

**LIQUOR AND BEER MEETING  
LOCAL LICENSING AUTHORITY  
CITY OF GRAND JUNCTION, COLORADO  
MUNICIPAL HEARING ROOM, CITY HALL, 250 NORTH 5<sup>TH</sup> STREET**

**MINUTES**

**WEDNESDAY, DECEMBER 5, 9:00 A.M.**

- I. **CALL TO ORDER** – The meeting was convened at 9:05 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and Deputy City Clerk Christine English.
1. Bookcliff Oil Incorporated dba BG's, 2896 North Avenue, 3.2% Beer Off Premise  
The application was found to be in order and approved.
  2. Loco Incorporated dba Loco Food Store #14, 2902 F Road, 3.2% Beer Off Premise  
The application was found to be in order and approved.
  3. BPO Elks Lodge Grand Junction #575, 249 South 4<sup>th</sup> Street, Club  
A report from the Police Department has not yet been received. The application was otherwise in order and approved contingent upon a favorable Police report.
  4. 7<sup>th</sup> Street Café Incorporated dba Main Street Café, 504 Main Street, Beer and Wine  
The application was found to be in order and approved.
  5. The Pinon Grill Incorporated dba The Pinon Grill at Tiara Rado, 2063 South Broadway, Hotel and Restaurant with 3 Optional Premises  
Steve Hoefer, the corporation president, was present. The application was found to be in order and approved.
  6. David Dame dba CHEF's, 936 North Avenue, Hotel and Restaurant  
David Dame was present. The application was found to be in order and approved.
  7. Robert J. Wilcox Inns Incorporated dba West Gate Inn, 2210 Highway 6 & 50, Hotel and Restaurant  
The application was found to be in order and approved.
  8. Seven Seventeen HB Colorado Corporation dba Adam's Mark Hotel, 743 Horizon Drive, Hotel and Restaurant  
Larry McDonald, general manager, was present. The Fire Department reported 4 critical violations. Mr. McDonald stated the violations have been corrected and the Fire Department has not yet conducted a resinspection. The application was found to be in order and approved contingent upon a favorable reinspection report from the Fire Department.

9. Rock Bottom Restaurants Incorporated dba Old Chicago, 120 North Avenue, Hotel and Restaurant

The application was found to be in order and approved.

10. Ray W. Quan dba Far East Restaurant, 1530 North Avenue, Hotel and Restaurant

The Fire Department reports 3 critical violations. The application was found to be in order and approved contingent upon a favorable reinspection report from the Fire Department.

11. Brinker Restaurant Corporation dba Chili's Grill & Bar, 584 24 ½ Road, Hotel and Restaurant

The application was found to be in order and approved.

## II. **APPLICATIONS FOR RENEWAL WITH REPORT OF CHANGE IN CORPORATE STRUCTURE**

1. Bookcliff Country Club Incorporated dba Bookcliff Country Club, 2730 G Road, Hotel and Restaurant

Directors: Christine Crone replaces Arnie Butler  
Dave Armour replaces Judith Jepson  
Richard Thompson replaces Dr. Robert Rhyne  
Jerry Tompkins replaces Lenna Watson

Mimi King, office manager, was present. The applications were found to be in order and approved.

2. Beye Lotz Grand Junction VFW Post #1247, 1404 Ute Avenue, Tavern

Sr. Vice President: Joseph D. Shelleman replaces Joseph Frost  
Jr. Vice President: Frederick Castro replaces Ronald Nolan  
Trustee: Edward R. VanWestenberg replaces Carl Munger

The applications were found to be in order. A local Police report shows that 2 of the new officers have arrest records that were not disclosed on the individual histories. Mr. Shaver stated one of the proposed officers has an arrest in July 1988, and the other was arrested in April 1999. Mr. Shaver recommended approval of the renewal application and continuing the report of change in corporate structure to the next scheduled hearing. Mr. Coebergh concurred and approved the liquor license renewal and continued the report of change in corporate structure to the December 19, 2001 meeting. Mr. Coebergh requested that the licensee be sent a certified letter of notification of the decision today and requested that they be given the opportunity to appear before the Local Licensing Authority on December 19, 2001.

## III. **APPLICATION FOR TRANSFER OF OWNERSHIP**

1. The Tennis Center at Grand Junction LLC dba The Tennis Center at Grand Junction, 535 25 ½ Road, Tavern

Transfer of Ownership from Heather L. Shuman dba Racquet Club Pub to The Tennis Center at Grand Junction LLC dba The Tennis Center at Grand Junction, 535 25 ½ Road, Tavern

Applicant: The Tennis Center at Grand Junction LLC  
Managing Members: Kimberly Bridge, 1520 North 7<sup>th</sup> Street, Grand Junction, CO  
Mitchell Bridge, 1520 North 7<sup>th</sup> Street, Grand Junction, CO

Kim Bridge was present. The applicant is currently operating under a temporary permit. The application was found to be in order and approved.

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

1. The End Zone Eatery & Pub Incorporated dba The End Zone Eatery & Pub, 2424 Highway 6 & 50 Space 232, Hotel and Restaurant

Applicant: The End Zone Eatery & Pub Incorporated, PO Box 459, Fruita, CO  
President: LaChelle E. Peugh, 321 North Peach Way, Fruita, CO  
Vice President: Chauda R. Ludwick, 850 Henry Circle, Fruita, CO  
Treasurer: Donna E. Greager, 605 Meander Drive, Grand Junction, CO

Donna Greager and LaChelle Peugh were present. Ms. English stated sales tax reported that no application has been made for a license as of November 15, 2001. The applicant is open and operating the business but not serving alcohol at this time. Ms. Peugh stated they have received the sales tax license in the mail and would bring a copy into the City Clerk's office to be placed in the file. The results of the survey were read into the record (see attached). No letters of opposition have been filed to date.

Ms. Greager stated they have brought with them today 40 additional signatures that have been obtained. On the original petition, the questions were confusing for them and for the signers. Mr. Coebergh concurred that this has happened many times in the past with the petitions. Ms. Greager stated all of the signatures were in favor of issuance of the license and were obtained from the subdivisions within the survey area and from some additional businesses located in or near the mall.

Mr. Shaver asked Ms. English if the 40 signatures, which could not be counted according to the report, related to question #1? Ms. English stated it was a combined total to both questions #1 and #2. Mr. Shaver asked the applicants' as to who conducted the surveys? Ms. Peugh stated both she and Ms. Greager obtained the signatures. The people were asked to read the questions and they tried to answer any questions the signers might have had regarding the questions themselves. It was very confusing for both the petitioners and the petitioned. Ms. Greager stated the manager's of the mall were present in favor of the issuance of the license also. The low number represented in the report on question #1 was due to the confusion people had interpreting the question itself. That is why they gathered more signatures to bring with them today.

Mr. Coebergh noted that 1 of the survey forms had an "x" through the word Yes after the question. Mr. Greager stated she had done that because people were becoming confused as to whether they were being asked if they were resident's of the neighborhood and not whether they felt the needs were all ready being met. Ms. Greager stated they had run into no resistance to the liquor license being issued. Many of the people all ready were customers of the restaurant in Fruita and were happy to see them move into the Grand Junction area.

There was no opposition present. Mr. Shaver stated he did have some concern on the method of the survey but with the supplemental signatures and testimony presented this morning, he recommended approval.

Mr. Coebergh voiced some concern with the results of the survey, but based on the additional signatures presented today and because there was no opposition present, the application was approved.

2. GMRI Incorporated dba The Olive Garden Italian Restaurant, 2416 Highway 6 & 50, Hotel and Restaurant

Applicant: GMRI Incorporated, PO Box 593330, Orlando, FL  
President/Director: Laurie B. Burns, 403 E. Amelia Street, St. Louis, MO  
Vice President/  
Treasurer: William R. White, III, 1524 Anchor Court, Orlando FL  
Vice President/  
Secretary: George T. Williams, 651 Lake Catherine Drive, Maitland, FL  
Assist. Secretary: E. Charlene Fauley, 3810 Bainbridge Avenue, Orlando, FL  
Assist. Secretary: Mary Anne Ferrell, 8118 Steeplechase Blvd, Orlando, FL

Earlene DeGagne from Darden Restaurants, Orlando, Florida, was present. Ms. English stated the applicant has not made application for a sales tax license yet. Code Enforcement had a difficult time finding the posting for the Notice of Hearing. They returned to the site later in the day and found it posted. A survey of the needs and desires of the neighborhood was conducted by Oedipus Incorporated. Ms. English read the results of the survey into the record (see attached).

Ms. DeGagne stated Darden Restaurants owns and operates over 1100 restaurants throughout the United States and Canada. They will be employing over 100 people. Alcohol will be approximately 10% of the gross receipts and all employees are sent through an extensive alcohol awareness training program prior to the opening of the restaurant. The corporation takes this issue very seriously.

Max Scott, Oedipus Incorporated, was present to answer any questions in regards to the survey. Mr. Shaver asked if the results that were read into the record were a true and accurate account and who conducted the survey. Mr. Scott stated the results were true and accurate and an employee of Oedipus conducted the survey. Mr. Scott further stated that every door was knocked on in the survey area and the circulator even returned to those who were not at home the first time the neighborhood was canvassed. This employee was paid a salary, was given a meal allowance and use of a company car.

There was no opposition present. Mr. Shaver recommended approval and Mr. Coebergh concurred. The application was found to be in order and approved.

V. **ADJOURNMENT** – The meeting was adjourned at 9:45 a.m.

**NEXT REGULAR MEETING – December 19, 2001**

Memo to: Local Licensing Authority  
From: Christine English, Deputy City Clerk  
Date: November 28, 2001  
Subject: Application by The End Zone Eatery & Pub Incorporated for a Hotel and Restaurant Liquor License 2424 Highway 6 & 50 Space 232 under the trade name of The End Zone Eatery & Pub

The End Zone Eatery & Pub Incorporated filed an application with the Local Licensing Authority on November 5, 2001, 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 2424 Highway 6 & 50 Space 232 under the trade name of The End Zone Eatery & Pub. 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 has been set for December 5, 2001 in the Municipal Hearing Room, 250 North 5<sup>th</sup> Street. The Notice of Hearing was given by posting a sign on the premises on November 23, 2001 and by publishing a display ad in The Daily Sentinel on November 23, 2001.

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 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 all ready being met by other existing outlets.

**YES: 40**  
**NO: 27**

2. As in inhabitant who resides in the neighborhood for more than six months each year: It is my desire that the license issue.

**YES: 0**  
**NO: 0**  
**N/A: 1**

Sixty-one (61) signatures could not be counted on question #2 as the signers answered as businesses instead of residents, and forty (40) signatures could not be counted because they were outside of the survey area.

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

The Grand Junction Police Department has investigated the corporate officer for local criminal history and none was found. The fingerprints have been forwarded to C.B.I. for further processing. The Grand Junction Fire Department and the Mesa County Health Department will be inspecting the premises for compliance. The Code Enforcement Division reports the Notice of Hearing was posted in a timely manner and the premises are currently under going renovation. A report will be filed prior to issuance of a liquor license

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

Hotel and Restaurant - 6 (Bennett's Bar B Que, Chelsea's London Pub, Outback Steakhouse, Red Lobster, Chili's Grill & Bar and Westside Deli)

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

Memo to: Local Licensing Authority  
From: Christine English, Deputy City Clerk  
Date: November 28, 2001  
Subject: Application by GMRI Incorporated for a Hotel and Restaurant liquor license at 2416 Highway 6 & 50 under the trade name of The Olive Garden Italian Restaurant

GMRI Incorporated filed an application with the Local Licensing Authority on November 2, 2001, 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 2416 Highway 6 & 50 under the trade name of The Olive Garden Italian Restaurant. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for December 5, 2001. The Notice of Hearing was given by posting a sign on the property on November 23, 2001 and by publishing a display ad in The Daily Sentinel on November 23, 2001.

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 (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. If you **FAVOR AND SUPPORT** this application for a hotel & restaurant license (to sell beer, wine and distilled spirits by the drink to be consumed on the licensed premises only) because it is your opinion the reasonable requirements of the adult inhabitants of the defined neighborhood (see map) are not now being adequately served by existing businesses that hold the same or similar type of liquor license now doing business in the defined neighborhood, and it is your desire this hotel & restaurant liquor license be **ISSUED**, please sign and check the **FAVOR (\*)** column to **GRANT** the requested license.

**FAVOR: 110**

2. If you **OPPOSE AND DO NOT SUPPORT** this application for a hotel & restaurant liquor license, please sign and check the **OPPOSE (\*\*)** column, and please write in your reason why you oppose this license application.

**OPPOSE: 3**  
**NEUTRAL: 1**

The three (3) opposing signatures were all businesses located within the established neighborhood. The one (1) neutral signature was a business also located within the established neighborhood.

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

The Grand Junction Police Department has investigated the corporate officers for local criminal history and none was found. Since the applicant maintains a Master File in Denver, no further processing is necessary. The premises will be inspected by the Grand Junction Fire Department, for compliance with Life and Safety codes, and the Mesa County Health Department for compliance with health codes, upon completion of the building. 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.

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

Hotel and Restaurant - 6 (Bennett's Bar B Que, Chelsea's London Pub, Outback Steakhouse, Red Lobster, Chili's Grill & Bar and Westside Deli)

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