

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

MINUTES

WEDNESDAY, SEPTEMBER 17, 2008 9:00 a.m.

I. CALL TO ORDER – The meeting convened at 9:02 a.m. Those present were Hearing Officer Mike Grattan, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp.

II. APPLICATIONS FOR SPECIAL EVENTS PERMIT

1. B.P.O. Elks dba Oktoberfest, corner of 3rd and Main Street, October 4, 2008, Malt and Vinous

President: Faron Compton, 1833 J 6/10 Rd., Fruita, CO 81521
Event Manager: Ronald L. Ward, 739 Corral Dr., Grand Jct, CO 81505

Ronald Ward, Event Manager and Chairman of Oktoberfest, was present.

Ms. Kemp reported that the paperwork was in order and all the reports came back fine. She reported that a letter was submitted by the applicant stating the various existing license establishments that were contacted and why they could not accommodate the event.

Ms. Kemp also reported that the applicant is requesting a modification of their diagram that was submitted to expand the area where beer will be served and consumed. The applicant made changes to the submitted diagram to indicate the expanded area and Hearing Officer Grattan entered it into the record as Exhibit 1.

City Attorney Shaver said in reference to 12-48-103, C.R.S. regarding that existing licensed facilities are inadequate for the purpose of serving members or guests of the organization and that additional facilities are necessary by reason of the nature of the special event, the statute has been complied with, and he recommends approval.

Hearing Officer Grattan agreed and approved the application for a special events permit.

2. Junior Service League dba 25th Anniversary Celebration, Liff Auditorium, November 1, 2008, Malt, Vinous, and Spirituous

President: Amy Lusby, 534 S. Teal Ct., Grand Jct CO 81503
Event Manager: Kathleen Copeland, 448 Mediterranean Way, Grand Jct CO 81503

Julie Butherus, member of the organization, was present.

Ms. Kemp reported that the paperwork was in order and all the reports came back fine. She reported that a letter was submitted by the applicant stating the various existing license establishments that were contacted and why they could not accommodate the event.

City Attorney Shaver asked Ms. Butherus is she if familiar with the letter Ms. Kemp referred to. Ms. Butherus stated that she was familiar with the document and she helped make contacts to some of the establishments listed in the letter.

Hearing Officer Grattan asked what the Junior Service League's relationship is with Mesa State College. Ms. Butherus stated that they have given several scholarships to Mesa State College. Mr. Grattan asked if this event is a fund raiser for that. Ms. Butherus replied that it is not, it is their 25th year celebration.

City Attorney Shaver said in reference to 12-48-103, C.R.S. regarding that existing licensed facilities are inadequate for the purpose of serving members or guests of the organization and that additional facilities are necessary by reason of the nature of the special event, the statute has been complied with, and he recommends approval.

Hearing Officer Grattan agreed and approved the application for a special events permit.

III. APPLICATION FOR TRANSFER OF OWNERSHIP

1. Albertsons LLC dba Albertsons Fuel Center #897, 2520 Broadway, 3.2% Beer Retail (Off-Premises) to Valero Diamond Metro Inc., dba Valero Corner Store #1720

Master file in Denver:

Pres. Gary Arthus, 14 Champions Trail, San Antonio, TX

VP Douglas Miller, 2811 Burning Log, San Antonio, Tx

VP/Sec. Jay Browning, 115 Edgewood Pl., San Antonio, TX

Adam Stapen, Dill, Dill, Carr, Stonbraker, & Hutchings, PC, representing the applicant and Gary Owen, manager of Valero Corner Store #1720, were present.

Ms. Kemp reported that the paperwork was in order and all the reports came back fine, concurrent review was requested therefore the paperwork was forwarded to State Liquor Enforcement for their review, the applicant has a Master File with State Liquor Enforcement, and the applicant is currently operating with a temporary permit.

Mr. Stapen stated that Valero has purchased 40 to 70 region corner stores. He advised that all employees are trained for selling liquor and tobacco products. He requested that the request for a transfer of ownership be approved.

The application for transfer of ownership was found to be in order and approved.

2. Add-In Enterprises dba Junction Indoor Tennis Center, 535 25 ½ Road, Grand Junction, CO 81505, Tavern

Managing Member: Kenneth N. Scissors, 2073 Corral de Terra, Grand Junction, CO 81503

Kenneth Scissors, Managing Member, was present.

Ms. Kemp reported that the paperwork was in order and all the reports came back fine, report from CBI on the managing member is pending. Concurrent review was requested therefore the paperwork was forwarded to State Liquor Enforcement for their review. A temporary permit was not issued for this transfer of ownership.

The application for Transfer of Ownership was found to be in order and approved.

IV. APPLICATION FOR MODIFICATION OF PREMISES

1. Texas Roadhouse of Grand Junction LLC dba Texas Roadhouse, 2870 North Avenue, Grand Junction, CO 81505, Mailing Address: 6040 Dutchman's Ln. Suite 400, Louisville KY 40205-3305, Hotel and Restaurant

Addition with 48 new seats

Mark Tilley, managing partner, was present.

Ms. Kemp reported that since they had just recently renewed, the only reports requested was with the Fire Department, which came back fine. The modification had already begun prior to the application for modification of premises. A Certificate of Occupancy was issued on August 28, 2008. The applicant was required to complete a survey to determine the needs and desires of the neighborhoods. Ms. Kemp read the results of the survey into the record (see attached).

City Attorney Shaver asked Mr. Tilley if he agreed with the results that Ms. Kemp read into the record. Mr. Tilley said he did. City Attorney Shaver asked who conducted the survey and asked for about the no response list Ms. Kemp reported and asked if there were any persons that declined to participate. Mr. Tilley stated that he conducted the survey, the no response list were residents that were not at home or simply did not answer their door, there were two residences that declined to participate in the survey and there were some residences that had a no solicitation sign on the door.

Hearing Officer Grattan asked about the nature of the modification of premises and also asked for explanation why the project had begun prior to receiving approval for the modification from the local and the State Licensing Authorities. Mr. Tilley stated that they have added nine tables in what was the existing waiting area and added a porch area for the new waiting room. The modification began prior to requesting approval from the liquor licensing authorities because he was unaware that it required approval, and the corporate office for Texas Roadhouse was also unaware. Hearing Officer Grattan advised Mr. Tilley, in the future, please inquire with the local licensing authority prior to beginning the work.

The application for modification of premises was found to be in order and approved.

V. APPLICATION FOR MODIFICATION OF PREMISES AND RENEWAL CONTINUED FROM SEPTEMBER 3, 2008

1. GJ Superbowl, LLC dba GJ Scores, 2445 F 3/8 Road, Grand Junction CO 81505, Tavern

Add additional service bar into former cigar bar location. No increase in occupancy.

William Steele, owner of GJ Scores and Daniel Lotfina, manager of GJ Scores, were present.

Ms. Kemp reported that the renewal was continued from September 3, 2008 because of Health Department and Police Department violations. She stated that the violations with the Health Department had been corrected and that a letter and list of violations

was provided by Lisa Maestas, Liquor Enforcement/Investigations with the Grand Junction Police Department. Ms. Kemp also advised that there was some question about the exact nature of the modification, whether a service bar was being relocated or the addition of a service bar.

City Attorney Shaver asked the applicant to explain the modification using the diagram that was provided. Mr. Steele explained that they are adding a service bar in what was originally the cigar bar, and they are going to have it for the service of spirituous liquors for only patrons 21 years old or more.

City Attorney Shaver recommended approval of the renewal application. Even though there was a report submitted for violations from the Police Department, he didn't feel they did not prove sufficient to deny the license renewal.

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

Hearing Officer Grattan asked that the diagram be entered into the record as Exhibit 1 for the modification of premises.

The application for modification of premises was found to be in order and approved.

VI. APPLICATION FOR NEW LICENSE – RESOLUTION AND FINDINGS AND DECISION

1. Grand International Buffet Inc., dba Grand International Buffet, 2504 Hwy 6&50, Suite 500, Grand Junction, CO, Beer and Wine

President: Yun Hui Lu, 705 ½ Willow Creek Rd., Grand Jct, CO 81505

Ada Oyu, interpreter for the applicant, and Cindy Hale with Hale Bookkeeping Service, hired to conduct the survey, was 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. CBI reported they found nothing on the applicant. Code Enforcement reported that the premises were posted in a timely manner. The Building Department will provide a Certificate of Occupancy once the building remodel is completed which has to be signed off by the Fire Department and the Health Department. Ms. Kemp read into the record the results of the survey provided (see attached).

Hearing Officer Grattan inquired about the separate statement submitted with the survey that addressed the door slams, not wanting to sign the survey, etc., if they were in addition to the numbers Ms. Kemp had reported. Ms. Hale said that they were in addition.

City Attorney Shaver asked Ms. Hale if she found the results of the survey that Ms. Kemp read to be true and accurate. Ms. Hale stated that she did. City Attorney Shaver asked who conducted the survey, what dates and times was it conducted and how was it conducted. Ms. Hale stated that it was herself and her husband that conducted the survey on a Saturday and a Monday. On Saturday, they went mid morning to early afternoon. They had good luck on Saturday but on Monday, people slammed doors on them and there were two entire mobile home parks that had signs for no solicitation. City Attorney Shaver asked if the mobile home parks with the no solicitations signs were included in the numbers on the survey and if not, approximately

how many homes were there total. Ms. Hale stated that there were probably 30 to 50 homes in each mobile park and the numbers were not included in the survey. Ada Oyu, interpreter for the applicant, stated that final inspection was to be conducted that day and the owner of the restaurant was hoping to open by September 25, 2008.

Hearing Officer Grattan explained the importance of training employees for serving of alcoholic beverages. He advised Ms. Oyu that the City does provide free training for establishments and their employees.

Hearing Officer Grattan found the requirements have been met. He complimented Ms. Hale on her effort on the survey. Even though the numbers were low, because of the no answers at the various residences and the door slams, etc., there were no remonstrance's or petitions filed opposing the issuance of the liquor license. The approval for the issuance of the beer and wine license on the local level was granted with the condition of a Certificate of Occupancy being issued. The City Clerk's Office will prepare a resolution for Hearing Officer Grattan's signature.

VII. OTHER BUSINESS

Hearing Office Grattan noted that he had received a call from Daily Sentinel and advised them that he could not make any comments regarding liquor licensing. City Attorney Shaver advised that was a very appropriate way to handle the situation.

VIII. ADJOURNMENT – The meeting adjourned at 9:50 a.m.

NEXT REGULAR MEETING – October 1, 2008

N ↑ 1

3rd Street

Toilets

N ↑

ALLEY

Additional Area

Music Stage
Dance Floor
Tables + Chairs
Toilets
Kiwani Boot H.

Entry

6°
7°
8°
9°
10°
11°
12°
13°
14°

1st Floor
Kitchen
Booth

NO Electric

Read Building

X
1576 Hwy. my stab 2/28 at 30

Main Street

Main Street

Entry

75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

Hawthorn
Switer

ALLEY

Driveway
Offices

NO Electric

51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70

Entry

W R

Street

NO Electric

BIKE
Shop

Wells
Paygo
Bank

ALLEY

X = Electricity

Revised drawing
8-20-08

MEMO: Local Licensing Authority
FROM: Juanita Peterson, Deputy City Clerk
DATE: September 8, 2008
SUBJECT: Application for a modification to add 48 seats in the dining area for an existing hotel and restaurant liquor license by Texas Roadhouse of GJ, LLC dba Texas Roadhouse, 2870 North Avenue.

Texas Roadhouse of GJ, LLC filed an application with the Local Licensing Authority on August 3, 2008 for a modification of premises to expand their current location for allow 48 additional seats to the dining area to permit sales of malt, vinous and spirituous liquors by the drink for consumption on the premises at 2870 North Avenue under the trade name of Texas Roadhouse. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for September 17, 2008.

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 1-70 Business Loop, on the East by 29 ½ Road, and on the West by 28 ½ Road. 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 who resides in the neighborhood for more than six months each year, I believe the proposed modification of premises to expand the current licensed area for 48 additional seats will not conflict with the reasonable requirements of the neighborhood or the desires of the inhabitants.

Yes	101
No	0

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

Yes	56
No	0

The applicant submitted an attached list with 44 addresses with “no response” when contact was made at the door.

That concludes this report.

cc: Applicant
John Shaver, City Attorney
Lisa Maestas, Grand Junction Police Department
File

No

No Response at these Address

- S13 Melody Ln.
- S17 Melody Ln.
- S11 29 1/4 Rd.
- S18A 29 1/4 Rd.
- S16B 29 1/4 Rd.
- S14B 29 1/4 Rd.
- S12 1/2 A 29 1/4 Rd.
- S08A 29 1/4 Rd.
- S08B 29 1/4 Rd.
- S15A Amys way
- S19A Amys way
- S19B Amys way
- 2926A Kennedy Ave.
- 2928B Kennedy Ave.
- S20A April Ln.
- S18A April Ln.
- S16A April Ln.
- S14A April Ln.
- S12 A April Ln.
- S13 A April Ln.
- S15 A April way
- S15 B April way
- S19 B April way
- S16 B Amys way
- S16 A Amys way
- S14 B Amys way
- S14 A Amys way
- S12 B Amys way

28

512 A Amys Way

513 B Amys Way

513 A Amys Way

2929 A Bunting

2929 C Bunting

110 2929 F Bunting

2931 D Bunting

2931 C Bunting

2933 E Bunting

2933 A Bunting

2939 unit 3 Bunting

2941 unit 6 Bunting

2941 unit 5 Bunting

515 A 2938 Rd.

521 B 2938 Rd

2944 B Palace Circle

①

Additional Service Bar

302'

S ↑

fire storage

DATE: 11/11/2011
PROJECT: [illegible]
DRAWN BY: [illegible]
CHECKED BY: [illegible]

116'

W ↓

47,348 Sq. FT
750 PERSON CAPACITY

64'

106'

90'

N ↓

Proposed Plan

Scale 3/32"=1'

Proposed diagram

1:11/11/2011
1:11/11/2011
1:11/11/2011

NO. OF SEATING	NO. OF SEATING	NO. OF SEATING
1000	1000	1000
1000	1000	1000

MEMO: Local Licensing Authority

FROM: Juanita Peterson, Deputy City Clerk

DATE: September 2, 2008

SUBJECT: Application for a new beer and wine liquor license by Grand International Buffet Inc., dba Grand International Buffet, 2504 Hwy 6 & 50

Grand International Buffet Inc. filed an application with the Local Licensing Authority on August 12, 2008 for a new beer and wine license permitting sales of malt and vinous liquors by the drink for consumption on the premises at 2504 Hwy 6&50, under the trade name of Grand International Buffet. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for September 17, 2008. The Notice of Hearing was given by posting a sign on the property on or before September 7, 2008 and by publishing a display ad in the Daily Sentinel on September 5, 2008.

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 Patterson Road, on the South by the Colorado River, on the East by 1st Street, West by 24 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	2
No	37
N/A	0

- 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	26
No	1

Two signers were out of the area. An attachment to the survey was supplied by the persons who conducted the survey with additional information (see attachement).

- 1 – No, do not want to sign
- 14 – Door Slams
- 2 – Mobile home subdivisions with No Spoliators
- 2 – Businesses asked to leave

The Grand Junction Police Department has investigated the owner for local criminal history. Reports have been requested by the Grand Junction Code Enforcement, City of Grand Junction Sales Tax Department, Mesa County Health Department, and Mesa County Building Department.

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

Beer and Wine – 1) Thai Chili Restaurant

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

Beer and Wine – 2) Black Bear Diner and Bamboo City

That concludes this report.

cc: Applicant
John Shaver, City Attorney
Lisa Maestas, Grand Junction Police Department
File

Attachment to Grand International Buffet

1 No Do not want to sign

14 Door Slams

2 mobile Home Subdivisions - No Scott Solicitors

2 business asked to leave