

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

MINUTES

WEDNESDAY, April 7, 2004, 9:00 A.M.

I. **CALL TO ORDER** – The meeting convened at 9:12 a.m. Those present were Hearing Officer Phil Coebergh, Acting City Attorney John Shaver and Deputy City Clerk Debbie Kemp.

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

1. Black Sam Inc., dba Pantuso's Ristorante, 707 Horizon Drive, Hotel & Restaurant

Ms. Kemp reported that Mesa County Health Department had reported violations.

The application was found to be in order and approved contingent upon Mesa County Health Department reporting that that violations have been corrected.

2. DLK Enterprises Inc., dba Brass Rail Lounge, 476 28 Road, Tavern

The application was found to be in order and approved.

3. Carson Inc., dba Johny's Beer & Liquor, 666 Patterson, Retail Liquor Store

John Carson, President of Carson, Inc. was present.

Ms. Kemp reported that there was an incident that happened on December, 25, 2003 and that the State had issued a Stipulation and Agreement with the Applicant and that the applicant had reported this incident and supplied documentation with his application for renewal.

Mr. Carson advised the Hearing Officer that a violation like this would not happen again.

The application was found to be in order and approved.

4. Crown Liquor of Western Colorado Inc., dba Crown Liquors of Western Colorado, 2851 ½ North Avenue, Retail Liquor Store

The application was found to be in order and approved.

III. **REGISTRATION OF NEW MANAGER**

1. Junct'n Ribs LLC, dba Bennett's Bar-B-Que, 2440 Highway 6 & 50, Hotel and Restaurant

Fran Newell replaces Earl Stevenson as Manager

Earl Stevenson, General Partner, was present.

The application was found to be in order and approved.

IV. TRANSFER OF OWNERSHIP

1. Junct'n Square Inc., dba Junct'n Square Pizza to Junct'n Square LLC dba Junct'n Square Pizza, 119 N. 7th Street

Transfer of Ownership of a Hotel/Restaurant Liquor License from Junct'n Square Inc., dba Junct'n Square Pizza to Junct'n Square LLC dba Junct'n Square Pizza

General Partner - Raymond Earl Stevenson, 2156 McKinley Ct., Grand Jct., CO 81503
Eric Loeb, 2152 McKinley Ct., Grand Junction, CO 81503

Earl Stevenson, General Partner, was present.

Ms. Kemp reported that Mesa County Health Department had not yet made a report on this establishment.

Mr. Shaver asked if Junct'n Square, Inc. is being dissolved. Mr. Stevenson stated that it is not, but to clear the franchise from liability he has established a separate LLC.

The application was found to be in order and approved contingent upon Mesa County Health Department reporting that there are no violations.

V. APPLICATION FOR A SPECIAL EVENTS PERMIT

1. Application by B.P.O. Elks #575 for a Malt and Vinous Special Events Permit for South West/Arbor Fest on April 17, 2004 from 9:00 a.m. to 6:00 p.m. located at Lincoln Park Entrance North of Gunnison Avenue, South of Old Barn, East of 12th Street

Applicant: B.P.O. Elks #575, PO Box 1987, Grand Junction, CO 81502

President/Secretary: Nick Demercurio, 303 Ouray Avenue, Grand Junction, CO 81501

Event Manager: Ron Ward, 739 Corral Drive, Grand Junction, CO 81505

Ron Ward, Treasurer of B.P.O. Elks #575, was present.

Ms. Kemp stated that there was a problem with the City Sales Tax.

Mr. Ward reported that he had checked with the City Sales Tax Department and was informed that there is no problem.

The applicant submitted a statement showing no other licensed facility was adequate for this event.

The application was found to be in order and approved contingent on a report from the City Sales Tax Department that the applicant is in compliance.

VI. APPLICATION FOR CHANGE OF LOCATION

1. CCMJ. Inc. dba Empire Theatre Company, 2825 North Avenue, Tavern

Change of location from 715 Horizon Drive to 2825 North Avenue

Rick Gibson, President of CCMJ, Inc., was present.

Ms. Kemp reported that a criminal history with the local police was not requested due to the applicant having just renewed their liquor license. The premise was posted in a timely manner. The health, fire and building departments have not completed their inspections as of this date. Ms. Kemp read the results of the survey into the record (see attached report).

Mr. Shaver asked who conducted the survey, what time of day it was conducted, was there any opposition and does Mr. Gibson believe the report read into the record to be true and accurate.

Mr. Gibson reported that Sherry Konakis, an employee of Empire Theatre Company, conducted the survey during daytime hours. There was no opposition implied or expressed and he believes that there wasn't because of the establishment being a dinner/theatre and not a bar. He stated that he believes the report to be true and accurate and explained that the disqualified number was due to question No. 2 being asked of businesses when it only applied to residential.

Mr. Coebergh asked if Empire Theatre is still operating at the old location. Mr. Gibson advised that it is not.

The application was found to be in order and approved pending the approval from the Fire Department, Mesa County Health Department and the issuance of a Certificate of Occupancy from Mesa County Building Department.

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

NEXT REGULAR MEETING – April 21, 2004

MEMO: Local Licensing Authority
 FROM: Juanita Peterson, Deputy City Clerk
 DATE: April 1, 2004
 SUBJECT: Application by CCMJ Inc., for a Tavern Liquor License at 2825 North Avenue, under the trade name of Empire Theatre Company

CCMJ Inc. filed an application with the Local Licensing Authority on March 9, 2004, for a change of location of their 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 2825 North Avenue, under the trade name of Empire Theatre Company. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for April 7, 2004. The Notice of Hearing was given by posting a sign on the property on or before March 28, 2004 and by publishing a display ad in The Daily Sentinel on March 26, 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 Orchard Avenue to the North, I-70 Business Loop to the South, Melody Lane to the East and 23rd 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 relocation will not conflict with the reasonable requirements of the neighborhood or the desires of the inhabitants.

Yes	76
No	0
No Opinion	0
DISQUALIFIED	1

The one disqualified was out of the area.

2. As an inhabitant who resides in the neighborhood more than six months each year, it is my desire that the relocation be approved.

Yes	47
No	0
No Opinion	0
DISQUALIFIED	26

The 26 disqualified above were businesses who answered question 2.

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:

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

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