

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

MINUTES

WEDNESDAY, OCTOBER 7, 2009 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. Thunder Mountain Tavern LLC dba Thunder Mountain Tavern, 2701 Hwy. 6 and 50, Grand Junction, CO 81503, Tavern

No one was present representing the applicant.

Ms. Kemp advised that the applicant disclosed a violation of selling beer to an underage purchase on the renewal of the application and provided a letter explaining the violation.

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

2. Inafuku, Inc. dba Suehiro Japanese Restaurant, 541 Main Street, 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.

3. Bold Petroleum, Inc. dba Acorn Food Store, 2222 Hwy. 6 & 50, Grand Junction, CO 81505, 3.2% Beer Retail (Off Premises)

No one was present representing the applicant.

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

4. Thrifty Payless, Inc. dba Rite Aid #6178, 1834 N. 12th Street, Grand Junction, CO 81501, 3.2% Beer Retail (Off Premises)

No one was present representing the applicant.

Ms. Kemp advised that the applicant disclosed a violation of selling beer to an underage person on the renewal of the application and provided a letter explaining the violation.

Hearing Officer Grattan asked Ms. Kemp if the applicant provided the letter after she had contacted the applicant. Ms. Kemp said that was correct.

City Attorney Shaver asked Ms. Kemp if her office had received a copy of the violation from the State. Ms. Kemp said that they had.

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

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

1. College Liquors, Inc. dba College Liquors, 1133 Patterson Road, Unit 9, Grand Junction, CO 81501, Retail Liquor Store

John Stephenson, Manager of College Liquors, was present.

Ms. Kemp advised that the applicant disclosed a violation of selling beer to an underage person on the renewal of the application and provided a letter explaining the violation.

Mr. Stephenson advised that they do send employees to the City's liquor training and that they do perform their own in-house stings about once a month and especially when a new employee has been hired. They have a new policy that every person who comes into the store, no matter how many times or what age they appear to be, they are carded.

City Attorney Shaver asked what happened as a result of the violation. Mr. Stephenson said that they were shut down for 10 or 14 days.

The application for renewal of the liquor license and tasting permit was found to be in order and approved.

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

1. 314 Main LLC dba Dream Cafe, 314 Main Street, Grand Junction, CO 81501, Hotel and Restaurant

Member: Hayden S. Howard, 2606 Partridge Court, Grand Junction CO 81506

Member: Sean K. Forey, 201 Mill Street, Morrison, CO 80465

Member: Michael J. Bell, 2510 Fall Views Circle, Grand Junction, CO 81505

Hayden Howard, member of 314 Main, LLC and Brandi Watters, circulator of the survey, were present.

Ms. Kemp reported the paperwork was found to be in order and accepted. The applicant requested a concurrent review. Reports came back fine from the Police Department, Code Enforcement and the Sales Tax Department. The rest of the departments will report once the remodel of the premises is complete and a Certificate of Occupancy is issued.

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

City Attorney Shaver asked Ms. Watters if she concurred with the results Ms. Kemp read into the record. Ms. Watters said yes, to the best of her knowledge. City Attorney Shaver asked Ms. Watters how she conducted the survey. Ms. Watters said that she started at Colorado State Employees Credit Union and continued down Main Street for businesses and canvassed residential neighborhoods the following day. City Attorney Shaver asked Ms. Watters how she presented the questions, if she read the questions, asked the people to read the questions, or described the questions. Ms. Watters said she did all three. City Attorney Shaver asked Ms. Watters to describe the nature of the log that the Deputy City Clerk referred to in the results of the survey. Ms. Watters said there was one business on Main Street that refused to sign the survey and there were no residents that refused to sign the survey. Mr. Howard explained that Ms. Watters only conducted half of the survey.

Hearing Officer Grattan asked Mr. Howard to give an overview of Dream Cafe. Mr. Howard said that they will sell breakfast and lunch and will probably have occasional special dinners and Christmas parties. Their hours will be from 6:30 a.m. to 2:00 p.m. and will only serve alcohol starting at 7:00 a.m. He believes that their main alcohol sales will be bloody marys and mimosas.

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

V. SHOW CAUSE HEARING

1. D R Bowling, LLC dba Freeway Bowl, 1900 Main Street, Grand Junction, CO 81501, Tavern

Pursuant to Regulation 47-918 of the State of Colorado Liquor Enforcement Division Code of Regulations, it is unlawful for any licensee, manager, or agent of any establishment licensed for on-premises consumption to permit the removal from the licensed premises of any alcohol beverage in sealed containers

Staff Attorney DeLayne Merritt advised Hearing Officer Grattan that the owner of D R Bowling, LLC, also known as Freeway Bowl, Ricky Brenton, has contacted the City Attorney's office and the City Clerk's office and declined to have the hearing and hopes to reach a plea agreement. She will meet with him on Thursday, October 8, 2009 and hopes to present a stipulation in writing to the Hearing Officer.

Hearing Officer Grattan asked Ms. Merritt if the hearing needs to be set over to a later date. Ms. Merritt said that is correct.

The show cause hearing was set over to the October 21, 2009 Liquor and Beer Meeting.

VI. OTHER BUSINESS

Hearing Officer Grattan stated that the list of other licensed facilities and their capacities for special events permits provided by the City Clerk's office is perfect to set a standard. He would like more specifics on Two Rivers Convention Center since they are the only facility that can accommodate more people. City Attorney Shaver said that his office will get the numbers for Two Rivers Convention Center specifically to the ballrooms and the other service areas.

VII. ADJOURNMENT – The meeting was adjourned at 2:23 p.m.

NEXT REGULAR MEETING – October 21, 2009

MEMO: Local Licensing Authority
 FROM: Debbie Kemp, Deputy City Clerk
 DATE: September 23, 2009
 SUBJECT: Application for a new hotel and restaurant liquor license by 314 Main, LLC, dba Dream Cafe, 314 Main Street

314 Main, LLC dba Dream Cafe filed an application with the Local Licensing Authority on September 4, 2009 for a new 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 Cafe. 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 October 7, 2009. The Notice of Hearing was given by posting a sign on the property on September 28, 2009 and by publishing a display ad in the Daily Sentinel on September 25, 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 Teller Avenue, 3rd Avenue on the South, 9th Street on the East, and on the West by West Avenue and includes both sides of the streets as the outer boundaries. 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 reasonable requirements of the neighborhood are already being met by other existing outlets.

Yes	0
No	186

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	46
No	0

There were 6 signatures disqualified because the signer lived out of the designated neighborhood boundary.

An Exhibit was provided for a record of attempts at the survey due to people refusing to sign or not at home. This is attached as Exhibit 1.

The Grand Junction Police Department has investigated the owners for local criminal history. Reports have been requested by the Grand Junction Fire Department, Code Enforcement, Mesa County Health Department, and the City of Grand Junction Sales Tax Department. A final Certificate of Occupancy (CO) will be required from the Building Department upon completion of the remodel.

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, Il Bistro Italiano, Suehiro Japanese Restaurant, La Bamba, 626 On Road – Modern American Cuisine & Wine Bar, The Winery, Junct'n Square Pizza, and Blue Moon Bar & Grille)

The number of similar-type outlets in a one mile area in addition to the above is as follows:

Hotel and Restaurant – 4 (No Coast Sushi, Old Chicago, Los Reyes Restaurant, and La Louisiane Cajun Seafood)

There has not been any remonstrance's 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

People who won't sign or not home

address		not home	won't sign
355	colo	←	
845	col	✓	
807	col	←	
740	col		←
74d		✓	
74b		✓	
810	col		←
864		✓	
803	ute	✓	
802	ute	✓	
244	p:tk:n	✓	

People who won't sign or not home

address

not home

won't sign

MAIN STREET Cafe-

Refused to sign
either one