

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

MINUTES

WEDNESDAY, MAY 16, 2007 9:00 a.m.

I. **CALL TO ORDER** – The meeting convened at 9:00 a.m. Those present were Hearing Officer Mike Grattan, City Attorney John Shaver and Deputy City Clerk Debbie Kemp.

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

1. **Mad Mac's BBQ, LLC** dba Mad Mac's BBQ, 115 W. Grand Avenue, Suite A, Grand Junction, CO 81501, Beer and Wine

No one was present on this matter.

The application for renewal was found to be in order and approved.

2. **Western Colorado Botanical Society** dba Western Colorado Botanical Gardens, 701 Struthers Avenue, Grand Junction, CO 81501, Arts

No one was present on this matter.

City Attorney Shaver asked about the licensed premise. Ms. Kemp informed Mr. Shaver that the licensed premise is only the Amphitheater.

The application for renewal was found to be in order and approved.

3. **Martinez Family Corporation** dba Chupiro's Place, 122 S. 5th Street, Grand Junction, CO 81501, Tavern

No one was present on this matter.

The application for renewal was found to be in order and approved.

III. **APPLICATION FOR NEW LICENSE - RESOLUTION OF FINDINGS AND DECISION**

1. **Nepal Restaurant G.J., LLC** dba Nepal Restaurant, 356 Main Street, Grand Junction, CO 81501, Hotel and Restaurant

Member: Anil K. Luitel, 657 Garrett Way, Grand Junction, CO 81505

Anil Luitel, Member of Nepal Restaurant G.J., LLC and his wife Sarita were present.

Ms. Kemp reported the application was in order and the applicant requested a concurrent review. The Police Department reported that nothing derogatory was found

on a local background check on the owner and the fingerprint card and individual history form was forwarded to C.B.I. for further investigation. Code Enforcement reported that the premises was posted in a timely manner, however the diagram could not be verified because the building is being remodeled. The Fire Department and the Building Department will report once the building is completed and a Certificate of Occupancy is issued. The Health Department has not received plans yet but has had conversation with the contractor. The Sales Tax Department reported that the applicant has to close out their existing account and apply for a new account, which has not been done at this time. Ms. Kemp read into the record the results of the survey provided (see attached).

Hearing Officer Mike Grattan questioned when they would be moving into the new facility and when the lease at their current facility expires. Mr. Luitel stated that originally they were going to move into the new facility on May 23rd, however, the facility is still under construction, so they will move into it when the construction is complete.

Mr. Shaver asked Mr. Luitel if they have surrendered their liquor license from the 225 N. 5th Street location. Mr. Luitel said that they have.

Mr. Shaver asked Mr. Luitel if he heard the report that Ms. Kemp read into the record and does he agree with the report. Mr. Luitel stated that he did agree. Mr. Shaver asked who conducted the survey, what were the people told, did they go door to door and what time of day did they conduct the survey. Mr. and Mrs. Luitel stated that they both conducted the survey over a 4 or 5 day period, mostly in the day, only once in the evening. They did go door to door and advised people that they were moving their restaurant and applying for a new liquor license and had to conduct the survey and asked them to read the questions and answer them. Mr. Shaver asked why so many people were disqualified with question 2. Ms. Luitel said that she doesn't think they read the question correctly and answered it.

Mr. Grattan asked when the LLC was formed and who owns it. Mr. Luitel stated that he formed the LLC in October 2006 and that he is 100% owner.

Mr. Shaver said that even though the survey did not show overwhelming numbers, the results did indicate that the needs and desires in the neighborhood are not being met and recommended approval.

Mr. Grattan found the requirements have been met. The approval for the issuance of the hotel and restaurant liquor license on the local level was granted with the condition of all final inspections and reports be approved and a Certificate of Occupancy issued. The City Clerk's Office will prepare a resolution for Mr. Grattan's signature.

IV. ADJOURNMENT – The meeting adjourned at 9:14 a.m.

NEXT REGULAR MEETING – June 6, 2007



MEMO: Local Licensing Authority
FROM: Debbie Kemp, Deputy City Clerk
DATE: April 30, 2007
SUBJECT: Application for a new hotel and restaurant liquor license by Nepal Restaurant G.J., LLC, dba Nepal Restaurant, 356 Main Street

Nepal Restaurant G.J., LLC filed an application with the Local Licensing Authority on April 13, 2007 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 356 Main Street, under the trade name of Nepal Restuarant. The application and supplementary documents were reviewed, found to be in order and accepted. A copy was sent to the State Liquor Enforcement Division for a Concurrent Review. The hearing date was set for May 16, 2007. The Notice of Hearing was given by posting a sign on the property on or before May 6, 2007 and by publishing a display ad in the Daily Sentinel on May 4, 2007.

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	10
No	89

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	39
No	0
N/A	1
Disqualified	76

There were 76 disqualified due to: 1) 60 Businesses answered question number 2 which was not applicable to them, 2) 15 addresses were out of the boundary, and 3) 1 address was invalid.

The Grand Junction Police Department has investigated the owner for local criminal history and has forwarded the fingerprint card and individual history form onto CBI for further background investigation. Reports have been requested by the Grand Junction Fire Department, Code Enforcement, Mesa County Health Department, and the City of Grand Junction Sales Tax Department.

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

Hotel and Restaurant – 15 (Fly'n Roosters, 626 On Rood, The Winery, Blue Moon Bar & Grill, Weavers Tavern, Two Rivers Convention Center, Rendez vous of Grand Junction, Crystal Café, Dolce Vita, Il Bistro, La Bamba, Suehiro Japanese Restaurant, Junct'n Square Pizza, Los Reyes Restaurant, and Cavett House Grille & Pub)

Similar type outlets in a one mile area in addition to the above are:

Hotel and Restaurant – 2 (Fiesta Guadalajara and Old Chicago)

That concludes this report.

cc: Applicant
John Shaver, City Attorney
TJ Rix, Grand Junction Police Department
File

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