

**LIQUOR AND BEER MEETING
LOCAL LICENSING AUTHORITY
CITY OF GRAND JUNCTION, COLORADO
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET**

MINUTES

WEDNESDAY, MARCH 2, 2011 2:00 p.m.

I. CALL TO ORDER

The meeting convened 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. Dancing Spirits, LLC dba Horizon Liquor, 715 Horizon Drive, Grand Junction, CO 81506, Retail Liquor Store

No one was present representing the applicant.

The application for renewal for Dancing Spirits, LLC dba Horizon Liquor was found to be in order and approved.

2. Loco Inc., dba Loco Food Store No. 11, 1904 N. 12th Street, Grand Junction, CO 81501, 3.2% Beer Retail (Off-Premises)

Donna Kenworthy, manager for Loco food Store No. 11, was present.

The application for renewal for Loco Inc., dba Loco Food Store No. 11 was found to be in order and approved.

3. Carino's Italian Kitchen Inc., dba Carino's Italian, 2480 Highway 6&50, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

Ms. Kemp reported that there was a violation at the establishment on January 22, 2011 in which alcohol was distributed to an underage person. The City Attorney's office is handling the violation. The Health Department reported that a re-inspection will be conducted for an outstanding critical violation within a week.

The application for renewal for Carino's Italian Kitchen Inc., dba Carino's Italian was found to be in order and approved subject to a satisfactory report from the Health Department.

4. SAL Inc. dba Fiesta Guadalupe-GJ, 710 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for SAL Inc. dba Fiesta Guadalupe-GJ was found to be in order and approved.

5. JnS, Inc., dba Tavern on the Point, 2938 North Avenue, Grand Junction, CO 81504, Tavern

No one was present representing the applicant.

The application for renewal for JnS, Inc., dba Tavern on the Point was found to be in order and approved.

III. APPLICATION FOR A CHANGE IN CORPORATE STRUCTURE

1. Wadsworth Old Chicago, Inc. dba Old Chicago, 120 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant

Master File in Denver:

President: Henry Allen Corey, 960 Cravens Terrace, Chattanooga, TN 37409 replaces Ted Williams

No one was present representing the applicant.

The application for change in corporate structure for Wadsworth Old Chicago, Inc. dba Old Chicago was found to be in order and approved.

IV. APPLICATION FOR MODIFICATION OF PREMISES

1. El Tapatio LLC dba El Tapatio, 1145 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant

Addition of check cashing service, money transfers, and selling calling cards at the restaurant

Francisco B. Espinoza, owner, and Brian Flores, manager, were present.

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

City Attorney Shaver asked Mr. Espinoza and Mr. Flores if they heard the results and believed the findings were a true and accurate representation of the survey. Mr. Espinoza and Mr. Flores said yes. City Attorney Shaver asked who conducted the survey. Mr. Flores said that he did. City Attorney Shaver asked how the survey was conducted. Mr. Flores said that he went around the

defined neighborhood, knocked on people's doors, and advised them what they are doing at the restaurant and asked people if they would like to sign the survey. City Attorney Shaver asked Mr. Flores what days of the week he conducted the survey. Mr. Flores said Tuesday, Thursday, and Friday. City Attorney Shaver asked Mr. Flores to tell the Authority exactly what is changing at the restaurant. Mr. Flores said that Mr. Espinoza wants to put in a check cashing business and sell calling cards. City Attorney Shaver asked if this type of business was already being conducted as part of the operation. Mr. Flores said yes, and they were not aware that they were supposed to notify the City and do a modification of premises. City Attorney Shaver asked where this business is being conducted. Mr. Flores said behind the counter at the entrance to the restaurant. City Attorney Shaver asked if this is a service for their customers. Mr. Flores said yes. City Attorney Shaver asked Mr. Flores to estimate the number of transactions. Mr. Flores said probably two or three people every day or every other day, usually Fridays and Saturdays. City Attorney Shaver asked about the calling cards. Mr. Flores said that they were telephone cards for international calling. City Attorney Shaver asked if they were also conducting that as part of their business. Mr. Flores said that they were until they were visited by the liquor enforcement people and advised that they needed to apply for a modification of premises.

The application for a modification of premises for El Tapatio, LLC dba El Tapatio was found to be in order and approved.

V. APPLICATION FOR A SPECIAL EVENTS PERMIT

1. Grand Junction Elks Home Association, 249 S. 4th Street, Grand Junction, CO 81501, "Elks Open House", April 9, 2011 from 3:00 p.m. to 11:59 p.m. at 249 S. 4th Street, Malt, Vinous, and Spirituous

Terri Carter, Trustee for the Elks Lodge, was present.

City Attorney Shaver asked Ms. Carter about the letter (Exhibit A) that she wrote regarding no other liquor licensed venues were adequate or could accommodate the event. Ms. Carter explained that the event is an open house to invite the public in for a membership drive and tours of the club in hopes to get people to understand what the Elks are, what they do, and join the ranks of their membership. Other venues were inadequate for the purpose of the event. City Attorney Shaver asked if the Elks Club currently holds a liquor license. Ms. Carter said that they did. City Attorney Shaver asked Ms. Carter if she analyzed why they could not hold this event under the current club license. Ms. Carter said absolutely, the club liquor license limits them to their members and bonafied guests of a member. Inviting the public would not allow establishing a bonafied relationship with a guest; therefore, they could not have the public attend the event under their current license. City Attorney Shaver advised Ms. Carter that was a perfect answer. City Attorney Shaver asked Ms. Carter to explain the drawings (Exhibit B) that were provided showing where alcohol will be served. Ms. Carter said that she has provided a drawing of all three levels of the Club so that they are meeting regulations of the event should someone be

carrying a beer or something while touring the building. Alcohol service would be contained within the building.

Hearing Officer Grattan noted that it is indicated on the questionnaire that adequate picture ID with birth date will be checked, uniform personnel with badges will be there, as well as a private security firm. He asked Ms. Carter if that is all true. Ms. Carter said yes.

The application for a Special Events Permit for Grand Junction Elks Home Association was found to be in order and approved.

VI. APPLICATION FOR NEW LICENSE – RESOLUTION, FINDINGS AND DECISION

1. Fin's Grill LLC dba Fin's Grill, 683 Horizon Drive, Suite 112, Grand Junction, CO 81506, Beer and Wine

President: Ronald E. Hegge, 2654 Dahlia Ct., Grand Junction, CO 81506
Sec./Treas.: Judith A. Hegge, 2654 Dahlia Ct., Grand Junction, CO 81506

Ronald Hegge, co-owner of Fin's Grill, was present.

Ms. Kemp reported that the Police Department found nothing locally on the owners, a report from C.B.I. is still pending, the property was posted as required by State Statute, sales tax is in compliance, and the Fire Department and Health Department will sign off for the Final Certificate of Occupancy.

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

Hearing Officer Grattan asked Mr. Hegge where the location is for the establishment and when do they plan on opening. Mr. Hegge said that the location is the most eastern building where the Safeway segment is and they are opening on March 15, 2011.

City Attorney Shaver asked Mr. Hegge if he heard the results and believed the findings were a true and accurate representation of the survey. Mr. Hegge said yes. City Attorney Shaver asked who conducted the survey. Mr. Hegge said the survey was conducted by his wife and their daughter and they either went separately or together. City Attorney Shaver asked Mr. Hegge if he directed them on how to conduct the survey. Mr. Hegge said that he provided them with the boundaries and a vehicle. His wife surveyed the businesses. City Attorney Shaver asked Mr. Hegge if he knows what they said when they contacted the people. Mr. Hegge said that they had little flyers that introduced their business. Their daughter did most of the canvassing. City Attorney Shaver asked Mr. Hegge if there had been a liquor license at the proposed location before. Mr. Hegge said no. City Attorney Shaver asked Mr. Hegge to tell the Authority why he thinks the people who answered the survey have no objection of the issuance of a liquor license. Mr. Hegge said that people were very receptive to the type of a restaurant they are opening and are receptive to enjoying a beer

or a glass of wine with their dinner. City Attorney Shaver asked Mr. Hegge if this will be a seafood restaurant. Mr. Hegge said primarily yes. City Attorney Shaver asked what the menu may comprise. Mr. Hegge said that he has history in the fishing business and finds that he is usually disappointed when ordering fish in a restaurant. He and his wife want a health focused, high quality restaurant that is affordable. City Attorney Shaver asked Mr. Hegge how much of a percentage of sales he anticipates would be alcohol. Mr. Hegge said he thinks it would be a very low percentage, less than 10%; he anticipates his business to be primarily lunch and take out. The restaurant is very small.

Hearing Officer Grattan found that the application was fine, but is concerned that Mr. Hegge did not have a great deal of knowledge on how the survey was conducted. He would like to speak with or see a letter from Mr. Hegge's daughter describing the process of the survey.

Mr. Hegge attempted to reach his daughter by phone, but was unsuccessful.

City Attorney Shaver said that he would frame some questions for Mr. Hegge's daughter to respond to via email and once his daughter replies with the answers, Ms. Kemp could forward the email onto Hearing Officer Grattan.

The application for a new license for Fin's Grill, LLC dba Fin's Grill was found to be in order and approved with the conditions that a written statement from Carly Neylan concerning the nature in which the survey was taken is found acceptable, a Certificate of Occupancy is obtained, and approval from the Fire Department and the Health Department is obtained.

VIII. OTHER BUSINESS

Hearing Officer Grattan does not think that it was necessary for El Tapatio to have to apply for a Modification of Premises for the cashing of checks, etc. City Attorney Shaver agreed with Hearing Officer Grattan. Hearing Officer Grattan asked that Ms. Kemp have Lisa Maestas, Liquor Enforcement/Investigations, Grand Junction Police Department, call him to explain.

VII. ADJOURNMENT

The liquor and beer meeting was adjourned at 2:23 p.m.

NEXT REGULAR MEETING – April 6, 2011 (March 16, 2011 – Canceled)

MEMO: Local Licensing Authority

FROM: Juanita Peterson, Deputy City Clerk

DATE: February 23, 2011

SUBJECT: Application for a modification of premises for addition of check cashing service, money transfers, and calling cards being offered at the restaurant at El Tapatio LLC dba El Tapatio Restaurant, 1145 North Avenue

El Tapatio LLC filed an application with the Local Licensing Authority on February 18, 2011 for a modification of premises at 1145 North Avenue under the trade name of El Tapatio Restaurant. The application and supplementary documents were reviewed, found to be in order, and accepted. The hearing date was set for March 2, 2011.

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 boundaries are defined as: Orchard Avenue on the north, Grand Avenue on the south, 18th Street on the east, and 6th Street on the west and includes both sides of the streets as the outer boundaries.

The results of that survey are as follows:

If you support/oppose this proposed modification of premises for addition of a check cashing service, money transfers, and selling calling cards at the restaurant because this will not conflict with the reasonable requirements of the designated area and it is your desire the modification be approved/not approved.

Business Results:	FAVOR:	25
	OPPOSE:	0
Residential Results:	FAVOR:	53
	OPPOSE:	0

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

There were 12 responses that were disqualified because they were less than 21 years of age, 4 that were illegible, and 2 out of the area. There was two sheets of "Exhibit to Survey Petition" submitted.

Reports have been requested from the Grand Junction Police Department to investigate the officers for local criminal history and the Grand Junction Sales Tax Department to verify the sales tax is in compliance.

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

Hotel and Restaurant – 2 (Fiesta and Wrigley Field)

That concludes this report.

cc: Applicant
John Shaver, City Attorney
Lisa Maestas, Grand Junction Police Department
File

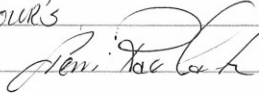
(A)

FEB 15, 2011

TO WHOM IT MAY CONCERN:

DUE TO THE NATURE OF THE EVENT, AN OPEN HOUSE AND MEMBERSHIP DRIVE FOR THE ELKS HOME ASSOCIATION, NO OTHER FACILITY OR VENUE WILL MEET THE PURPOSE OF THIS EVENT.

AS THIS IS A PUBLIC EVENT, FEATURING TOURS OF THE PROPERTY, OUR CURRENT CLUB LICENSE IS NOT ACCEPTABLE FOR ANY PUBLIC MEMBER ATTENDING THIS EVENT.

Yours


TERRI RAE CARTER
TRUSTEE ELKS #515

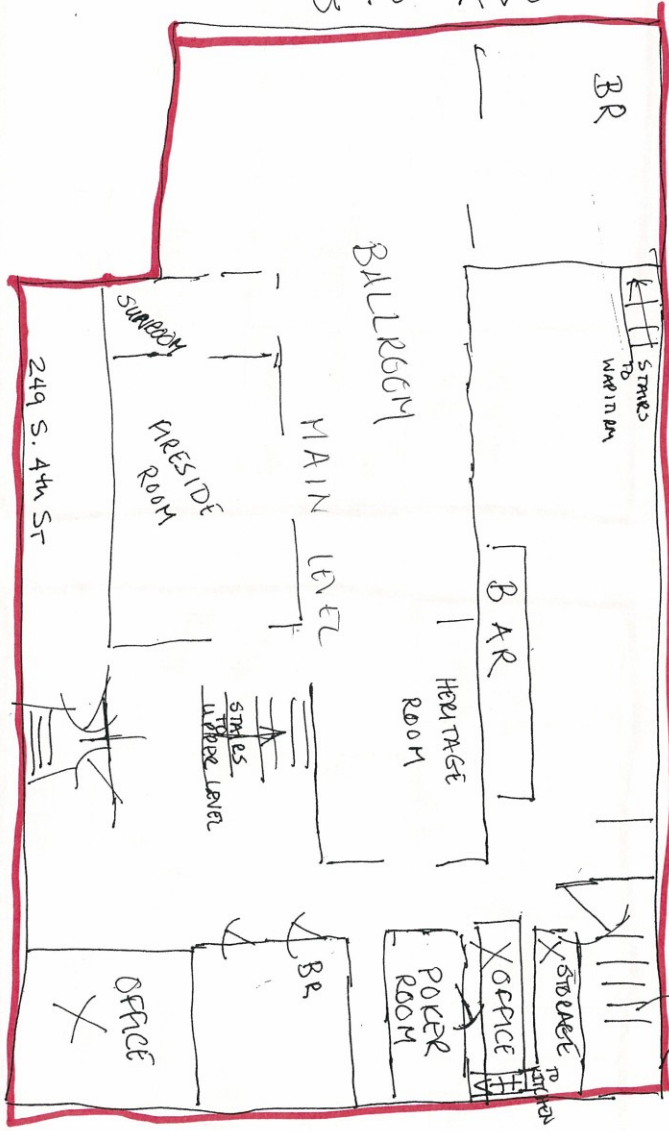
(B)

3 RD ST

PARKING LOT

X

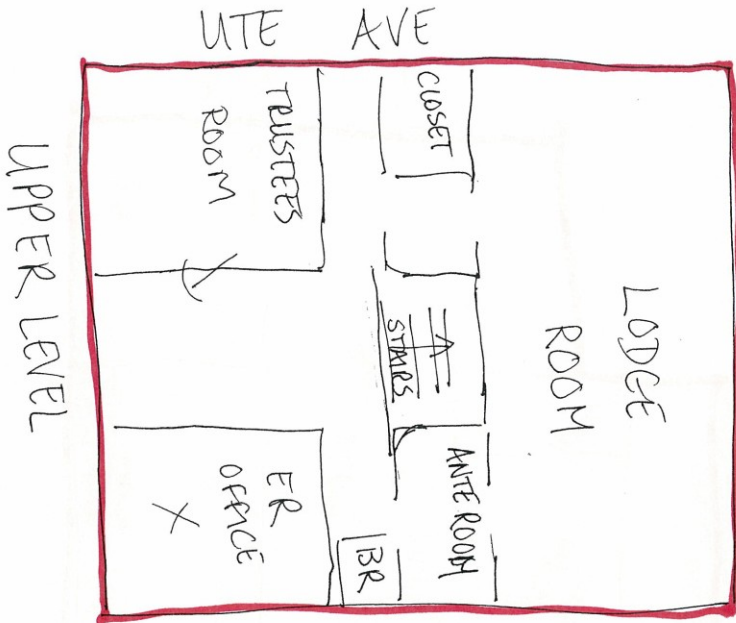
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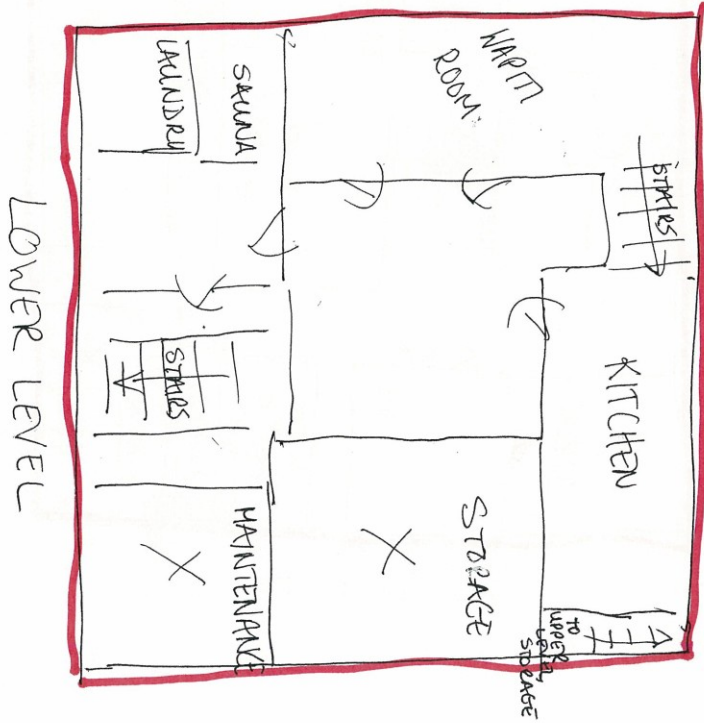
249 S. 4th ST

4th ST

ALLEY



EUK'S LODGE
249 S. 4th ST



4th ST

MEMO: Local Licensing Authority

FROM: Juanita Peterson, Deputy City Clerk

DATE: February 22, 2011

SUBJECT: Application for a new beer and wine liquor license by Fin's Grill LLC dba Fin's Grill, 683 Horizon Drive Ste. 112

Fin's Grill LLC filed an application with the Local Licensing Authority on January 31, 2011 for a new beer and wine liquor license permitting sales of malt and vinous liquors by the drink for consumption on the premises at 683 Horizon Drive, Ste. 112 under the trade name of Fin's Grill. 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 March 2, 2011. The Notice of Hearing was given by posting a sign on the property on or before February 20, 2011 and by publishing a display ad in the Daily Sentinel on February 18, 2011.

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 G ½ Road, Patterson Avenue on the South, 27 ½ Road on the East and 1st Street (26 Road) on the West and includes 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:	44
	OPPOSE:	0

Residential Results:	FAVOR:	139
	OPPOSE:	0

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

There were 2 responses that were disqualified because one did not list an address and the other was outside the defined neighborhood.

There were three "exhibit to survey petition" sheets that were provided by the person(s) who conducted the survey with various reasons for not signing the survey forms provided.

The Grand Junction Police Department has investigated the individuals 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 from the Grand Junction Fire Department, Mesa County Health Department, and City of Grand Junction Sales Tax Department. The building is being re-modeled so a final CO (Certificate of Occupancy) will be required.

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

Beer and Wine – 0

That concludes this report.

cc: Applicant
John Shaver, City Attorney
Lisa Maestas, Grand Junction Police Department
File

