

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

MINUTES

WEDNESDAY, AUGUST 17, 2005, 9:00 A.M.

I. **CALL TO ORDER** - The meeting convened at 9:00 a.m. Those present were Hearing Officer Jim Majors, City Attorney John Shaver and Deputy City Clerk Juanita Peterson.

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

1. McGovern Enterprises, Inc. dba Pizza Hut of Grand Junction No. 1, 2, & 3, 1440 North Ave., 704 Horizon Dr., and 601 N. 1st St., 3.2% Beer Retail (On Premises)

The applications were found to be in order and approved.

2. Fisher's Liquor Barn, Inc. dba Fisher's Liquor Barn, 2438 F Road, Retail Liquor Store

The application was found to be in order and approved as they disclosed the liquor violation on September 21, 2004.

3. Orange Coast Investments, Inc. dba Grand Vista Hotel, 2790 Crossroads Blvd., Hotel and Restaurant

The application was found to be in order and approved.

4. Dillon Companies, Inc. dba City Market #1, #9, #18, and #32, 2770 Hwy. 50 South, 2830 North Avenue, 1909 N. 1st Street, and 200 Rood Avenue, 3.2% Beer Retail (Off Premises)

The applications were found to be in order and approved.

5. Wal Mart Stores, Inc. dba Wal Mart Supercenter #5099, 2545 Rimrock Avenue, 3.2% Beer Retail (Off Premises)

The application was found to be in order and approved.

6. Kokopelli Liquors, LLC dba Kokopelli Liquors, 2996 D Road, Retail Liquor Store

The application was found to be in order and approved.

7. Q.S. Inc., dba Shanghai Garden Restaurant, 715 Horizon Drive, Hotel and Restaurant

There was no one present representing Shanghai Garden. Ms. Peterson reported that there has been several issues and all have been cleared up yesterday with the Fire Department, but the Mesa County Health Department is still working out issues with the applicant.

Mr. Majors would like to continue this renewal until the 7th of September and asked if Ms. Peterson believed these issued would be corrected by then. Ms. Peterson said she was not sure but would contact the Health Department again and let them know it has been continued and that she would notify the applicant by certified mail to make sure someone appears.

City Attorney Shaver asked when the license expired. Ms. Peterson stated September 1, 2005. Mr. Majors asked if this would be a problem. City Attorney Shaver said no as they have submitted the paperwork and they are in the system.

III. APPLICATION TO RENEW LIQUOR AND BEER LICENSE AND CHANGE IN MANAGER

1. Flavors West, LLC, dba Qdoba Mexican Grill, 2536 Rimrock Dr., #100, Hotel and Restaurant (continued from August 3, 2005)

Matt Lopez replaces BJ Nelson

The application was found to be in order for the renewal and registration of the new manager; pending C.B.I. approval.

2. Albertsons, Inc. dba Albertson's Food and Fuel Center, 2512 and 2520 Broadway, 3.2% Beer Retail (Off Premises)

Les Wassom replaces Mike Sidanycz at Albertson's Food Center, 2512 Broadway
Robert Young replaces Mike Sidanycz at Albertson's Fuel Center, 2520 Broadway

The applications were found to be in order and approved.

IV. APPLICATION FOR MODIFICATION OF PREMISES

1. Bookcliff Country Club dba Bookcliff Country Club, 2730 G Road, Hotel and Restaurant

Mimi King, Office Manager was present. Ms. Peterson reported the application is in order. Mesa County Health Department has approved the move to the modular unit; Fire Department will be out in about a month to inspect once the modular is set. Ms. Peterson said the City Clerk's office will require a survey of the needs and desires once the new building is almost complete along with another modification process.

Mr. Majors inquired about the food service. Ms. King said it would be a limited menu during the construction process but they would meet their food requirements for the hotel and restaurant liquor license.

City Attorney Shaver agreed with the City Clerk's office regarding the needs and desires survey to be conducted once the new clubhouse is complete.

The application was found to be in order and approved.

V. APPLICATION FOR SPECIAL EVENTS PERMITS

1. Application by BPO Elks Lodge #575 for a Malt, Vinous and Spirituous Special Events Permit for a 1960's – 1970's Antique and Muscle Car Club on August 26, 2005 from 3:00 p.m. to 2:00 a.m. located in the parking lot at the Grand Junction Elks Lodge #575, 249 S. 4th Street.

Applicant: BPO Elks Lodge #575, 249 S. 4th Street, Grand Junction, CO 81501
President: Bill Cusick, 369 Plateau Drive, Grand Junction, CO 81503
Event Manager: Nick DeMercurio, 303 Ouray Avenue, Grand Junction, CO 81501

Mr. Bill Cusick and Mr. Nick DeMercurio were present. Ms. Peterson reported the paperwork is in order and they are requesting to have this event in the parking lot of the current licensed premise.

Mr. Majors found the application to be in order and approved the Special Events Permit.

2. Application by BPO Elks Lodge #575 for a Malt, Vinous and Spirituous Special Events Permit for the 2nd Annual Reggae on the Mesa Music Festival on August 27, 2005 from 10:00 a.m. to 10:00 p.m. located at Western Colorado Botanical Gardens, 701 Struthers Avenue.

Applicant: BPO Elks Lodge #575, 249 S. 4th Street, Grand Junction, CO 81501
President: Bill Cusick, 369 Plateau Drive, Grand Junction, CO 81503
Event Manager: Ron Ward, 739 Corral Drive, Grand Junction, CO 81505

Mr. Bill Cusick and Mr. Ron Ward were present. Ms. Peterson reported the application is in order. Mr. Ward submitted a letter with the contacts they made and were not available to accommodate the event. Mr. Ward stated in his letter they expect 5,000 but actually it is around 1,100. This was an error.

Mr. Majors found the application to be in order and approved the Special Events Permit.

VI. RESOLUTION OF FINDINGS AND DECISION RE: APPLICATION FOR NEW LICENSE – Continued from August 3, 2005

1. China City, Inc., dba Grand China Restaurant, 509 28 ½ Road, Hotel and Restaurant

President: Yea-Lih Yen, 3901 Mountain Drive, #10, Glenwood Springs, CO 81601
Vice President: Li Ling Kao, 1228 Holly Brook Lane, Glenwood Springs, CO 81601

Ms. Kao and Mr. Miao Schen were present. Ms. Peterson reported the paperwork is in order, the premise was posted this time in a timely manner and local background checks have been approved but still pending C.B.I. approval. Ms. Peterson read the results of the survey into the record (see attached report).

Mr. Major asked how the survey was conducted. Mr. Schen stated he and Ms. Kao did the survey.

City Attorney Shaver asked Mr. Schen if he believed the information Ms. Peterson reported was a true and accurate representation the survey. Mr. Schen said yes. City Attorney Shaver asked what days of the week this was conducted. Mr. Schen stated he did not remember. Mr. Schen stated they used the map on the second attempt at conducting the survey. There were several businesses that could not sign due to company policy.

Mr. Majors asked what day of the week the survey was conducted. Mr. Schen did not remember this either, but indicated it was on the affidavit. Mr. Majors asked if there was anyone present in opposition, and found no one, then found that the requirements have

been met and he approved the issuance of the hotel and restaurant liquor license on a local level. The City Clerk's office will prepare a resolution for Mr. Major's signature.

VII. REVIEW OF LIQUOR AND BEER LICENSE – Update from August 3, 2005 hearing

1. Ray W. Quan (Estate of), dba Far East Restaurant, 1530 North Avenue, Hotel and Restaurant - The review of this liquor license was continued from August 3, 2005.

There being no one present for this, City Attorney Shaver gave an update that Mr. Beckner, the attorney for the applicant has requested 30 additional days to complete the Transfer of Ownership paperwork.

Mr. Majors agreed to this to be continued until September 21, 2005 hearing, but stated the local board has been very lenient regarding the estate of Mr. Ray Quan and it will need to be completed by September 21, 2005. Mr. Shaver concurred.

VIII. APPLICATION FOR MODIFICATION OF PREMISES, CHANGE IN TRADE NAME AND REGISTRATION OF NEW MANAGER

1. N.N.C. Inc. dba Bourbon Street, 525 North Ave., Tavern

Increasing the size of the bar, moving and enlarging the dance floor, moving storage area and moving pool tables.

Request the change in trade name from Bourbon Street to Midnight Rodeo

Registration of new manager Heather Gale replaces Dallas Nunnery

Mr. Majors asked Ms. Peterson if the application was in order. Ms. Peterson stated it was, the local police report has come back on the new manager but C.B.I. is still pending. Ms. Peterson read into the record the results of the survey for the modification of premises relevant to regulation 47-302 (see attached report).

Mr. Dan Wilson was present representing Ms. Dallas Nunnery. Mr. Wilson indicated the two people who conducted the survey were also present. Mr. Wilson asked Ms. Nunnery to describe the type of establishment/entertainment that she is planning on having in the old Bourbon Street location. Ms. Nunnery stated she is looking for a very low key group of people who enjoy country and western music, looking to dance waltzes, ballroom, country line dancing and an older group than the former Bourbon Street "hip-hop" group.

Mr. Majors stated the concerns from Bourbon Street are still concerns with the new name which is the volume of music, trash, and patrons leaving all at once.

Ms. Nunnery indicated country and western music verses hip hop does not require the same amount of bass.

Mr. Majors asked for the same promise from Ms. Nunnery to keep the music down. Ms. Nunnery stated she would as she is trying to keep everyone happy. She has expenses on this building and wants to work with the neighbors and make this successful for both involved.

Mr. Majors stated that Ms. Nunnery's new manager and staff will be required to attend the next Liquor Awareness Training offered by the City Clerk's office on September 14, 2005, and the staff that isn't hired to attend one in the future.

City Attorney Shaver asked who conducted the survey. Ms. Nunnery said it was Mr. Rich Lamont and Ms. Jaymie Gallup. City Attorney Shaver asked if they were employees. Mr. Lamont stated yes. City Attorney Shaver asked when they went out. Mr. Lamont stated for 3 days, morning, mid-day and evening and they split up when conducting the survey. City Attorney Shaver asked Mr. Lamont if he believed the information Ms. Peterson reported was a true and accurate representation the survey. Mr. Lamont stated yes. City Attorney Shaver asked why they only attempted once in the evening hours as typically there are older, retired persons living in that neighborhood. Ms. Gallup stated they went out in the evening first and the first attempt was on Belford but had better luck catching people home in the mid-day time. City Attorney Shaver asked if they made a concerted effort to contact the residences from the last time as he noticed there were no residents on Belford who objected. Mr. Lamont indicated yes. City Attorney Shaver asked Mr. Wilson if he had a chance to look at the surveys. Mr. Wilson said yes and he felt they did a good job.

Mr. Majors addressed the audience and asked with a show of hands who was in support of the modification. There was no response.

Mr. Majors asked the audience to come forward if they were opposed.

Mr. Robert Unfred, 6th and Belford, 605 Belford. Mr. Unfred stated he felt the survey was faulted; the area should have been smaller. Mr. Unfred conducted a survey of the neighborhood in the past and had several against Bourbon Street. Mr. Majors asked if any tenants to the apartments were present today. Mr. Unfred said no. Mr. Majors asked if there has been any damage to the apartments. Mr. Unfred said no.

Kate Pierce, 518 Hill. Ms. Pierce said they moved in last October. They just want to enjoy the neighborhood and raise their family and she is against it with the history of being disruptive.

Mr. Majors asked Ms. Pierce if she understood how the establishment has proposed the changes. She said yes, it is the hours of operation with the residential area so close to the establishment and the use of swamp coolers which you need to leave your windows open during the evenings.

Adam Chambers, 528 Belford. Mr. Chambers's main concern is the parking with the overflow into the other lots and along the residential streets and alleys. Mr. Chambers is not convinced that by changing the venue it will change much. If they only allowed parking in their parking lot, that would solve some of the issues. Mr. Chambers does not believe this issue has been addressed. He believes Bourbon Street does a good job inside the establishment, but not around the area. He hasn't heard any changes proposed. Mr. Majors asked Mr. Chambers if he signed the survey. Mr. Chambers said yes as his business was approached. He is the manager at Sherwin-Williams Paint store on North Avenue.

Mr. Wilson asked if he could ask Mr. Chambers some questions. Mr. Wilson asked Mr. Chambers if he assumed the parking problems were coming from Bourbon Street. Mr. Chambers said no, he lives in the house right next to the insurance offices and has actually watched people leave Bourbon Street. He and his friend use to sit in the backyard and watch. His garage has been blocked by patrons parking in the alley. Mr.

Wilson asked if he has ever called the police or a tow truck. Mr. Chambers said yes, but they are gone by the time the police can get there and the tow trucks don't really want to come out at that time of night for that. Mr. Chambers drew on the white board the parking lots that the overflow parking was using and then still flowing over onto the residential streets. Again, he feels they can control the parking in the Bourbon Street parking lot, but not anywhere else. Mr. Chambers also said he has contacted Community Development regarding the parking issue.

David Rankin, 916 N. 5th Street and also works at 1015 N. 5th. Where he lives he can see where he works and sees the spill over into the "Gales" parking lot.

Lori Morgan, 460 Hill Avenue. She has had drunks walking up their driveway. Her daughter has been subpoenaed as a witness to a fight with 30 kids after a teen night in March. She does not feel this is a safe environment for her family. They have had peace for the last 3 months with Bourbon Street closed.

Daniellie Spears, 560 Belford. They have recently purchased the home in April and have spent an entire day cleaning up the alley around the back and were surprised at the items they discovered along with the urine smell.

Mr. Wilson asked Ms. Spears how she knew this came from Bourbon Street. She said she didn't but the indication of the items, it wasn't from the neighborhood that she knows of. Mr. Majors asked if she was contacted for the survey. She said no.

Mr. Majors asked Ms. Morgan if she was contacted for the survey. She said no.

Mr. Majors called short recesses at 10:20 a.m.

The meeting resumed at 10:31 a.m.

Mr. James Estes, 560 Teller Avenue. Mr. Estes stated he has conducted a survey over 2 ½ years ago and presented it during Bourbon Street's renewal process. He is concerned about the safety of the community and he was not contacted for this survey. He believes that the original survey that was done was presented for a restaurant and not a tavern.

Betty Fulton, 640 N. 5th Street presented Mr. Majors with letters from individuals who could not be there today. They were just informed last night of the hearing today. Ms. Fulton went around the neighborhood last night and did not have any trouble finding people at home and ones to answer their doors. Ms. Fulton hoped the same restriction would be put on this modification. She believes the music could be just as noisy. Ms. Fulton was surprised that the neighborhood was not contacted by the City regarding this hearing.

Mr. Majors took time to read the written comment (see attached). Mr. Majors asked Mr. Wilson if he cared to look at the written letters submitted. Mr. Wilson said no.

Mr. Wilson asked Ms. Nunnery to come up again and explain the teen nights. Ms. Nunnery said she only had 3 after she closed Bourbon Street and they were not successful and there was no teen night in March. Urination in the grass was hard to determine if it was related to Bourbon Street. Mr. Wilson said Ms. Nunnery has said that she is hoping for a different crowd. Mr. Wilson believes there was no evidence presented today that these issues would still exist. Mr. Wilson stated that the occupancy level from the Fire Department is 299. Ms. Nunnery would agree to cap the

occupancy level at 200. Mr. Wilson hopes the neighbors will start talking to Ms. Nunnery or Ms. Gale, the new manager, with issues as she does not want to have the neighborhood angry.

City Attorney Shaver said during the break he spoke with Community Development regarding the Conditional Use Permit (CUP), the seating capacity/parking and the issue with the occupancy being at 299 and how to determine a number of patrons either dancing or playing pool to be in the establishment at one time. He believes this should be a focus and have Community Development review the Conditional Use Permit as there is no standard to address this issue. City Attorney Shaver stated regulation 47-302 has 4 criteria regarding the modification and that in the decision-making, the applicable zoning laws of the municipality must be met. City Attorney Shaver stated the City is under no obligation under the law to give notice of this hearing, the matter has been treated no different than any other establishment requesting a modification.

Mr. Majors directed Mr. Shaver to get with Community Development to address the issue on parking/seating occupancy on the CUP versus the Fire Department occupancy level and have the CUP reviewed. Mr. Majors asked Mr. Wilson if he knew if the owner of the building has visited with Community Development on this modification. Mr. Wilson said he did not know.

Ms. Morgan addressed the Hearing Officer and gave the date of March 20, 2005 as the date of the incident her daughter witnessed.

Mr. Rankin also asked if they lease the lots for the overflow parking, is it a verbal or written agreement and who keeps track of these leases.

City Attorney Shaver said this has not been looked into but it would have to be a written lease submitted to Community Development. Ms. Nunnery stated it has always been a verbal agreement for the overflow parking.

Mr. Majors reminded everyone the hearing was closed for comments. Mr. Majors stated that he was going to amend the survey results from the letters received and the testimony by 14 as residents voting no. Mr. Majors said he has not heard enough evidence today to deny the modification of premises, the change in trade name or the registration of the new manager and will approve these. October 19, 2005 the establishment will be scheduled for a review. Mr. Majors told the audience that this is the only establishment with the City who is on a quarterly review. Mr. Majors told Ms. Nunnery she will be expected to send her new manager and any staff hired to the September 14, 2005 training offered by the City Clerk's office. Mr. Majors is asking Ms. Nunnery to continue to monitor the noise and asking to continue to phase out the exits in the evenings, to work with the rowdiness spilling over into the neighborhood. Mr. Majors was adding a condition today to address the seating/occupancy/parking issues by the Community Development department.

City Attorney Shaver said he would give charge to Community Development to have a report or update two weeks prior to October 19, 2005 for the Hearing Officer to review. City Attorney Shaver said depending the outcome this could be reviewed by a public hearing through Community Development and the Liquor Authority won't have anything before October 19, 2005 but he will keep the Authority and Staff informed.

IX. ADJOURNMENT - 11:15 a.m.

NEXT REGULAR MEETING – September 7, 2005

MEMO: Local Licensing Authority

FROM: Juanita Peterson, Deputy City Clerk

DATE: August 9, 2005

SUBJECT: Application for a new hotel and restaurant liquor license by China City, Inc. dba Grand China Restaurant, 509 28 ½ Road

China City, Inc. filed an application with the Local Licensing Authority on July 1, 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 509 28 ½ Road under the trade name of Grand China Restaurant. The application and supplementary documents were reviewed and found to be in order and accepted. The hearing date was set for August 3, 2005. The property was not posted as required on or before July 24, 2005, therefore the hearing date was postponed until August 11, 2005 at which time the notice of hearing was given by posting a sign on the location on or before August 7, 2005. A display ad was published in the Daily Sentinel on August 9, 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 Orchard Avenue, on the South by I-70 Business Loop, on the East by 29 Road, and on the West by 28 Road. The results of that survey are as follows:

- 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	58
Disqualified	24

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

- 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	16
No	0
Disqualified	24
Not Applicable	41

23 were disqualified due to the address being out of the defined neighborhood area, and 41 were not applicable to answer the question since they were businesses.

The Grand Junction Police Department has investigated the Officers 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, Sales Tax Department and Mesa County Health Department.

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

Hotel and Restaurant – 4 (Rib City Grille, Texas Roadhouse, Zen Garden, and Tio Blanca Family Mexican Restaurant [recently closed])

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

Hotel and Restaurant – 2 (Wrigley Field and Tequila)

That concludes this report.

cc: App
John Sh... City Attorney
Craig... Code Enforcement Department
File

Revised 8-17-05

MEMO: Local Licensing Authority
FROM: Juanita Peterson, Deputy City Clerk
DATE: August 10, 2005
SUBJECT: Application for a modification of a ~~liquor license~~ **INC**
Inc., dba Bourbon Street, 525 North Ave.

Revised 8-17-05
NNC, Inc. filed an application with the Local Licensing Authority on August 1, 2005 for a modification of premises for a ~~liquor license~~ permitting sales of malt, vinous and ~~other liquors by~~ ~~hand~~ ~~drinking~~ ~~consumption~~ at the premises at 525 North Avenue and that the name on the license be changed to Bourbon Street. They are requesting to relocate and enlarge the bar and enlarge the bar and remove storage closets, remove DJ booth, add pool tables and change the trade name to Midnight Rodeo. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for August 17, 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 Orchard Avenue, on the South by Grand Avenue, on the East by 10th Street, and on the West by I70 Business Loop. The results of that survey are as follows:

2. As an owner of property in the neighborhood, an employee or a business lessee of property in the neighborhood, and/or an inhabitant who resides in the neighborhood for more than six months each year, I believe the proposed modification of premises to relocate and enlarge dance floor, enlarge bar and remove storage closets, remove DJ booth, and add pool tables will not conflict with the reasonable requirements of the neighborhood and the desires of the inhabitants.

Yes Residential	30
Yes Business	26
No Residential	14
No Business	2

This information was revised per Jim Majors from witnesses at the hearing who were not contacted by Bourbon St. employees for their survey.

Reports are being requested from the Grand Junction Police Department, Grand Junction Fire Department, Mesa County Health Department, City of Grand Junction Sales Tax Department and Mesa County Building Department for a final certificate of occupancy (CO).

That concludes this report.

cc: Applicant

John S. Anderson, Attorney

Chief Campbell, Grand Junction Police Department

File

Revised 8-17-05

Wednesday August 17, 2005

James E. Harless 560B Teller Avenue
Grand Junction, CO 81501

To whom it may concern;

This letter is sent in protest of the new nightclub being proposed for opening in the location of the former nightclub Bourbon Street. After enduring years of drunken, noisy patrons and their exceedingly loud car sound systems keeping me awake during the early morning hours, I do not (DO NOT) want another venue for inebriated, inconsiderate young adults to fuel their drunken forays into my privacy. During the time Bourbon Street was in operation, I had my vehicle vandalized on several occasions, my yard desecrated by trash from drunken party animals, had to call the police on several nights to break up fights and disturbances related to the aforementioned facility. I personally witnessed a hit and run collision caused by a drunk driver from there. The neighborhood has been peaceful since Bourbon Street closed, with the exception of one Sunday evening when the building was used as a teen club for one night. On that night I witnessed and reported to the police, twice, a gang fight that had spilled over from that facility and erupted in the intersection in front of my home. I do not want another place serving alcohol in my neighborhood. At all. Ever.

Yours truly, James E. Harless

A handwritten signature in black ink, appearing to read "James E. Harless", with a long horizontal flourish extending to the right.

Timothy & Allison Flynn
463 Gunnison Ave
Grand Junction, CO 81501
(970) 245 9341
ali_flynn@hotmail.com

17 August 2005

Dear City Council Members,

We were extremely distressed to hear that the owners of Bourbon Street are reopening a bar under a new name in the Bourbon Street location and applying for a liquor license. Furthermore we are angry that the neighborhood was not informed nor asked about this dreadful possibility. For years the neighborhood has pleaded with Council to deny this establishment a liquor license because the owners of Bourbon Street have continually refused to keep their guests well-mannered. We do not miss the patrons of Bourbon Street fighting and vomiting on our lawns, screaming in the dead of night, and speeding through our streets. We are dismayed that the city of Grand Junction would consider their request of a new liquor license. Please do not entertain the notion of allowing them back into our neighborhood with the intention of selling alcohol.

The Bourbon Street property is less than a block from the Grand Junction high school. Tax money is being poured in our schools attempting to send children the message that alcohol consumption is not necessary for enjoyment. Do we then flaunt this establishment in their face every day? We also know that people who frequent bars are more likely to drive impaired, and more likely to get into car accidents. We are not immune to the irony of Bourbon Street being directly across the street from a funeral home. Are we attempting to keep their funeral business close at hand? Also, what about parking? We were informed that the property could not support a drinking establishment because of inadequate parking. Have those rules been waived in favor of this establishment, when those rules were used successfully to limit the patronage of a restaurant on the other side of town?

We believe that owners of a business have the right to run their business. However, we also believe those same owners have an obligation to the community in which they operate their business to abide by the mores and zoning rules of that community. We also think that these owners have a responsibility to enforce their patrons to likewise behave as guests of the community and not as an unruly mob. The owners of the former Bourbon Street have demonstrated that they are unable to achieve this minimal standard. It therefore seems unwise and potentially dangerous to allow them to continue, albeit under a new name. Again we respectfully ask that you deny them a liquor license for the property that was once Bourbon Street. Perhaps if they were to run a family restaurant in this location they would learn some manners.

Sincerely,



Timothy & Allison Flynn

T&A Flynn

8/17/2005

O'Boyle

From: "O'Boyle" <boyboyle@bresnan.net>
To: <bettypup634@hotmail.com>
Sent: Wednesday, August 17, 2005 7:33 AM
Subject: Another Bar in our neighborhood ?

To : The City of Grand Junction

From: Michael O'Boyle & Karen Kilanxhja
538 Teller Ave
Grand Junction Colorado 81501

RE: Another Bar in our Neighborhood ?

To all concerned,

We just learned of a hearing scheduled for 9AM. 8/17/05, regarding a liquor licence renewal for the establishment once called Bourbon Street, located at 5th and North Ave. We are both sorry we are unable to attend this hearing as we both have commitments at work. We would like to voice our opinion via this E-Mail.

As just one household of the downtown neighborhood that was affected by the old Bourbon Street Bar, we hereby state that we are **STRONGLY OPPOSED** to a new liquor licence being issued for a bar at 5th & North Ave. Very simply, a bar located in such close proximity to a residential neighborhood **JUST DOES NOT WORK!** A mistake was made by issuing the first licence. Please do not make the same mistake again. **IT WILL NOT WORK AGAIN!** The area to the South of North Ave. at 5th Street IS A RESIDENTIAL NEIGHBORHOOD and has been so for 100 years. I (Michael O'Boyle) have lived here for nearly 20 years and my goal is to make it a better neighborhood. Issuing a liquor licence in this instance brings our neighborhood down.

If a licence is issued, there will be more problems **identical to the problems in the past** and there will be **more complaints and more 911 calls**. The one difference is that the neighborhood has learned from the mistakes of the past, we hope the City has too.

Respectfully submitted,

Michael O'Boyle & Karen Kilanxhja



8/17/2005

August 17, 2005

To the Grand Junction Liquor Licensing Board – James Major, John Schafer & Juanita Peterson:

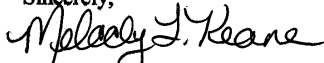
As I am unable to attend today's hearing for the liquor license reinstatement of the establishment previously know as Bourbon Street, owned and operated by Ron and Dallas Nunnery, please let it show in the records that I am again opposed to the a liquor license being issued to any establishment located at 545 North Avenue, operated by the Nunnerys or any of their representatives or business partners.

All of my statements at previous hearings, in this matter, remain the same. I have seen no evidence since the last meeting that conditions in our neighborhood (while Bourbon Street was conducting business) would improve should the Nunnerys be allowed to operate a drinking establishment at the said location. To the contrary, our neighborhood has reverted to the quite, safe environment that every citizen in Grand Junction should be allowed to enjoy.

I respectfully as the Board members to consider what it was like to live in our neighborhood as it was described to you by numerous members at previous hearings. Please ask yourselves, if this establishment (with these owners/operators) were in your neighborhood would you give them a liquor license? At minimum, please consider that there have been no changes in the problems previously identified, i.e. parking, occupancy allowance, noise, security, trash, etc.

Thank you for your time.

Sincerely,



Melody L. Keane
557 Belford Avenue
Grand Junction, CO 81501

**WE ARE AGAINST HAVING AN
ESTABLISHMENT IN OUR NEIGHBORHOOD
THAT SELLS LIQUOR.**

WE HAVE BEEN DISTURBED MANY TIMES BY PERSONS
UNDER THE INFLUENCE OF ALCOHOL, DRIVING
ERRATICALLY, PLAYING LOUD MUSIC, AND FIGHTING
IN THE STREETS.

WE, THE UNDERSIGNED, RESIDE AT
560 TELLER AVENUE, GRAND JUNCTION, COLORADO

APT.A - JAMES & BETTYE ESTES James & Bettye Estes
APT.B - JAMES HARLESS James Harless
APT C - JEAN-ELYSE HARLESS Jean-Elyse Harless