

**LIQUOR AND BEER MEETING  
LOCAL LICENSING AUTHORITY  
CITY OF GRAND JUNCTION, COLORADO  
CITY/COUNTY AUDITORIUM, 520 ROOD AVENUE**

**M I N U T E S**

**WEDNESDAY, DECEMBER 6, 1995, 8:00 A.M.**

**I. CALL TO ORDER** - The meeting convened at 8:05 a.m. Those present were Hearing Officer Phil Coebergh and City Clerk Stephanie Nye. Assistant City Attorney John Shaver was absent.

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

1. Elizabeth V. Talley dba Talley's Bar-B-Que & Biscuit Factory, 623 Main Street, Beer-Wine

The Fire Department reported some violations but recommended licensing at this time. They will do a follow up inspection in January of 1996. The application was in order and approved contingent on the correction of the Fire Code violations.

2. Albertsons Incorporated dba Albertsons Food Center No. 886, 1830 North 12th Street, 3.2% Beer Retail

The application was in order and approved.

3. C & F Food Stores Incorporated dba C & F Food Stores No. 9, 2847 North Avenue, 3.2% Beer Retail

The application was in order and approved.

4. Robert J. Wilcox Inns Incorporated dba West Gate Inn, 2210 Highway 6 & 50, Hotel-Restaurant with Extended Hours

The application was in order and approved.

5. Grand Junction Lodge No. 575 dba BPO Elks Lodge No. 575, 249 South 4th Street, Club License

The Health Department reported some critical violations. A follow up inspection was scheduled for December 5, 1995. Their report should be in the City Clerk's office today. The application was in order and approved contingent on receipt of the follow up report from the Health Department.

6. Feather Petroleum Company dba Stop N Save No. 3, 723 Horizon Drive, 3.2% Beer Retail

The application was in order and approved.

**III. APPLICATIONS FOR RENEWAL, CHANGE IN CORPORATE STRUCTURE AND/OR CHANGE CORPORATE OR TRADE NAME**

1. Panda Inn Restaurant Incorporated dba Panda Inn Restaurant, 1037 North Avenue, Hotel-Restaurant Renewal, Change in Corporate Name and Change in Trade Name

Change Panda Inn Restaurant Incorporated to Panda Chinese Restaurant & Lounge Incorporated  
Change Panda Inn Restaurant to Panda Chinese Restaurant & Lounge

The application was in order and approved.

Assistant City Attorney John Shaver entered the meeting at 8:10 a.m.

2. VFW Beye Lotz Grand Junction Post 1247 dba VFW Post #1247, 1404 Ute Avenue, Tavern, Renewal with Extended Hours and Change in Corporate Structure

Change of President: Manuel Joe Salas replaces Rick Padilla  
Change of V. President: Edward R. Van Westenberg replaces Robert E. McFarland  
Change of Treasurer: William C. Riggle replaces Robert J. Nolan  
Change of Secretary: William C. Riggle replaces Robert J. Nolan

The application was in order and approved.

**IV. APPLICATION TO REGISTER MANAGER**

1. RCI Denver Incorporated dba Applebee's Neighborhood Grill & Bar, 711 Horizon Drive

Manager: Irene Carol Flink

Irene Carol Flink was present. The application was in order and approved.

**V. APPLICATION FOR NEW LICENSES**

1. Tres Hermanos, Incorporated dba Todo Bien!, 2430 Highway 6 & 50, Hotel-Restaurant with Extended Hours, Rescheduled from November 15, 1995 Meeting

Applicant: Tres Hermanos, Incorporated, 2209 Dakota Drive, Grand Junction, Colorado 81503  
President: Lewis P. Sonda, Jr., 2209 Dakota Drive  
V. President: Alec Hart, 471 Tiara Drive, Grand Junction

This application had been rescheduled from the November 15, 1995 meeting due to the Notice of Hearing not being published.

Paul Sonda, president of Tres Hermanos, Inc., was present.

City Clerk Stephanie Nye read the report to the Local Licensing

Authority into the record (attached). The expected date of operation is January 1, 1996. The application was in order and approved contingent on the final reports from the Fire and Health Departments and approval from the Mesa County Building Department. Hearing Officer Coebergh requested a resolution be prepared.

2. E. Boh, Incorporated dba Bohgey's Restaurant & Lounge, 2900 North Avenue, Hotel-Restaurant with Extended Hours

Applicant:E. Boh, Incorporated, 511 28 1/4 Road, Grand Junction

President:Nancy L. Boh, 1533 Crestview Court, Grand Junction

V. President: Elden L. Boh, 1533 Crestview Court, Grand Junction

Treasurer:Jeri Prescott, 3165 B 1/5 Road, Grand Junction

Eldon and Nancy Boh, vice president and president respectively, and Jeri Prescott, general manager and treasurer, were present.

City Clerk Stephanie Nye read the report to the Local Licensing Authority into the record (attached). Since writing the report, the City Clerk's office has received reports from the Fire and Health Department. The Fire Department reported no violations. The Health Report stated they have done several walk-through inspections and had presented a list of outstanding violations to Eldon Boh, owner, that would need to be completed prior to opening. On December 4, 1995, Mr. Boh informed the Health Department the majority of the violations have been corrected. He stated there was still some plumbing work scheduled to be completed by December 6, 1995. The only outstanding item on the list is the installation of the floor tile which is on order at this time. Mr. Boh stated the plumbing work was completed on December 5, 1995. A copy of the final inspection from the Mesa County Building Department needs to be forwarded to the City Clerk's office. The projected opening date is prior to the holidays. The application was in order and approved contingent upon the final inspections being done and the reports filed. Hearing Officer Coebergh requested a resolution to be prepared.

## **VI. HEARING FOR SPECIAL EVENTS PERMIT**

1. Application by Avalon Theater Incorporated for Malt, Vinous and Spirituous Liquor Special Events Permit for "Rick Trevino" on January 10, 1996 from 1:00 p.m. to 12:00 a.m. located at 645 Main Street

Applicant:Avalon Theater Incorporated, PO Box 296

President:Pat Gormley, 2433 North 1st Street

Event Manager: Barbara Creasman, 262 33 1/3 Road

Jim Newcomb, assistant to Barbara Creasman, was present representing the Avalon Theater.

The application is in order. City Clerk Stephanie Nye read the letter dated November 15, 1995 from Avalon Theater Incorporated requesting a Special Events Permit into the record. Assistant City Attorney John Shaver stated this letter does not meet the Statutory Requirements and he requested additional testimony from Mr. Newcomb

as to other establishments that had been contacted or specifically if the request for a one day liquor license was for a benefit for the project. Mr. Newcomb responded that the scheduling of events for the theater would benefit from the availability of wine and beer and the only other facility available in the area is Quincy's. He stated he had not noticed anything in the application process which required the solicitation of the availability of alcohol in any nearby facilities. He stated this event is a concert and not a benefit event with a fee being charged. Assistant City Attorney John Shaver read the State Statute 12-48-103 which is relevant to the issuance of a Special Events license. Mr. Newcomb stated the expected attendance for this event is between 1,000 and 1,200 people. He stated the sound quality of the Avalon Theater is superior to Two Rivers Convention Center and it would be impractical for the concert attenders to walk or drive to Two Rivers. Hearing Officer Coebergh requested this application be continued to the December 20, 1995 Liquor and Beer Meeting to allow for the Avalon Theater to meet the requirements stated in the State Statutes.

#### **VII. REVIEW OF INVESTIGATION**

1. The Pour House, LLC dba The Pour House, 715 Horizon Drive  
Applicant: Rich Lamont, 613 1/2 Arapahoe, Grand Junction  
Hearing Officer to Review Report from CBI on Rich Lamont.

Rich Lamont was present.

City Clerk Stephanie Nye reported the license had been approved contingent upon the report from C.B.I being favorable. On Mr. Lamont's individual history form there had been no report of a any criminal violations, however the report from C.B.I indicated that he did have some criminal activity in the past. The C.B.I report indicated Mr. Lamont had pled guilty to a DWAI in Durango, and in Rifle in 1987 Mr. Lamont pled guilty to criminal mischief and disturbing the peace. Mr. Lamont explained the circumstances surrounding the incident in Rifle which he had forgotten about and the DWAI incident, and stated he was not trying to hide anything. Assistant City Attorney John Shaver was concerned with the criminal conviction since on the individual history form it asks specifically for this information. The conviction can not be disputed. However he advised this is not an offense of moral turpitude. Hearing Officer Coebergh recommended leaving the license approval in place and for Mr. Lamont to resubmit an amended individual history. This was in agreement with Assistant City Attorney John Shaver and City Clerk Stephanie Nye. Mr. Lamont agreed to this stipulation.

**VIII. ADJOURNMENT** - The meeting was adjourned at 8:48 a.m.

**NEXT REGULAR MEETING** - December 20, 1995 at 8:00 a.m.

Memo to: Local Licensing Authority

From: Stephanie Nye, City Clerk

Date: November 22, 1995

Subject: Application by Tres Hermanos, Inc. for a Hotel/Restaurant Liquor License at 2430 Highway 6 & 50 under the name of ;Todo Bien!

Tres Hermanos, Inc. filed an application with the Local Licensing Authority on October 5, 1995, for a Hotel-Restaurant Liquor License, for consumption by the drink on the premises, to be located at 2430 Highway 6 & 50 under the trade name of ;Todo Bien! The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was originally set for November 15, 1995. The Notice of Hearing was given by posting a sign on the property on November 3, 1995 and submitting the notice for publication to The Daily Sentinel for November 3, 1995. The hearing was subsequently rescheduled for December 6, 1995 as The Daily Sentinel failed to publish the public hearing notice. The new hearing date was advertised by reposting of the property and publishing the notice in The Daily Sentinel on November 24, 1995.

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 and defined the neighborhood as the area bounded by G Road on the north, the Colorado River on the south, 25 Road on the east and 23 1/2 Road on the west and included 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 of or 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 existing outlets.

YES: 12

NO: 158

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

YES: 6

NO: 0

NOT APPLICABLE: 0

No other letters of opposition or counterpetitions have been filed to date. The circulator of the petition submitted a statement that she did contact Red Lobster and the Sizzler and the managers would not sign the petition.

As the applicant is a corporation, individual histories and fingerprints were obtained from both corporate officers. The Grand Junction Police Department found no local criminal histories on the corporate officers and have forwarded the fingerprints on to C.B.I. for further processing.

The premises for this establishment are being remodeled. The plans for the building have been submitted to the various review agencies. Once the remodel is complete, the building department, fire department and health department will submit reports to the licensing authority. A certificate of occupancy and approval from these three agencies is required prior to the issuance of any liquor license.

The Community Development Department has submitted a statement that the establishment will not require a conditional use permit under the submitted proposal.

A sketch of the premises to be licensed is attached.

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

Hotel/Restaurant Licenses - 4 (Chelsea's London Pub, Red Lobster, The Sizzler and West Side Delicatessen)

The number of similar type outlets in a one mile area in addition to the above are:

Hotel/Restaurant Licenses - 0

That concludes this report.

Attachment.

cc: Tres Hermanos, Inc.  
John Shaver, Assistant City Attorney  
Scott Stoneburner, Detective, Grand Junction Police Department

Memo to: Local Licensing Authority

From: Stephanie Nye, City Clerk

Date: November 29, 1995

Subject: Application by E. Boh, Inc. for a Hotel/Restaurant Liquor License at 2900 North Avenue under the name of Bohgey's Restaurant & Lounge

E. Boh, Inc. filed an application with the Local Licensing Authority on November 2, 1995, for a Hotel-Restaurant Liquor License, for consumption by the drink on the premises, to be located at 2900 North Avenue under the trade name of Bohgey's Restaurant & Lounge. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for December 6, 1995. The Notice of Hearing was given by posting a sign on the property on November 24, 1995 and for publishing the notice in The Daily Sentinel on November 24, 1995.

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 and defined the neighborhood as the area bounded by Orchard Avenue on the north, D 1/2 Road on the south, 28 1/2 Road on the east and 29 1/2 Road on the west and included 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 of or 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 existing outlets.

YES: 7  
NO: 168

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

YES: 144  
NO: 1

NOT APPLICABLE: 34

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

As the applicant is a corporation, individual histories and fingerprints were obtained from the corporate officers. The Grand Junction Police Department found no local criminal histories on the corporate officers and have forwarded the fingerprints on to C.B.I. for further processing.

The premises for this establishment are being remodeled. The plans for the building have been submitted to the various review agencies. Once the remodel is complete, the building department, fire department and health department will submit reports to the licensing authority. A certificate of occupancy and approval from these three agencies is required prior to the issuance of any liquor license.

The Community Development Department has submitted a statement that the establishment will not require a conditional use permit under the submitted proposal.

A sketch of the premises to be licensed is attached.

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

Hotel/Restaurant Licenses - 0

The number of similar type outlets in a one mile area in addition to the above are:

Hotel/Restaurant Licenses - 0

That concludes this report.

Attachment.

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cc: E. Boh, Inc.  
John Shaver, Assistant City Attorney  
Scott Stoneburner, Detective, Grand Junction Police Dept.