

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

**MINUTES  
WEDNESDAY, JUNE 21, 2017, 2:00 P.M.**

**HEARING OFFICER SAM D. STARRITT**

**I. CALL TO ORDER**

The meeting was called to order at 2:00 p.m. Those present were Hearing Officer Sam D. Starritt, City Attorney John Shaver, and Deputy City Clerk Janet Harrell.

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

1. Tequila's II, Inc. dba Tequila's, 2560 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant - **Continued from June 7, 2017**

No one was present to represent the applicant. The renewal application for Tequila's II, Inc. dba Tequila's was found to be in order and approved.

2. WTB, Enterprises, Inc. dba Blue Moon Bar and Grille, 120 N. 7<sup>th</sup> Street, Grand Junction, CO 81501, Hotel and Restaurant and Outdoor Dining Lease - **Continued from June 7, 2017**

No one was present to represent the applicant. The renewal application and outdoor dining lease for WTB, Enterprises, Inc. dba Blue Moon Bar and Grille were found to be in order and approved.

3. El Tapatio, LLC dba El Tapatio, 1145 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant - **Continued from June 7, 2017**

No one was present to represent the applicant. The renewal application for El Tapatio, LLC dba El Tapatio was found to be in order and approved.

4. Yummy, LLC dba Enzo's Pizzeria and Italian Cafe, 759 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant - **Continued from June 7, 2017**

No one was present to represent the applicant. The renewal application for Yummy, LLC dba Enzo's Pizzeria and Italian Cafe was found to be in order and approved.

5. Rockslide Brew Pub, Inc. dba Rockslide Brew Pub, 401 Main Street, Grand Junction, CO 81501, Brew Pub and Outdoor Dining Lease - **Continued from June 7, 2017**

No one was present to represent the applicant. The renewal application and outdoor dining lease for Rockslide Brew Pub, Inc. dba Rockslide Brew Pub were found to be in order and approved.

6. Dancing Spirits, LLC dba Horizon Liquor, 715 Horizon Drive, Suite #207, Grand Junction, CO 81506, Retail Liquor Store - **Continued from June 7, 2017**

No one was present to represent the applicant. The renewal application for Dancing Spirits, LLC dba Horizon Liquor was found to be in order and approved.

7. SINH, LLC dba Redlands Liquor, 2518 Broadway, Space B7, Grand Junction, CO 81507, Retail Liquor Store and Tasting Permit

No one was present to represent the applicant. The renewal application and tasting permit for SINH, LLC dba Redlands Liquor were found to be in order and approved.

8. Safeway Stores 46, Inc. dba Safeway Store #2625, 681 Horizon Drive, Grand Junction, CO 81506, 3.2% Beer Off-Premises

No one was present to represent the applicant. The renewal application for Safeway Stores 46, Inc. dba Safeway Store #2625 was found to be in order and approved.

9. Albertson's, LLC dba Safeway #897, 2512 Broadway, Grand Junction, CO 81507, 3.2% Beer Off-Premises

No one was present to represent the applicant. The renewal application for Albertson's, LLC dba Safeway #897 was found to be in order and approved.

10. Kuniko Corporation dba Kuniko's Teriyaki Grill, 2695 Patterson Road, Grand Junction, CO 81506-8854, Beer and Wine

No one was present to represent the applicant. The renewal application for Kuniko Corporation dba Kuniko's Teriyaki Grill was found to be in order and approved.

11. Main Street Management, LLC dba Spring Hill Suites, 236 Main Street, Grand Junction, CO 81501, Tavern and Outdoor Dining Lease

No one was present to represent the applicant. The renewal application for Main Street Management, LLC dba Spring Hill Suites were found to be in order and approved.

12. J and J, LLP dba The Main Street Gallery, 412 Main Street, Grand Junction, CO 81501, Art Gallery Permit

No one was present to represent the applicant. The renewal application for J and J, LLP dba The Main Street Gallery was found to be in order and approved.

13. JMJ Ventures, LLC dba Fly'n Roosters, 200 W. Grand Avenue, Unit #5, Grand Junction, CO 81501, Hotel and Restaurant

No one was present to represent the applicant. The renewal application for JMJ Ventures, LLC dba Fly'n Roosters was found to be in order and approved.

### III. APPLICATION TO RENEW LIQUOR AND BEER LICENSES AND FOR CHANGE IN MANAGER

1. GJBLUES, LLC dba Ella's Blues Room, 336 Main Street, Grand Junction, CO 81501, Hotel and Restaurant, Outdoor Dining Lease, and Change in Manager - **Continued from June 7, 2017**

Manager: Chelsea Shaw, 405 35 Road, Palisade, CO 81526

No one was present to represent the applicant. The renewal application, outdoor dining lease, and change in manager for GJBLUES, LLC dba Ella's Blues Room were found to be in order and approved.

### IV. APPLICATION TO RENEW LIQUOR AND BEER LICENSES WITH LATE FILING AND CHANGE IN CORPORATE STRUCTURE

1. Western Colorado Center for the Arts, Inc. dba Western Colorado Center for the Arts, 1803 N. 7<sup>th</sup> Street, Grand Junction, CO 81501, Arts - **Continued from June 7, 2017**

Board Member as Executive Director Lee Borden, 1102 Gunnison Avenue, Grand Junction, CO 81501 replaces Mikkel Kelly

Lee Borden was present to represent the applicant. City Attorney Shaver asked what the explanation is for the late filing. Deputy City Clerk Harrell read excerpts from the letter submitted by Mr. Borden that explained the previous Executive Director quit giving only two weeks' notice and that administrative processes were not communicated before Mr. Kelly's departure; Mr. Borden is still familiarizing himself with these. City Attorney Shaver asked if they had any other late filings. Deputy City Clerk said this is their first late filing. Hearing Office Starritt asked Mr. Borden if any processes had changed to ensure future renewals will be filed in a timely manner. Mr. Borden said previously, legal notices were sent to the accountant, but were not passed on to him for processing. Now, this type of correspondence comes directly to him.

The renewal application and change in corporate structure for Western Colorado Center for the Arts, Inc. dba Western Colorado Center for the Arts were found to be in order and approved.

## **V. APPLICATION FOR CHANGE IN CORPORATE STRUCTURE**

1. Mighty Meng, LLC dba North Avenue Liquors, 807 North Avenue, Grand Junction, CO 81501, Retail Liquor Store - **Continued from June 7, 2017**

Addition of Member Kim Horng, 2878 Meadow Vista Street, Grand Junction, CO 81503, to serve as Secretary and Co-manager

No one was present to represent the applicant. The change in corporate structure for Mighty Meng, LLC dba North Avenue Liquors was found to be in order and approved.

2. Loyal Order of Moose Grand Junction #270 dba Loyal Order of Moose Grand Junction Lodge 270, 567 25 ½ Road, Grand Junction, CO 81505, Club - **Continued from June 7, 2017**

Governor Kenneth G. Geske, 3101 Applewood Street, Grand Junction, CO 81506 replaces John Campbell

No one was present to represent the applicant. The change in corporate structure for Loyal Order of Moose Grand Junction #270 dba Loyal Order of Moose Grand Junction Lodge 270 was found to be in order and approved.

## **VI. APPLICATION FOR TRANSFER OF OWNERSHIP**

1. Lehr, LLC dba Twisted Turtle, 436 Main Street, Grand Junction, CO 81501, Tavern and Outdoor Dining Lease - **Continued from June 7, 2017**

Owner/Manager: Joseph Lehr, 484 Coronado Court, Clifton, CO 81520

Will Jones, Twisted Turtle Assistant Manager and Head of Security, was present to represent the applicant.

Hearing Officer Starritt said, regarding this transfer of ownership, a letter was submitted by Avery West Santos (attached), owner of Café Sol, saying that although she does not oppose the new ownership, she feels the Twisted Turtle will appeal to the same type of clientele that frequented Thunderstruck Valley and is concerned the same type of problems the neighboring businesses experienced during the previous ownership may continue. Hearing Officer Starritt said there is no cause to deny the change of ownership based on the letter. City Attorney Shaver concurred and asked that a copy of the letter be sent to the Grand Junction Downtown Development Authority and Business Improvement District so efforts between the businesses can be coordinated.

Hearing Officer Starritt asked Mr. Jones what efforts are being made to control the issues the previous owners encountered. Mr. Jones said they are working with the Grand Junction Police Department (GJPD) and the establishment's security detail stays until all the customers have left and the outside area is picked up. If any issues arise in the area, but not at the establishment, their security will call the GJPD. Hearing Officer Starritt asked Mr. Jones what type of security training he has. Mr. Jones said he has been in security for over 20 years, has had ESI (Executive Security International) training, and he along with some of the security staff has taken GJPD Officer David Keech's training. Mr. Jones also noted some of the security detail previously worked at ESI.

Hearing Officer Starritt asked how long Twisted Turtle has been open and if any problems have occurred. Mr. Jones said they have been open a couple of weeks and have had no issues.

The transfer of ownership and outdoor dining lease for Lehr, LLC dba Twisted Turtle were found to be in order and approved.

## **VII. APPLICATION FOR NEW LICENSE – RESOLUTION, FINDINGS, AND DECISION**

1. CST Metro, LLC dba Diamond Shamrock Corner Store #4116, 1015 North Avenue, Grand Junction, CO 81501, 3.2% Beer Off-Premises - **Master File in Denver**

Adam Stapen, CST Brands Attorney, Stacy Bastia, CST Brands Area Manager, and Eva Garretson, LiquorPros Owner/Operator, were present to represent the applicant.

Mr. Stapen directed questions to Ms. Garretson and she responded with the following. She reviewed her credentials, experience, and the protocol LiquorPros uses for liquor and marijuana licensing surveys noting they do not guarantee clients specific results. She then reviewed the specific survey details for this license application including the survey dates, survey area, and proposed license location. She said the circulators were informed on how to present the survey information to signers without showing bias and to ask for age verification if they were concerned the signer was under 21. She detailed the results of the survey (attached) and noted this survey had a higher number of signers that approved of the license application (typical approval rate is 70-80%, this approval rate was 90%). Ms. Garretson said in her professional opinion this survey represents the needs and desires of the neighborhood and shows the residents of the area desire this type of license.

City Attorney Shaver asked Ms. Garretson if there was any follow up for the "no response/not at home" calls. Ms. Garretson explained many of the non-responses were at residences that had doors open, but no one responded to the call and out of respect for their privacy, they did not return. She said they log every call whether the resident answered or not. City Attorney Shaver asked who defined the survey area and if it was modified by the surveyors. Ms. Garretson said the City Clerk's Office provided the survey boundary and it was not modified. City Attorney Shaver asked her to explain what the colored areas

on the map represented. Ms. Garretson said the red represents the business areas and the yellow the residential areas. For the residential areas, it is LiquorPros practice to divide the map into quadrants and survey random areas within each quadrant. However, within the Colorado Mesa University (CMU) Campus, many areas are now parking lots, so they were not able to survey as much in the northwest quadrant.

Mr. Stapen directed questions to Ms. Bastian and she responded with the following. She explained she has been an area manager for convenience stores for over 16 years and has been an Area Manager for CST Brands the last four years overseeing eight stores that sell gas, candy, snacks, and in most of the stores, beer. She said they are seeking a license for this location to provide store consistency and due to customer requests. She noted this store faces specific challenges regarding underage and 2<sup>nd</sup> party sales due to its proximity to CMU. She then detailed the stores protocol for ensuring proper service of restricted products and said this would also be used to ensure proper alcohol service adding this store has not had any selling violations of restricted products and then detailed the alcohol training CST Brands requires of their point of sale (POS) employees: annual alcohol server training and on-going training with managers regarding proper identification (ID); this store policy requires ID checks for everyone that looks under 40. With every restricted sale the employee is also prompted by the POS system to scan the customer's ID to verify proper age and the ID expiration date; if both cannot be properly verified, the sale is declined. Store managers are required to audit sale transactions daily and these are reviewed with the POS employees, both audibly and visually, as needed. CST Brands also employs "secret shoppers" to ensure proper ID's are requested, if the POS employee does not ask, after the first infraction, they have to retake the alcohol server training and if two infractions are received, the employee is terminated. In addition to these compliance checks, if an employee sells restricted items to a minor, they are terminated, the Store Manager loses their bonus and is written up, and the Area Manager loses their bonus. Ms. Bastian then reviewed the stores floor plan and explained where the beer would be stored, that it would be in the direct line of site of the POS employee, and that cooler door will be locked during non-service hours.

City Attorney Shaver asked for clarification of the business name. Ms. Bastian said it is CST Metro, LLC dba Diamond Shamrock Corner Store.

Hearing Officer Starritt asked if anyone would like to speak against the application. There was no one. He then said based on the information presented, the needs and desires of the neighborhood are not being met and approved the application. The City Clerk's office will prepare a resolution of findings and approval for the Hearing Officer's signature.

## **VIII. OTHER BUSINESS**

There was none.

**IX. ADJOURNMENT**

The meeting was adjourned at 2:47 p.m.

**NEXT REGULAR MEETING – July 5, 2017**

Avery West Santos  
970-690-2149  
[averyjsantos@gmail.com](mailto:averyjsantos@gmail.com)  
Owner, Café Sol  
420 Main Street, GJ  
81501

June 7, 2017

Liquor License Hearing

To whom it concerns,

I am writing in regards to the hearing for a liquor license for Twisted Turtle.

As a neighbor of Twisted Turtle, I would like to express my concerns for this establishment. First off, I am in no way opposed to the granting of a liquor license to this establishment. I would however like to express my concerns. It's my understanding the Twisted Turtle will be seeking much of the same clientele and employees that the previous bar had. Thus, the culture and habits are of concern and I hope by bringing awareness to them we can begin a new chapter. We frequently have puke, cigarettes butts and general trash left on our patio from patrons of the bar.

Those of us downtown businesses that have patios, we have leased them through the City of Grand Junction. In that lease, it states we must have our patios cleaned and maintained. I would especially like to see this requirement enforced. This location is lucky enough to have a patio but also a public shelter structure in front of it. This area is heavily used by patrons of the bar and is very dirty, I would like to see this establishment recognize that their clientele are the ones causing wear and tear and have this area power washed regularly.

I hope to see the Twisted Turtle become a positive member of downtown.

Thank you,

Avery West Santos



MEMO: Local Licensing Authority  
FROM: Janet Harrell, Deputy City Clerk  
DATE: June 7, 2017  
SUBJECT: Application for a new Retail 3.2 % Beer Off Premises liquor license by CST Metro, LLC dba Diamond Shamrock Corner Store #4116, 1015 North Avenue, Grand Junction, CO

CST Metro, LLC filed an application with the Local Licensing Authority on March 29, 2017 for a new 3.2% Beer Off Premises liquor license permitting sales of fermented malt beverages for sale in sealed containers not for consumption at the place where sold at 1015 North Avenue under the trade name of Diamond Shamrock Corner Store #4116. 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 has been scheduled for June 21, 2017. A "Notice of Hearing" was given by posting a sign on the property on or before noon on June 7, 2017 and by publishing a display ad in the Daily Sentinel on June 2, 2017.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood, the applicant hired Liquor Pros out of Colorado Springs, CO to conduct the 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 17<sup>th</sup> Street, and on the West by 5<sup>th</sup> Street and includes both sides of the streets as the outer boundaries. The results of that survey are as follows:

Check the yes/no column if you support/oppose this type of license being issued because the existing outlets do/do not adequately serve the reasonable requirements of the designated area.

Business Results:	FAVOR:	52
	OPPOSE:	3
Residential Results:	FAVOR:	88
	OPPOSE:	5

Liquor Pros disqualified one signer who was under the age of 21. The results provided by Liquor Pros regarding the petition/opinion poll to determine needs and desires is attached. The City of Grand Junction City Clerk's office reviewed the results from Liquor Pros and disqualified two additional signers; one listed an address outside of the survey area and the other listed an incorrect address.

To date, no letters of opposition or counter petitions have been filed.

The Grand Junction Police Department will investigate the individuals for local criminal history. The applicant has a Master File established at the State Liquor Enforcement Division. A representative from Liquor Pros posted the notice of hearing at the property and provided the City Clerk's Office with an affidavit of posting. The Grand Junction Police Department will also inspect the property to ensure the Notice of Hearing has been posted in a timely manner and verify the diagram matches the establishment. A report has also been requested from the City of Grand Junction Sales Tax Department.

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

**Arts** - 2 (Western Colorado Center for the Arts, Moss Performing Arts Center)  
**Beer and Wine** - 1 (Pizza Hut #248)  
**Hotel and Restaurant** - 3 (Bocaza Mexican Grille, El Tapatio, Fiesta Guadalajara – GJ)  
**Hotel and Restaurant with Three Optional Premises** - 1 (Sodexo)  
**Lodging and Entertainment** - 1 (Lincoln Park Sports Complex)  
**3.2% Beer (Off Premises)** - 1 (Loco Food Store #11)  
**3.2% Beer (On/Off Premises)** - 1 (The Park)  
**Retail Liquor Store** - 2 (North Avenue Liquor, Pete's House of Spirits)

That concludes this report.

cc: Dill, Dill, Carr, Stonbraker, & Hutchings, PC on behalf of the Applicant  
Liquor Pros  
Sam D. Starritt, Hearing Officer  
John Shaver, City Attorney  
Meghan Woodland, Grand Junction Police Department  
File

June 3, 2017

RESULTS OF THE LIQUOR LICENSE SURVEY REGARDING: **Diamond Shamrock  
Corner Store #4116**  
1015 North Avenue  
Grand Junction, CO 81501

Applicant: CST Metro, LLC  
Purpose: Application for a New 3.2% Beer License

**ISSUE:** A petition was circulated to determine if the needs of the neighborhood and desires of the inhabitants were or were not being presently met by existing similar alcoholic beverage outlets. Those in favor of Diamond Shamrock Corner Store #4116 being granted a 3.2% Beer License indicated by checking the "Favor – YES" column of the signature sheet and those opposed checked the "Oppose - NO" column. The results were as follows:

Favor "YES"		Oppose "NO"		<u>TOTAL SIGNATURES</u>
95%	140	5%	8	148

**SURVEY STATISTICS**

	Favor "YES"		Oppose "NO"		TOTAL
Business Survey Results	95%	52	5%	3	55
Residential Survey Results	95%	88	5%	5	93

*Percentages in this report have been rounded to the nearest whole number.*

	BUSINESS	RESIDENTIAL	TOTAL
No Response	23	185	208
Declined to Participate	11	11	22
Not Qualified to Sign	18	3	21
Disqualified	0	3	3
"No" Signatures	3	5	8
"Yes" Signatures	52	88	140
TOTAL CONTACTS & ATTEMPTS	107	295	402

**SURVEY STATISTICS** Diamond Shamrock Corner Store #4116

>Number of Businesses and Residents Contacted: 402 Attempts – 208 No Response = 194  
 >Business Survey Participation Rate: 55 Signatures/ 66 Qualified Contacts = 83%  
 >Residential Survey Participation Rate: 93 Signatures/ 107 Qualified Contacts = 87%  
 >Percentage of Residents Home During Survey: 110 Contacts/ 295 Attempts = 37%

REASONS FOR OPPOSITION SIGNATURES		REASONS FOR DECLINING TO PARTICIPATE	
Enough/Too Many	4	Don't Sign Any Petitions/Survey	18
<b>AGAINST ALCOHOL</b>	<b>2</b>	Against Company Policy	2
<b>COLLEGE KIDS ENOUGH ALCOHOL</b>	<b>1</b>	Not Interested	2
<b>MORE BUMS</b>	<b>1</b>	<b>Total</b>	<b>22</b>
<b>Total</b>	<b>8</b>		
		CONTACTS NOT QUALIFIED TO SIGN	
		Owner / Manager Unavailable	18
		Under 21	3
		<b>Total</b>	<b>21</b>

Reasons for opposition in **BOLD** may be considered as invalid or irrelevant to the needs and desires issue of this survey. If irrelevant or invalid reasons are discounted from the final tally, the results would be:

FAVOR "YES"		OPPOSE "NO"		TOTAL
97%	140	3%	4	144

**PETITION METHODOLOGY**

- Survey Date and Times:

Business & Residential:	Thursday	June 1, 2017	2:15 pm – 5:30 pm
Business & Residential:	Friday	June 2, 2017	12:15 pm – 3:00 pm

- Survey Areas: Circulators started in close to the site and then obtained samples within the survey area. Please see attached map.
- Circulators of the Survey: There were three circulators for this survey. Prior to the start of the survey, the circulators were briefed on the type of liquor license application, the areas to be surveyed and reminded to remain unbiased in their approach to residents and business people. The circulators had with them a face sheet with the applicant business name, location and hearing information, instructions, and the petition/survey issue along with signature sheets and a map of the proposed location. The circulators used tally sheets to record all contacts, attempts and reasons for opposition signatures and refusals. Upon conclusion of the survey, the circulators signed notarized affidavits of circulation. The original survey packets were pre-filed with the Grand Junction City Clerk's Office.

Report prepared and respectfully submitted by,

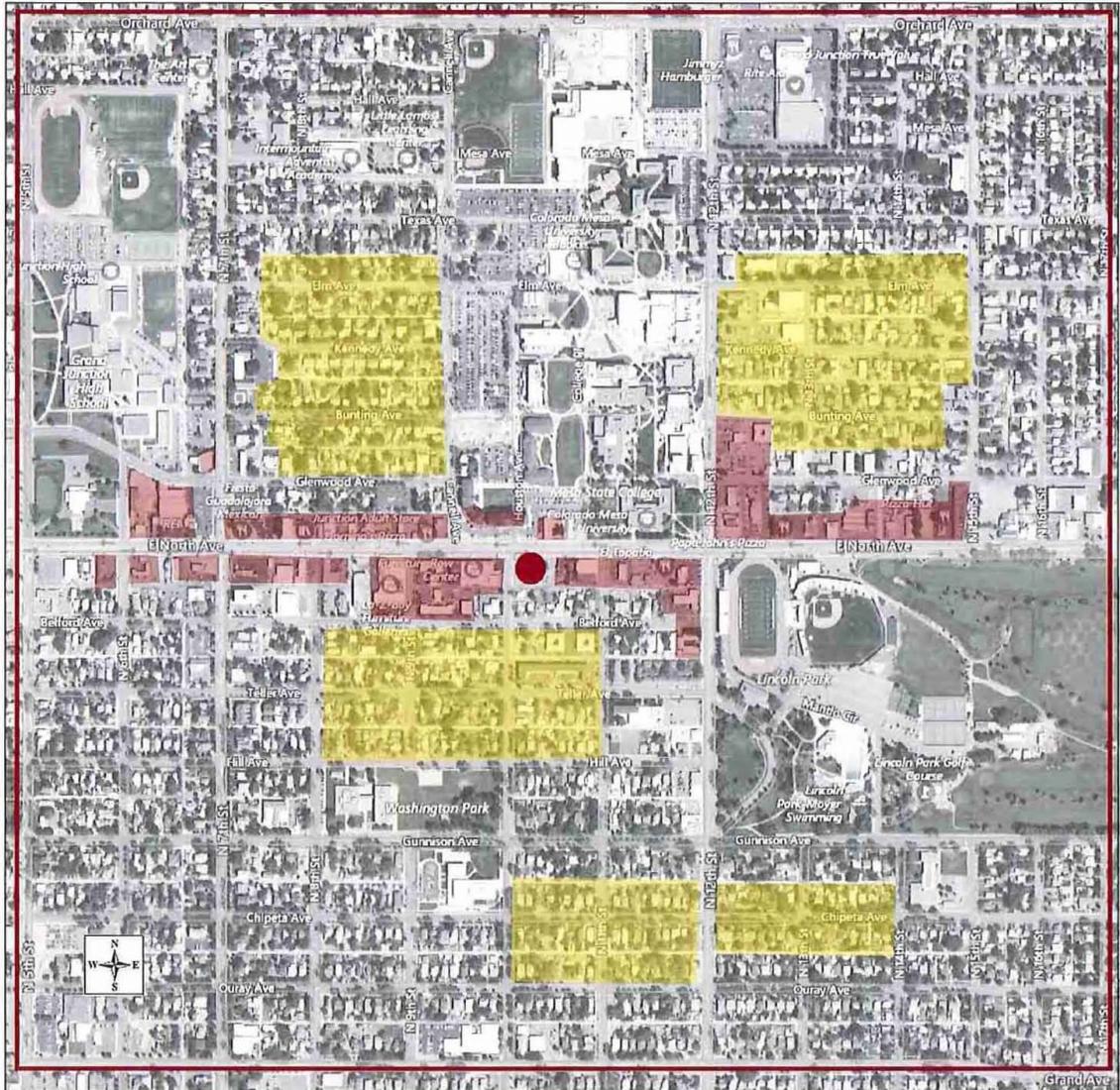


Eva L. Garretson  
Liquor Licensing Professionals, LLC

Need & Desires Surveys / Petitions  
Colorado Responsible Vendor Trainer

5515 Saddle Rock Place  
Colorado Springs, CO 80918

719.390.8844  
LiquorPros@msn.com



**Diamond Shamrock**  
**Corner Store #4116**  
 1015 North Avenue  
 Grand Junction, CO 81501



 BUSINESS  
 AREAS  
 COVERED  
 IN SURVEY

 RESIDENTIAL  
 AREAS  
 COVERED  
 IN SURVEY

SURVEY  
 DATES:  
 JUNE  
 1 & 2, 2017



APPLICATION FOR A 3.2% BEER LICENSE