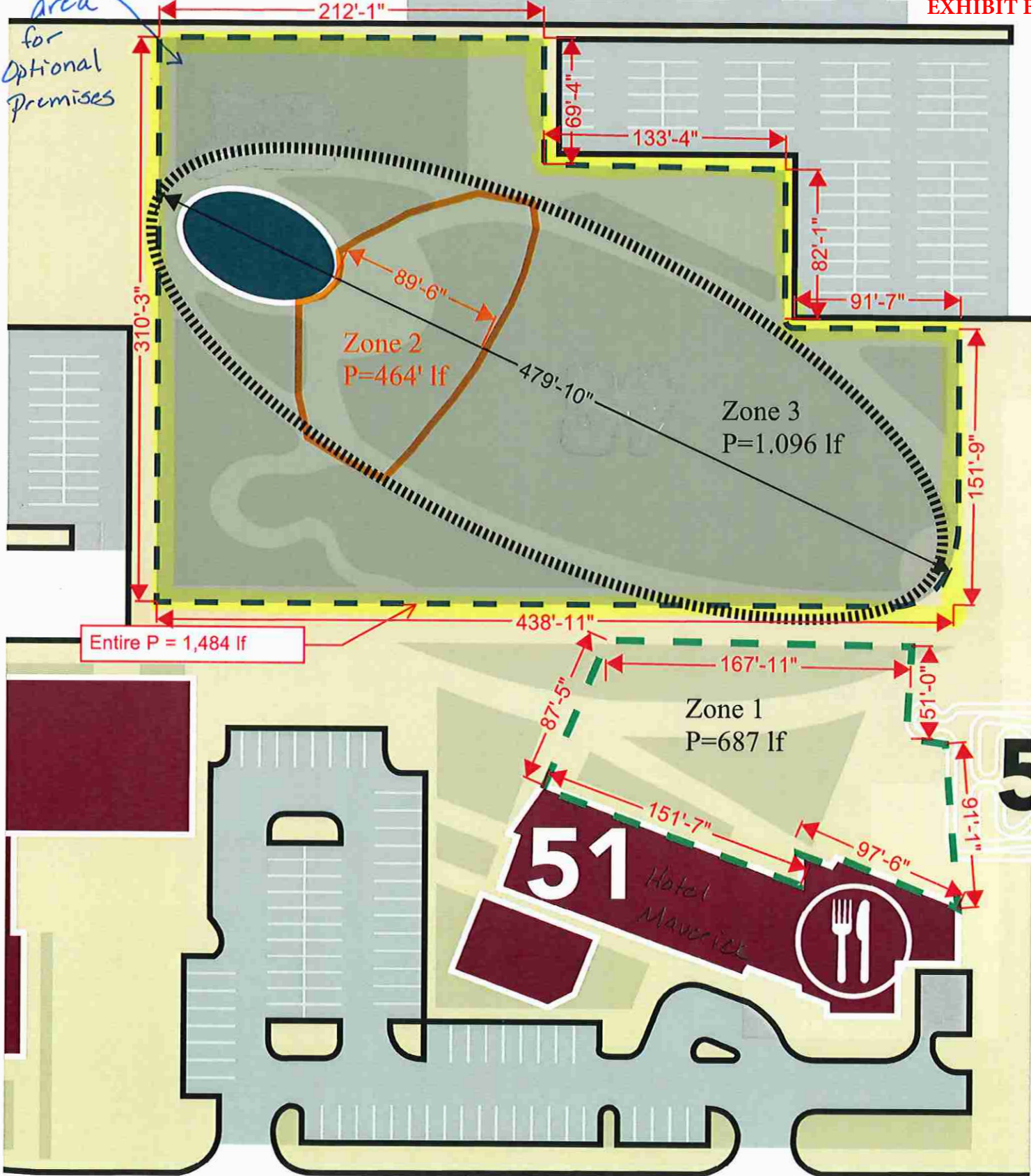
The meeting adjourned at 2:46 p.m.

EXHIBIT A



(A)

Proposed area for optional premises



KENNEDY AVE

C

EXHIBIT C

**City of Grand Junction
&
Colorado Mesa University
Hotel Maverick**

**Addition of Optional Premises
(adjacent lawn) to Hotel & Restaurant
Liquor License Survey Report**

**840 Kennedy Ave
Grand Junction, CO 81501**

Survey Conducted by Donarski Consulting, LLC

Date: 6/7/2021

Colorado Mesa University Hotel Maverick

840 Kennedy Avenue, Grand Junction, CO 81501

Addition of Optional Premises (adjacent lawn) to Hotel and Restaurant

Petition Methodology

1. The petition/survey was circulated May 17, 2021- May 20, 2021, and on June 2, 2021, and June 4, 2021. Residences and businesses were surveyed within the parameters of the specified survey area. The survey area was bordered to the North by Walnut Avenue, to the South by Gunnison Avenue, N 15th Street on the East and N 3rd Street on the West. Both sides of the street were considered within the survey area.

2. Each circulator participated in a training session before they began their canvass. During this training, circulators learned the protocols for the petition: (e.g. the boundaries of the survey area, the type of liquor license, and the correct approach to completing the petition forms). Additionally, they were each provided the training guide for petition circulators that is provided by the Colorado Secretary of State. Each canvasser was also briefed on the importance of professionalism when representing Colorado Mesa University as they circulated the survey area.

3. Each circulator was equipped with a city-issued map of the survey area in addition to their city-issued petition packets.

4. If contacts were available to survey, canvassers began by explaining they were there on behalf of Colorado Mesa University. Contacts were then provided information on the prospective location of the license and details on what type of liquor license CMU wants to acquire. The individuals were finally asked if they were willing to participate by filling out the petition/survey. When filling out the petition, canvassers explained the difference between circling "Yes" if they support the issuance of the addition of optional premises liquor license, and circling "No" if they oppose the issuance of the addition of optional premises liquor license.

5. Canvassers respected businesses and residences who had "no soliciting" signs and did not attempt to contact those locations. Additionally, the canvassers notated the addresses that they were not able to get a signature from due to the following reasons: Not 21 Years of Age, Refused to Sign, No Answer, No Solicitors, and other.

6. Canvassers circulated the petitions among businesses in the survey area during the day and attempted to contact residences in the late afternoon to have a higher contact rate. Most of the businesses were contacted along North Avenue as well as those adjacent to the campus on N 12th St. An emphasis was placed on residential contacts due to the proportion of businesses to residents within the boundary, and the team made sure to acquire representation throughout the boundary. On page 4, 5, and 6 are maps that show the location of each of the contacts surveyed within the boundary as well as those who were attempted.

7. Two experienced canvassers circulated the petitions. Christopher Stokes circulated eight (8) petition packets labeled CS 1-CS 8 and Tina Stokes circulated eight (8) petition packets labeled TS 1-TS 8. A total of twelve (16) petition packets were circulated.

Date: 6/7/2021

Colorado Mesa University Hotel Maverick

840 Kennedy Avenue, Grand Junction, CO 81501

Addition of Optional Premises (adjacent lawn) to Hotel and Restaurant

Petition/Survey Results

Quantitative Results of Survey Responses:

SURVEY RESPONSES	Total	Favor		Oppose	
		Count	Percentage	Count	Percentage
Title	Responses				
Resident	217	210	96.77%	7	3.23%
Business Manager	30	30	100.00%	0	0.00%
Business Owner	20	19	95.00%	1	5.00%
Business Owner/Business Manager	1	1	100.00%	0	0.00%
Resident/Business Manager	2	2	100.00%	0	0.00%
Resident/Business Owner	3	3	100.00%	0	0.00%
TOTAL	273	265	97.07%	8	2.93%

Quantitative Results of Attempts:

Non-Signer Attempts		
Reason	Count	Percentage
No Answer	305	71%
Refused to sign	55	13%
No Reason	18	4%
Other	16	4%
Not 21 Years of Age	13	3%
No solicitors	9	2%
No Answer/No Solicitors	7	2%
Moved	2	0%
No Answer/Other (Empty)	1	0%
Not 21/No Answer	1	0%
Other/Come Back Later	1	0%
TOTAL	428	

*Included is a line by line excel document of each signature collected in the *Petition Signers Validation_CMU Liquor License 2021* excel document. The document is in order by petition packets turned into the clerk. For example, the first packet labeled CS 1 will match the rows labeled CS 1. Additionally, there is a line by line excel document of the addresses that were attempted but did not yield a survey response. This document is called *Exhibit to Survey Petition_CMU Liquor License 2021*. Like the validation document, this line-by-line review is also in order by packets turned in.

Date: 6/7/2021

Colorado Mesa University Hotel Maverick

840 Kennedy Avenue, Grand Junction, CO 81501

Addition of Optional Premises (adjacent lawn) to Hotel and Restaurant

Qualitative Summary:

The results show that most residents and businesses owners/managers favor the addition of an optional premises liquor license for the adjacent lawn to the Hotel and Restaurant. Contacts are more aware of the Hotel compared to the survey that was conducted last year, and they are happy with the new addition on campus. Additionally, they were pleased to hear that this would allow the hotel to be more versatile in hosting outside receptions and saw it as a necessity to be able to serve alcohol at these events. Some people were surprised to hear that it is required of them to get additional approval to serve liquor outside even though the hotel already was approved for a liquor license last year.

The main reason for the issuance being opposed was reflective of the contact's personal stance on alcohol. They mentioned that they did not approve of alcohol consumption and one gentleman did not think that drinking outside was good for the community, but he was ok with alcohol being consumed indoors.

Finally, throughout the survey period there were business owners and managers who were unavailable to be surveyed coupled with residences where nobody answered the door or the individual at the door was not 21 years or older.

Date: 6/7/2021

Colorado Mesa University Hotel Maverick

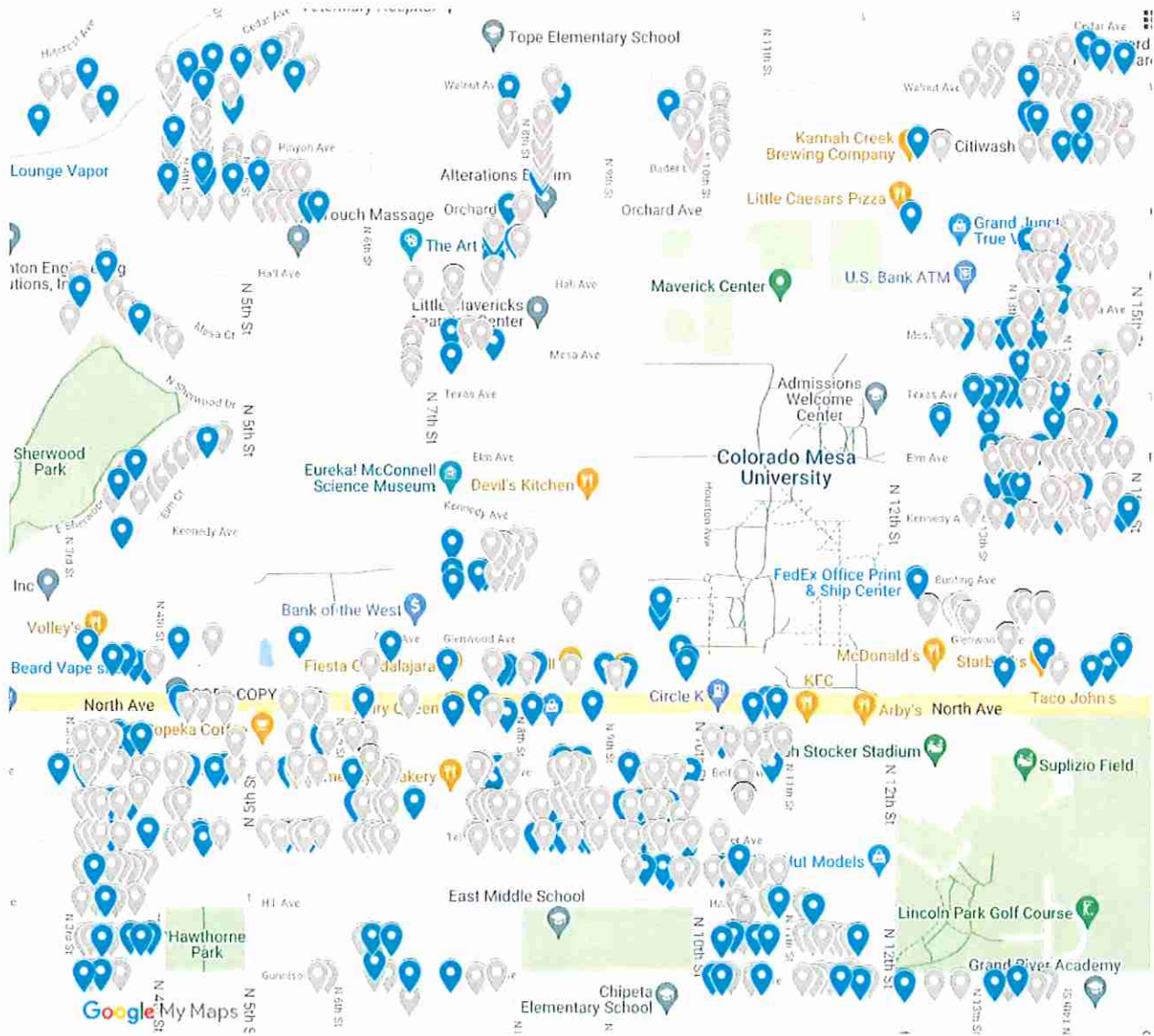
840 Kennedy Avenue, Grand Junction, CO 81501

Addition of Optional Premises (adjacent lawn) to Hotel and Restaurant

Map of Contacts:

Key	
Blue	Survey Responses
Grey	Attempted Addresses

All Responses and Attempts

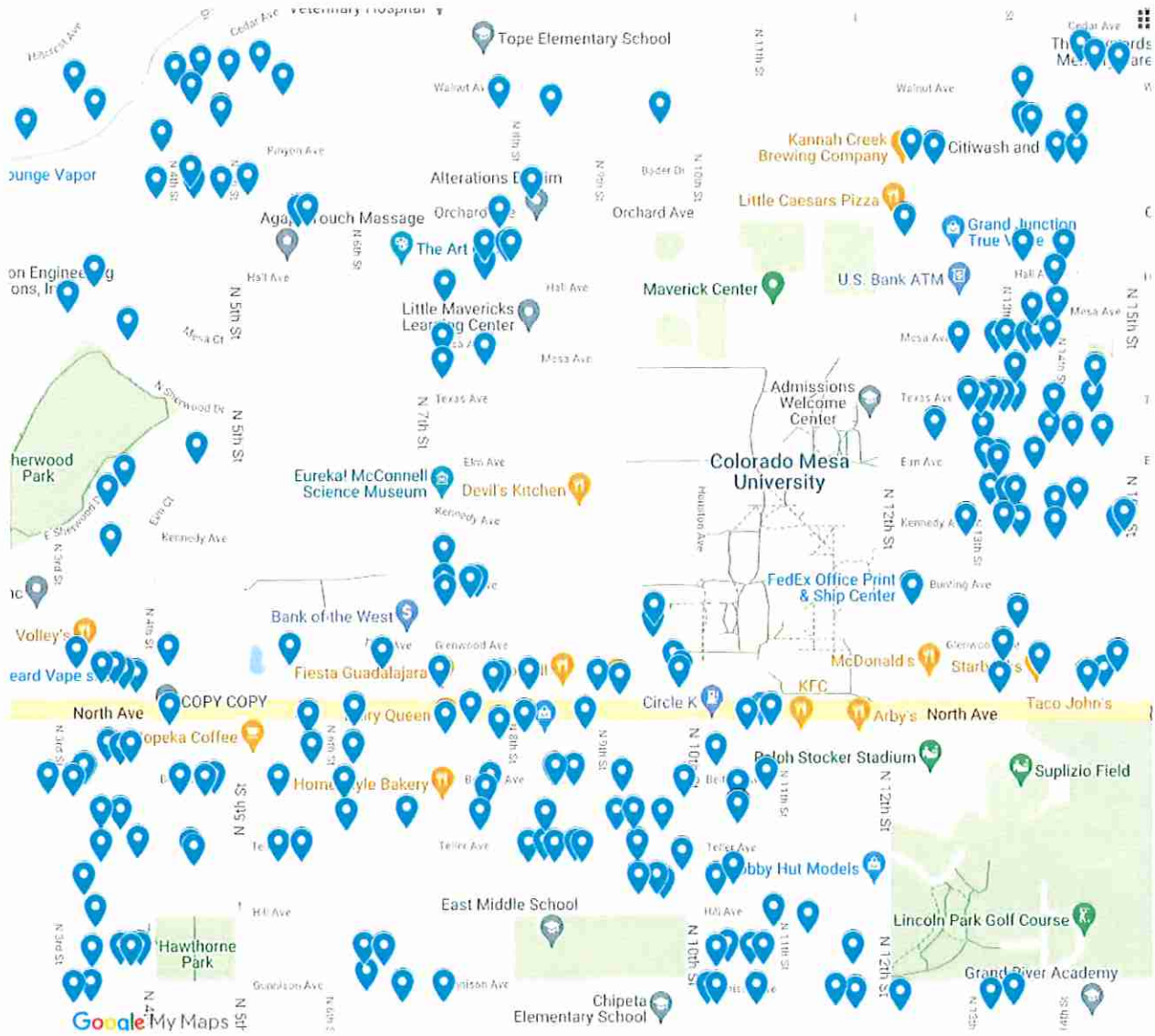


Date: 6/7/2021

Colorado Mesa University Hotel Maverick
840 Kennedy Avenue, Grand Junction, CO 81501

Addition of Optional Premises (adjacent lawn) to Hotel and Restaurant

Survey Responses:



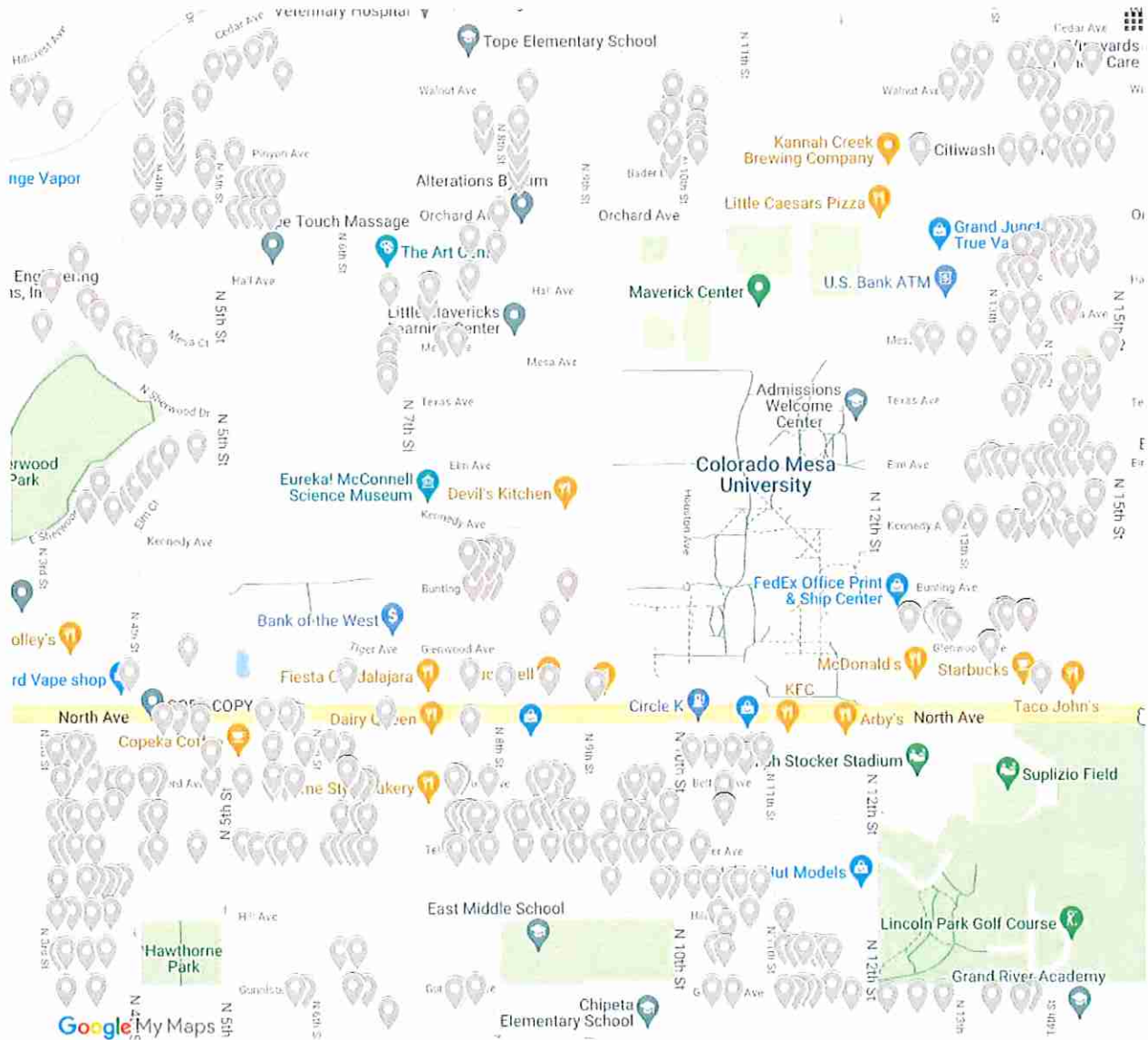
Date: 6/7/2021

Colorado Mesa University Hotel Maverick

840 Kennedy Avenue, Grand Junction, CO 81501

Addition of Optional Premises (adjacent lawn) to Hotel and Restaurant

Attempts:





ORDINANCE NO. _____

AN ORDINANCE FOR OPTIONAL PREMISES LICENSES FOR THE MAVERICK HOTEL LOCATED AT 780, 800, 810, 820, 830, 840 KENNEDY AVENUE AND 855, 843, 833, 817, 809, 803 AND 769 ELM AVENUE, GRAND JUNCTION, COLORADO

The City Council of Grand Junction makes the following findings:

1. Colorado law (§§12-47-310 and 413 C.R.S.) permit a municipality to pass an ordinance to provide optional premises licenses for an applicant to sell, dispense or serve alcohol beverages at locations designated by the applicant and approved by the State and local licensing authorities. The service area must be designated annually and upon designation of the areas for service no alcohol beverages may be served without the licensee having provided 48 hours notice prior to serving.
2. Service of alcohol beverages at and within designated areas at or near the Maverick Hotel on the Colorado Mesa University (CMU) campus would benefit the patrons of that facility and ensure that alcohol service is done lawfully and with full benefit of a professional management, supervision and regulation.
3. This ordinance refers only to the locations and facilities named and specifically to the designated service areas contained within and as defined by those facilities and does not affect the status of any other liquor license(s) or lack thereof, of any other similar recreational facility.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

Section 1. Definitions. For the purposes of this ordinance, the following words or phrases shall have the meanings set forth.

- a. *Optional premises license* means the same as that defined in the Colorado Liquor Code under § 12-47-310(4) and 12-47-413, C.R.S. The licenses authorized in and by this ordinance are “optional premises licenses” which are separate and apart from the hotel-restaurant license serving the Maverick Hotel. The location designated herein may be referred to singularly or collectively as an “optional premise” or as the “optional premise” unless the context otherwise requires.
- b. *Applicant or Licensee*, for the purpose of this license means Maverick Hotel with a trade name of _____ at CMU.

Section 2. Standards.

The following standards are for the issuance of an optional premises license for the Hotel Maverick on the CMU campus located at 780, 800, 810, 820, 830, 840 Kennedy Avenue and 855, 843, 833, 817, 809, 803 and 769 Elem Avenue, Grand Junction, Colorado.

The Licensee shall at all times when exercising the license adhere to the applicable requirements and all other standards applicable to the consideration and/or issuance of licenses under the Colorado Liquor Code and any and all applicable local laws, rules and regulations.

The Licensee shall diligently enforce all rules and regulations pertaining to underage service, over service and the provision of food when serving alcohol.

Section 3. Form of Application. Application for the optional premises license shall be made to the City Clerk on forms, which shall contain the following information in addition to information, required by the State. The Application was heard publicly by the Grand Junction Liquor and Beer Licensing Authority (Local Authority) on June, 16, 2021. Certain aspects of the Application are referenced below with a copy of the Application being attached and incorporated by this reference as if fully set forth. The Application includes and describes:

- (1) An illustration of the optional premises boundaries and the location of the proposed optional premises license requested; and
- (2) A description of the method which shall be used to identify the boundaries of the optional premises license when it is in use and how the licensee will ensure alcohol beverages are not removed from such premises. The Applicant has represented that the optional premises will be used for different events as requested by customers of the Hotel Maverick. The Applicant further represents that the optional premises be used for weddings, celebrations, reunions, *etc.* The size of the area used will be determined by the anticipated size of the event. Temporary fencing will be placed around the needed area to control the area of alcohol consumption. Examples of the fencing to be used are attached; and
- (3) A description of provisions, including a description of facilities, which have been made for storing the alcohol beverages in a secured area on or off the optional premises and for future use on the optional premises if or when alcohol beverages are not served including that all alcohol will be stored in the designated and approved areas in the Hotel Maverick. The alcohol will be transported to the event location via a shuttle vehicle like a golf cart for service at a temporary bar; and,
- (4) A description of the provisions which will be implemented to control over service, prevent underage service of alcohol beverages and for food service. The Hotel Maverick staff will endeavor to provide more than 48 hours' notice. It is anticipated that most events will be booked with deposits weeks, if not months, in advance.
- (5) Operational Relationship - The Hotel Maverick and its staff will operate all events held at the optional premises. The staff will be trained by Hotel Maverick and the optional premises shall be managed and under the control of the Hotel management and staff.

Section 4. Eligibility. The Applicant is the owner of the premises.

Section 5. Size of Premises. There is no minimum or maximum size within the constraints of the designated optional premises area. The optional premises license shall not be exercised to interfere with public access or inhibit the safety of persons using/accessing the facility(ies).

Section 6. Additional Conditions. Nothing contained in this ordinance shall preclude the Local Authority in its discretion, from imposing conditions, restrictions, or limitations on an optional premises license in order to protect the public health, safety and welfare. Any such conditions may be imposed when the license is initially issued, issued for any specific event, or renewed. The Authority shall have the right to deny any request for an optional premises license or it may suspend or revoke the optional premises license in accordance with the procedures specified by law.

Section 7. Notice filed with the Liquor Licensing Authority. It shall be unlawful for alcohol beverages to be served on the optional premises until the optional premises licensee has filed written notice with the State and the Local Authority stating the specific days and hours during which the optional premises will be used. Notice must be recorded with the State and Local Authority 48 hours prior to serving alcohol beverages on the optional premises. Such notice shall contain the specific days and hours on which the optional premises will be used for the consumption of alcohol beverages.

INTRODUCED ON FIRST READING THIS ___ day of June 2021.

PASSED AND ADOPTED ON SECOND READING THIS ___ day of July 2021.

C.B. McDaniel
Mayor

ATTEST:

Wanda Winkelmann
City Clerk

MEMO: Local Licensing Authority

FROM: Janet Harrell, Deputy City Clerk

DATE: June 10, 2021

SUBJECT: Colorado Mesa University dba Hotel Maverick – 840 Kennedy Avenue, Grand Junction, CO 81501 – Addition of Optional Premises for Hotel & Restaurant Liquor License

A liquor license addition of optional premises application was filed with the Local Licensing Authority on May 6, 2021, and a “Notice of Hearing” was posted on the property on or before noon on June 2, 2021.

A survey was conducted to address the reasonable requirements of the neighborhood. The neighborhood was defined on the north by Walnut Avenue, on the south by Gunnison Avenue, on the east by N 15th Street and on the west by N 3rd Street. The results are as follows:

Business Results:	Residential Results:
FAVOR: 50	FAVOR: 216
OPPOSE: 1	OPPOSE: 5

Seven entries were disqualified, six due to incomplete information and one address could not be confirmed.

To date, no letters of opposition or counter petitions have been filed.

The Grand Junction Police Department will investigate the individuals for local criminal history. Reports have also been requested from the City of Grand Junction Sales Tax Department, the Fire Department, and Mesa County Health Department.

The number of similar City licenses within in the survey area are as follows:

Hotel and Restaurant – 2 (Fiesta Guadalajara – GJ and El Tapatio)
Campus Liquor Complex – 1 (Sodexo)
Lodging & Entertainment – 2 (Lincoln Park Sports Complex and Copeka Coffee)
Tavern – 1 (Volleys)
Brew Pub – 1 (Kannah Creek Brewing)
Arts – 1 (Western Colorado Center for the Arts)
Retail Liquor Store – 1 (North Avenue Liquor)
Fermented Malt Beverage (Off Premises) – 3 (Alta 6311, Canyon Convenience and Circle K #2744115)
Fermented Malt Beverage (On Premises) – 1 (The Park)

cc: John Williams, on behalf Colorado Mesa University
Sam D. Starritt, Hearing Officer
John Shaver, City Attorney
Meghan Woodland, Grand Junction Police Department
File

Colorado Mesa University dba Hotel Maverick Neighborhood Area



Red – Business
Yellow - Residential

MEMO: Local Licensing Authority

FROM: Janet Harrell, Deputy City Clerk

DATE: June 8, 2021

SUBJECT: 5th & Olive, LLC dba The Color Red – 500 Main Street, Grand Junction, CO 81501 – Beer & Wine License

A liquor license application permitting sales of malt and vinous beverages for consumption at place where sold, was filed with the Local Licensing Authority on May 12, 2021 and on June 2, 2021 a legal notice was published in the Daily Sentinel and a “Notice of Hearing” was posted on the property on or before noon.

A survey was conducted to address the reasonable requirements of the neighborhood. The neighborhood was defined on the north by Gunnison Avenue, east by 12th Street, south by 4th Avenue, and west by N Spruce Street. The results are as follows:

Business Results:

FAVOR: 75
OPPOSE: 0

Residential Results:

FAVOR: 69
OPPOSE: 0

A total of fourteen entries were disqualified due to the following: outside of the defined neighborhood (5), not completed (5), duplicate entries (3) and no option (1).

To date, no letters of opposition or counter petitions have been filed.

The Grand Junction Police Department will investigate the individuals for local criminal history. Reports have also been requested from the City of Grand Junction Sales Tax Department, the Fire Department, and Mesa County Health Department.

The number of similar City licenses within in the survey area are as follows:

Arts – 1 – Colorado Mesa University Downtown Art Gallery

Beer and Wine – 6 (Kodiaxe, Café Sol, Pablo’s Pizza, the Palette, Thai Number Nine and Uncanny Art Gallery)

Brew Pub – 1 (Rockslide Brew Pub)

Club – 1 (Grand Junction (Elks) Lodge)

Hotel and Restaurant – 17 (Two Rivers Convention Center, Bin 707 Food Bar, Le Rouge, Dream Café, Goat and Clover Tavern, Guru’s Kitchen, Il Bistro Italiano, The Winery Restaurant, Junct’n Square Pizza, Blue Moon Bar & Grille, 626 on Rood, Suehiro Japanese Restaurant, Las Marias, TacoParty, Feisty Pint, Moody’s and Taqueria Guadalajara)

Fermented Malt Beverage (Off Premises) – 1 (Alta #6312)

Lodging & Entertainment – 2 (TRU by Hilton and Avalon Theatre)

Retail Liquor Store – 1 (The Hog and the Hen Spirits)

Tavern – 10 (Charlie Dwellington’s, Fairfield Inn & Suites, The Glorious Fig, Spring Hill Suites, Twisted Turtle, La Calle 5, Two Rivers Tavern, Quincy Bar & Grill, Mesa Theater and Ciara’s Café and Cantina)

cc: David Glassmeyer, Nick Santos, Megan Kuxhausen, Applicants
Sam D. Starritt, Hearing Officer
John Shaver, City Attorney
Meghan Woodland, Grand Junction Police Department
File

5th & Olive, LLC dba The Color Red Neighborhood Area



Red – Residential
Yellow – Business