

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

M I N U T E S

WEDNESDAY, MAY 2, 2012, 2:00 P.M.

I. **CALL TO ORDER** - The meeting convened at 2:07 p.m. Those present were Hearing Officer Hearing Officer Sam Starritt and Deputy City Clerk Juanita Peterson. City Attorney John Shaver came into the meeting at 2:10 p.m.

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

1. Thrifty Payless, Inc. dba Rite Aid #6258, 2992 F Road, Grand Junction, CO 81504, 3.2% Beer Retail

No one was present representing the applicant.

The application for renewal for Thrifty Payless, Inc., dba Rite Aid #6258 was found to be in order and approved.

2. Mighty Meng, LLC dba North Avenue Liquors, 807 North Avenue, Grand Junction, CO 81501, Retail Liquor Store

Barbara Cutunilli, an employee of North Avenue Liquor was present, representing the applicant. She wanted to make sure the address was correct which is 807 North Avenue.

The application for renewal for Mighty Meng, LLC dba North Avenue Liquors, was found to be in order and approved.

3. Crown Liquors of Western Colorado, Inc., dba Crown Liquors of Western Colorado, 2851 ½ North Avenue, Grand Junction, CO 81501, Retail Liquor Store

No one was present representing the applicant.

The application for renewal for Crown Liquors of Western Colorado, Inc. dba Crown Liquors of Western Colorado was found to be in order and approved.

4. Last Chance Liquors LLC dba Last Chance Liquors, 1203 Pitkin Avenue, Grand Junction, CO 81501, Retail Liquor Store

No one was present representing the applicant.

The application for renewal for Last Chance Liquors dba Last Chance Liquors was found to be in order and approved.

III. APPLICATION TO RENEW LIQUOR AND BEER LICENSES AND REGISTRATION OF NEW MANAGER

1. Red Robin International, Inc. dba Red Robin America's Gourmet Burgers and Spirits, 2530 Rimrock Avenue, Grand Junction, CO 81505, Hotel and Restaurant

Registration of new manager:

Jason Gehrken, 1214 Walnut Avenue #11, Grand Junction, CO 81501 replaces Bryan Jancich

Jason Gehrken, new manager, was present. Ms. Peterson reported the paperwork was in order and all the reports are in compliance. CBI/FBI are clear.

The application for renewal for Red Robin International, Inc. dba Red Robin America's Gourmet Burgers and Spirits was found to be in order and approved along with the registration of the new manager.

IV. APPLICATION TO RENEW LIQUOR AND BEER LICENSES WITH OUTDOOR DINING LEASE AND CHANGE IN CORPORATE STRUCTURE

1. Junct'n Square Pizza LLC dba Junct'n Square Pizza, 119 N. 7th Street, Grand Junction, CO 81501, Hotel and Restaurant with Outdoor Dining Lease

Change in Corporate Structure:

Sara Donaldson, 2156 McKinley Ct., Grand Junction, CO 81507 replaces R. Earl Stevenson

Mr. Michael Richardson, General Manager, was presented representing the applicant. Ms. Peterson reported that she has been in contact with Sara Donaldson regarding all aspects of this renewal, outdoor dining lease, and change in corporate structure and due to an issue with a conflict with Hearing Officer Grattan, this paperwork was held until Hearing Officer Starritt was appointed as an Alternate Hearing Officer. Ms. Donaldson isn't completely moved to Grand Junction and coordinating a hearing date at this time was just not working so that is why she sent Mr. Richardson.

Hearing Officer Starritt and City Attorney Shaver concurred and the renewal, outdoor dining lease, and change in corporate structure was approved.

V. CHANGE IN CORPORATE STRUCTURE – MASTER FILE IN DENVER

1. Wal Mart Stores, Inc. dba Wal Mart Supercenter #1280, 2881 North Avenue, Grand Junction, CO 81501 *and* Walmart Stores, Inc. dba Wal-mart Super Center #5099, 2545 Rimrock Avenue, Grand Junction, CO 81505, 3.2% Beer Retail

Pres/CEO: Michael Duke, 16 Pinnacle Dr., Rogers, AR 72758-new
SVP/CCO: Phyllis Harris, 7 Oxford Dr., Rogers, AR 72758-replaces Ricky W. Brazile and Robin E. Forbis

Treas.: Jeffrey A. Davis, 84 Champions Blvd., Rogers, AR 72758-new
Asst. Sec.: Andrea M. Lazenby, 808 Irelan St., Lowell, AR 72745-replaces Timothy J. Farrar

There was no one present representing the applicant. Ms. Peterson reported the paperwork was in order for the Master File in Denver and the local background on the new and replaced members was clear.

City Attorney Shaver asked if there were any new positions. Ms. Peterson said no from the corporate minutes just new or replaced persons in the positions already held. City Attorney Shaver recommended approval.

Hearing Officer Starritt approved the Change in Corporate Structure for Wal Mart Stores Inc., dba Wal Mart Supercenter #1280 and #5099.

2. AmRest, LLC dba Applebee's Neighborhood Grill and Bar, 711 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

Mgr. David Smith, 700 Gates Mill Way, Milton, GA 30004-replaces Mark Chandler

There was no one present representing the applicant. Ms. Peterson reported the paperwork was in order for the Master File in Denver and local background on the new member was clear.

Hearing Office Starritt approved the Change in Corporate Structure for AmRest, LLC dba Applebee's Neighborhood Grill and Bar.

VI. APPLICATION FOR A CHANGE OF LOCATION

1. Denville Corporation dba Cottonwood Liquor, 2513 Highway 6 & 50, Grand Junction, CO 81505, Retail Liquor Store

Change of Location to: 1040 Independent Avenue, Grand Junction, CO 81505

Mr. Dennis Barbour, Owner, was present. Ms. Peterson reported that the paperwork was in order and the applicant conducted a survey of the needs and desires of the neighborhood. Ms. Peterson read that into the record (see attached).

City Attorney Shaver asked Mr. Barbour who conducted the survey. He responded that himself and three others that were present. Mr. Barbour gave a brief description on how they conducted the survey. City Attorney Shaver asked if he believed what Ms. Peterson read was a true and accurate representation. Mr. Barbour concurred. City Attorney Shaver asked Mr. Barbour about the low number for business responses. Mr. Barbour said that several businesses did not have a manager on duty and did not want to sign the petitions. City Attorney Shaver asked Mr. Barbour if they attempted to re-contact any of these. Mr. Barbour said he did not and addressed the others there with him if they did, and they responded no.

Hearing Officer Starritt asked Mr. Barbour if he had anything to add. Mr. Barbour said he has been in business for 28 years and has gone through four highway projects in the last five years and his business has suffered. He also said he wanted to stay in the same neighborhood he currently was in.

Hearing Officer Starritt asked if there was anyone present who would like to speak for or against this item. Seeing none, Hearing Officer Starritt approved the relocation of Cottonwood Liquor Store to 1040 Independent Avenue.

VII. ORDER OF SUMMARY SUSPENSION AND NOTICE OF HEARING

1. Manuel Alvarez dba Taqueria Valparaiso, 511 30 Road, Grand Junction, CO 81504, Hotel and Restaurant – Review for compliance with the Fire Department

Maria Alvarez, daughter of Manuel Alvarez, was present. Ms. Peterson printed the email out from Fire Inspector Chuck Mathis saying that Taqueria Valparaiso is now in compliance but will need to have 6 month inspections for both the Hearing Officer and City Attorney to read. Ms. Alvarez asked the Hearing Officer if this is normal or are they only being checked every six months. City Attorney Shaver responded by saying it just depends of the type of suppression unit installed, there are several different kinds throughout the City and some are only an annual inspection. Ms. Alvarez thinks the previous owner should have been made to come into compliance before selling the business as her father was caught completely off guard by this.

The Order of summary suspension was vacated by the Authority.

VIII. OTHER BUSINESS

None.

X. ADJOURNMENT – 2:41 p.m.

NEXT REGULAR MEETING – May 16, 2012



CITY CLERK

MEMO: Local Licensing Authority

FROM: Juanita Peterson, Deputy City Clerk

DATE: May 2, 2012

SUBJECT: Application for a relocation of a retail liquor license from 2513 Hwy 6 & 50 to 1040 Independent Avenue by Denville Corporation dba Cottonwood Liquor

Denville Corporation filed an application with the Local Licensing Authority on April 3, 2012 for a relocation of a retail liquor license permitting sales of malt, vinous and spirituous liquors in sealed containers not for consumption at place where sold at 1040 Independent Avenue under the trade name of Cottonwood Liquor. The application and supplementary documents were reviewed, found to be in order, and accepted. The hearing date was set for May 2, 2012.

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 boundaries are defined as: Patterson Road on the north, Gunnison Avenue on the south, 1st Street on the east, and 25 Road on the west and includes both sides of the streets as the outer boundaries.

The results of that survey are as follows:

If you support/oppose this proposed relocation of premises as described above because this will not conflict with the reasonable requirements of the designated area and it is your desire the relocation be approved/not approved.

Business Results: FAVOR: 14
OPPOSE: 0

Residential Results: FAVOR: 151
OPPOSE: 5

No letters of opposition or counterpetitions have been filed to date.

There were 6 responses that were disqualified because they did not complete their address. There were 9 "Exhibits to Survey Petition" sheets submitted with another 165 attempts to contact residents and/or businesses.

Additional reports from the police and sales tax will be obtained before the issuance of the licensed.

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

Retail Liquor Store – 1 (Andy's Liquor Mart and Cottonwood Liquors old location which has been vacated)

That concludes this report.

cc: Applicant
 John Shaver, City Attorney
 Joe Patrick, Grand Junction Police Department
 File