

**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, FEBRUARY 20, 2002, 9:00 A.M.**

I. **CALL TO ORDER** – The meeting convened at 9:05 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and Deputy City Clerk Christine English.

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

1. Feather Petroleum Company dba Stop N Save, **2 locations**, 3.2% Beer Off Premise
  - a. Stop N Save #1, 213 North 1<sup>st</sup> Street
  - b. Stop N Save #11, 621 North 24 Road

The applications were found to be in order and approved.

2. City of Grand Junction dba Lincoln Park Golf Course, 800 Mantlo Circle, 3.2% Beer On/Off Premise

Travis Bunkelman, golf pro, was present. The application was found to be in order and approved.

3. Loyal Order of Moose Grand Junction Lodge #270, 567 25 ½ Road, Club

The application was found to be in order and approved.

4. Harley & Caryl Rudofsky dba Crystal Café & Bake Shop, 314 Main Street, Hotel and Restaurant

The application was found to be in order and approved.

5. Fiesta of Grand Junction Incorporated dba Fiesta Guadalajara, 710 North Avenue, Hotel and Restaurant

The application was found to be in order and approved.

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

1. KMG Enterprises Incorporated dba Boston's The Gourmet Pizza, 2404 Patterson Road, Hotel and Restaurant

Applicant: KMG Enterprises Incorporated, 454 Main Street, Grand Junction  
President: Gary L. Zancanelli Jr., 712 Independence Valley Drive, Grand Junction

Gary Zancanelli, president, was present. Ms. English read into the record the results of the survey conducted by the applicant (see attached). Mr. Shaver questioned Mr. Zancanelli concerning the survey, who conducted it, at what time of day and if the results read into the record were true and accurate. Mr. Zancanelli stated his father and 2 employees conducted the survey. There was some confusion with the survey and as a

result the circulators went back out to gather more signatures from the residents. Mr. Zancanelli stated the results of the survey read into the record were true and accurate.

Mr. Zancanelli stated this a new chain of restaurants out of Canada. This location will be the 7<sup>th</sup> in the United States. It will offer casual dining with pizza, pastas, sandwiches and ribs. The lounge area will have a sports bar concept.

There was no opposition present. The application was found to be in order and approved.

2. The End Zone Eatery & Pub Incorporated dba Bengal's Lair, 234 Main Street, Hotel and Restaurant

Applicant: The End Zone Eatery & Pub Incorporated, PO Box 147, Fruita, CO  
President: LaChelle Peugh, 321 North Peach, Fruita, CO  
Treasurer: Donna Greager, 605 Meander Drive, Grand Junction, CO

LaChelle Peugh was present. Ms. English read the results of the survey conducted by the applicant into the record (see attached). Ms. English stated the Building Department red-tagged the establishment on February 19<sup>th</sup> for work being done without the proper permits. The Health Department report received on February 5<sup>th</sup> stated the Health Department had received no plans yet from the applicant. The applicant was called and it was requested that they be in contact with the Health Department in order to be in compliance with their requirements also. On February 19<sup>th</sup>, the Health Department conducted an inspection of the premises and there were quite a few missing components in the kitchen area. There is also a question as to whether the menu submitted will be adequate to support the food requirements of a hotel and restaurant.

Ms. Peugh stated they have complied with all the Health Department requirements. Also, a more extensive menu is to be submitted today. Ms. Peugh stated the Building Department pulled the red tags immediately. The only structural change was to tear down a stage area. Ms. Peugh stated they are expecting to open tomorrow night.

Mr. Shaver questioned Ms. Peugh on the survey. Ms. Peugh stated the manager's and 2 other employees conducted the survey. Her attorney instructed the circulator's on how to conduct the survey. The employees were not compensated on a 'per signature' basis, and it was conducted from February 4<sup>th</sup> to the 10<sup>th</sup>. Ms. Peugh stated the results of the survey read into the record were a true and accurate account.

Monique Mull, Mesa County Health Department was present. Ms. Mull stated she inspected the premises on February 25, 2002. The plans that were submitted did not match what was actually in the kitchen. There was not a reach-in cooler or freezer present. The 3-bay sink was installed on a different wall. The concern of the Health Department is that the applicant may not have adequate refrigeration for the menu they have provided. There is some confusion on the menu itself also. The Health Department needs a written menu showing the foods they plan on serving so the kitchen can be inspected for the proper equipment to handle those foods. The foods listed on the current menu have no way of being heated in the kitchen. There are steam tables present but there are no microwaves. There is not an oven or a stovetop present which limits them to having only precooked foods available. An accurate menu has to be submitted so it can be determined what equipment is needed to prepare the food. Written assurance needs to be submitted that there will be adequate refrigeration provided or a copy of the delivery schedule for the food that needs either a freezer or a refrigerator. A license application and the necessary fees have not been received for a retail food establishment.

Mr. Shaver asked Ms. Mull if there were other means of heating food evident, such as stoves or ovens. Ms. Mull stated there was not. There were only 2 steam tables present and these were not complete or operational at this time. Mr. Shaver asked if there was adequate space available in the kitchen area to provide for refrigeration. Ms. Mull stated it is questionable. There is an under-counter small refrigerator present, but not what is necessary for a full sized restaurant. Mr. Shaver asked if the equipment present was adequate to serve a full-sized menu. Ms. Mull stated it was not. Mr. Shaver asked Ms. Mull to compare this kitchen to other similar type establishments and whether or not what is present is adequate. Ms. Mull stated for a hotel and restaurant the food provided is not typically precooked. The menus are more extensive. Compared to other restaurants, especially hotel and restaurant liquor license establishments, the kitchens are at least 4 times larger with ovens, dishwashers, stovetops, and salamanders for heating. No other facility just has a steam table and a microwave. They are set up to provide adequate sanitation.

Ms. Peugh stated there is a 6' x 8' beer cooler present. Ms. Mull stated there is a concern that there would not be room to store beer, beer kegs and food in such a small cooler. There also needs to be approved shelving present in the cooler for storing food.

Ms. Peugh stated the only precooked food would be the prime rib, roast beef, ham, turkey and the chicken. This food is delivered precooked and presliced. The food license fees will be paid today and a final inspection requested. All of the equipment is installed and present in the kitchen as of today.

Mr. Coebergh stated he has concerns with the readiness of the establishment. The applicant has to decide between 1 of 2 options today. The first would be to continue with the hearing today and the license would be denied based on the testimony given; or, continue the hearing to the next scheduled meeting to be sure the concerns of the Health Department and of the Hearing Authority are taken care of.

Mr. Shaver concurred with Mr. Coebergh and cited Regulation 47-418(b), Regulation 47-418(c) and 12-47-103(20). Ms. Peugh's testimony has been that a number of prepared meals or otherwise previously cooked foodstuffs would be offered. Ms. Peugh stated the food distributor, Cisco, delivers the food precooked, prepackaged and presliced. Mr. Shaver stated at this point, there does not seem to be adequate facilities.

Mr. Coebergh stated Ms. Peugh could still open and serve food if all the Health Department requirements were met, but at this point, there would not be any alcohol service. The establishment is not ready for the issuance of a liquor license. Ms. Peugh stated she would like to continue the hearing to the next meeting.

Mr. Coebergh continued the hearing to the March 6, 2002 Liquor and Beer Meeting and requested that Ms. Mull also appear at that time to readdress the concerns expressed today.

**IV. ADJOURNMENT** – The meeting was adjourned at 9:42 a.m.

**NEXT REGULAR MEETING – March 6, 2002**

Memo to: Local Licensing Authority  
From: Christine English, Deputy City Clerk  
Date: February 11, 2002  
Subject: Application by KMG Enterprises Incorporated for a Hotel and Restaurant liquor license at 2404 Patterson Road under the trade name of Boston's The Gourmet Pizza

KMG Enterprises Incorporated filed an application with the Local Licensing Authority on December 26, 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 2404 Patterson Road under the trade name of Boston's The Gourmet Pizza. 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 February 20, 2002. The Notice of Hearing was given by posting a sign on the property on February 8, 2002 and by publishing a display ad in The Daily Sentinel on February 8, 2002.

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 River Road on the south, 25 Road on the east and 23 1/2 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. 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 existing outlets.

YES: 0  
NO: 59

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

YES: 17  
NO: 0  
NOT APPLICABLE: 42

Two (2) signatures did not have addresses and were not counted; one (1) signature's address was outside of the survey area and was not counted; and forty-two (42) signatures were businesses that answered question #2 which is for residents only.

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. 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 Code Enforcement Division reports the premises were posted in a timely manner.

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

Hotel and Restaurant - 7 (Bennett's Bar B Que, Chelsea's London Pub, Outback Steakhouse, Red Lobster, Chili's Grill & Bar, The Olive Garden Restaurant 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: February 12, 2002  
Subject: Application by The End Zone Eatery & Pub Incorporated for a Hotel and Restaurant liquor license at 234 Main Street under the trade name of Bengal's Lair

The End Zone Eatery & Pub Incorporated filed an application with the Local Licensing Authority on January 18, 2002, 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 234 Main Street under the trade name of Bengal's Lair. 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 February 20, 2002. The Notice of Hearing was given by posting a sign on the property on February 8, 2002 and by publishing a display ad in The Daily Sentinel on February 8, 2002.

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 Gunnison Avenue on the north, the First Avenue (if extended) on the south, 8<sup>th</sup> Street on the east and Rice Street (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. 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 existing outlets.

YES:	2
NO:	119

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

YES:	41
NO:	1
NOT APPLICABLE:	1

Four (4) signatures were outside of the survey area, one (1) signature was not dated and these were not counted.

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. 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 no plans have been filed with them to date. The applicant will need to be in compliance with health codes and pass a final inspection prior to the issue of a license. The Code Enforcement Division reports the premises were posted in a timely manner and that the diagram submitted matches the actual layout of the premises.

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

Hotel and Restaurant - 13 (Blue Moon Bar & Grill, Capers on Colorado, Colorado Catfish & Bar B Q, Crystal Café & Bake Shop, Dolce Vita, Eagle Café, il Bistro Italiano, Junct'N Square, Shake, Rattle & Roll Diner, Sports Page, Suehiro's Japanese Restaurant, Two Rivers Convention Center and The Winery)

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

Hotel and Restaurant – 6 (Big Cheese Pizza, CHEF'S, Dos Hombres Restaurant, Los Reyes Restaurant, Old Chicago and Pancho's Villa)

That concludes this report.

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