

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

**MINUTES**

**WEDNESDAY, MAY 20, 1998, 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 Acting City Clerk Christine English.

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

1. Good Pastures Incorporated dba Good Pastures Restaurant, 733 Horizon Drive, Hotel-Restaurant

Richard Talley, owner, was present. The application was in order and approved.

2. Rocky Mountain C Stores Incorporated dba Texaco Food Mart, 459 Pitkin Avenue, 3.2% Beer

Gary Dean representing Rocky Mountain C Stores, Inc., was present. The application was in order and approved.

3. Sam's West Incorporated dba Sam's Club #6360, 1040 Independent Avenue, 3.2% Beer

The application was in order and approved.

4. Feather Petroleum Company dba Stop N Save, 2700 Highway 50, 3.2% Beer

The application was in order and approved.

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

Alfredo Martinez representing Chupiro's Place was present. The application was in order and approved.

6. FJ40 of Colorado Incorporated dba Cruisers Southwestern Grill, 748 North Avenue, Hotel-Restaurant

The Fire Department reported 1 critical violation. A reinspection has been scheduled for June 1, 1998. The application was in order and approved contingent upon a favorable reinspection report.

III. **APPLICATION TO CHANGE TRADE NAME**

1. Thrifty Payless Incorporated dba Payless Drug Store #6178, 1834 North 12th Street, 3.2% Beer

Change of Trade name from Payless Drug Store #6178 to Rite Aid #6178

The application was in order and approved.

**IV. APPLICATION FOR NEW LICENSES**

1. Horizon Drive Texaco LLC., dba Horizon Drive Texaco, 745 Horizon Drive, 3.2% Beer,  
**Concurrent Review**

Applicant: Horizon Drive Texaco LLC.  
Members: Gary Dean, 2490 H Court, Grand Junction  
Keith Pockross, 317 Jackson, Denver  
Stephen M. Fattor, 106 Virginia, Glenwood Springs

Gary Dean, member, was present. The report to the Local Licensing Authority was read into the record (see attached). Hearing Officer Coebergh questioned Mr. Dean as to why the DUI was not revealed. Mr. Dean stated he has applied for other liquor licenses and not listed this offense. This is the first time it has been revealed. Hearing Officer Coebergh stated Mr. Dean has sworn statements on record which need to be corrected to eliminate any future problems.

Assistant City Attorney Shaver agreed with Mr. Coebergh on admonishing the applicant. Mr. Shaver recommended approval of the license based on the favorable survey results. The application was in order and approved. Mr. Coebergh ordered a resolution be prepared.

2. Junction Diner LLC., dba Junction Diner, 2571 Highway 6 & 50, Beer and Wine

Applicant: Junction Diner LLC.  
Members: Scott Lindsay, 2149 South Canyon View Drive, Grand Junction  
Bruce Rossmeyer, 421 Ocean Shore Blvd, Ormond Beach, Florida

Scott Lindsay was present. The report to the Local Licensing Authority was read into the record (see attached). The Fire Department reported 4 critical violations. A reinspection has been scheduled for June 1, 1998.

Assistant City Attorney asked Mr. Lindsay who had conducted the survey? Mr. Lindsay stated the manager, Eric Brown conducted the survey. Mr. Shaver stated the number of responses in favor of issuance of the license is surprisingly low. Mr. Lindsay stated Junction Diner is situated on Highway 6 & 50. This is not a heavily populated area, mainly businesses. The residential inhabitants are limited. Mr. Shaver stated the survey area included a number of residential areas and questioned why these were not reflected in the survey. Mr. Lindsay felt the survey was just due to the population density surrounding the building and since there are not any direct inhabitants within a quarter mile radius. Due to the lack of opposition and, although not significant in number, the survey results, Mr. Shaver recommended approval of the application. The application was in order and approved. Mr. Coebergh ordered a resolution be prepared.

- V. ADJOURNMENT** The meeting was adjourned at 8:25 a.m.

**NEXT REGULAR MEETING - The June 3, 1998 meeting has been canceled. The next regularly scheduled meeting will be June 17, 1998.**

Memo to: Local Licensing Authority  
From: Christine English, Acting City Clerk  
Date: May 13, 1998  
Subject: Application by Horizon Drive Texaco LLC. for a 3.2% Beer License at 745 Horizon Drive under the trade name of Horizon Drive Texaco

Horizon Drive Texaco LLC., filed an application with the Local Licensing Authority on April 9, 1998, for a 3.2% Beer license, for the sales of fermented malt beverages containing not more than 3.2% alcohol in sealed containers for consumption off the premises at 745 Horizon Drive under the trade name of Horizon Drive Texaco. The application and supplementary documents were reviewed, found to be in order and accepted. The application has been sent to the State for a concurrent review. The hearing date was set for May 20, 1998. The Notice of Hearing was given by posting a sign on the property on May 8, 1998 and by publishing a display ad in The Daily Sentinel on May 8, 1998.

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 H Road on the north, Cortland Avenue on the south, 28 1/2 Road on the east and 26 1/2 Road 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 or business lessee of property in the neighborhood and/or an inhabitant who resides 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: 8  
NO: 106

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: 45  
NO: 1  
Not applicable: 0

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

The applicant, Horizon Drive Texaco, is a limited liability company. Local criminal history has been completed for each of the managing members. No local criminal history was found on Mr. Pockross or Mr. Fattor. Fingerprints submitted to C.B.I revealed a 1983 conviction of a DUI on Mr. Dean which was not revealed on his individual history form. Mr. Dean was contacted and an amended individual history was filed. This has been forwarded to the State. The premises are under construction at this time. Upon completion, a Certificate of Occupancy will need to be filed in this office prior to issuance of the license.

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

3.2% Beer - 3 (Acorn Food Store, Loco Food Store #15 and Stop N Save)

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

3.2% Beer - None

That concludes this report.

cc: Applicant  
John Shaver, Assistant City Attorney  
John Baker, Grand Junction Police Department  
File

Memo to: Local Licensing Authority  
From: Christine English, Acting City Clerk  
Date: May 13, 1998  
Subject: Application by Junction Diner LLC., for a New Beer and Wine Liquor License at 2571 Highway 6 & 50 under the trade name of Junction Diner

Junction Diner LLC., filed an application with the Local Licensing Authority on April 14, 1998, for a New Beer and Wine liquor license, for the sales of fermented malt and vinous liquors by the drink for consumption on the premises at 2571 Highway 6 & 50 under the trade name of Junction Diner. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for May 20, 1998. The Notice of Hearing was given by posting a sign on the property on May 8, 1998 and by publishing a display ad in The Daily Sentinel on May 8, 1998.

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 Blue Gill (if extended) on the north, Main Street on the south, 5th Street on the east and River 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: 5  
NO: 46

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: 10  
NO: 0  
NOT APPLICABLE: 0

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

The applicant, Junction Diner, is a limited liability company. Individual histories and fingerprints were obtained from the managing members. The Grand Junction Police Department found no local criminal history on the members and have forwarded the fingerprints onto C.B. I. for further processing. The Grand Junction Fire Department found 4 critical violations and will reinspect the premises for compliance the week of June 1, 1998. The Health Department has inspected the premises and report 2 critical violations. One was corrected at that time and the Health Department will reinspect the premises on May 16 for compliance on the remaining violation. The Code Enforcement Division inspected the premises and found that the diagram matches the physical layout of the premises and that the Notice of Hearing was posted in a timely manner.

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

Beer and Wine - 0

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

Beer and Wine - 1 (Talley's)

That concludes this report.

cc: Applicant  
John Shaver, Assistant City Attorney  
John Baker, Grand Junction Police Department  
File