

**LIQUOR AND BEER MEETING  
LOCAL LICENSING AUTHORITY  
CITY OF GRAND JUNCTION, COLORADO  
MUNICIPAL HEARING ROOM, CITY HALL, 250 NORTH 5<sup>TH</sup> STREET**

**MINUTES  
\*\*\*PLEASE NOTE DIFFERENT DAY\*\*\*  
FRIDAY, AUGUST 8, 2014, 2:00 P.M.**

**I. CALL TO ORDER**

The meeting was called to order at 2:00 p.m. Those present were Hearing Officer Mike Grattan, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp.

**II. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES**

1. Orange Coast Investment, Inc. dba Grand Vista Hotel, 2790 Crossroads Blvd., Grand Junction, CO 81506, Hotel and Restaurant

Debra Revis, general manager for Grand Vista Hotel, was present.

The application for renewal for Orange Coast Investment, Inc. dba Grand Vista Hotel was found to be in order and approved.

2. Black Dog Grills, LLC dba Genghis Grill, 2474-C Hwy. 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for Black Dog Grills, LLC dba Genghis Grill was found to be in order and approved.

3. Walmart Stores, Inc. dba Walmart Store #5099, 2545 Rimrock Avenue, Grand Junction, CO 81505, 3.2% Beer Retail (Off-Premises)

No one was present representing the applicant.

The application for renewal for Walmart Stores, Inc. dba Walmart Store #5099 was found to be in order and approved.

4. Walmart Stores, Inc. dba Walmart Store #1280, 2881 North Avenue, Grand Junction, CO 81501, 3.2% Beer Retail (Off-Premises)

No one was present representing the applicant.

The application for renewal for Walmart Stores, Inc. dba Walmart Store #1280 was found to be in order and approved.

5. Malabo, LLC dba GC Discount Liquors, 200 W. Grand Avenue, Unit 10, Grand Junction, CO 81501, Retail Liquor Store

No one was present representing the applicant.

Hearing Officer Grattan advised that at one time, he was the opposing attorney to this entity; however, he does not believe it to be a conflict of interest. City Attorney Shaver advised that the City has no issue with this.

The application for renewal for Malabo, LLC dba GC Discount Liquors was found to be in order and approved.

6. CEC Entertainment, Inc. dba Chuck E. Cheese's, 2424 Hwy. 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for CEC Entertainment, Inc. dba Chuck E. Cheese's was found to be in order and approved.

### **III. APPLICATION TO RENEW LIQUOR AND BEER LICENSES WITH OUTDOOR DINING LEASE**

1. Weside Delicatessen, Inc. dba The Winery Restaurant, 642 Main Street, Grand Junction, CO 81501, Hotel and Restaurant with Outdoor Dining Lease

Stephen Thoms, owner and manager of the Winery Restaurant, was present.

The application for renewal with outdoor dining lease for Weside Delicatessen, Inc. dba The Winery Restaurant was found to be in order and approved.

### **IV. APPLICATION FOR A SPECIAL EVENT PERMIT**

1. Grand Valley Public Radio Company, 1310 Ute Avenue, Grand Junction, CO 81501 for two additional dates for the KAFM Radio Room Concert Series, on August 17, 2014 from 5:30 p.m. to 10:00 p.m. and September 13, 2014 from 6:30 p.m. to 11:00 p.m. located at 1310 Ute Avenue, Grand Junction, CO, Malt, Vinous, and Spirituous

President: Barry Barack, 171 Little Park Road, Grand Junction CO 81507

Event Manager: Cash Kiser, 136 Vista Grande, Grand Junction, CO 81507

Cash Kiser, event manager, was present.

City Attorney Shaver provided Mr. Kiser with two documents marked with A and B and asked Mr. Kiser what the document marked with an A is and asked Mr. Kiser if he has personal knowledge of the document. Mr. Kiser said it is the special events questionnaire and he does have personal knowledge of it because he was present when it was completed. City Attorney Shaver asked whose signature is on the questionnaire. Mr. Kiser said it was his signature.

City Attorney Shaver asked Mr. Kiser if the information contained in the document is true and accurate. Mr. Kiser replied affirmatively. City Attorney Shaver asked if the application was for a continuation of dates for concerts approved at a prior meeting. Mr. Kiser said yes. City Attorney Shaver asked if there have been similar events in the past and have there ever been any problems. Mr. Kiser said they have had similar events and there have not been any problems in the past to his knowledge. Mr. Kiser described the concert series and said they have been peaceful concerts with the age of people being 35 years old and older. There are anywhere from 25 to 75 people (maximum capacity) who attend the concerts. City Attorney Shaver asked Mr. Kiser to describe Exhibit B. Mr. Kiser said it is the floor plan for the events and the red line around the perimeter depicts the area where alcohol will be served. City Attorney Shaver asked Mr. Kiser how they insure that no one under the age of 21 is consuming alcohol. Mr. Kiser informed the Authority that he and some volunteers will be checking everyone's ID at the counter in front of where alcohol is served. Several members of their staff and volunteers will monitor the room to make sure only persons 21 years of age and older will be consuming alcohol and to watch for over service.

Hearing Officer Grattan asked Mr. Kiser how the area is cordoned off from the area marked "to rest of station" on the diagram. Mr. Kiser said there is a door which is closed and no one is allowed to go past it.

There was no one present in opposition of the application.

Hearing Officer Grattan admitted Exhibits A and B into the record (attached) and found that pursuant to Colorado State Statutes 12-48-106, there are no grounds to deny the special events permit, it would not be injurious to the public welfare because of the nature of the special event (it is a concert at a concert venue which has been granted before), its location within the community, or the failure of the applicant in a past special event to conduct the event in compliance with applicable law. He found that the application for a special events permit submitted by Grand Valley Public Radio Company was in order and approved it.

## **V. APPLICATION FOR NEW LICENSE – RESOLUTION, FINDINGS, AND DECISION**

1. Hilda M. Landeros dba Taqueria Guadalajara, 719 Pitkin Avenue, Grand Junction, CO 81501, Hotel and Restaurant

Owner: Hilda M. Landeros, 631 ½ Oxbow Road, Grand Junction, CO 81504

Hilda M. Landeros, owner of Taqueria Guadalajara, was present.

Ms. Kemp read the results of the survey that was conducted into the record (see attached).

City Attorney Shaver asked Ms. Landeros if she heard the report that Ms. Kemp read and does she believe it to be true and accurate. Ms. Landeros responded

affirmatively. City Attorney Shaver asked who conducted the survey and how was it conducted. Ms. Landeros said she conducted the survey in the evenings for about two weeks starting on July 9<sup>th</sup>. City Attorney Shaver asked Ms. Landeros about no one being opposed to the issuance of the liquor license and did some people express opposition but just didn't sign the petition. Ms. Landeros said that no one she approached expressed opposition.

Hearing Officer Grattan said that the residential responses were low but the business responses were high and given the location of the facility in a commercial area, he accepted the petitions as satisfactory proof for the needs and desires standard.

No one was present in opposition to the application.

The application for a new Hotel and Restaurant liquor license for Hilda M. Landeros dba Taqueria Guadalajara was found to be in order and approved. The City Clerk's office will prepare a resolution for Hearing Officer Grattan's signature.

## **VI. REVIEW AND AUTHORIZE STIPULATION, AGREEMENT AND ORDER**

1. Mesa Theater & Lounge, LLC dba Mesa Theater & Lounge, 538 Main Street, Grand Junction, CO 81501, Tavern

Pursuant to Regulation 12-47-90 (a.5)(l) C.R.S. it is unlawful for any person to permit the sale, serving, giving, or procuring of any alcohol beverage to or for any one person under the age of twenty-one years.

- l) It is alleged that on the night of November 16, 2013, the Licensee permitted the giving of alcohol to Alia Hagan a person under the age of 21 years on the premises.

Andrew and Amanda Pittman, owners of Mesa Theater & Lounge, were present.

Jamie Beard, Assistant City Attorney, advised the Authority that it is not believed that the person under 21 was actually served by an employee of Mesa Theatre & Lounge, but someone of age who was served provided it to the person under the age of 21.

After discussion with Mr. and Mrs. Pittman, they have changed their method of identifying persons of age and not of age by changing the color of the wristbands each day so that someone cannot come in with a wristband that has been switched out from a previous day. Security guards are now checking everyone when they enter the auditorium so that they know who is of age and who is not of age so that they can keep a closer eye on those not of age to drink alcohol and they no longer allow alcohol on the dance floor. Ms. Beard advised that the Pittman's chose a suspension rather than pay a fine in lieu of suspension. Because this was their first violation, it is recommended that there be a seven day suspension with five days held in abeyance for one year,

therefore they will only serve a two day suspension. Ms. Beard advised that it is her understanding that Mesa Theater & Lounge may change hands and the prospective owners understand that the Stipulation, Agreement, and Order does not go away and that the two days suspension will still have to be served.

Hearing Officer Grattan asked the Pittman's if they agree to the terms of the agreement and are they asking him to sign it and enter it as an order of the Authority. The Pittman's responded affirmatively.

City Attorney Shaver asked Ms. Kemp if there is a transfer of ownership pending as of this point. Ms. Kemp replied that the paperwork for a transfer of ownership has not been submitted to the City Clerk's Office as of this time. City Attorney Shaver advised that it would be a good idea to include a copy of the agreement into the file with any transfer of ownership paperwork.

Hearing Officer Grattan asked Ms. Beard why the agreement also has the wording for paying a fine in lieu of suspension when the Pittman's have chosen suspension. Ms. Beard replied that the fine in lieu of suspension was left in because the Pittman's could still choose to pay a fine instead of suspension. Hearing Officer Grattan felt that it was confusing language with both options in the agreement and he asked the Pittman's if they were going to take the suspension instead of paying a fine. The Pittman's replied affirmatively. Hearing Officer Grattan modified the agreement by marking out and initialing the wording for paying a fine in lieu of suspension and advised the Pittman's that if they choose to pay a fine instead, they can come back and see the Authority.

Hearing Officer Grattan signed and entered the Stipulation, Agreement, and Order into the record and asked Ms. Kemp to deliver it in accordance with the Certificate of Mailing.

## **VII. OTHER BUSINESS**

1. Sodexo American, LLC dba Sodexo, University Center, 1455 North 12<sup>th</sup> Street, Grand Junction, CO 81501, Hotel and Restaurant with three optional premises – Request to show reasonable requirements of the neighborhood by other methods of evidence other than by petitions for a modification of premise.

Joe Winegardner, General Manager for Sodexo, John Marshall, Vice President of Student Services for Colorado Mesa University (CMU), and John Williams, Attorney representing CMU, were present.

Mr. Winegardner advised the Authority that the request for the modification of premises is rather insubstantial or small because they are only requesting to add a patio which will seat 40 or 50 people and they feel that the neighborhood is the college campus and the primary users would include students, staff, and faculty.

Hearing Officer Grattan feels that the addition of 40 to 50 seats is substantial.

Mr. Marshall advised that CMU's board of trustees, staff, faculty, and students are all engaged on this matter as it relates to alcohol on campus. He pointed out that CMU is 100,000 square foot facility and are only requesting a modification of 1,000 feet or so. He asked that the Authority allow the University to move forward with the modification as requested without conducting the survey.

Hearing Officer Grattan asked what would be there mechanism to show the needs and desires as required by State Statute and Regulations. Mr. Marshall advised that they have conducted the survey both when they originally licensed the campus and again when they licensed The Point.

City Attorney Shaver advised that he has labeled the diagrams provided by Sodexo as Exhibit A being the after the modification and Exhibit B being before the modification and asked if the red line is the existing premises and if so, the area marked as The Point Pub is already licensed premises and all that is being added is the blue area for an outdoor patio. Mr. Marshall confirmed that it is the blue area. Mr. Williams also confirmed that the only modification to the premises is in the blue, the patio area.

Hearing Officer Grattan asked about the area on Exhibit A which is showing to as a reduction in patio area. Mr. Marshall advised that there is no patio there, that area was enclosed as part of the student dining hall. City Attorney Shaver asked if alcohol can be consumed in that area. Mr. Marshall responded affirmatively.

Hearing Officer Grattan asked Mr. Marshall what they plan on doing other than a survey for the purpose to show that the needs and the desires of the community have been met. Mr. Marshall said that they would submit that the work of surveys and the engagement of the community, which were almost exclusively inhabited by students, have already been done over a series of months and years when the original liquor license for the College Center and The Point were obtained.

Mr. Williams advised that the liquor license for The Point was very recently surrendered.

Mr. Marshall said they survey their students regularly about alcohol, underage use of alcohol, and drug abuse. They have also completed a very specific needs assessment around the demands on this particular issue. They feel that having to conduct another survey is an unnecessary burden.

Mr. Williams advised that he feels the request does not require a survey, and case law shows it doesn't need to be a survey and asked that the Hearing Authority look at the factual situation, take testimony from people on the CMU campus, and from Sodexo in order to make a determination.

Hearing Officer Grattan advised that he is familiar with the regulation and he agrees that the request does not need a survey because of the small size of the

modification, and the fact that the community is different because of the size of the University.

City Attorney Shaver advised Hearing Officer Grattan that, because of the discrepancy on the diagram for the area that was enclosed, it may require that area be modified as well if it was not included in the original licensed premises. Hearing Officer Grattan concurred that should be checked so that it could be included with the request.

Ms. Kemp advised that she will pull the original diagram submitted to see if that area was originally licensed.

Hearing Officer Grattan asked that a notice of the modification be posted immediately outside the patio area showing time and date of hearing. He will use testimony that he heard at this meeting, take a little more testimony, hear from the person who posted the notice, and accept that for satisfying the needs and desires.

2. Hearing Officer Grattan thanked City Attorney Shaver and the City Clerk's office for moving the meeting to accommodate his schedule for this meeting as well as the one in September. City Attorney Shaver said they are happy to accommodate wherever they can.

## **VIII. ADJOURNMENT**

The meeting was adjourned at 3:00 p.m.

**NEXT REGULAR MEETING – August 20, 2014**

A

**SPECIAL EVENT PERMIT  
QUESTIONNAIRE AND AFFIDAVIT**

1. Name of Event: KAEM Radio Room Concert Series
2. How many attendees are expected at this event?  
30 - 75
3. Has the event been held in the past? If so, how many years?  
Concerts and informational Community Events - 6 years
4. Have there ever been any violations or citations issued during the event in the past?  
No
5. Describe the premises at which this event will take place.  
The Radio Room and Art Gallery is a small performance venue on the first floor of KAEM Community Radio
6. What type of security will be provided at this event?  
Radio Room Manager/Event Coordinator and designated volunteers are assigned Security
7. How many security personnel will be on hand?  
one to two designated depending on ticket sales
8. How will security personnel be identified?  
Clearly labeled KAEM T-Shirts
9. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?  
Not applicable
10. What method will be used in checking identification for proper age of attendees (i.e., at the door, at the bar, etc.) and how will underage patrons be identified so as not to be served alcohol beverages (i.e., stamp or mark on the hand, etc.)  
ID's will be checked at the bar/serving counters for anyone who appears under 50 years of age. Attendees under 21 will receive an "X" with permanent marker



A

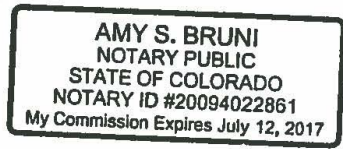
- 11. How will the conduct and level of intoxication of attendees be monitored and by whom?  
Event Coordinator and TIP Certified Volunteer  
Servers will monitor attendees
- 12. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?  
Yes, servers are TIP certified and/or have  
extensive training at establishments serving alcohol.
- 13. What types of alternate beverages and food/snacks will be available?  
water, soda, Chips, granda bars, Meat, Cheese  
and other snacks
- 14. Has a State and City Sales Tax Number been initiated by you or a member of your organization? If so, provide those numbers in the space provided.  
Yes - # 0120-750

I hereby certify, under penalty of perjury, that the information provided to the Grand Junction Liquor Licensing Authority contained in this affidavit is true and accurate to the best of my knowledge.

Casimir Kiser Date 7/14/14  
Applicant's Signature Casimir Kiser 7/15/14

STATE OF COLORADO )  
COUNTY OF MESA ) SS.  
CITY OF GRAND JUNCTION)

Casimir Kiser



Subscribed and sworn to before me this 15 day of July, 2014.

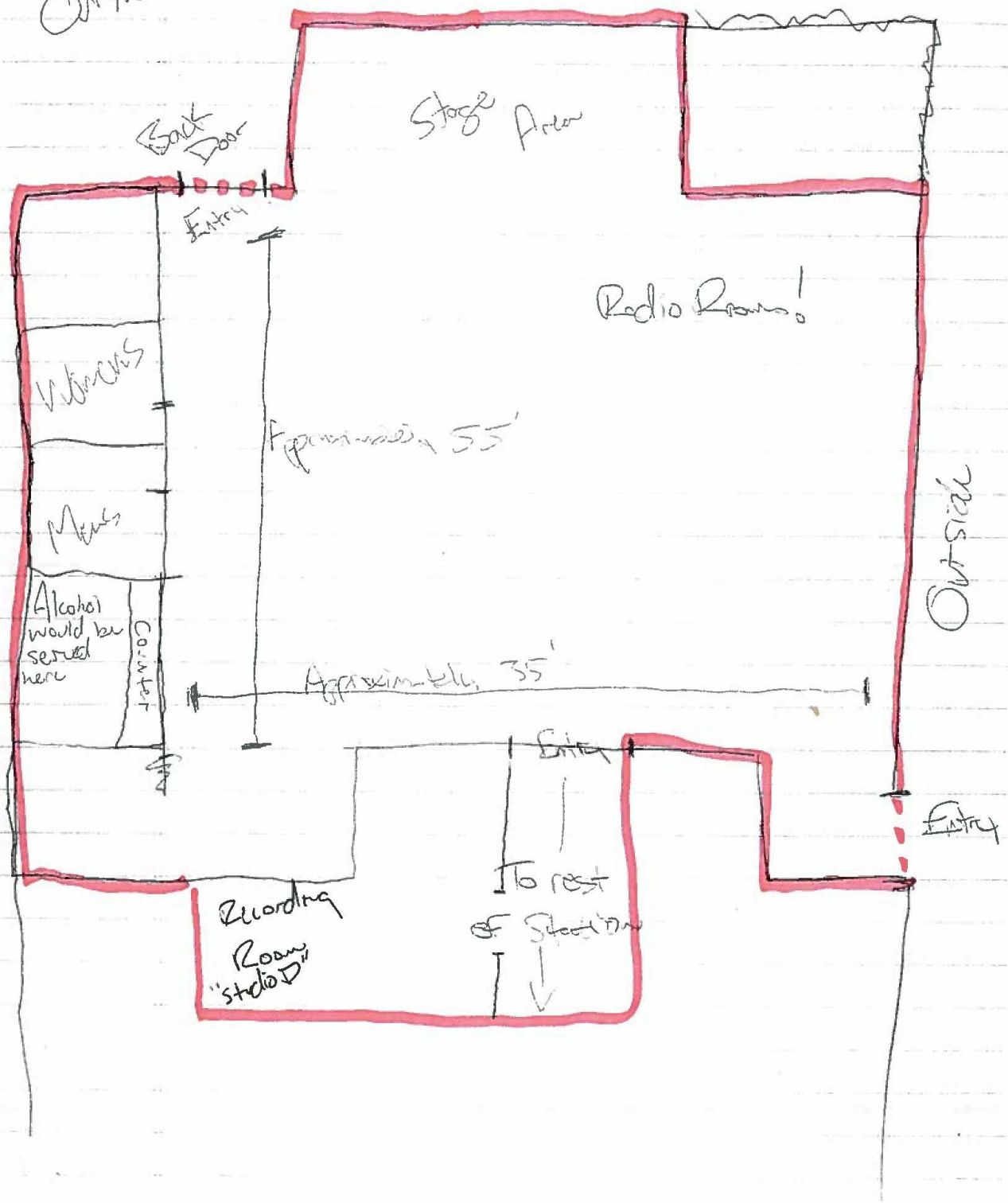
Witness my hand and official seal.


Amy S. Bruni  
Notary Public

My commission expires 07.12.2017

B

Outside



MEMO: Local Licensing Authority  
FROM: Juanita Peterson, Deputy City Clerk   
DATE: July 29, 2014  
SUBJECT: Application for a new hotel and restaurant liquor license by Hilda M. Landeros dba Taqueria Guadalajara, 719 Pitkin Avenue, Grand Junction, CO

Hilda M. Landeros filed an application with the Local Licensing Authority on July 3, 2014 for a new hotel and restaurant liquor license permitting sales of alcohol beverages by the drink for consumption on the premises at 719 Pitkin Avenue under the trade name of Taqueria Guadalajara. The application and supplementary documents were reviewed, found to be in order and accepted. A copy was sent to the State Liquor Enforcement Division for a Concurrent Review. The hearing date was set for August 8, 2014. The Notice of Hearing was given by posting a sign on the property on or before July 27, 2014 and by publishing a display ad in the Daily Sentinel on August 1, 2014.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood, the applicant conducted a survey. The neighborhood was defined as the area bounded on the North by Gunnison Avenue, D Road on the South, 10<sup>th</sup> Street on the East and 1<sup>st</sup> Street on the West and included both sides of the streets as the outer boundaries. The results of that survey are as follows:

Check the yes/no column if you support/oppose this type of license being issued because the existing outlets do/do not adequately serve the reasonable requirements of the designated area.

Business Results:	FAVOR:	88
	OPPOSE:	0
Residential Results:	FAVOR:	12
	OPPOSE:	0

No letters of opposition or counterpetitions have been filed to date.

There were 3 responses that were disqualified because they did not answer whether they supported or opposed the issuance of the license or gave no opinion.

There was 1 "exhibit to survey petition" that showed all residential address and there was one that was not 21 years of age, one refused to sign, six with no answer, and two with no solicitors posted.

The Grand Junction Police Department has investigated the owner for local criminal history. They will be inspecting the property to ensure the Notice of Hearing has been posted in a timely manner and verifying that the diagram matches the establishment. The fingerprints have been forwarded to CBI for further processing. Reports have been requested by the Grand Junction Fire Department, Mesa County Health Department, and City of Grand Junction Sales Tax Department.

The number of similar-type outlets in the survey area is as follows:

Hotel and Restaurant – 16 (Los Reyes Restaurant, MX Tapas Bar, Suehiro Japanese Restaurant, Las Marias, Blue Moon Bar and Grille, Junct'n Square Pizza, The Winery, 626 on Rood, Bin 707, Il bistro, Nepal Restaurant, Naggy McGee's Loree's Seafood and Steakhouse, Dream Café, Two Rivers Convention Center, Le Rouge)

There are three other hotel and restaurant liquor licenses within a mile radius, Old Chicago, Bocaza Mexican Grille, and Fiesta Guadalajara.

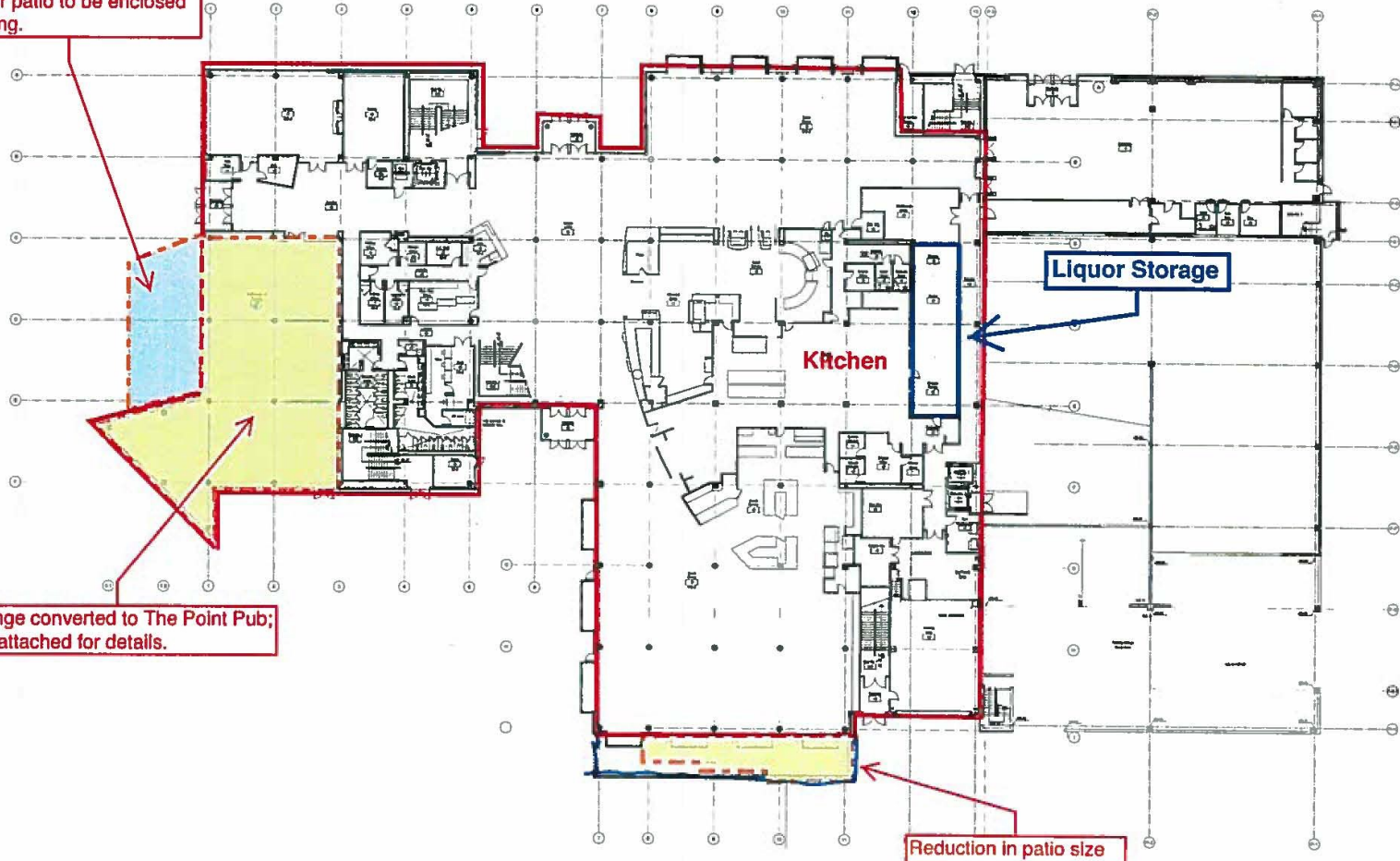
That concludes this report.

cc: Applicant  
John Shaver, City Attorney  
Meghan Woodland, Grand Junction Police Department  
File

A

**AFTER - August 2014**  
**Diagram of College Center-1st Floor**  
**Sodexo America, LLC**  
**1455 N. 12th St., Grand Junction, CO 81501**

Modification to premise; ADD outdoor patio to be enclosed by railing.



Lounge converted to The Point Pub; see attached for details.

Reduction in patio size

