

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

MINUTES

WEDNESDAY, MARCH 3, 2010 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 Juanita Peterson.

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

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

Elizar Garza, General Manager, was present. Ms. Peterson reported that all of the paperwork was in order.

The application for renewal was found to be in order and approved.

2. Loyal Order of Moose Grand Junction #270 dba Loyal Order of Moose Grand Junction Lodge 270, 567 25 ½ Road, Grand Junction, CO 81505, Club

No one was present representing the applicant. Ms. Peterson reported that all of the paperwork was in order.

The application for renewal was found to be in order and approved.

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

Shaferica Asti, Assistant Manager, was present. Ms. Peterson reported that all of the paperwork was in order.

The application for renewal was found to be in order and approved.

4. Feather Petroleum Company dba Stop N Save 11, 621 24 Road, Grand Junction, CO 81505, 3.2% Beer Retail (Off-Premises)

No one was present representing the applicant. Ms. Peterson reported that all of the paperwork was in order.

The application for renewal was found to be in order and approved.

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

Becky Jackson, Owner, was present. Ms. Peterson reported that all of the paperwork was in order.

The application for renewal was found to be in order and approved.

6. JNS Inc. dba Tavern on the Point, 2938 North Avenue, Grand Junction, CO 81504, Tavern

No one was present representing the applicant. Ms. Peterson reported that there is an issue with the sales tax not being in compliance and the applicant asked for this to be continued for two weeks. Tax Enforcement Officer Brian Holman also spoke with the applicant and said they would be able to come into compliance before the March 17, 2010 Liquor and Beer meeting.

Hearing Officer Grattan and City Attorney Shaver concurred to continue the renewal to the March 17, 2010 meeting.

7. Shiman Chu, LLC dba No Coast Sushi, 1119 N. 1st Street, Unit A, Grand Junction, CO 81501, Hotel and Restaurant

Elizabeth Boyd, Owner, was present. Ms. Peterson reported that all of the paperwork was in order but the Fire Department hasn't conducted their inspection, due to the business not opening until 5:00 p.m. but will get this in the next day or so.

The application for renewal was approved contingent on there being no problems with the Fire Department's inspection.

III. APPLICATION TO RENEW LIQUOR AND BEER LICENSES WITH TASTING PERMIT

1. Planet Wines, LLC dba Planet Wines, 420 Main Street, Grand Junction, CO 81501, Retail Liquor Store

No one was present representing the applicant. Ms. Peterson reported that all of the paperwork was in order with the renewal and the tasting permit.

The application for renewal and tasting permit was found to be in order and approved.

IV. APPLICATION FOR SPECIAL EVENTS PERMIT

1. Mesa State College Foundation, 1450 N. 12th Street, Grand Junction, CO 81501 – Casino Night Annual Foundation Fundraiser, 1100 North Avenue – Brownson

Arena, Grand Junction, Event is April 9, 2010 from 6:00 p.m. to 12:00 a.m.,
Malt, Vinous and Spirituous

President, Sandy Brownson, 858 Haven Crest Ct. S., Grand Jct., CO 81506
Event Manager, Kristi Pollard, 2073 Pannier Ct., Grand Jct., CO 81507

Kristi Pollard, Event Manager and Doug May, Incoming President of Mesa State College Foundation, was present. Ms. Peterson reported that all of the paperwork was in order and read into the record the letter from the applicant regarding other existing licensed premises availability.

Ms. Pollard did want to disclose that a couple of days ago Two Rivers did call and tell them they now could accommodate the event. Ms. Pollard said that the college is the preferred location as they want to showcase all the changes to Brownson Arena and most attendees are alumni and donators.

Hearing Officer Grattan asked Ms. Pollard to outline the diagram in red showing the area that the alcohol will be served (Exhibit A) and asked if there would be any alcohol allowed on the second floor and the entry area. Ms. Pollard said the staircases will be roped off and they will not let anyone on the second floor and the entry area would be for checking everyone in and selling tickets. Ms. Pollard said there will be Vegas Style Shows performed by the Theater students during the event.

City Attorney and Hearing Officer Grattan concurred that in reference to 12-48-103, C.R.S. regarding that existing licensed facilities are inadequate for the purpose of serving members or guest of the organization and that additional facilities are necessary by reason of the nature of the special event, the statute has been complied with, and recommend approval.

The application for a special events permit was found to be in order and approved.

V. APPLICATIONS FOR REGISTRATION OF NEW MANAGERS

1. Red Robin International Inc., dba Red Robin America's Gourmet Burgers and Spirits, 2530 Rimrock Avenue, Grand Junction, CO 81505, Hotel and Restaurant

Todd W. Clement, 961 Lakeside Dr., #304, Grand Jct., CO 81506 to replace John Ballenger

Todd Clement, General Manager, was present. Ms. Peterson reported that all of the paperwork was in order, but the C.B.I. report is still pending.

The application for the registration of a new manager for Red Robin International Inc. was found to be in order and approved contingent on a favorable report from C.B.I.

2. RLJII – C Grand Junction Lessee, LLC dba Courtyard by Marriott Grand Junction, 765 Horizon Drive, Grand Junction, CO 81506, Tavern

Tyler J. Watt, 2798 ½ Cortland Avenue, Grand Jct., CO 81506 to replace Sergio Antillon

Tyler Watt, Banquet/Catering Manager, was present. Ms. Peterson reported that all of the paperwork was in order but the agenda was returned and the address that was used was from Mr. Watts Individual History. Ms. Peterson asked Mr. Wyatt to amend his address to the correct one which he did. Ms. Peterson said the C.B.I. report is still pending.

The application for the registration of a new manager for RLJII – C Grand Junction Lessee, LLC was found to be in order and approved contingent on a favorable report from C.B.I.

VI. APPLICATION TO RENEW LIQUOR AND BEER LICENSE AND MODIFICATION OF PREMISES

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

Demolish existing building and rebuild a new building to bring the restaurant up to current building code

Hearing Officer Grattan did disclose that he and Mr. Quesenberry had worked together in the past, but didn't see any conflict. City Attorney Shaver concurred.

Mr. Alex Sanchez, Owner, and Mr. Lloyd Quesenberry, Attorney, were present. Ms. Peterson asked that if the renewal and modification could be addressed separately. Ms. Peterson stated that the renewal application was submitted by the corporate office to the State directly in which the State returned it to the applicant at the North Avenue location, but due to the demolishing of the building, they did not receive this back to be submitted to the Local Authority. Ms. Peterson was in contact with the Corporate Office who resubmitted the renewal to her. Due to the renewal and modification being brought before the Authority together, the reports have been requested. Until this morning, Ms. Peterson was unaware that Mr. Sanchez was arrested and released on a summons for the unlawful removal of the alcohol from the licensed premise, and failing to fill out the appropriate paperwork for the modification of premise/storage permit to store the alcohol when the building was demolished. This came back on the background received from the Grand Junction Police Department. Mr. Quesenberry told Ms. Peterson that he was here to represent Mr. Sanchez and the establishment regarding both issues. Mr. Quesenberry said a pre-trial conference is scheduled for March 17, 2010 and that this issue should not be a criminal offense. He will receive the paperwork from the State this afternoon from State Liquor Enforcement Officer Brian Turner. Mr. Quesenberry also noted that the applicant will not be getting the alcohol back from the State.

Ms. Peterson said that the other inspections requested for fire, health, and code enforcement will be completed with the final issuance of the CO (certificate of occupancy). The applicant in compliance with sales tax.

The application for the renewal of the hotel and restaurant liquor license was found to be in order and approved contingent on favorable final reports.

Ms. Peterson reported the paperwork for the modification was in order. The applicant conducted a survey of the needs and desires of the neighborhood. Ms. Peterson read this into the record (see attached).

City Attorney Shaver asked Mr. Sanchez who conducted the survey and how it was done. Mr. Sanchez said that he did, and he went door to door and asked for them to read the survey and if they were willing to sign. Mr. Sanchez said it was overwhelming the positive response received to replace the old building with a new one. City Attorney Shaver asked Mr. Sanchez if he kept track of the people who were not at home. Mr. Sanchez said he did not.

City Attorney Shaver said he had no further questions and recommended approval of the modification of premises. Hearing Officer Grattan agreed with City Attorney Shaver's recommendation and found the requirements have been met and approved the modification contingent on the issuance of the final CO.

VII. APPLICATION FOR MODIFICATION OF PREMISES

1. Trust Trifecta Enterprises LLC dba Naggy McGee's Irish Pub, 359 Colorado Avenue, Suite 103, Grand Junction, CO 81501, Hotel and Restaurant

Modification to licensed premise to include an outdoor dining area added along Colorado Avenue for a total of 444 sq. ft. with 9 tables and 36 chairs

There was no one present representing the applicant. Ms. Peterson said the applicant just received their liquor license last Friday and are expected to open the following day, March 4th. They are preparing for a soft opening today. Ms. Peterson stated they conducted a survey of the needs and desires of the same neighborhood they had when they were applying for the original license. Ms. Peterson read the results into the record (see attached).

City Attorney Shaver said there was an additional process of a public meeting before the City Council who issued the lease for the outdoor dining area and there was no objection at that time.

Hearing Officer Grattan said it is unusual for the applicant not to be present to ask questions regarding the survey but due to the nature that they were just before the Authority he found the requirements have been met and approved the modification to include an outdoor dining area for Naggy McGee's Irish Pub.

VIII. APPLICATION FOR A TRANSFER OF OWNERSHIP

1. Yang Brothers Corp. dba Ichi Ban Yang, 509 28 ½ Road, Grand Junction, CO 81501, Hotel and Restaurant

President: YanLing Tang, 2819 Elm Avenue, Grand Junction, CO 81501

Ms. Yan Tang, Owner, and Mr. Zaheng Ben Hee who will be interpreting for Ms. Tang, were present. Ms. Peterson said the applicant has a temporary permit and the paperwork was in order. All reports are fine with the exception of the Fire Department. Ms. Peterson read into the record the report from Mr. Mike Gazdak with the Fire Department. Mr. Gazdak conducted an inspection and the only violation that was found during the inspection was an out of date (non-UL 300 compliant) cooking suppression system in the kitchen. The owner stated that the kitchen will not be used as part of the restaurant operation since they have installed a hibachi grill that is being used to prepare food. The cooking protection system for the hibachi grill has been approved. After some discussion with the owner regarding the menu, Mr. Gadak determined they will need to use part of the old kitchen (deep fat fryers) to prepare certain menu items. Mr. Gazdak gave the owner several recommendations to pursue to resolve the non-compliant suppression system in the kitchen and he expects to hear back soon from the owner. Ms. Peterson said Mr. Gazdak is on vacation so she isn't certain he heard back from the owner.

City Attorney Shaver said there have been issues with the vendors not supporting these outdated suppression systems. City Attorney Shaver asked Ms. Tang if she is planning on replacing this unit. Ms. Tang said she is, and through her interpreter they have met with the vendor to get this taken care of which they believed would only take about a week.

Hearing Officer Grattan said he would approve the Transfer of Ownership and schedule an update on the April 21, 2010 agenda. He told the applicant if they have this taken care of, there would be no need to have it on the agenda, but if there is a delay, they will need to come in and give an update to the Authority.

Ms. Tang was very agreeable to this.

The Hearing Officer approved the Transfer of Ownership for Yang Brothers Corporation for a Hotel and Restaurant Liquor License.

IX. OTHER BUSINESS – None

X. ADJOURNMENT – 2:58 p.m.

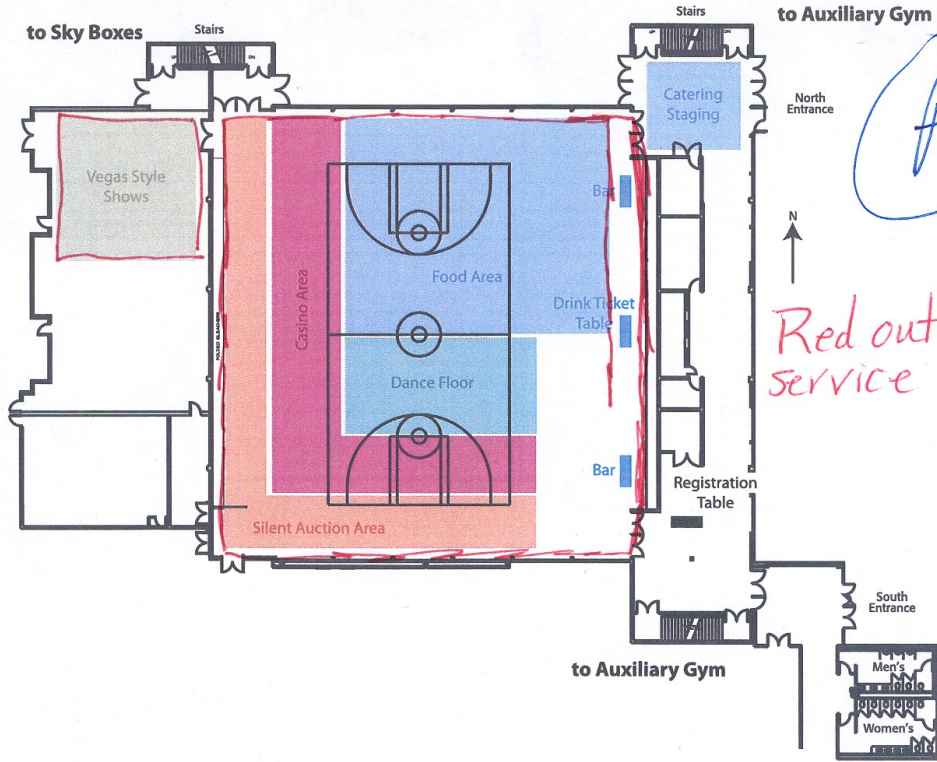
NEXT REGULAR MEETING – March 17, 2010

THE MAVERICK CENTER

BROWNSON ARENA

Mike

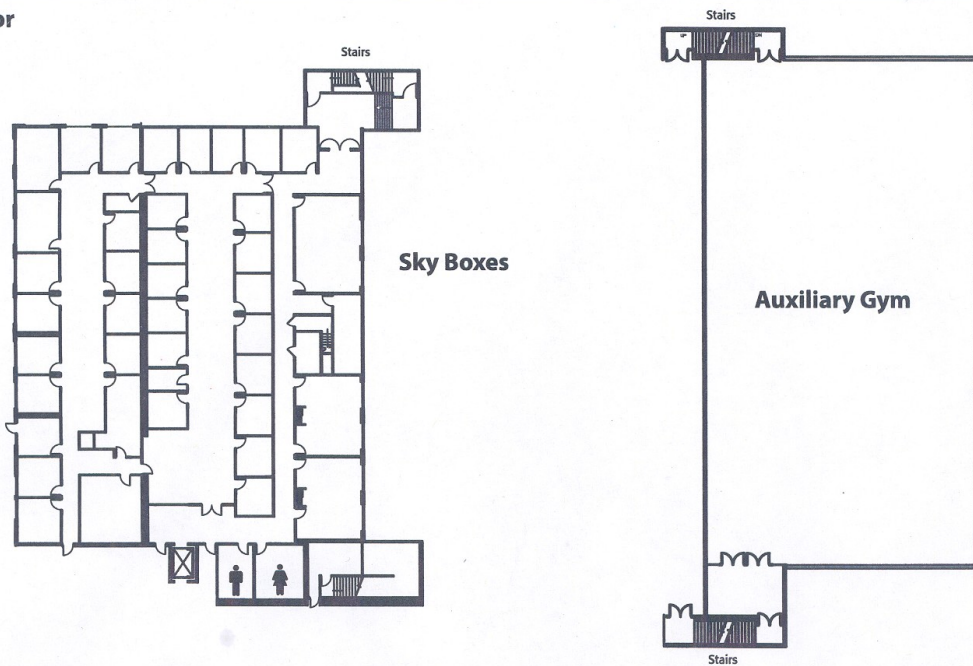
1st Floor



Exhibit

Red outlines service location

2nd Floor



MEMO: Local Licensing Authority

FROM: Juanita Peterson, Deputy City Clerk

DATE: February 16, 2010

SUBJECT: Application for a modification of premises to demolish the existing building and rebuild a new building to bring the restaurant up to current building code to a hotel and restaurant liquor license by SAL Inc., dba Fiesta Guadalajara-GJ, 710 North Avenue

SAL Inc. filed an application with the Local Licensing Authority for a modification of premises to demolish the existing building and rebuild a new building to bring the restaurant up to current building code to a hotel and restaurant liquor license permitting sales of malt, vinous, and spirituous liquors by the drink for consumption on the premises at 710 North Avenue, under the trade name of Fiesta Guadalajara-GJ.

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 Orchard Avenue, Grand Avenue on the South, N. 13th Avenue on the East, and on the West by N. 1st Street.

As an owner of property in the neighborhood, an employee or business lessee of property in the neighborhood and/or an inhabitant who resides in the neighborhood for more than six months each year: I believe the proposed modification of premises to demolish the existing building and rebuild a new building to bring the restaurant up to current building code will not conflict with the reasonable requirements of the neighborhood or the desires of the inhabitants. Yes or No.

Yes	181
No	1

Of the above survey responses, 87 were from businesses and 95 from residents.

There were 3 responses that were disqualified because one used a post office box, one was illegible, and one answered yes and no.

A report has been requested from City of Grand Junction Code Enforcement Department to make sure the diagram submitted matches the licensed premises which will be inspection upon completion of the building along with receiving a final certificate of occupancy.

The number of similar-type outlets in the survey area which also includes a one mile area is as follows:

Hotel and Restaurant – 3 (Old Chicago, El Tapatio, and Smashburger on 12th Street)

That concludes this report.

cc: Applicant
Derrick D. Draper, CFO by email
John Shaver, City Attorney
Lisa Maestas, Grand Junction Police Department
File

MEMO: Local Licensing Authority

FROM: Juanita Peterson, Deputy City Clerk

DATE: February 25, 2010

SUBJECT: Application for a modification of premises for a sidewalk dining lease to add nine tables with 36 seats along Colorado Avenue for a total of 440 sq. ft. to a hotel and restaurant liquor license by Trust Trifecta Enterprises LLC, dba Naggy McGee's Irish Pub, 359 Colorado Avenue, #102, #103, #104

Trust Trifecta Enterprises LLC dba Naggy McGee's Irish Pub filed an application with the Local Licensing Authority for a modification of premises for a sidewalk dining lease to add nine tables along Colorado Avenue for a total of 440 sq. ft. with an additional seating capacity of 36 to a hotel and restaurant liquor license permitting sales of malt, vinous, and spirituous liquors by the drink for consumption on the premises at 359 Colorado Avenue, #102, #103, and #104, under the trade name of Haggy McGee's Irish Pub.

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 Teller Avenue, 4th Avenue on the South, 9th Street on the East, and on the West by West Avenue. .

The results of that survey are as follows:

1. As an owner of property in the neighborhood, an employee or a business lessee of property in the neighborhood, and/or an inhabitant residing in the neighborhood for more than six months each year, I believe the modification of premises for a sidewalk dining lease to add nine tables with 36 seats along Colorado Avenue for a total of 440 sq. ft will not conflict with the reasonable requirements of the neighborhood or the desires of the inhabitants.

Yes	113
No	1

2. As an inhabitant who resides in the neighborhood for more than six months each year, it is my desire that the modification of premises be approved.

Yes	48
No	1

Six signatures were disqualified because they were out of the area.

That concludes this report.

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