

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

**MINUTES**

**WEDNESDAY, AUGUST 4, 1999, 8:00 A.M.**

I. **CALL TO ORDER** -The meeting convened at 8:00 a.m. Those present were Alternate Hearing Officer Jim Majors, Assistant City Attorney John Shaver and City Clerk Stephanie Nye.

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

1. C & F Food Stores Incorporated dba C & F Food Stores, 3.2% Beer Off Premise-**3 Locations**

Frank Childs, owner, was present to answer any questions.

- a. No. 1, 859 Pitkin Avenue  
The application was in order and approved.
- b. No. 3, 2714 Highway 50  
The application was in order and approved.
- c. No. 4, 596 25 Road  
The application was in order and approved.

2. MX Incorporated dba Dolce Vita, 336 Main Street 101-104, Hotel-Restaurant

Sharme' Perucchini, owner, was present to answer any questions.

City Clerk Nye summarized the Health Department Report, noting that a reinspection is pending. Otherwise, the application was in order. It was approved.

III. **APPLICATION FOR RENEWAL WITH DECISION ON CAUSE FOR LATE FILING**

1. Grand Junction Athletic Club Incorporated dba Grand Junction Athletic Club, 2515 Foresight Circle, Tavern, **License expired on May 24, 1999**

Alternate Hearing Officer Majors noted that there were no late fees or letter included with the renewal application. Clerk Nye stated the applicants were present and should have both with them.

Dan Thurlow, owner, presented both the late fees and the letter of explanation on the late filing to the Hearing Officer. He summarized the contents of the letter. Mr. Majors asked if the established had still been selling to which Mr. Thurlow replied yes. Mr. Thurlow opined that the late fees were a stiff penalty for the oversight that had occurred. Mr. Majors explained that those late fees are set by State Statutes not the local authority.

Clerk Nye noted that the applicant will need to be back before the authority to file a modification of premises application for the inclusion of the spa area in the license.

Hearing Officer Majors found that the applicant had demonstrated good cause for the late filing and approved the renewal of the license.

#### **IV. REPORT OF CHANGE IN CORPORATE STRUCTURE**

1. QS Incorporated dba Shanghai Garden Restaurant, 715 Horizon Drive, Hotel-Restaurant  
**Continued from March 17, April 7, April 21, June 16, July 7 and July 21, 1999**

President: Chiew H. Chiou replaces Yen-Fen Chen

Secretary/

Treasurer: Meiyu C. Chiou replaces Shiou Kwan

Stockholders: Chiew H. Chiou replaces Yen-Fen Chen (50%)

Meiyu C. Chiou replaces Shiou Ching Kwan (50%)

Both Mr. and Mrs. Chiou were present. The matter had been continued several times. All documents were in order. The change in corporate structure request was approved.

#### **V. DECISION – RESOLUTION OF FINDS AND DECISION RE: APPLICATION FOR NEW LICENSE**

1. Outback/Denver I, Limited Partnership dba Outback Steakhouse, 2428 Highway 6 & 50, Hotel-Restaurant – **Concurrent Review**

General Partner: Outback Steakhouse of Florida, Inc, 550 N. Reo Street #200, Tampa, Florida

Limited Partners: Flanco, Incorporated, 400 S. McCaslin Blvd STE 108, Louisville, CO  
Barbara Miller, 10745 Willow Road Court, Parker, CO

Tom Flanagan, partner, Flanco Inc., 400 S. McCaslin Blvd, Suite 108, Louisville, Co. was present.

City Clerk Stephanie Nye stated the application is in order and then read the report on the application into the record (attached).

Hearing Officer Majors asked if Mr. Flanagan had anything to add. Mr. Flanagan stated that the Outback is a restaurant that is only open in the evening, tends to have a mature staff and estimates its revenue from liquor to be only 15 to 16%. It is an “aussie” atmosphere with only 47 tables. With only three tables per server there is good monitoring of alcohol service. Mr. Flanagan detailed the training program required for all employees and the refresher courses also required.

Mr. Flanagan advised that the managing partner, Barbie Miller, is from Grand Junction, and attended Mesa State College. She will be managing the restaurant here.

Mr. Majors asked who conducted the survey. Mr. Flanagan replied that the company hired two local contractors, June Miller and Teresa Wilkerson. The two women reported that people were excited about Outback coming to town. Mr. Flanagan included a written statement from the surveyors to that effect. Hearing Officer Majors questioned the low number of responses to the second question in the survey. Clerk Nye offered that the neighborhood defined has few residences.

Mr. Flanagan concluded by saying that the anticipated opening is September 20.

Hearing Officer Majors approved the license with the conditions that the establishment receive a successful inspection from the Building Department, signed off by the Fire Department, get approval from the Health Department and that they provide the City with signed copies of Exhibits E, F and G of the ground lease.

Clerk Nye asked when the closing is set. Mr. Flanagan answered September 13.

It was noted that there was no public present to speak for or against the application.

Hearing Officer Majors stated the following findings to support the approval of the license:

- The survey conducted revealed that 110 persons felt the needs of the neighborhood were not being met;
- That 6 persons desired that the license be issued;
- That no counterpetitions were filed;
- That the moral character and reputation of the applicant is good;
- That there are 4 similar type outlets in the area;
- That the statutory requirements have been met ;
- That the license be issued. Hearing Officer Majors resolved that the license be approved and directed the City Clerk to prepare a resolution including the approval and the above findings.

## **VII. ADJOURNMENT**

There being no further business, the meeting adjourned at 8:25 a.m.

**NEXT REGULAR MEETING – August 18, 1999**

Memo to: Local Licensing Authority  
From: Christine English, Acting City Clerk  
Date: July 19, 1999  
Subject: Application by Outback/Denver I, Limited Partnership for a Hotel and Restaurant Liquor License at 2428 Highway 6 & 50 under the trade name of Outback Steakhouse

Outback/Denver I, Limited Partnership filed an application with the Local Licensing Authority on June 23, 1999, for a new Hotel and Restaurant liquor license, for the sales of malt, vinous and spirituous liquors by the drink for consumption on the premises at 2428 Highway 6 & 50 under the trade name of Outback Steakhouse. The application and supplementary documents were reviewed, found to be in order and accepted. The application has been forwarded to the state for a concurrent review. The hearing date was set for August 4, 1999. The Notice of Hearing was given by posting a sign on the property on July 23, 1999 and by publishing a display ad in The Daily Sentinel on July 23, 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 G Road on the north, the Colorado River on the south, 25 Road on the east and 23 ½ 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: 11  
NO: 110

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: 6  
NO: 8  
NOT APPLICABLE: 6

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 will be inspected by the Grand Junction Fire Department for compliance with Life and Safety codes. The Mesa County Health Department reports that plans have been filed with them and approved. They will conduct a final inspection upon completion of the building to insure compliance with health codes. A report has been requested from the Grand Junction Fire Department to insurance compliance with Life and Safety codes. A Certificate of Occupancy from the Mesa County Building Department will need to be filed in this office prior to the issuance of the approved license. Signed copies of the Exhibits E, F and G, attachments to the ground lease, will need to be filed prior to the issuance of the approved license, also.

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

Hotel and Restaurant - 4 (Bennett's Bar B Que, Chelsea's London Pub, Red Lobster and Todo Bien)

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

Hotel and Restaurant – 0

That concludes this report.

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