

**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, MAY 1, 1996, 8:00 A.M.

I. CALL TO ORDER - The meeting convened at 8:02 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

1. WTB Enterprises Incorporated dba Blue Moon Bar & Grille, 120 North 7th Street, Hotel-Restaurant

The application was in order and approved.

2. Gay Johnsons Incorporated dba Gay Johnsons, 333 North 1st Street, 3.2% Beer Retail

The application was in order and approved.

3. Happy Valley Spirits Incorporated dba Earl's House of Spirits, 1560 North Avenue, Retail Liquor Store

The application was in order and approved.

4. Martinez Family Corporation dba Chupiro's Place, 122 South 5th Street, Tavern with Extended Hours

Cindy Enos Martinez representing the Martinez Family Corporation was present. City Clerk Nye reported the Fire Department, upon inspection, cited 2 violations. Upon second inspection, these had not been corrected. Ms. Nye requested Ms. Martinez's presence today to give account in this matter. Ms. Martinez stated the light fixture has been repaired. The ceiling is still under repair as another leak was discovered. This should be completed by the end of this week. The Fire Department is scheduled to return in 30 days for a reinspection.

The application was in order and approved.

III. HEARING - APPLICATION FOR CHANGE OF LOCATION

1. Patricia A. Tugman dba Centennial Liquors, 1001 Patterson, Retail Liquor Store

Change of Location from 2721 North 12th Street to 1001 Patterson

Applicant: Patricia A. Tugman, PO Box 2852. Grand Junction

John Williams, attorney for Ms. Tugman, was present. City Clerk Nye read into the record the report to the Local Licensing Authority (see attached).

Mr. Williams stated Ms. Tugman purchased Centennial Liquors from Mr. Don Adams. It has been in this same location since 1976. Ms. Tugman lost the lease due to the purchase of the Centennial shopping center by St. Mary's. They plan to turn this into a series of doctor's offices. The liquor store would not fit into this. The lease did expire the end of February and they did extend it at that time for 30 days. In the course of this time frame, the license came under renewal which was approved. The license has been inactive since the end of March. Ms. Tugman has looked for a new location to transfer the license for 1 year.

Currently, a new location has been found at 1001 Patterson Road. A change in the zoning is required for which the application has been submitted and fees paid.

A hearing has been scheduled for June. After approval of this zoning change, a closing date on the property is anticipated for July. Ms. Tugman does understand the issuance of the license by the state will be contingent upon her obtaining possession through the purchase of the building. Mr. Williams asked the license transfer be approved contingent upon the rezone and the successful purchase of the property.

Assistant City Attorney Shaver stated under Colorado Law, a contract interest in real property is sufficient for purposes of making this type of application to the Local Authority. Unless an action is taken to revoke the license, the license remains valid. Mr. Shaver's concern was the approval of the license may be used to influence either the Planning Commission or the City Council in the rezone matter by representing the applicant had come before the Local Authority and the license was allowed.

Mr. Anthony Lopez, who lives in the neighborhood, was present. He stated he has known Ms. Tugman for 3 years and has found her to be a very good person and there is a need for this type of outlet in the area.

There was no opposition. The application was in order and approved contingent upon the rezone and the successful purchase of the property.

IV. HEARING - APPLICATION FOR NEW LICENSE

1. Felipe Leon dba Leon's Taqueria Restaurant, 507 30 Road #8, Hotel-Restaurant
Applicant/
Owner: Felipe Leon, 3126 Chipeta Avenue, Grand Junction

Jess Zamora, business consultant, was present representing Leon's Taqueria. City Clerk Nye stated the application had been in the process when the Clifton annexation took place. At this time, they have been deannexed effective May 4, 1996 so they are still in the City's jurisdiction.

Ms. Nye read into the record the report to the Local Licensing Authority (see attached). Ms. Nye stated Mr. Leon did reveal the items concerning his arrest record on the individual history form which matched the report from the F.B.I.

Assistant City Attorney Shaver stated there was no problem with the 2 convictions as they had been revealed on the application. They were not crimes of moral turpitude. Mr. Shaver favored approval of the license.

The application was in order and approved contingent on the final Health and Building Departments reports.

- V. **ADJOURNMENT** - The meeting was adjourned at 8:31 a.m.

NEXT REGULAR MEETING - The May 15, 1996 meeting has been cancelled. The next regular Liquor and Beer Meeting will be June 5, 1996

Memo to: Local Licensing Authority

From: Stephanie Nye, City Clerk

Date: April 24, 1996

Subject: Application by Patricia A. Tugman for a Change in Location of a Retail Liquor Store at 1001 Patterson under the name of Centennial Liquors

Patricia A. Tugman filed an application with the Local Licensing Authority on March 29, 1996, for a Change in Location for a Retail Liquor Store License, for sale of malt, vinous and spirituous liquors in sealed containers for consumption off the premises, to be relocated from 2721 North 12th to 1001 Patterson under the trade name of Centennial Liquors. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for May 1, 1996. The Notice of Hearing was given by posting a sign on the property on April 19, 1996 and by publishing a display ad in The Daily Sentinel on April 19, 1996.

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 Horizon Drive on the north, Orchard Avenue on the south, 15th Street on the east and 5th Street (if extended) 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 that the proposed relocation will not conflict with the reasonable requirements of the neighborhood or the desires of the inhabitants.

YES: 64
NO: 0

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

YES: 79
NO: 0
Not Applicable: 10

No other letters of opposition or counterpetitions have been filed

to date.

The closing on the property is scheduled for July, 1996. Any approvals for the relocation would be contingent on the closing taking place. As a remodel is planned for the new location, the Mesa County Building Dept. will submit a report to the City once that has been completed and the building is ready for occupancy. A sketch of the premises as proposed to be licensed is attached.

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

Retail Liquor Stores - none

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

Retail Liquor Stores - none

That concludes this report.

Attachment.

cc: Patricia A. Tugman, applicant
John Shaver, Assistant City Attorney
Julia Marston, Grand Junction Police Department

Memo to: Local Licensing Authority

From: Stephanie Nye, City Clerk

Date: April 24, 1996

Subject: Application by Felipe Leon for a Hotel/Restaurant
Liquor License at 507 30 Road #8 under the name of
Leon's Taqueria Restaurant

Felipe Leon filed an application with the Local Licensing Authority on March 25, 1996, for a Hotel-Restaurant Liquor License, for consumption by the drink on the premises, to be located at 507 30 Road #8 under the trade name of Leon's Taqueria Restaurant. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for May 1, 1996. The Notice of Hearing was given by posting a sign on the property on April 19, 1996 and publishing a notice in The Daily Sentinel on April 19, 1996.

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 E 1/2 Road on the north, Gunnison Avenue on the south, 30 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:

105 persons signed a petition that stated:

We, the undersigned, being 21 years of age or older and living with the neighborhood defined on the attached do hereby declare that the needs of the neighborhood and the desires of the inhabitants are not being fulfilled by the existing Hotel and Restaurant Liquor Licenses and do hereby request that the Local Licensing Authority grant the requested license.

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

An individual history and fingerprints were obtained from the applicant. The Grand Junction Police Department found no local criminal history on the applicant, however, the F.B.I. did find two convictions on Mr. Leon. One was in 1979 for illegal entry and one was in 1992 for willful discharge of a firearm. Mr. Leon revealed both of these convictions on his individual history form and his explanations are herein incorporated by reference.

The premises for this establishment are being remodeled. The plans for the building have been submitted to the various review agencies. The Fire Dept. has inspected the premises and sees no reason to withhold the license. Once the remodel is complete, the building department and health department will submit reports to the licensing authority. A final inspection certificate and approval from these two agencies is required prior to the issuance of any liquor license.

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 - 1 (Gator's Bar & Grill)

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

Hotel/Restaurant Licenses - 1 (Bohgey's Restaurant)

That concludes this report.

Attachment.

cc: Felipe Leon, applicant
John Shaver, Assistant City Attorney
Julia Marston, Grand Junction Police Department