

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

MINUTES

WEDNESDAY, March 17, 2004, 9:00 A.M.

I. **CALL TO ORDER** – The meeting convened at 9:02 a.m. Those present were Hearing Officer Jim Majors, Acting City Attorney John Shaver and Deputy City Clerk Juanita Peterson.

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

1. Orchard Mesa Liquors LLC dba Orchard Mesa Liquors, 2706 Highway 50, Retail Liquor Store

The application was found to be in order and approved.

2. Loyal Order of Moose Grand Jct #270, dba Loyal Order of Moose Grand Jct Lodge 270, 567 25 ½ Road, Club

Ms. Peterson reported the application was found to be in order but Mesa County Health Department will re-inspect on March 19 regarding a plumbing deficiency. The application was approved conditionally that this will be taken care of.

3. Feather Petroleum Company dba Stop N Save 11, 621 24 Road, 3.2% Beer Retail (Off Premises)

The application was found to be in order and approved.

4. Horizon Drive Shell LLC dba Horizon Drive Shell, 745 Horizon Drive, 3.2% Beer Retail (Off Premises)

Ms. Peterson reported the application was found to be in order but they have not completed the necessary paperwork with the Sales Tax Department regarding the Corporate Name Change. The application was approved conditionally that this will be taken care of.

5. Rite Aid Corporation dba Rite Aid #6258, 2992 F Rd, 3.2% Beer Retail (Off Premises)

The application was found to be in order and approved.

III. **REPORT OF CORPORATE CHANGES**

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

Master File with the State – Two changes:
VP & Asst. Secretary – Bryan D. McCrory, 10905 Cactus Ln., Dallas TX 75238

Assistant Secretary – Laura C. Richard, 4902 Berkeley Ct., Garland, TX 75043
replaces Barbara Mahoney

The application was found to be in order and approved.

2. Dillon Companies Inc., dba King Soopers/City Market, PO Box 5567TA, Denver, CO 80217

Master File with the State – One change:
Director – Joseph A. Pichler – Removed/Retired

The application was found to be in order and approved.

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

1. Metro Movie Playhouse LLC, dba Metro Movie Playhouse, LLC, 1224 North 25th Street – Tavern License

Managing Member: Kevin L. McConnell, 301 Hill Avenue, Grand Junction
Managing Member/Manager: Kirk McConnell, 359 Colorado Avenue #204, Grand Junction

Mr. Kevin McConnell was present. Mr. Majors asked Ms. Peterson what is the status of the application. The local police report is in on the managing members and no problems were reported; the report from C.B.I. is still pending. The premise was posted in a timely manner. The health, fire and building departments have not completed their inspections as of this date. Ms. Peterson read the results of the survey into the record (see attached report).

Mr. Shaver asked if Mr. McConnell felt this survey results as Ms. Peterson read them were a true and accurate report. Mr. McConnell answered affirmatively. Mr. Shaver asked who conducted the survey. Mr. McConnell stated that is was employees of the Cabaret and himself. Mr. Shaver asked when the survey was conducted. Mr. McConnell stated that the residents were surveyed on a weekend and the businesses during the week. Mr. Shaver asked how they presented the survey. Mr. McConnell stated they explained they were opening another dinner theater and most of the surveyed residents/businesses owners did not have a problem as it won't be a typical "tavern". Most people would be ordering a drink with their meal. Mr. Majors asked why there was only one "no". Mr. McConnell stated that there were others, but they just refused to sign the survey.

Mr. Majors asked if there was anyone present in opposition or any counter petitions were received. There being no one present, Ms. Peterson stated no counter petitions were received. Mr. Majors stated the applicant has met the evidence criteria and he authorized the issuance of this license pending the approval of the additional agencies. The City Clerk's office will prepare a resolution for his signature.

2. The Vineyard Wine and Fine Dining LLC, dba The Vineyard, 359 Colorado Avenue, Suite 102 – Hotel and Restaurant License

Managing Member/Manager: Scotland Willis, 2019 S. Broadway, Grand Junction

Mr. Scotland Willis was present. Mr. Majors asked Ms. Peterson what is the status of the application. The local police report is in on the managing member and no problems

were reported; the report from C.B.I. is still pending. The premise was posted in a timely manner. The health, fire and building departments have not completed their inspections as of this date. Ms. Peterson read the results of the survey into the record (see attached report).

Mr. Shaver asked when the survey was conducted and if the results of the survey read were accurate. Mr. Willis indicated they were and that the survey was conducted between February 23 and March 7. Mr. Shaver asked who conducted the survey and how it was presented. Mr. Willis stated that it was future employees who volunteered their time to conduct this survey. Mr. Willis stated they took an article that was in the Business Times regarding the restaurant and the nature of the establishment for people to see along with business cards if there were any additional questions. Mr. Majors asked about the low number of people signing against this establishment. Mr. Willis indicated that there was only one person who wasn't interested in signing the petition at all. Mr. Willis felt it is going to be a positive impact on the downtown area and broaden downtown from Main Street to Colorado and tie everything together, with the arts, dining and the downtown atmosphere.

Mr. Majors noted there was no one present in opposition or any counter petitions were received. Ms. Peterson stated no counter petitions were received. Mr. Majors stated the applicant has met the evidence criteria and he authorized the issuance of this license pending the approval of the additional agencies. The City Clerk's office will prepare a resolution for his signature.

V. **ADJOURNMENT** – This meeting was adjourned at 9:28 a.m.

NEXT REGULAR MEETING – April 7, 2004

MEMO: Local Licensing Authority
 FROM: Juanita Peterson, Deputy City Clerk
 DATE: March 8, 2004
 SUBJECT: Application by Metro Movie Playhouse LLC, for a Tavern Liquor License at 1224 North 25th Street, under the trade name of Metro Movie Playhouse LLC

Metro Movie Playhouse LLC filed an application with the Local Licensing Authority on February 10, 2004, for a new tavern liquor license for the sales of malt, vinous and spirituous liquors by the drink for consumption on the premises at place where sold at 1224 North 25th Street, under the trade name of Metro Movie Playhouse LLC. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for March 17, 2004. The Notice of Hearing was given by posting a sign on the property on or before March 7, 2004 and by publishing a display ad in The Daily Sentinel on March 5, 2004.

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 Bookcliff Avenue to the North, Grand Avenue to the South, 28 ½ Road to the East and North 16th Street to the West 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 proposed location will not conflict with the reasonable requirements of the neighborhood or the desires of the inhabitants.

Yes	154
No	1
No Opinion	0
DISQUALIFIED	3

There were three who were disqualified by being out of the area or not legible.

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	218
No	0
No Opinion	0
DISQUALIFIED	1

The one disqualified above was a business who answered question 2.

The Grand Junction Police Department has investigated the individual for local criminal history and none was found. The fingerprints have been forwarded onto CBI for further processing. Reports have been requested by the Grand Junction Fire Department, Code Enforcement, Mesa County Health Department, Sales Tax and Mesa County Building Department.

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

Tavern – 3 (Brass Rail, Fast Eddy's Whiskey River)

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

Tavern – 1 (Freeway Bowl)

That concludes this report.

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

MEMO: Local Licensing Authority
 FROM: Juanita Peterson, Deputy City Clerk
 DATE: March 8, 2004
 SUBJECT: Application by The Vineyard Wine & Fine Dining, for a Hotel and Restaurant Liquor License at 359 Colorado Avenue, under the trade name of The Vineyard

The Vineyard Wine & Fine Dining filed an application with the Local Licensing Authority on February 10, 2004, 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 place where sold at 359 Colorado Avenue, under the trade name of The Vineyard. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for March 17, 2004. The Notice of Hearing was given by posting a sign on the property on or before March 5, 2004 and by publishing a display ad in The Daily Sentinel on March 5, 2004.

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 Teller Avenue to the North, 4th Avenue to the South, 10th Street to the East and West Avenue to the West 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 proposed location will not conflict with the reasonable requirements of the neighborhood or the desires of the inhabitants.

Yes	89
No	0
No Opinion	1
DISQUALIFIED	9

There were nine who were disqualified by being out of the area, not legible or used the wrong date.

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	38
No	0
No Opinion	1
DISQUALIFIED	15

The fifteen disqualified above were businesses who answered question 2.

The Grand Junction Police Department has investigated the individual for local criminal history and none was found. The fingerprints have been forwarded onto CBI for further processing. Reports have been requested from the Grand Junction Fire Department, Code Enforcement, Mesa County Health Department, Sales Tax Department and Mesa County Building Department.

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

Hotel and Restaurant – 13 (Two Rivers Convention Center, Sports Page, Il Bistro Italiano, Dolce Vita, Crystal Café, La Bamba, Suehiro Japanese, The Winery, Junct'n Square, Blue Moon, Shake Rattle and Roll, Rendez vous and Nepal Restaurant)

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

Hotel and Restaurant – 4 (Old Chicago, Fiesta Guadalajara, Chef's and Los Reyes)

That concludes this report.

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