

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

MINUTES

WEDNESDAY, April 20, 2005, 9:00 A.M.

I. **CALL TO ORDER** – The meeting convened at 9:04 a.m. Those present were Hearing Officer Phil Coebergh, City Attorney John Shaver and Deputy City Clerk Debbie Kemp.

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

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

The application was found to be in order and approved.

III. **APPLICATION FOR TASTING PERMIT**

1. College Liquors, Inc. dba College Liquors, 1133 Patterson, Unit 9, Retail Liquor Store

Bob Jackson, Manager for College Liquors, was present.

Ms. Kemp stated that Mr. Jackson had just submitted some additional controls for in-store tastings to go along with the control plan submitted and that the paperwork is in order. Mr. Shaver asked Ms. Kemp if the application and control plan complies with the local ordinance. Ms. Kemp said that they did. Mr. Coebergh asked Mr. Jackson to correct the item on the control plan that references removal of opened containers or remaining samples to state disposed of or discarded. The local authority approved this tastings permit which will expire in conjunction with the applicant's liquor license renewal date.

IV. **APPLICATION FOR SPECIAL EVENTS PERMITS**

1. Application by Latin Anglo Alliance Foundation for a Malt and Vinous Special Events Permit for Cinco de Mayo Celebration on May 7, 2005 from 6:00 a.m. to 11:00 p.m. located at 3rd and Main Street to 7th Street.

Applicant: Latin Anglo Alliance Foundation, PO Box 1734, Grand Junction CO 81502
President: Melvin Madrill, 619 Pioneer Rd., Grand Junction CO 81504
Event Manager: Mike Archuleta, 667 Cordial Ct., Grand Junction CO 81506

Melvin Madrill, President of Latin Anglo Alliance Foundation, and Mike Archuleta, Events Manager, were present.

Ms. Kemp reported that the application was in order except for the applicant had not notified City Sales Tax of the event and the application needs to be corrected for the event time to start at 7:00 a.m. instead of 6:00 a.m. because malt and vinous beverages cannot be served until 7:00 a.m.

Mr. Coebergh approved the Special Events Permit for Cinco de Mayo contingent on the applicant notifying the City Sales Tax Department.

V. APPLICATION FOR TRANSFER OF OWNERSHIP

1. Black Sam, Inc., dba Pantuso's Ristorante, 707 Horizon Drive, Hotel/Restaurant to Byzantium Holdings, LLC, dba Pantuso's Ristorante, 707 Horizon Drive

President/Owner – Christopher Blackburn, 645 Grand View Drive, Grand Junction, CO 81506

Dan Wilson, Attorney representing Byzantium Holdings, LLC, was present.

Ms. Kemp stated the applicant was issued a temporary permit. She reported that all the paperwork is in order except the applicant has not filed an application with the City Sales Tax.

Mr. Shaver explained that Black Sam, Inc. had gone through bankruptcy. The Trustee for the bankruptcy had consented to the transfer of ownership for the liquor license. Mr. Blackburn has been very cooperative and perhaps overlooked the City Sales Tax.

Mr. Wilson advised that he will make sure that the City Sales Tax issue is taken care of.

Mr. Coebergh approved the transfer of ownership contingent on a satisfactory report from City Sales Tax.

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

1. Café Biltmore LLC, dba Café Biltmore, 362 Main Street, #103, Hotel/Restaurant

Director: Heather J. Pierce, 1009 White Avenue, Grand Junction, CO 81501

Director: Sean S. Pierce, 1009 White Avenue, Grand Junction CO 81501

Heather Pierce, Director for Café Biltmore LLC, was present. Ms. Kemp reported that both Directors for Café Biltmore, LLC had disclosed prior DUI's. Mr. Pierce's was in 1991 and the charge was reduced to reckless driving and Ms. Pierce's was in 1992 with no conviction. No charges are pending and no report has been received from C.B.I. at this time. Ms. Kemp reported that the reports from the Fire, Health, and Building departments were not complete at this time due to construction being in process at the location. City Sales Tax is in compliance. Code Enforcement reported the sign was posted as required but will have to wait for completion of the construction to verify the layout of the premises. Ms. Kemp read the results of the survey into the records (see attached report).

Mr. Shaver asked Ms. Pierce if she believed the information Ms. Kemp read into the report was a true and accurate representation of the survey. Ms. Pierce concurred. Mr. Shaver asked who conducted the survey, what date it was conducted and what time of the day it was conducted. Ms. Pierce stated that she conducted the survey starting March

21st and into April. She contacted businesses during on weekdays between 2:00 p.m. and 4:00 p.m. and residents between 11:00 a.m. to 7:00 p.m.

Mr. Coebergh noted there was no one present in opposition and stated the requirements have been met and he authorized the issuance of this license pending the approval of the Fire, Code Enforcement, Health, and Building departments. The City Clerk's office will prepare a resolution for Mr. Coebergh's signature.

VII. ADJOURNMENT – The meeting adjourned at 9:25 a.m.

NEXT REGULAR MEETING – May 4, 2005

MEMO: Local Licensing Authority

FROM: Debbie Kemp, Deputy City Clerk

DATE: April 11, 2005

SUBJECT: Application for a new hotel and restaurant liquor license by Café Biltmore, LLC, dba Café Biltmore, 362 Main Street, Suite 103

Café Biltmore, LLC filed an application with the Local Licensing Authority on March 10, 2005 for a new hotel and restaurant liquor license permitting sales of malt, vinous and spirituous liquors by the drink for consumption on the premises at 362 Main Street, Suite 103 under the trade name of Café Biltmore. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for April 20, 2005. The Notice of Hearing was given by posting a sign on the property on or before April 10, 2005 and by publishing a display ad in the Daily Sentinel on April 15, 2005.

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. The neighborhood was defined as the area bounded on the North by Teller Avenue, on the South by 4th Avenue, on the East by 9th Street, and on the West by West Avenue. 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	1
No	154
Disqualified	13

13 were disqualified due to address being out of the defined neighborhood area.

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

Yes	68
No	0
Disqualified	8
Not Applicable	1

8 were disqualified due to address being out of the defined neighborhood area.

The Grand Junction Police Department has investigated the Directors for local criminal history. The fingerprints have been forwarded to CBI for further processing. Reports have been requested by the Grand Junction Fire Department, Code Enforcement, Mesa County Health Department, City of Grand Junction Sales Tax Department and the Building Department.

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

Hotel and Restaurant – 14 (Fly'n Roosters, Nepal Restaurant, Sports Page, Two Rivers Convention Center, Crystal Café & Bake Shop, Dolce Vita II, Il Bistro Italiano, The Vineyard, La Bamba, Suehiro Japanese Restaurant, The Winery, Junct'n Square Pizza, Blue Moon Bar & Grille, and Los Reyes Restaurant)

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

Hotel and Restaurant – 4 (Old Chicago, Fiesta Guadalajara – GJ, Higher Grounds & the Biscotti Lounge and El Tapatio)

That concludes this report.

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