

**LIQUOR AND BEER MEETING
LOCAL LICENSING AUTHORITY
CITY OF GRAND JUNCTION, COLORADO
TWO RIVERS CONVENTION CENTER, 159 MAIN STREET**

MINUTES

WEDNESDAY, JUNE 2, 1999, 8:00 A.M.

I. **CALL TO ORDER** – The meeting was convened at 8:00 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and Acting City Clerk Christine English. Mr. Coebergh stated he would not be following the agenda, but would be rearranging it.

II. **HEARING ON VERIFIED COMPLAINT**

1. In the Matter of The Pour House LLC., dba The Pour House, 715 Horizon Drive Regarding Violation of 12-47-901(5)(a)(I) C.R.S. **UNLAWFUL ACTS** and Colorado Liquor Regulation 47-900; and 12-47-901(5)(e) C.R.S. **UNLAWFUL ACTS** and Colorado Liquor Regulation 47-900, **Continued from May 19, 1999**

Stephanie Rubinstein, Staff Attorney, was present. Ms. Rubinstein stated she has been in contact with Mr. Tom Volkman, attorney for The Pour House LLC. It appears that no stipulation will be reached and Ms. Rubinstein is in agreement with Mr. Volkman to continue this matter to the June 16, 1999 meeting.

The matter was continued to the June 16, 1999 meeting.

III. **APPLICATION FOR MODIFICATION OF PREMISES**

1. Fiesta of Grand Junction Incorporated dba Fiesta Guadalajara, 710 North Avenue, Hotel-Restaurant

Victor Sandoval was present representing Fiesta Guadalajara. Ms. English stated the application was in order. The waiting area was expanded. The remodel took place prior to filing the modification of premises. The licensee was requested to file a letter from their landlord giving permission for the expansion. Mr. Sandoval stated he had the letter and would like to submit it at this time. Mr. Sandoval stated they were not aware they needed to file a modification of premises prior to having the work done and he apologized to the Licensing Authority.

Mr. Shaver stated it is preferable to have the paperwork filed first, but since there were no significant issues involved he recommended approval.

The application was approved.

IV. **RESOLUTION OF FINDINGS AND DECISION RE: APPLICATION FOR NEW LICENSE**

1. Western Colorado Center for the Arts dba Western Colorado Center for the Arts, 1803 North 7th Street, Arts

Applicant: Western Colorado Center for the Arts
President: Gaynell Colaric, 680 Step-A-Side Drive, Grand Junction
V. President: John Howe, 2182 Dinosaur Court, Grand Junction

Secretary: Gailen Schmidt, 5491 Buzzard Circle Road, Grand Junction
Director: Dan Patten, 2132 North 17th Circle, Grand Junction
Brd. Member: Beverly Farina, 2673 Homestead Road, Grand Junction
Brd. Member: Eugene Wood, Jr., 1546 Cortland Court, Grand Junction
Brd. Member; Cathey Pabst, 2335 Cypress Court, Grand Junction
Brd. Member: Geraldine Harris, 251 E. Fallen Rock Road, Grand Junction
Brd. Member: Anita Pisciotte, 2185 Granite Court, Grand Junction
Brd. Member: William Rohr, 2559 G 3/8 Road, Grand Junction
Brd. Member: Clay Tufly, 2817 Hawthorne, Grand Junction

Mr. John Howe and Mr. Dan Patten were present. Ms. English read into the record the report of the survey findings (see attached).

Mr. Coebergh asked Mr. Patten if he would be the holder of the license. Mr. Patten stated the way the board is structured, the director's position would be responsible for the license. Mr. Shaver stated with the directorship being responsible for the license, this would bring continuity. If there were a change in the director, they would need to reapply for the same license with the new director similar to the registration of the manager concept. The statute does not answer the question of the rotating board issue and how the license should technically issue. This is legally sufficient as there is a responsible party as well as having the board remain in control for longer-term operation. There was a resolution drafted that made the board responsible. It designates the director as the agent of the board for day to day management and operation of the license.

Mr. Coebergh asked who conducted the survey. Mr. Patten stated it was circulated by the board members. Mr. Coebergh stated there was a considerable amount of people who felt the needs were all ready being met. Mr. Patten stated it was difficult explaining to the people the wording of the first question. It is not worded in a friendly way. There are a number of elderly people living in the survey area and it was difficult explaining to them the concept of the questions. Mr. Coebergh stated the wording comes directly from the statute.

There was no opposition present. The application was in order and the statutory requirements have been met. The application was approved and a resolution was ordered.

V. APPLICATION FOR TO RENEW LIQUOR AND BEER LICENSE

1. City Market Incorporated dba City Market Store No. 9, 1909 North 1st Street, 3.2% Beer

The application was in order and approved.

VI. ADJOURNMENT – The meeting was adjourned at 8:15 a.m.

NEXT REGULAR MEETING – June 16, 1999

Memo to: Local Licensing Authority
From: Christine English, Acting City Clerk
Date: May 27, 1999
Subject: Application by Western Colorado Center for the Arts Incorporated for a Arts Liquor License at 1803 North 7th Street under the name of the Western Colorado Center for the Arts

Western Colorado Center for the Arts filed an application with the Local Licensing Authority on April 30, 1999, for a new Arts liquor license, for the sales of malt, vinous and spirituous liquors by the drink for consumption on the premises at 1803 North 7th Street under the trade name of Western Colorado Center for the Arts. The application and supplementary documents were reviewed, found to be in order and accepted. The application has been sent on to the State for a Concurrent Review. The hearing date was set for June 2, 1999. The Notice of Hearing was given by posting a sign on the property on May 21, 1999 and by publishing a display ad in The Daily Sentinel on May 21, 1999.

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 Patterson Avenue on the north, North Avenue on the south, 12th Street on the east and 1st Street 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: 34
NO: 52

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: 78
NO: 2
NOT APPLICABLE: 0

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

The Grand Junction Police Department has investigated the officers and board members for local criminal history and none was found. The fingerprints have been forwarded onto C.B.I. for further processing. The premises were inspected by the Grand Junction Fire Department and it was found to be in compliance with Life and Safety codes. The Code Enforcement Division inspected the premises to insure that the diagram submitted matched the physical layout and that the Notice of Hearing was posted in a timely manner. A report has been requested from the Mesa County Health Department to insure compliance with health codes.

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

Arts – 0

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

Arts – 1 (Avalon)

That concludes this report.

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