

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

MINUTES

WEDNESDAY, NOVEMBER 20, 2002, 9:00 A.M.

I. **CALL TO ORDER** – The meeting was convened at 9:00 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and Deputy City Clerk Debbie Kemp.

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

1. Beye Lotz Grand Jctn. dba VFW Post #1247, 1404 Ute Avenue, Tavern
The application was found to be in order and approved.
2. LHB, LLC dba Eastgate Liquors, 2830 North Avenue #4, Retail Liquor Store
The application was found to be in order and approved.
3. Stoner Enterprises LTD dba Andy's Liquor Mart, 922 North 1st Street, Retail Liquor Store
The application was found to be in order and approved.
4. Page Two, Inc. dba Sports Page, 103 N. 1st Street, Hotel/Restaurant
The application was found to be in order and approved.
5. The Tennis Center at Grand Junction LLC dba The Tennis Center at Grand Junction, 535 25-1/2 Road, Tavern
The application was found to be in order and approved.

III. **APPLICATION FOR RENEWAL AND REPORT OF CHANGE IN CORPORATE STRUCTURE**

1. Conchita's Mexican Restaurant LLC dba Conchita's Mexican Restaurant, 2692 Hwy. 50, Unit E, Hotel/Restaurant
Remove Daniel J. Zambrano Jr.
Mr. Shaver stated that Conchita's Mexican Restaurant is currently under investigation with the State Liquor Enforcement and has been offered a stipulation and has ten days to respond. Therefore, Mr. Shaver recommended that this item be moved to the next liquor and beer meeting on December 4, 2002 and at that time also address show cause for the late filing of the renewal.
Mr. Coebergh found that this application for renewal and report of change in corporate structure should be moved to the December 4, 2002 liquor and beer meeting and asked Ms. Kemp to send a certified letter to Mr. Zambrano requiring his appearance and informing him he needs to provide good cause for not filing his application for renewal in a timely manner.

IV. APPLICATION FOR RENEWAL AND MODIFICATION OF PREMISES

1. Coffee Time LLC dba Coffee Time, 2828 Walker Field Dr., Beer/Wine

Modification of premises altering the seating and serving area, move 2 walls and add an additional door.

Ms. Krause, owner of Coffee Time and Mr. Gary Mancuso, Airport Authority representative, were present.

The application for renewal was found to be in order and approved.

Mr. Shaver stated he has concerns regarding FAA (Federal Aviation Administration) and TSA (Transportation Security Administration) issues because of this being a tenancy. He feels that Ms. Krause should submit a current modified lease agreement with all necessary approvals and submit a completion diagram.

Mr. Coebergh approved the modification of premises contingent upon the diagram being provided once the modifications have been made and the applicant submitting a modified lease agreement with all approvals.

V. APPLICATION FOR TRANSFER OF OWNERSHIP

1. Rebecca Lynn Hulsey dba West Side Delicatessen and Lounge, 2454 Hwy. 6 & 50, Units 119 & 120, Hotel/Restaruant

Transfer of Ownership of a Hotel/Restaurant Liquor License from West Side Delicatessen, Inc. dba West Side Delicatessen to Rebecca Lynn Hulsey dba West Side Delicatessen and Lounge, 2454 Hwy. 6 & 50, Units 119 & 120

Owner/Manager: Rebecca Lynn Hulsey

Ms. Hulsey, owner of West Side Delicatessen and Lounge was present.

The application was found to be in order and approved.

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

1. CCMJ, Inc. dba Empire Theatre Company, 715 Horizon #100, Tavern

Applicant: CCMJ, Inc., 2549 U.S. Hwy 50, Grand Junction, CO 81505
President/Dir: William Rick Gibson, 2328 Falcon Point Ct., Grand Jct., CO 81503
Secty./Treas.: Judy Gibson, 2328 Falcon Point Ct., Grand Junction, CO 81503
Manager: John Gibson, 1435 Walnut Avenue, Grand Junction, CO 81501

Mr. William Rick Gibson, President/Director of Empire Theatre Company, and Mr. John Gibson, Manager of Empire Theatre Company, were present. Ms. Kemp read into the record the results of the survey (see attached).

Mr. Shaver questioned as to who conducted the survey. Mr. William Rick Gibson stated that it was one of his employees. Mr. Shaver asked what time of the day the survey was conducted. Mr. William Rick Gibson stated that it was between 9:00 a.m. and 5:30 p.m. Mr. Shaver questioned why only 12 residents were surveyed and asked Mr. Gibson if he provided instructions in conducting the survey to his employee. Mr. Gibson stated that he had provided instruction and stated that the residential survey was conducted at random.

There was no one present in opposition.

Mr. Coebergh asked about the name of the establishment and opening date. Mr. William Rick Gibson stated that it is a live theatre and that liquor will only be served before and after performances. Mr. John Gibson stated that they have been open and has had three weeks of performances.

The application was approved. A resolution of findings and approval will be prepared for Mr. Coebergh's signature.

VII. ADJOURNMENT – The meeting adjourned at 9:26 a.m.

NEXT REGULAR MEETING – December 4, 2002

Memo to: Local Licensing Authority
From: Debbie Kemp, Deputy City Clerk
Date: November 14, 2002
Subject: Application by CCMJ, Inc. for a Tavern Liquor License at 715 Horizon under the trade name of Empire Theatre Company

CCMJ, Inc. filed an application with the Local Licensing Authority on October 11, 2002, for a new Tavern liquor license for the sales of malt, vinous and spirituous liquors by the drink for consumption on the premises at 715 Horizon under the trade name of Empire Theatre Company. 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 November 20, 2002. The Notice of Hearing was given by posting a sign on the property on November 8, 2002 and by publishing a display ad in The Daily Sentinel on November 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 I-70 to the North; F-1/2 Road to the South; Grand View Drive to the East and 27 Road to 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: 0
NO: 41

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: 12
NO: 0

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

The Grand Junction Police Department has investigated the individuals for local criminal history and none was found. The fingerprints have been forwarded onto CBI for further processing. The premise was inspected by the Grand Junction Fire Department and the Mesa County Health Department for compliance. No violations were noted during the inspections.

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

Tavern – 1 (Country Inn of Grand Junction)

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

Tavern – 0

That concludes this report.

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

RESOLUTION NO. 10-02

DECISION ON APPLICATION FOR A TAVERN LIQUOR LICENSE BY CCMJ, INCORPORATED UNDER THE TRADE NAME OF "EMPIRE THEATRE COMPANY" LOCATED AT 715 HORIZON DRIVE, #100, GRAND JUNCTION, COLORADO

A public hearing was held on November 20, 2002, by the Local Licensing Authority for the City of Grand Junction (hereinafter "City"), on the application submitted by CCMJ, Incorporated (hereinafter "Applicant") for a Tavern liquor license under the trade name of "Empire Theatre Company" located at 715 Horizon Drive #100, Grand Junction, Colorado. The Local Licensing Authority having duly considered the evidence adduced at said hearing FINDS:

1. The hearing on November 20, 2002 on the application was held after proper notice thereof, as required by 12-47-136 C.R.S., et. seq.
2. The survey of the neighborhood conducted by the applicant revealed that 41 persons believed the needs of the neighborhood were not being met and 0 person believed the needs are being met, and 12 inhabitants residing in the neighborhood desire the Local Licensing Authority grant the requested license; 0 said no, and 1 not used.
3. There is one (1) similar-type outlet in the surveyed area. There is one (1) similar-type outlet in a one-mile radius.
4. There were no counterpetitions or letters of opposition filed in regards to this application.
5. The moral character and reputation of the applicants for this application is good as determined by a check performed by the Grand Junction Police Department.

In light of all the evidence presented at the hearing, the documents and survey placed in the file, and the statements the applicant, it is determined that the statutory requirements for the issuance of the license have been met.

**NOW, THEREFORE, BE IT RESOLVED BY THE LOCAL LICENSING
AUTHORITY OF THE CITY OF GRAND JUNCTION;**

That the application submitted by CCMJ, Incorporated for a Tavern liquor license, under the trade name of "Empire Theatre Company", located at 715 Horizon Drive #100, Grand Junction, Colorado, be approved.

DONE, this 20th day of November 2002.

Phil Coebergh, Hearing Officer
Local Licensing Authority for the
City of Grand Junction

ATTEST:

Debra M. Kemp
Deputy City Clerk
Office of the City Clerk