

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, AUGUST 20, 1997, 8:00 A.M.

I. CALL TO ORDER - The meeting was called to order at 8:03 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and Acting City Clerk Christine English.

II. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES

1. Fishers Liquor Barn Inc., dba Fishers Liquor Barn, 2448 F Road, Retail Liquor

The application was in order and approved.

2. C & D Food Store dba C & D Food Store, 2685 Unawep Avenue, 3.2% Beer

The application was in order and approved.

3. Mill Inn Inc., dba W W Peppers, 753 Horizon Drive, Hotel-Restaurant

The application was in order and approved.

4. Loco Inc., dba Loco Food Store No. 16, 2249 Broadway, 3.2% Beer

The application was in order and approved.

5. Warren G. Roger dba This Is It Grocery, 215 South 11th Street, 3.2% Beer

The application was in order and approved.

6. Stephen R. Robertson dba Sky's Restaurant & Lounge, 2829 Walker Field Drive, Hotel-Restaurant

The application was in order and approved.

III. APPLICATION FOR TRANSFER OF OWNERSHIP

1. Q.S. Inc., dba Shanghai Gardens Restaurant North, 1037 North Avenue, Hotel-Restaurant

Transfer of Ownership from Panda Chinese Restaurant Inc., dba Panda Chinese Restaurant & Lounge to Q.S. Inc., dba Shanghai Gardens Restaurant North located at 1037 North Avenue

President: Quangen Jiang, 2788 Cortland Avenue, Grand Junction  
Secretary/  
Treasurer: Shiou Ching Kwan, 2788 Cortland Avenue, Grand Junction

Shiou Ching Kwan was present. The application was in order. Acting City Clerk English read into the record the report from Code Enforcement and the letter to the Local Licensing Authority pertaining to the discrepancy in the diagram submitted showing seating of 92 and the actual seating count by the Code Enforcement Division of 110 (see attached). Hearing Officer Coebergh asked if Ms. Kwan had received a copy of the letter. Ms. Kwan stated she had been out of town for two weeks.

Assistant City Attorney Shaver stated there are two issues:

1). The Colorado Liquor Code states a license will be issued only if in conformance with the liquor laws and all local laws. Specifically in this situation the number of parking spaces versus seating occupancy is a problem under the Zoning and Development Code. The law requires 1 parking space for every 3 seats. 2). The law requires that the premises to be licensed be mapped/diagrammed. The premises must be consistent with the submitted diagram. If it is not, this is a violation of the licensing laws. Mr. Shaver recommended the transfer of ownership hearing proceed but any decision be postponed until the next hearing date of September 3, 1997.

This would allow the applicant time to contact the Community Development Department and work on a solution on the parking versus seating problem. The establishment is currently operating on a temporary license until November 17, 1997.

Hearing Officer Coebergh approved the license on the local level and stated the applicant would need to be in compliance with the parking versus seating law prior to the issuance of the license. The hearing will be continued to the next meeting on September 3, 1997 for the applicant to demonstrate compliance.

#### **IV. APPLICATION FOR NEW LICENSE WITH MANAGER'S REGISTRATION**

1. Texas Roadhouse of Grand Junction LLC., dba Texas Roadhouse, 2870 North Avenue, Hotel-Restaurant

Applicant: Texas Roadhouse of Grand Junction LLC.  
Managing Member: W. Kent Taylor, 3619 Trail Ridge Road, Louisville, Ky

Manager: Jeremy Krug, 11382 W. Lake Drive, Littleton, CO

Steve Halliday representing Texas Roadhouse of Grand Junction LLC., was present. Ms. English read into the record the report to the Local Licensing Authority on the results of the survey (see attached). Mr. Halliday stated the restaurant is a family orientated chain out of Kentucky. He also stated that generally only 10% of the gross sales are derived from the sale of alcohol. The hours are from noon to 11:30 p.m. featuring home style food. Mr. Shaver questioned when the completion date of the building and the anticipated date of opening would be. Mr. Halliday stated the tentative opening date is September 29, 1997. The restaurant will have seating for 250 people with 145 parking spaces. There was no opposition to the issuance of the license present. The application was approved. A resolution will be prepared.

#### **V. APPLICATIONS FOR SPECIAL EVENT PERMITS**

1. Application by Grand Junction Air Show, Inc., for a Fermented Malt Beverage Special Event Permit for "Grand Junction Air Show" on September 5, 1997, from 4:00 P.M. to 8:00 P.M., and September 6 & 7, 1997 from

9:30 A.M. to  
Walker Field Drive

5:00 P.M. to be licensed at Walker Field Airport, 2828

Applicant: Grand Junction Air Show, Inc.  
President/  
Event Manager: Carl Hefner, 2182 Lassen Court, Grand Junction

Peg Wallace and Wayne Hammick were present representing the Grand Junction Air Show. Ms. English read into the record the letter requesting the Special Event Permit (see attached). Mr. Shaver stated this is a unique event and the letter meets the statutory requirements showing need for the issuance of the permit. Mr. Shaver stated for the record that both he and the City Clerk's office had given suggestions to the applicant as to the correct form of the letter submitted. The application was found to be in order and approved by Hearing Officer Coebergh.

2. Application by B.P.O. Elks 575 for a Malt and Vinous Special Event Permit for "October Fest" on October 4, 1997 from 10:00 A.M. to 11:00 P.M. to be licensed on Main Street between 5th and 7th Streets

Applicant: B.P.O. Elks 575  
President: Don Ryan, 2 Merlot Court, Grand Junction  
Event Manager: Roy Bud Weaver, 2450 Wellington Court H, Grand Junction  
Ron Ward, 739 Coral Drive, Grand Junction

Roy Weaver was present. Ms. English read into the record the letter requesting the Special Event Permit (see attached). Mr. Shaver stated that the statutory requirements had been met. This event will be accommodating a large number of people and is a yearly event. The application was found to be in order and approved by Hearing Officer Coebergh.

**V. ADJOURNMENT** - The meeting was adjourned at 8:35 A.M.

**NEXT REGULAR MEETING** - September 3, 1997

**GRAND JUNCTION LODGE NO. 575**  
**BENEVOLENT AND PROTECTIVE ORDER OF ELKS**  
**A FRATERNAL ORGANIZATION**  
249 SOUTH 4TH STREET  
P.O. BOX 1987  
GRAND JUNCTION, COLORADO 81502-1987  
(970) 243-0675

July 26, 1997

Stephanie Nye, Grand Jct City Clerk  
250 N 5th Street  
Grand Jct Colo 81501

Re October Fest October 4,1997

Dear Stephanie:

The Elks Lodge is requesting a one day liquor license to accommodate the large crowd anticipated for this event.

This request is being made for the following reasons;

This is one outdoor event the Elks Lodge hosts annually.

This event is designed for outdoor Setting, primarily using the Main Street Shopping Park for a Fair/Festival Atmosphere accommodating vendors, entertainment and activities which could not be held in an indoor facility downtown.

The downtown restaurants - Quincy, Blue Moon, Crystal Cafe, Rockslide, Etc. do not have the capacity to serve the approximately 8,000 people who attend this event. The facility at Two Rivers Convention Center could not be used, since vendor and association sells food, and the policy at two Rivers does not allow food to be brought into the premises. Also Two Rivers could not accommodate all the various activities that make up this event.

Participant in this event include Arts, Crafts, food, commercial /promotional and non-profit vendors., a variety of entertainers perform through out the day. This is an outdoor event, using two blocks of the Shopping Park.

The Elks Lodge would like those attending to be able to remain outside to enjoy the festivities. Refreshments being served include a variety of German food service by the German Club and the Kiwanis Club.

Sincerely,

Roy W. Weaver  
Co Chairman

**DATE:** July 18, 1997

**TO:** Jan Koehn  
Code Enforcement

**FROM:** Stephanie Nye  
City Clerk

Scheduled for hearing by the Local Licensing Authority on

Wednesday, August 20, 1997, is the application for a

T of O Hotel-Restaurant license by Q.S. Inc

dba Shanghai Gardens located at 1037 North Avenue

Please inspect the premises and verify that the physical layout

matches the **attached** diagram.

Notice of Hearing posted by August 8, 1997

Please check for display of **Notice of Hearing** poster.  Yes  No

Please file a report on or before August 15, 1997

Thank you.

8/11/97 Physical layout appears as on diagram. Seats and parking spaces were counted at staff request. There are 110 seats. There are 33 parking spaces. Two are designated for handicap parking and 3 in the rear are not accessible from alley.

Nina McNally

Code Enforcement Officer

Memo to: Phil Coebergh, Hearing Officer  
Local Licensing Authority

From: Stephanie Nye, City Clerk

Date: August 13, 1997

Subject: Shanghai Gardens North Liquor License Application

Shanghai Gardens North submitted an application for a transfer of ownership of a hotel-restaurant liquor license at 1037 North Avenue and is scheduled before you for hearing on August 20, 1997. They are currently operating on a temporary license pending transfer of ownership which is good until November 17, 1997 or until a decision has been made on their permanent license.

Code Enforcement inspected the premises to verify compliance with the diagram submitted with the application. The inspection revealed that the establishment actually has seating for 110 persons, conflicting with their submitted diagram that stated seating for 92 persons.

Further, we have had several parking complaints in the three weeks that they have been opened. Complaints have come from surrounding business owners that have included Shanghai customers using their customer's spots and parking of Shanghai customers in the alley, blocking deliveries.

The matter has been referred to the Community Development Department for resolution. I recommend that the hearing go forward on August 20th as advertised and noticed but that you postpone any decision on the issuance of their permanent license until the applicant comes into compliance with local ordinances.

If I can provide any additional details, please contact me.

Thank you.

c: QS, Inc., applicant for Shanghai Gardens North  
John Shaver, Assistant City Attorney  
Michael Drollinger, Community Development Dept.

Memo to: Local Licensing Authority

From: Christine English, Office of the City Clerk

Date: August 13, 1997

Subject: Application by Texas Roadhouse of Grand Junction, LLC., for a New Hotel-Restaurant Liquor License at 2870 North Avenue under the name of Texas Roadhouse

Texas Roadhouse of Grand Junction, LLC., filed an application with the Local Licensing Authority on July 16, 1997, for a new hotel-restaurant liquor license, for the sales of malt, vinous and spirituous liquors by the drink for consumption on the premises at 2870 North Avenue under the trade name of Texas Roadhouse. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for August 20, 1997. The Notice of Hearing was given by posting a sign on the property on August 8, 1997 and by publishing a display ad in The Daily Sentinel on August 8, 1997.

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, DRG RR on the south, 29 1/4 Road on the east and 28 1/4 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 other existing outlets.

YES: 14  
NO: 79

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

YES: 34  
NO: 9  
NOT APPLICABLE: 1

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

Individual histories and fingerprints were obtained from the limited liability company. The Grand Junction Police Department found no local criminal history on the applicants and have forwarded the fingerprints onto C.B.I. for further processing. . Upon completion of the premises, the Grand Junction Fire Department will inspect the premises for compliance with the Fire Code. The Health Department will also inspect the premises for compliance with Health Codes. A copy of the Mesa County Building Department's certificate of occupancy will need to be filed in this office prior to issuance of the license. A copy of the closing documents and a fully executed lease will also have to be filed before issuance of the license.

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

Hotel-Restaurant - 1 (La Bamba Mexican Dining)

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

Hotel-Restaurant - 1 (Casa Di Italia #2)

That concludes this report.

CC: Applicant  
John Shaver, Assistant City Attorney  
Amy Clymer, Grand Junction Police Department File  
File

Grand Junction Air Show, Inc.

August 6, 1997

Stephanie Nye  
City Clerk  
City of Grand Junction 250 N. 5th St.  
Grand Junction, CO 81501

Dear **Stephanie:**

**I am writing on behalf of Grand Junction Air Show Incorporated. I understand that there are questions regarding the Grand Junction Air Show '97 Special Event Liquor License application. The following information should answer your questions and demonstrate compliance with Colorado law.**

**The lounge/bar in the airport terminal will not be accessible to the air show spectators during the Air Show '97 and therefore is unavailable to serve our patrons. Issues of crowd control, ticket control and public safety along with Federal Aeronautic Administration (FAA) requirements necessitate keeping the crowd within the designated air show area. Because of this requirement spectators are not able to be served by other licensed establishments in the Walker Field area.**

**With the Blue Angels and the Golden Knights being featured at this year's air show we are anticipating approximately 30,000 people to attend the event. Such large crowds can no be accommodated by existing licensees near Walker Field and as such a Special Event permit is necessary to serve and accommodate the event.**

**In addition to providing entertainment the air show contributes much of its proceeds to local charities and not-for-profit organizations. A major source of revenue is derived from food and beverage sales.**

**The food, beer and novelty sales concessions are set up for and can handle large crowds and events like Air Show '97. Colorado Revised Statute 12-48-103 requires that we demonstrate that existing licensed facilities are inadequate. Due to the large crowds, the need for crowd control, the FAA regulations concerning safety and the method of conducting an air show and the fact that the terminal will be unavailable to provide beverage service, we respectfully represent that we have met the statutory burden and that the permit should issue.**

**Thank you for your cooperation regarding this matter.**

**Sincerely,**

**GRAND JUNCTION AIR SHOW, INC.**

**Carl Hefner, President**