# 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**

#### WEDNESDAY, JULY 1, 2009 2:00 p.m.

I. <u>CALL TO ORDER</u> – 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.

Hearing Officer Grattan advised that since the only applicants in the room were for the new liquor license for a retail liquor store that he would hear this item first.

#### II. APPLICATION FOR NEW LICENSE – RESOLUTION AND FINDS AND DECISION

 Grapes, Grain & Barley Discount Liquor Inc., dba Grapes, Grain & Barley Discount Liquor, 1040 Independent Avenue, Grant Junction, CO 81505, Retail Liquor Store

President: Katherine E. Guth, 3635 Bell Ct., Grand Jct CO 81506 VP: Bradley A. Guth, 125 Franklin Ave., Grand Jct CO 81505 Sec./Tres.: Gregory A. Guth, 3635 Bell Ct., Grand Jct CO 81506

Gregory Guth, Katherine Guth, and Bradley Guth, shareholders for the corporation, were present.

Ms. Kemp reported the paperwork was found to be in order and accepted. The applicant requested a concurrent review. All reports came back fine from the Police Department, Code Enforcement, and the Sales Tax Department.

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

City Attorney Shaver asked Mr. Gregory Guth who conducted the survey. Mr. Guth said that it was his wife, Katherine, son, Bradley, and himself. City Attorney Shaver asked Mr. Guth if he concurred with the results Ms. Kemp read into the record. Mr. Guth agreed. City Attorney Shaver asked Mr. Guth how and when the survey was conducted. Mr. Guth said that between June 2<sup>nd</sup> and June 22<sup>nd</sup>, they went door to door, advised people that they were wanting to open a family run liquor store and asked if they would answer the questions. City Attorney Shaver asked Mr. Guth if the people who said "no" signed the survey. Mr. Guth said some did and some didn't. City Attorney Shaver asked Mr. Guth about the exhibits that were submitted along with the survey results, if the numbers reflected any additional times they tried to contact each address. Mr. Guth said that they did not go back a second time.

Hearing Officer Grattan asked Mr. Guth if he wanted to add anything. Mr. Guth said he was raised in Grand Junction. He was president of a beer and liquor distributorship, and therefore, knows liquor laws. He decided that he wanted to open a new family business and that is why they chose a liquor store. Mr. Guth said that they have another son who is less than a 10% shareholder.

Hearing Officer Grattan found the requirements have been met and approved the new retail liquor store license on the local level. The City Clerk's office will prepare a resolution for Hearing Officer Grattan's signature.

### III. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES

1. The Denville Corporation dba Cottonwood Liquors, 2513 Hwy 6&50, Grand Junction Co 81505, Retail Liquor Store

No one was present representing the applicant.

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

2. Feather Petroleum Company dba Stop N Save No. 4, 2700 Highway 50, Grand Junction CO 81505, 3.2% Beer Retail (Off-Premises)

No one was present representing the applicant.

Ms. Kemp reported that even though the applicant is requesting renewal of their 3.2% beer license, they are currently not selling beer at this location which was confirmed by PST Lisa Maestas, Liquor Enforcement/Investigations.

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

3. Rockslide Brew Pub Inc., dba Rockslide Brew Pub, 401 Main Street, Grand Junction CO 81501, Brew Pub

No one was present representing the applicant.

Ms. Kemp reported that the applicant had an alcohol violation for allowing a patron to walk out of the establishment with a beer bottle. PST Lisa Maestas, Liquor Enforcement/Investigations, mailed a Notice of Liquor Law Violation to the establishment, but no criminal or administrative action was taken against the license.

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

4. 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 was found to be in order and approved.

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

No one was present representing the applicant.

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

6. Rafael Cisneros dba Las Palmas Mexican Restaurant, 752 ½ Horizon Drive, Grand Junction, CO, 81506, Hotel and Restaurant – Continued from June 17, 2009

No one was present representing the applicant.

Ms. Kemp reported that this had been continued from June 17, 2009 due to the seriousness of the warning given by Ms. Maestas for the applicant having 3.2% beer in his establishment and several violations with the Health Department. Ms. Kemp stated that the violations have been cleared up with the Health Department; however, Ms. Peterson had mailed a certified, return receipt requested letter to Mr. Cisneros requesting his presence at this meeting. The letter was signed for by Mr. Cisneros.

Hearing Officer Grattan continued this application for renewal until the July 15, 2009 meeting and asked that either Ms. Kemp or Ms. Peterson notify Mr. Cisneros again by certified mail that he needs to be present.

## IV. <u>APPLICATION TO RENEW LIQUOR AND BEER LICENSE AND CHANGE IN CORPORATE STRUCTURE</u>

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

Change in Corporate Structure: Removal of Robert and Janet Adisano

Addition of Wilma D. Sickler, 1023 21 ½ Road, Grand Junction CO 81505

No one was present representing the applicant.

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

# V. <u>APPLICATION FOR CHANGE IN CORPORATE STRUCTURE - MASTER FILE IN DENVER</u>

1. Restaurant Concepts II LLC, dba Applebee's Neighborhood Grill and Bar, 711 Horizon Drive, Grand Junction CO 81506, Hotel and Restaurant

Master File in Denver:

Michael Patrick Muldoon, 755 Bedford Oaks Dr., Marietta GA replaces Stuart Waggoner

Lansing Suhr Patterson, 1021 Windridge Ct., Watkinsville GA replaces Charles Snyder

Removal of Steve Grove

No one was present representing the applicant.

The application for change in corporate structure was found to be in order and approved.

#### VI. <u>APPLICATION FOR NEW LICENSE – RESOLUTION, FINDINGS, AND DECISION</u>

 Yummy LLC dba Enzo's Pizzeria and Italian Café, 759 Horizon Drive, Unit N and O, Grand Jct CO 81506, Hotel and Restaurant – Continue until July 15, 2009

Managing Member: Vincenzo Favale, 2047 F 3/4 Road, Grand Jct CO 81507

Ms. Kemp advised that this needs to be continued to July 15, 2009 because the applicant had not turned in the survey.

Hearing Officer Grattan continued this application for a new license until the July 15, 2009 liquor and beer meeting.

## VII. OTHER BUSINESS

There was none.

**VIII. ADJOURNMENT** – The meeting was adjourned at 2:22 p.m.

**NEXT REGULAR MEETING – July 15, 2009** 

MEMO: Local Licensing Authority

FROM: Juanita Peterson, Deputy City Clerk

DATE: June 22, 2009

SUBJECT: Application for a retail liquor store liquor license by Grapes, Grain &

Barley Discount Liquor Inc., dba Grapes, Grain & Barley Discount Liquor,

1040 Independent Avenue

Grapes, Grain & Barley Discount Liquor Inc. filed an application with the Local Licensing Authority on May 29, 2009 for a new retail liquor store liquor license permitting sales of malt, vinous and spirituous liquors in sealed containers not for consumption at place where sold at 1040 Independent Avenue under the trade name of Grapes, Grain & Barley Discount Liquor. 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 July 1, 2009. The Notice of Hearing was given by posting a sign on the property on or before June 21, 2009 and by publishing a display ad in the Daily Sentinel on June 19, 2009.

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 Patterson, on the South by the Colorado River, on the East by 1<sup>st</sup> Street, and on the West by 24 ½ Road and extending west along Highway 340 to the Redlands Canal and Riverside Area is included to the South. The area was extended due to the low residential in a half mile area.

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 reasonable requirements of the neighborhood are already being met by other existing outlets.

Yes	28
No	323

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

Yes	170
No	5

Exhibits were provided for a record of the attempts of 361 due to no answer, no solicitation, non participant, religious reasons, big dogs in yard, no soliciting, just moved in, vacant or for sale or rent property, or under 21 years of age. These are attached as Exhibits Pages 1-10.

The Grand Junction Police Department has investigated the individuals for local criminal history. The fingerprints have been forwarded to CBI/FBI for further processing. Reports have been requested by the Grand Junction Fire Department, Code Enforcement, and City of Grand Junction Sales Tax Department.

There are 4 similar-type outlets in the survey area. They are Cottonwood Liquors, Crossroads Wine and Spirits (which are moving their location), Grand Central Liquors, and Andy's Liquor Mart.

That concludes this report.

cc: Applicant

John Shaver, City Attorney

Lisa Maestas, Grand Junction Police Department

File

Address	Α.	Comments
A. No one home.		
2 265/ Cider Mill Rd	X	Address of Anna Control of Ann
3 7645 Cider Mill Re	X	
4 264 Cider milled		under 21 yrs
5 2635 Cide mill Rd	X	
6 2631 cider mill Rd	X	
7 Zlozs cider mill Rd	X	
8 2621 CiBer Mill Rd		
9 ZGII CIDER MILL Rd	X	
of 2601 Cider mill Rd	X	
11 2610 Cider Mill Rd	1	
12/26/4 Cider mill Rd		
13 ZG18 cides Mill RD	X	
4 2630 Cider MIII RD	X	
15 Z634 Ciden Mill Rd		doesn't want to Sign
6 2638 Cider Mill Rd	X	
1 2652 Ciden MIII Rd		houldn't sign
8 7656 Cider Mill Rd	1	<u> </u>
9 340 GROW Dr	X	
10 350 Lorey Dr	X	
21 439 Loren Dr	×	
12 455 Lorey Dr	X	
3 2005 Duellook Dr	X	
4 2000 Overbook Dr	X	
15 2015 OverLook Dr		wouldn't sign
16 530 Lilack Lave	X	V
27 1643 Spruce ct 181615 Spruce ct 29 1616 Spruce ct	X	
18/6/5 Spruce et	X	
29/6/6 Spruce Ct	X	
30 1655 Balsam ct	X	
31/16/5 11 0		Wouldn't Sign
32 Hoos	X	,
33 1606 Balsam ct	×	
14 1616 Balsan ct	X	
35/626 Balsam Ct	X	
36 1640 Ralsan et		
	X	
37/315 Balsam St		
38 1325 Balson st		
39 130 W. Kennedy	X	
10 /19 w. Kennedy Pag.		wouldn't sign
11235 W. Kennedy Ave	×	J
12 255 W. Kennedy Ave	V	
13 /32 & Juniper St	~	1
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	40	

Address	A. Comments
A. No one home.	
2 415 WInd specient + 3	not 21
3 4/5 W. Trad gendent + . Z	not Home
4 355 with 1 grand	
5 341 wIn Sependent	X
6 377 studependid	X For Rent
7 307 VIIndopendul	X
8 865 V-tu Legentin	Religious Region
9 2+5 VIndayent	would not sign
10 225 W. In dependent	X
11 /39 W. Fudepentano	X
12/29 WIndependent	X
13 109 & Independent	X
14 HE WAHL W. Independent #30	X
15 4h W. Indepres 1 129	X
16 46 W Independt #9	in der age
17 Ble w +ndunendent It's	× .
18 368 W. Independent # 10	<i>+</i>
19 368 W. Ind opendul #8	X
20368 W Independent 7	ý ·
21 416 W. Independed #18	X
22 4/16 la todagended # 17	X
23 44 U. Independent # 16	X
24 W/12 Talon- Men # 15	X
25 HbW, Independent # 14	X
26/535 Poplar # 15	X
27 1535 Pocylos # 16	X
- Alimir H IA	X
29 1535 Papler # 13	7
30 1535 Poplar H 18	
31 /535 Poplar # 17	X
32/555 poplar # 20	X
33 1535 Poplar # ZZ	X
	X
35 12 20 TOVIOL V3	X
36 1616 · Poplar	×
37/1628 Poplar	X
38 1440 81 Plor	У.
39 501 W. MISG ALL	X
40 510 W. MIGA AVE	х.
41 411 W. Mesn Ave.	X
	у у
43 635 W. Mesa AR	X
44 ch35 Sunifer ox	no soliciting
45 1423 Junipar CT 45 1607 Junipar CT	Gnderage
45/607 Jmike Ct	ly!
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A. No one home.		
2 1606 Junifer CT	X	And a second of the last of the contract of th
3 1620 Junion CT		Dorit even Ring this door (day Sleeper)
14/1436 JUNIPUL CT		Dog
5 1440 JUNIPU CT	X	
6 740 orchard se	1	
7 1835 girmen or Bass \$1.	×	
8 1529 Bubs St.	X	
9 1801 Bass St.	X	
10 /826 Bess St		
11 1810 Minnow Dr	- 1-6	wouldn't sugning due to a least disin family
12. 720 Lake Shore Pr	×	
13 450 Lalleshore Dr	X	
14 585 251/2 Rd		Paradise Valley noble homes to soliciting
15 459 Vest Buray	X	
16 415 West Oway	X	
17 373 West outal	X	
18 321 west oural		Big Dog
19 319 west oursy	X	
20317 west ourage	X	
21 315 West over	14	
22 301 West outley		Did not went to padicapte
23 318 West owney	У	
24 350 Vinc 51,	?   X	
25 401 VINZ 5+	- X	
26 402 Vintst	X	
27 484 Vine St		no soliciting, hotrespessing
28 Yes Vinest		4
29 404 VINI 6+		
30 270 W. Grand Ave.		wouldn't sign
31 402 w. Grand Que		wouldn't sign Desteloss of Alsoholir Brother
32 407 W. Grand He		wouldn't sign
33 550 majorando		X .
34 723 W. Main st	3	Wouldn't Sign
35 639 W. main St		Bowene of dog Sign in yard
36 525. W. main sot		Bowow of Arg sign in yard
37 517 w. nain st		
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39 720 W- Colorado 908	-	MODING SOON
		X Big Dog In your
40 644 w colorada ANG	k	VI BY DON'T YOUR
41 636 W. Coloroch Aug		X
42 618 W. Coloroda Ave		Lock on yard gale
43 602 W CO)000 DC Aug		X
44 640 W COlorado Aus		Dagin pard
45 538 w colorado Aus		Bewore of dog sign in yard
45/532 W. COLONODO AUR		X
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Address	A.	B.	comments Exhibit 4 of 1
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1. NO ONE home 3. answered door under 21 yrs.			The second section of the sect
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20 Lilac Igne	X	-	
40 Lilac lane	×	+	
108 Lilac lane	1	+	
Ille Lilac Jane	X	1	THE RESIDENCE AND ALL WAS ASSESSED. TO SHARE THE RESIDENCE AND ASSESSED.
128 Lilar lane	X	1	
138 Lilac Jane	X		
2035 Poplar Dr	1		
2025 poplar Dr	X	-	
2015 poblar Dr 2005 poblar Dr	17		
	- X		
2006 poble			
2016 Poplar Dr	X		
429 Mar Jane	X		
479 Mar Jone	X		Doesn't reside here,
349 Illac lane	X		
329 lilac lane	X		
315 lilor lane			
	X		
2206 Ella st			wouldn't Sign
ZIZ Ella ot W. Wellington Aug.	X.		~
2222 Ellact			wouldn't Signs
2219 E-11act			John Jigh
2217 Ellact	×°		wouldn't Sign
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115 w. wellington the			
2227 W. 1555	X		
124 W. Wellington Ang	12	-	
23. O. Wall Work Nieg			
330 Ridge wood LN	-		wouldn't Sigw
世28	an		
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-	Address A. No one home.		Comments
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2	424 w colorado		just moved in
3	408 th BW. colorado Aug	X	2 27.
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30 Independent #50	X
850 Independent 452	X
619 Bl. 0011	
615 Blue 1	X
S/1 RIneall	$ \chi $
603 Blueb: 1	X
1K)0 PL 3:11	Doesn't drink
1610 Bluegill	M Social M
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1705 Juniper	didn't want to sign
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140 Franklin	
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Address	A. Comments
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3 244 Independent Ave 42	
5 411 Independent AVE #73	
6 416 Interendent for #29	X
7 416 Independent Ava #25	
8 toll Interendent Ave HOD	X
9 410 Independent Aux # 2 #6	
10/416 Independent Ave #17	A second
11 416 Independent Aue \$10	10
12 416 Independent Ave # 9	
13 416 Independent Age Hy	X
14 416 Independent Aug #3	X
15 416 Independent Ave #1	Against prinking
16 416 Independent Ave #8	Did not want to put 5 graduse
17 416 Independent Ave #1.	7
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19 1585 Poplar 18#2	X
20/1535 Poblar #3	2
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25 (535 Poplar #12	I stravel in
26 1535 Paplar #10	N / N
27 1535 Poplar #5	1 02+ 71 (egg. 56 old).
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29 /6/5 Poplar DR	K
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33 710 W, mas a Que	
34 722 V Nebu Ape	
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36/630 maple Co	$ \mathcal{X} $
37/622 raple Cb	X
38 (610 mag/e/Ct,	not a perested
39 1625 mide ( +	
	20
40 Harris Was	De la
41 Bal w orderd Are	doesn't make a difference
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43771 w sichard Ave	X
44 728 w orchard Ave	
45 620 Lapashore Dr	closed door when menchaned light
45 620 Lapashore Dr	
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Address	Α.	Comments
A. No one home.		
2 324 W Grand Ave		loes not drink
3 406 W Cray 2. Aug		Just neved in
4 414 W Grands Aug		Na Co
		no tresspossing/log
6 500 W Onsur AVE	1x	2
7 421 naldonals St	N	the state of the s
8 405 W Chipeta Ave	ľ	No fesspassing keep out. Private property to trespossing for soil signing good did not want to gright saying for lagging
9 4/3 W Chipling Aul		Private property No trespossing
in 411 W chipeter Aug		for soil sign in word
11 735 W Main St		did not want to pring saying for laguing
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13 539 W Main st		No tropossing
14 537 W. main 5t	-11	No trespossing/ Devare of dog.
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19 898 N colorado Ave	-  ~	dress and and approx
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21 841 W Colorald Ave	1	
22 627 W Colorado Ave		
23 611 W Colorado Ase	X	for sale sign in geras
24 531 W Colorado Ave	X	1 2 2 2
25 519 Midrady Ave		doesn't dring
26511 W Colorado AVE	1	
27 441 W colorado Ave	1/2	. 201
28 2482 Industrial Alva		Didnot want to give opinion !!
29 2489 Inclustrial Blud		notine
30 2482 Industrial Blud		nssolic, 4rg
31 2474 Falustrial Blud		Owner not present
32 2462 Industrial Block		ne soliciting
33 7546 Rimour AVE \$500	X	dor locked
34/25 Franklin Atte #201	No.	1
35/25 Franklin Ave Hood	1	1
36/25 Franklin Ave #204	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	
37/125 Franklin Ave 4205	X	
38 hs Franklin are tro6		moved in March
39/25 Franklin Ave #207		vacant
40 125 Franklin AVE H208	A	
41 pstrandia Ave HOLD	10	
11200 1 61: 11 - 11-10	1	T 1 - 1-1
420s Franklin Ave #212	10	Masti moved
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Address	A. Comments
410	X
3 123 Franklin Ave All	18
14 125 Franklin Ace HIBS	X
chacks this are things	
6 101 Ing bling Auc HIO	Tust maved in
7 175 Franklin Ale #105	X
8 125 tranklin Ave \$103.	Vaccat
9/123 Know Rlin Atre 4104	X
10 125 Franklin Ave H19 1	
11/125 Franklin Ave #303	does not drink did not want to age
12 115 Franklin Ave #306	
13 125 Franklin Ave 4304	X
14 05 Franklin Ave #302	V
15/25 Franklin are #401	
16/25 Franklin Ave \$403	
17/125 Franklin Ave #405	· [ ]
18/25 Franklin Ave #408	$ \chi $
19/25 trunklin Ave #406	(A)
20/25 Franklin Ave #409	X
21/25 Franklin fre #402	M
22/125 Frankin Le Hyll	
23/125 Franklin Ave #415	
24/128 Franklin five Hyllb	had to leave to pickup son
25/125 Franklin Ave Hull	X
26/128 Franglin Ave #412	
27 125 Franklin Ave #410	
28 125 Franklin Ave #307	
29/25 Franklin Ave #310	
30 125 Franklin Ave #312	<u> </u>
31 hs Franklin Auc #315	
32 PS Franklin Aug #313	no time to answer
33/75 Frank in the #309	X
34 2509 Weslo Ave	doesn't drink
35 201 Franklin 44	X
36/201 Franklin HI	doesn't xpeak English
37/201 Franklin Ave #2	
38 201 Franklin Ave #5	1 at 21 une old
39 201 Franklin Ave #6	IN TO THE STATE OF
40:201 Franklin Ave #11	Vacant
	1) vacant
	X
42201 Franklin Ave HIS	
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201 Franklin Ave #18	X45
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3 101 Consider for #8  4 120 Consider for #8  5 110 Frontill Aux #3  5 110 Frontill Aux #3  8 NK Consider Aux #3  10 115 Consider Aux #3  10 115 Consider Aux #3  11 115 Consider Aux #3  12 115 Consider Aux #3  13 245 Consider Aux #3  13 245 Consider Aux #3  14 367 Frontill Aux #3  15 286 Frontill Aux #3  16 364 Frontill Aux #3  16 364 Frontill Aux #3  18 354 Frontill Aux #3  18 354 Frontill Aux #3  21 415 December Aux #3  22 14 15 December Aux #3  23 1354 Frontill Aux #3  24 1750 Repended Aux #3  25 10 25 Pellings #3  26 50 Dellings #3  26 50 Dellings #3  37 33  38 33  39 30  30 31  31 32  32 33  34 40  40 41  41 42  42 45  43 45  44 45  45 45  46 45  47 50  48 45  49 50  40 40  41 49  42 45  43 50  44 69  44 69  45 45  46 69  47 69  48 48 48 48 48 48 48 48 48 48 48 48 48 4		χ -
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