

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

MINUTES

WEDNESDAY, September 3, 2003, 9:00 A.M.

I. **CALL TO ORDER** - The meeting convened at 9:06 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and Deputy City Clerk Juanita Peterson.

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

1. Knaysi Enterprises Inc., dba Pablo's Pizza, 319 Main Street, Beer and Wine

The application was found to be in order and approved.

2. DA FA Inc., dba Grand China Restaurant, 509 28 ½ Road, Beer and Wine

The application was in order. Ms. Peterson read into the record part of the inspection report from Mr. Tom Orr with Mesa County Health Department. "June 23, 2003 many critical violations were noted during the inspection. A follow-up inspection conducted on August 25, 2003 showed repeat violations in several categories, including training in cooling methods, cold holding of potentially hazardous foods, equipment capability to hold foods cold, and inadequate sanitizing of food contact surfaces." Mr. John Yeh, owner, was present and stated Mr. Orr revisited the site on 9/2/03 between 3:30 p.m. – 4:30 p.m. and the refrigeration was kept at 40 degrees. Mr. Yeh indicated it was a timing control for the cool methods with the chicken. Mr. Yeh also indicated he has ordered a new refrigerator which should be installed within two weeks. Mr. Coebergh asked Mr. Yeh if he received a letter from the Health Department indicated all of these issues were taken care of. Mr. Yeh said no.

Mr. Shaver and Mr. Coebergh concurred that this renewal will be rescheduled for September 17, 2003 in hopes all of the issues with Mesa County Health Department will be cleared up. Mr. Yeh said he would be present.

3. Loco Inc., dba Loco Food Store No. 12, 107 Grand Avenue and Loco Food Store No. 16, 2249 Broadway, 3.2% Beer (Off Premises)

The applications were found to be in order and approved.

4. Mill Inn Inc., dba WW Peppers LTD, 753 Horizon Drive, Hotel/Restaurant

The application was found to be in order and approved.

5. Rite Aid #6178, 1834 N. 12th Street, 3.2% Beer (Off Premises)

The application was found to be in order and approved.

6. JV Entertainment Inc., dba Cheers, 201 Colorado Avenue, Tavern

Mr. Juan Venegas, President, was present. The application was found to be in order, but Ms. Peterson stated that the city has not received a report back from Mesa County Health Department but there were no indication of problems.

Ms. Tammy Hooker owns a business behind Cheers was present in opposition of the renewal. Mr. Coebergh asked her to approach the microphone to be recognized. Ms. Hooker stated that her business repeatedly has broken glass, beer bottles, vomit and trash left by who she believed were patrons of Cheers. Mr. Coebergh stated that this was just a renewal hearing for their license. Mr. Coebergh asked Ms. Hooker if any of this had been reported to the police department. Ms. Hooker stated no. Mr. Shaver informed her to follow a process of reporting this to the police as a record would be made. Ms. Hooker addressed Mr. Venegas and he said he polices the property and hasn't ever seen the items she spoke about. Mr. Shaver told Ms. Hooker to contact his office if after she reported anything further to the police she did not feel satisfied with the results.

Mr. Coebergh approved the renewal pending the report from Mesa County Health Department.

III. APPLICATION TO RENEW LIQUOR AND BEER LICENSE AND REGISTER MANAGER

1. Springer Capital Corporation, dba Shake Rattle & Roll Diner, 115 W. Grand Ave. A, Hotel/Restaurant

Ryan Springer, 780 Glen Court #10, GJ replaces Randy Sirbaugh

The application was found to be in order and the new manager was approved subject to the CBI report being clear.

IV. APPLICATION TO REGISTER NEW MANAGER

1. GMRI, Inc. dba The Olive Garden Italian Restaurant #1580, 2416 U S Highway 6 & 50, Hotel/Restaurant

Michael Anderson, 1529 Bookcliff Ct. Apt. B replaces Jennifer George

There was no one present. The application was in order and approved subject to the CBI report being clear.

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

1. El Sol de Mexico Inc., dba Tierra Blanca Family Mexican Restaurant, 2900 North Avenue, Grand Junction, Hotel/Restaurant

Applicant: El Sol de Mexico Inc.
President: Teodoro Garcia Mora, 1020 Clinchard St., Lander, WY
V. Pres.: Rosa Galvan de Mora, 1020 Clinchard St., Lander, WY
Manager: Lucia Ponce and Arnulfo Almejo, 518 29 3/8 Road #B, Grand Jct, CO

Mr. Jerry Otero and Ms. Lucia Ponce were present. Ms. Ponce and her husband will manage the restaurant.

Ms. Peterson read into the record the results of the survey (see attached). Mr. Shaver asked who conducted the survey. Mr. Otero stated two of his sons who attend Mesa State College conducted the survey on August 8 – 11, 2003. Ms. Peterson stated the reason for the 34 N/A on question 2. was due to it being answered by business owners instead of just inhabitants of the neighborhood.

Mr. Coebergh commented there is no opposition present and asked when the restaurant would open. Ms. Ponce stated they have been open for two weeks. Ms. Peterson stated they are registering two managers, Ms. Ponce and her husband, Arnulfo Almejo. Mr. Otero indicated the reason for this is Mr. Almejo is the cook and they will share the management duties. Mr. Shaver recommended approval and Mr. Coebergh approved this application. A resolution of findings and approval will be prepared for Mr. Coebergh's signature.

VI. ADJOURNMENT – 9:35 a.m.

NEXT REGULAR MEETING – September 17, 2003

MEMO: Local Licensing Authority
FROM: Debbie Kemp, Deputy City Clerk
DATE: August 19, 2003
SUBJECT: Application by El Sol de Mexico, Inc. for a Hotel and Restaurant Liquor License at 2900 North Avenue under the trade name of Tierra Blanca Family Mexican Restaurant

El Sol de Mexico, Inc. filed an application with the Local Licensing Authority on July 23, 2003, 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 2900 North Avenue under the trade name of Tierra Blanca Family Mexican Restaurant. 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 September 3, 2003. The Notice of Hearing will be given by posting a sign on the property on or before August 22, 2003 and by publishing a display ad in The Daily Sentinel on August 22, 2003.

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 Business Loop to the South, 28 ½ Road to the West; 29 ½ Road to the East and Orchard Avenue to the North and includes both sides of the street as the outer boundaries. The results of that survey are as follows:

1. As an owner of property in the neighborhood, an employee or a 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: 65
N/A: 5

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: 36
NO: 0
N/A: 34

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 C.B.I. for further processing. The premises will be inspected by the Grand Junction Fire Department and Mesa County Health Department.

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

Hotel and Restaurant – 1 (Texas Roadhouse)

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

Hotel and Restaurant – 0

That concludes this report.

C: Applicant
John Shaver, Assistant City Attorney
Craig Campbell, Grand Junction Police Department
File