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

MINUTES

WEDNESDAY, MAY 5, 2010 2:00 p.m.

I. <u>CALL TO ORDER</u> – The meeting convened at 2:00 p.m. Those present were Hearing Officer Jim Majors, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.

II. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES

1. Yummy, LLC dba Enzo's Pizzeria and Italian Café, 759 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

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.

Aerios Western Slope Colorado, LLC dba Smash Burger, 115 A&B
 W. Grand Avenue, Grand Junction, CO 81501, Beer and Wine

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. Last Chance Liquors LLC dba Last Chance Liquors, 1203 Pitkin Avenue, Grand Junction, CO 81501, Retail Liquor Store

Roger Ward, Owner, was present. Ms. Peterson reported that all of the paperwork was in order and read the letter from Mr. Ward regarding the November 13, 2009 violation and the active suspension served in January, 2010. Ten days will be held in abeyance for one year. Mr. Ward did not have anything else to add.

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

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

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. Martinez Family Corporation dba Chupiro's Place, 122 S. 5th Street, Grand Junction, CO 81501, Tavern

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.

6. Loco Inc., dba Loco Food Store No. 15, 722 Horizon Drive, Grand Junction, CO 81506, 3.2% Beer (Off-Premise)

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.

III. APPLICATION TO RENEW LIQUOR AND BEER LICENSES WITH OUTDOOR DINING LEASE WITH LATE FILING – Continued from April 21, 2010

1. Junct'n Square Pizza LLC dba Junct'n Square Pizza, 119 N. 7th Street, Grand Junction, CO 81501, Hotel and Restaurant

Earl Stevenson, owner, was present. Ms. Peterson reported that all of the paperwork was in order and read the letter submitted by Mr. Stevenson into the record for the late filing.

City Attorney Shaver asked Ms. Peterson if all of the paperwork was in order for the Outdoor Dining Lease. Ms. Peterson said yes, that Mr. Stevenson submitted a new certificate of insurance before the meeting and that was all that was missing.

Hearing Officer Majors found that there was good cause for the late filing but reminded Mr. Stevenson that next time would be different as this is the second year of filing late and approved the application for renewal.

IV. APPLICATION TO RENEW ART GALLERY PERMIT

1. Frame Depot Inc., dba Frame Depot, 527 A Bogart Lane, Grand Junction, CO 81505

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.

V. <u>APPLICATION TO RENEW LIQUOR AND BEER LICENSES AND MODIFICATION OF PREMISES</u>

1. Fantasy, LLC dba Fantasy, 2258 Colex Drive, Grand Jct, CO 81505, Tavern

Modify building lay-out to match final building plan.

Mr. Kevin Eardley, Owner, was present. Ms. Peterson said the paperwork for the renewal was in order, but the location still has not opened. They are waiting a final CO (Certificate of Occupancy). Ms. Peterson reported that Mr. Eardley reported a ticket he received from San Juan County Justice Court out of Monticello, UT for boating under the influence of alcohol. Ms. Peterson read the letter from Mr. Eardley into the record. This did not appear on the local police report. The other reports are not available due to the establishment not being open yet and a final CO has not been issued.

Hearing Officer Majors asked Mr. Eardley when they are scheduled to open. Mr. Eardley responded the end of this month. Hearing Officer Majors clarified with City Attorney Shaver if Mr. Eardley would have even needed to reveal the citation for boating under the influence that was issued. City Attorney Shaver confirmed that the renewal form does ask that specific question regarding a conviction.

Hearing Officer Majors commended Mr. Eardley for the disclosure.

Ms. Peterson reported the paperwork for the Modification of Premises is in order. The modification is due to the final construction of the interior not matching what was originally approved. Ms. Peterson read the results of the survey into the record (see attached).

City Attorney Shaver asked Mr. Eardley if he agreed with the results Ms. Peterson read into the record. Mr. Eardley said he did.

Hearing Officer Majors approved the renewal of the current liquor license and the modification of premise.

VI. APPLICATION FOR MODIFICATION OF PREMISES

1. Azzamco Inc., dba Freeway Bowl Fun Center, 1900 Main Street, Grand Junction, CO 81501, Tavern

Addition of an outdoor patio 24'x20' and install a 3' high metal fence with two gates – this area will house approximately 6 tables and chairs, remove main bar service window and extend out approximately 3 feet to improve workflow, remove equipment from front counter area service bar and convert to office space, move games currently in game room to locker room and convert game room to a retail jewelry store, move snack bar counter out 8 feet into seating to allow kitchen staff a larger work area.

Mr. Tony Azzam, Owner, and Ms. Jennifer Chavez, circulator of survey, were present. Ms. Peterson reported that the paperwork was filed in a timely manner and all reports were fine. Ms. Peterson read the results of the survey into the record (see attached).

City Attorney Shaver asked who conducted the survey. Mr. Azzam said Ms. Chavez did. City Attorney Shaver asked Ms. Chavez if she agreed with the results Ms. Peterson read. Ms. Chavez said she did. City Attorney Shaver asked Ms. Chavez how she conducted the survey. Ms. Chavez said she presented the petition to the citizens so they could read the front page with the information regarding the modification. Ms. Chavez explained about the one person who said no.

City Attorney Shaver asked Mr. Azzam about the removal of the service bar. Mr. Azzam said that it will just improve the work flow for his staff.

Hearing Officer Majors approved the modification of premises.

2. 314 Main LLC dba Dream Café, 314 Main Street, Grand Junction, CO 81501, Hotel and Restaurant

Addition of outdoor dining area, 8 tables and 32 chairs

Mr. Mike Bell, Owner, was present. Ms. Peterson reported when the applicant applied for their new license, Main Street was under construction and the final diagram of what the new Main Street Uplift Project was not ready to present at that time. Ms. Peterson reported the Police and Sales Tax reports were both fine, but due to the restaurant not being open for even 6 months; the fire and health department reports were not requested again. Ms. Peterson said that the City Council approved the Outdoor Dining Lease at their April 5, 2010 meeting. The surrounding property owners all are in support of this being issued. Ms. Peterson read the results of the survey into the record (see attached).

City Attorney Shaver asked Mr. Bell who conducted the survey. Mr. Bell said his business partner, two staff, and himself. City Attorney Shaver asked Mr. Bell is he agreed with the results Ms. Peterson read into the report. He said he did.

Hearing Officer Majors asked Mr. Bell about several of the "no answer" boxes checked on the "Exhibit to Survey Petition" and what time of day the survey was conducted. Mr. Bell said mostly during the day time hours of 10:00 a.m. to 1:00 p.m. Hearing Officer Majors asked Mr. Bell if that is why he thought there was so many not at homes for the residential area. Mr. Bell said he would agree with that statement.

Hearing Officer Majors only suggested that if the applicant were to do another survey for a modification, he would recommend conducting some of it during the evening hours also. Hearing Officer Majors approved the modification of premises.

- VII. OTHER BUSINESS None.
- VIII. <u>ADJOURNMENT</u> 2:28 p.m.

NEXT REGULAR MEETING – May 19, 2010



MEMO: Local Licensing Authority

FROM: Juanita Peterson, Deputy City Clerk

DATE: April 26, 2010

SUBJECT: Application for a modification of an existing Tavern liquor

license by Fantasy LLC dba Fantasy, 2258 Colex Drive

Fantasy LLC filed an application with the Local Licensing Authority on April 16, 2010 for modification of a tavern liquor license permitting sales of malt, vinous and spirituous liquors by the drink for consumption on the premises at 2258 Colex Drive, under the trade name of Fantasy. The modification will include changes to the kitchen area, movement of walls and additional bathroom on the 2nd floor to match final construction of the interior. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for May 5, 2010.

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 H Road, South by Saddlehorn Road, East by North 23 ½ Road, and West by 21 ½ Road and includes both sides of the streets as the outer boundaries. The neighborhood was enlarged to cover adequate residential and businesses due to location of the area. The results of that survey are as follows:

Check, the <u>YES</u> column if you <u>SUPPORT</u> the proposed modification of premises as described above because this will not conflict with the reasonable requirements of the designated area and it is your desire the modification <u>be</u> <u>approved.</u>

Check, the **NO** column if you **OPPOSE** the proposed modification of premises as described above because this will conflict with the reasonable requirements of the designated area and it is your desire the modification **not be approved.**

Yes	102				
No	0				

Out of the responses above 42 were residents and 60 were businesses.

There was one sheet of "Exhibit to Survey Petition" provided by the applicant.

There are no similar-type outlets in the survey area.

There has not been any remonstrances or petitions received in the City Clerk's office as of the date of this letter.

That concludes this report.

cc: Applicant

John Shaver, City Attorney

Lisa Maestas, Grand Junction Police Department

File

EXHIBIT TO SURVEY PETITION Page ___ of ____

FOR: Fantasy UC dba Fantasy-Modification of Rumises

Street No.	Street Name	Reason	Additional Attempts		
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	# 26	□ Not 21 Years of Age □Refused to Sign ¬¬¬¬No Answer □No Solicitors □Other			
	# 20	Not 21 Years of Age □Refused to Sign □No Answer □No Solicitors □Other			
	# 16	□ Not 21 Years of Age Refused to Sign □No Answer □No Solicitors □Other			
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MEMO: Local Licensing Authority

FROM: Juanita Peterson, Deputy City Clerk

DATE: April 19, 2010

SUBJECT: Application for a modification of an existing Tavern liquor license

by Azzamco Inc., dba Freeway Bowl Fun Center, 1900 E. Main

Street

Azzamco Inc. filed an application with the Local Licensing Authority on April 13, 2010 for modification of a tavern liquor license permitting sales of malt, vinous and spirituous liquors by the drink for consumption on the premises at 1900 E. Main Street, under the trade name of Freeway Bowl Fun Center. The modification will include addition of an outdoor patio 24'x20', move games to locker room, add retail jewelry store, move snack bar counter, and remove main bar service area. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for May 5, 2010.

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 Grand Avenue, South by I-70 Business Loop, East by 28 Road and West by 14th Street and includes both sides of the streets as the outer boundaries. The neighborhood was enlarged to cover adequate residential and businesses due to location of the area. The results of that survey are as follows:

Check, the <u>YES</u> column if you <u>SUPPORT</u> the proposed modification of premises as described above because this will not conflict with the reasonable requirements of the designated area and it is your desire the modification **be approved.**

Check, the **NO** column if you **OPPOSE** the proposed modification of premises as described above because this will conflict with the reasonable requirements of the designated area and it is your desire the modification **not be approved.**

Yes	82
No	1

Out of the responses above 45 were residents and 38 were businesses. There were 8 disqualified due to five with no address signatures only, and three were out of the area.

There were no sheets of "Exhibit to Survey Petition" provided by the applicant.

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

Tavern – 1 (VFW Post 1247)

There has not been any remonstrances or petitions received in the City Clerk's office as of the date of this letter.

That concludes this report.

CC:

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



MEMO: Local Licensing Authority

FROM: Juanita Peterson, Deputy City Clerk

DATE: April 27, 2010

SUBJECT: Application for a modification of an existing Hotel and

Restaurant liquor license by 314 LLC dba Dream Café, 314

Main Street

314 LLC filed an application with the Local Licensing Authority on April 13, 2010 for modification of a hotel and restaurant liquor license permitting sales of malt, vinous and spirituous liquors by the drink for consumption on the premises at 314 Main Street, under the trade name of Dream Café. The modification is an outdoor patio with 8 tables and 32 chairs. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for May 5, 2010.

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, South by 3rd Avenue, East by 9th Street, and West by West Avenue and includes both sides of the streets as the outer boundaries. The neighborhood was enlarged to cover adequate residential and businesses due to location of the area. The results of that survey are as follows:

Check, the <u>YES</u> column if you <u>SUPPORT</u> the proposed modification of premises as described above because this will not conflict with the reasonable requirements of the designated area and it is your desire the modification <u>be</u> <u>approved.</u>

Check, the **NO** column if you **OPPOSE** the proposed modification of premises as described above because this will conflict with the reasonable requirements of the designated area and it is your desire the modification **not be approved.**

Yes	109
No	1
No Opinion	1

Out of the responses above 25 were residents and 85 were businesses.

There were 4 sheets of "Exhibit to Survey Petition" provided by the applicant which are attached.

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

Hotel and Restaurant – 13 (Fly'n Roosters, Weavers Tavern, Two Rivers Convention Center, Le Rouge, Dolce Vita II, Nepal Restaurant, II Bistro Italiano, Suehiro Japanese Restaurant, La Bamba, 626 on Rood – Modern American Cuisine & Wine Bar, The Winery, Junct'n Square Pizza, and Blue Moon Bar and Grill)

There has not been any remonstrances or petitions received in the City Clerk's office as of the date of this letter.

That concludes this report.

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

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EXHIBIT TO SURVEY PETITION Page 2 of 3

FOR: Dream Casé Modification

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302	Gunnison	□ Not 21 Years of Age □ Refused to Sign → No Answer □ No Solicitors □ Other	
320	Guswison	□ Not 21 Years of Age □Refused to Sign →No Answer □No Solicitors □Other	
709	STREET	□ Not 21 Years of Age □Refused to Sign XNo Answer □No Solicitors □Other	
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EXHIBIT TO SURVEY PETITION Page 3_ of 3_

FOR: <u>Orean Cafe</u> Modification

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