

**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, JANUARY 17, 1996, 8:00 A.M.

I. **CALL TO ORDER** - The meeting convened at 8:06 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and City Clerk Stephanie Nye.

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

A. Centennial Liquors, 2721 North 12th, Retail

Continued to the February 7, 1996 meeting.

B. Golden City Restaurant, 2430 North Avenue, Beer & Wine

The application was in order and approved.

C. Lincoln Park Golf Club, 1400 Gunnison Avenue, 3.2% Beer

Jack Sommers representing Lincoln Park Golf Club was present.
The application was in order and approved.

III. **APPLICATION FOR CHANGE OF OWNERSHIP**

A. Arnik, LLC dba The Bottle Shop, 725 Pitkin Avenue, Retail
Liquor Store

Transfer of Ownership from Tall Pine, Incorporated dba Bottle
Shop to Arnik, LLC dba The Bottle Shop, 725 Pitkin Avenue

Applicant: Arnik, LLC

Member: Richard A. Summers, 2987 1/2 Bret Drive,
Grand Junction

Richard A. Summers (Arnie) was present. He is currently
operating under a temporary license. The application was in
order. The application was approved.

B. Nelson Ventures, LLC dba Pancho's Villa Restaurant, 801 North
1st, Hotel-Restaurant

Transfer of Ownership from Vera Gilbert dba Pancho's Villa
Restaurant to Nelson Ventures, LLC, dba Pancho's Villa
Restaurant, 801 North 1st Street

Applicant:Nelson Ventures, LLC
Members: Thomas J. and Irene Nelson, 321 South
Redlands Road, Grand Junction

Thomas and Irene Nelson were present. They are currently operating under a temporary license. The application was in order and approved.

- C. Darlene M. Stoner dba Andy's Liquor Mart, 922 North 1st Street, Retail Liquor Store

Transfer of Ownership from Thomas L. Goerke dba Andy's Liquor Mart to Darlene M. Stoner dba Andy's Liquor Mart, 922 North 1st Street

Applicant:Darlene M. Stoner, 554 Eastwood, Grand Junction

Darlene Stoner was present. She is currently operating under a temporary permit. A stipulation was submitted to City Clerk Nye that a sale needed to take place by January 1, 1996, in order for the license not to be suspended. Assistant City Attorney Shaver stated the transfer was appropriate and the application is in order. There has been some controversy over this establishment, but this pertains to the previous owner and does not affect this applicant. The application was in order and approved.

IV. HEARINGS FOR SPECIAL EVENTS PERMIT

- A. Application by Avalon Theatre Incorporated for a Malt, Vinous and Spirituous Liquor Special Events Permit for "Brian White Concert" on February 3, 1996 and for "Blues Show" on February 9, 1996 both from 1:00 p.m. to 12:00 a.m. located at 645 Main Street

Applicant:Avalon Theatre Incorporated, PO Box 296
President:Pat Gormley, 2433 North 1st Street
Event Manager: Barbara Creasman, 262 33 1/2 Road

Pat Gormley was present. City Clerk Nye read into the record the letter showing the reason for the request (attached). Mr. Gormley gave some background on the Avalon Theater. He stated they are currently applying for an Arts license. Hearing Officer Coebergh stated they need to meet the State Statutes and he is happy to see them applying for the Arts license. He asked Mr. Gormley to address the problems which came up over the last concert event at the Avalon which the City received complaints about. Mr. Gormley stated he was at the concert for approximately one hour and he did not observe any violations taking place. Barbara Creasman, executive director of the Downtown Development Authority, came forward to answer questions also. Ms. Creasman stated they want the Avalon Theatre to be a major asset to the downtown area and they want to work with their neighbors. They intend to meet

all the laws necessary and handle the theater in a professional way. She encouraged people to call the office and make them aware of any problems which come up.

Mr. Jim Smith, business owner located at 634 Main Street, which is directly across the street from the Avalon Theatre.

He stated the parking lot was parked 4 deep with tailgate parties taking place. He tried to exit his business and found 4 people sitting on the hood of his car. They had spilled beer on his car and one of them appeared to be a minor who was intoxicated. The next morning, he found beer bottles, trash stacked around an electrical box and strewn in the alleyway, and street people picking up the beer cans in the parking lot. (He showed pictures he had taken.) There was an ice vehicle parked in the handicapped zone. Half empty beer bottles were sitting on the tongue of the trailer.

He had been informed that the meeting of this morning was properly posted in a conspicuous spot so that people will know that they are applying for a special liquor license. He had a picture of the front of the Avalon and could not find this posted notice. He found the poster by peering through the window. It was located back against the counter where it could not be seen. Later that afternoon, someone moved it to the front door, posting it in front of the door with the hearing date blocked by the kick panel of the door. He does not feel this is properly being handled and should be denied.

The lack of security and lighting and the amount of improper activities taking place in adjacent parking lots, makes this very difficult to control. There are still broken beer bottles in the parking lot and the alleyway. He had a customer leave his business at 8:00 pm that evening and will not return because she felt very unsafe. Hearing Officer Coebergh stated this meeting was not a full hearing on whether or not future events would be granted a license. A formal hearing will be set at the time the Arts license comes before the Licensing Authority. There is a difficult distinction between administrative and due process. There will be a separate due process hearing concerning the Arts license. Assistant City Attorney Shaver stated Hearing Officer Coebergh had correctly identified the appropriate time to hear those present today which would be at a separate due process hearing. However, Mr. Smith's comments are relevant.

B.D. Scroggins, senior pastor of the Sonrise Church of God, was concerned with the sale of alcohol at the concert and that this was used as a fund raiser for the renovation of the Avalon Theatre.

Frank Bering, the operator of The Winery and Gladstone's restaurants, was concerned with the controlling of the alcohol at these events.

Faye Timmerman, board member of the DDA and the VCB, felt the problems may not be the result of the concerts at the Avalon but due to a large gathering which seems to exacerbate the problems. There needs to be a strong effort made to work with the City and the police to control these types of problems. There is a need for a place such as the Avalon to

handle large gatherings of this type. The DDA is willing to work with the City and the police department, and if additional security is required, will make sure this is taken care of. She apologized to Mr. Smith and encouraged him to call the police department and let them know that illegal activities are happening. She urged the Local Authority to grant the license for the next two events and stressed that these problems will be taken care of in the future.

Mike Shafer, board member of the Avalon Theatre and an employee of COOL 107.9, stated he was responsible for producing the concert event. The amount of beer sold at one show at Two Rivers was roughly 3 times the amount sold at two Avalon events. No beer was served in bottles. There were 14 security officers present, two of which were off duty police officers. This type of event is watched very closely due to the liability involved. He did call Two Rivers prior to booking the Avalon but the schedule of the events did not fit Two Rivers schedule. Also, the Avalon Theatre is acoustically better than Two Rivers. He stated he had spent some time outside of the building during the concert and did not observe any of the reported activities taking place. There was an autograph session at the end of the second show which caused a number of people to congregate outside of the theater. He felt the concert went very smoothly and acknowledged there were areas which needed to be addressed. He stated they do not promote drunkenness or alcohol abuse. Assistant City Attorney Shaver asked if he was promoting the next two events. Mr. Shafer stated he was doing one and Sandstone Entertainment would be doing the other.

Ron Maupin, residing at 1429 Grand Avenue, a business owner at 510 and 504 Main Street and also Mayor of Grand Junction, stressed the amount of work which has been given to the Avalon project to revitalize the downtown area. As to the parking question, the City has just recently received the results of a parking study and he hopes to be able to work with the private owners to be able to access these parking lots at night in order to minimize the need to create new parking lots by tearing down existing buildings. He emphasized the need to cooperate between the businesses in the downtown area to bring the nightlife back to the area.

Barbara Creasman stated the DDA will be touching base with the private owners concerning the use of the parking lots.

Pat Gormley stated the complaints which Mr. Smith raised were not anticipated and these types of things will not happen in the future.

Assistant City Attorney Shaver stated the letter submitted by Mr. Gormley is directly related to the statutory grounds for the permit. He feels it is appropriate for the permits to be issued for these events. If problems arise on the February 3rd event, the permit for the February 9th event could be revoked. Ms. Creasman is on notice regarding the revocation and possible hearing for preclusion of any further permits being granted if there are problems. Hearing Officer Coebergh agreed the statutory requirements have been met and

if these problems need to be addressed further, a due process hearing would need to be convened. Notice would be given for this. Since this was the first concert of this type for the Avalon, the learning curve should accelerate to address these problems adequately. Also, there is an application pending for an Arts license and this would provide an opportunity for the acceptance or denial of this license. The permits were granted for the two concert events at this time.

V. **ADJOURNMENT** - The meeting was adjourned at 9:02 a.m.

NEXT REGULAR MEETING - February 7, 1996

THE AVALON THEATRE

January 2, 1995

City of Grand Junction
Local Licensing Authority
520 Rood Avenue
Grand Junction, CO 81501

RE: Malt, Vinous, and Spirituous Liquor Special Events permit for Avalon Theatre -Brian White Concert on 02-03-96, and "Blues Show" on 02-09-96.

In accordance with statute number 12-48-103, the Avalon Theatre, Inc. is providing the following information supporting the issuance of a Special Events permit for February 3 and 9, 1996.

The following facilities are in Grand Junction, have a liquor license, and have a convention facility:

Facility Name	Address	Capacity in Persons
GJ Hilton	743 Horizon Drive	500
Holiday Inn	755 Horizon Drive	500
Ramada Inn	2790 Crossroads Blvd.	225
St. Regis	359 Colorado Blvd.	100
The Rose	2993 North Avenue	400
Two Rivers Convention	159 Main Street	1800

The above-mentioned facilities (except Two Rivers) are all inadequate for the performances due to the inability to accommodate more than 500 guests. Our performances have already sold tickets for close to 500 and are expected to exceed that amount by the date of the performances. Two Rivers is not available for either performance, as they have previously booked functions for both evenings.

The following facilities are bars in the Downtown area which have liquor licenses, but are inadequate for the performance due to their low capacity levels:

Facility Name	Address	Capacity in Persons
Blue Moon Bar & Grille	120 N. 7th Street	168
Quincy's	609 Main Street	182
Rockslide Brewery	4th & Main	150
Winery Restaurant	642 Main	70
Wrigley Field Sports Bar	1810 North Avenue	95

The Avalon Theatre will accommodate 1000 persons, which is adequate for the concert. The purpose of having the concert at the Avalon is to allow the Grand Junction community the opportunity to view the Phase I & II renovations. Since this is entirely a community project, and a portion of the concert proceeds will benefit the Avalon, it is imperative that the concert be held at the Avalon in lieu of another facility in Grand Junction.

If you need additional information, or have any questions please contact the office at 245-2926.

Sincerely,

Pat Gormley

Chairman