

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

**MINUTES
WEDNESDAY, OCTOBER 17, 2018, 2:00 P.M.**

HEARING OFFICER SAM D. STARRITT

I. CALL TO ORDER

The meeting was called to order at 2:01 p.m. Those present were Hearing Officer Sam Starritt, City Attorney John Shaver, and City Records Manager Debbie Kemp.

II. APPLICATION TO RENEW LIQUOR AND BEER LICENSES

1. Myths & Legends, Inc. dba Quincy Bar & Grill, 609 Main Street, Grand Junction, CO 81501, Tavern

The renewal application for Myths & Legends, Inc. dba Quincy Bar & Grill was found to be in order and approved.

2. Zen Garden, Inc. dba Zen Garden, 2886 North Avenue, Grand Junction, CO 81506, Hotel & Restaurant

Chiew Chiou, owner of Zen Garden, was present.

Ms. Kemp said the review agencies reported the establishment is in compliance except with the Fire Department. The Fire Department asked for a conditional approval to be reviewed in 30 days to allow time for a new hood fire suppression system to be installed.

Mr. Chiou stated the system should be installed October 17, 2018.

The renewal application for Zen Garden, Inc. dba Zen Garden was approved conditionally. If the Fire Department does not report a satisfactory inspection, the renewal should be placed on the November 21, 2018 Liquor and Beer meeting agenda.

3. Inafuku, Inc. dba Suehiro Japanese Restaurant, 541 Main Street, Grand Junction, CO 81501, Hotel & Restaurant

The renewal application for Inafuku, Inc. dba Suehiro Japanese Restaurant was found to be in order and approved.

III. APPLICATION FOR NEW LIQUOR LICENSE – RESOLUTION, FINDINGS, AND DECISION

1. Thai Smile, LLC dba Thai Smile, 2692 Highway 50, Suite E, Grand Junction, CO 81503, Beer and Wine

Sole Member: Naiyana Pedersen, 493 Coronado Way #C, Clifton, CO 81520

Thai Smile owner Naiyana Pedersen was present.

Ms. Kemp reported the paperwork was in order and read the results of the survey (attached).

City Attorney Shaver asked Ms. Pederson questions about how the survey to determine the needs and desires of the neighborhood was conducted and if she felt the results Ms. Kemp reported were true and accurate. Ms. Pederson answered the questions and felt the results reported were true and accurate.

Hearing Officer Starritt asked if anyone was present to speak against the application. There was no one. Based on the information presented, there was no evidence that the application would not meet the needs and desires of the neighborhood despite the low number of signatures, the application for Thai Smile, LLC dba Thai Smile was approved. The City Clerk's Office will prepare a resolution of findings for Hearing Officer Starritt's signature.

2. Flattop Bar & Grill, LLC, dba Feisty Pint, 359 Colorado Avenue, Units 102, 103, 104, Grand Junction, CO 81501, Hotel & Restaurant

Sole Member: Timothy Babbitt, 553 Eastbrook Street, Grand Junction, CO 81504

Feisty Pint owner, Timothy Babbitt and circulators of the survey Tyler Higgins and Amber Brown were present.

Ms. Kemp reported the paperwork was in order but the Fire Department had not conducted an inspection due to construction. She read the results of the survey (attached).

City Attorney Shaver asked questions about how the survey to determine the needs and desires of the neighborhood was conducted and if he felt the results Ms. Kemp reported were true and accurate. Mr. Babbitt, Mr. Higgins, and Ms. Brown answered the questions and felt the results reported were true and accurate.

Hearing Officer Starritt asked if anyone was present to speak against the application. There was no one. Based on the information presented, there was no evidence that the application would not meet the needs and desires of the neighborhood despite that the number of signatures obtained were low, the application for Flattop Bar & Grill, LLC, dba Feisty Pint was approved pending

satisfactory inspection by the Fire Department. The City Clerk's Office will prepare a resolution of findings for Hearing Officer Starritt's signature.

IV. APPLICATION FOR SPECIAL EVENTS PERMIT

1. The Center – Western Slope Center for Children, 2350 G Road, Grand Junction, CO 81505, “Boo & Brew – 2018” on October 27, 2018 from 12:00 p.m. to 3:00 p.m., located at Mesa Mall, 2424 U.S. Highway 6 & 50, Grand Junction, CO 81505, Fermented Malt Beverage

President: Jody Lusby, 2514 Falls View Circle, Grand Junction, CO 81505
Event Manager: Tamara Krizman, 568 McMullin Drive, Grand Junction, CO 81504

The Center – Western Slope Center for Children President Jody Lusby and Mesa Mall Marketing Director Tamara Krizman were present and answered a series of questions asked by City Attorney Shaver and Hearing Officer Starritt regarding the event location, security, and how it will be conducted lawfully.

Hearing Officer Starritt asked if anyone present was in opposition of this special event permit being issued. There was no one. Hearing Officer Starritt entered Exhibits “A” and “B” (attached) into the record.

Hearing Officer Starritt found that pursuant to Colorado State Statutes 44-5-106, there are no grounds to deny the special event permit, it would not be injurious to the public welfare because of the nature of the special event, its location within the community, or the failure of the applicant in a past special event to conduct the event in compliance with applicable law. The application for a special event permit submitted by The Center – Western Slope Center for Children for Boo & Brew – 2018 was in order and approved.

V. OTHER BUSINESS

There was none.

VI. ADJOURNMENT

The meeting was adjourned at 2:53 p.m.

NEXT REGULAR MEETING – November 7, 2018



MEMO: Local Licensing Authority

FROM: Selestina Sandoval, Deputy City Clerk

DATE: October 11, 2018

SUBJECT: Application for a new beer and wine liquor license by Thai Smile, LLC dba Thai Smile, 2692 Hwy 50, Suite E, Grand Junction, CO 81503

Thai Smile, LLC filed an application with the Local Licensing Authority on September 4, 2018 for a new beer and wine liquor license permitting sales of malt, and vinous liquors by the drink for consumption on the premises at 2692 Hwy 50, Suite E under the trade name of Thai Smile. 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 October 17, 2018. The Notice of Hearing was given by posting a sign on the property on or before noon on October 3, 2018 and by publishing a legal ad in the Daily Sentinel on October 5, 2018.

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 the Colorado River, South by B Road, 27 1/2 Road on the East, and 26 1/4 Road on the West and includes both sides of the streets as the outer boundaries. The results of that survey are as follows:

Check, the **YES** column if you **SUPPORT** this type of license being issued because the existing outlets do not adequately serve the reasonable requirements of the designated area or check the **NO** column if you **OPPOSE** this type of license being issued because the existing outlets adequately serve the reasonable requirements of the designated area.

Business Results:	FAVOR:	26
	OPPOSE:	0

Residential Results:	FAVOR:	58
	OPPOSE:	0

There were four exhibit sheets that indicated one response that refused to sign.

There were 33 responses that were disqualified due to addresses that were out of the defined neighborhood area, 1 disqualified for incomplete information and 2 for two selections being made for a total of 36 disqualified signatures.

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

250 NORTH 5TH STREET, GRAND JUNCTION, CO 81501 P [970] 244 1509 F [970] 244 1599 www.gjcity.org

The Grand Junction Police Department will be investigating the owner and operating manager for local criminal history and verifying that the Notice of Hearing was posted in a timely manner and that the diagram matches the establishment. The fingerprints were forwarded to CBI for further processing. Reports have been requested by the Grand Junction Fire Department, the Grand Junction Sales Tax Department, and Mesa County Health Department.

The number of liquor licensed outlets in the survey area are:

Hotel and Restaurant – 3 (Aztecas, Orchard Mesa Lanes, and Namaste Nepal)
3.2% Beer (Off Premises) – 1 (Maverik 500)

That concludes this report.

ec: Sam D. Starritt, Hearing Officer
John Shaver, City Attorney
Meghan Woodland, Grand Junction Police Department
Debra Kemp, Records Manager
Naiyana Pederson, Applicant
File



MEMO: Local Licensing Authority

FROM: Selestina Sandoval, Deputy City Clerk

DATE: October 8, 2018

SUBJECT: Application for a new hotel and restaurant liquor license by The Flattop Bar & Grill, LLC dba Feisty Pint, 359 Colorado Avenue, Units, 102, 103, 104, Grand Junction, CO 81501

The Flattop Bar & Grill, LLC filed an application with the Local Licensing Authority on September 7, 2018 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 359 Colorado Avenue, Units, 102, 103, 104, under the trade name of Feisty Pint. 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 October 17, 2018. The Notice of Hearing was given by posting a sign on the property on or before noon on October 3, 2018 and by publishing a legal ad in the Daily Sentinel on October 5, 2018.

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 Gunnison Avenue, South by 4th Avenue, 9th Street on the East, and Vine Street on the West and includes both sides of the streets as the outer boundaries. The results of that survey are as follows:

Check, the **YES** column if you **SUPPORT** this type of license being issued because the existing outlets do not adequately serve the reasonable requirements of the designated area or check the **NO** column if you **OPPOSE** this type of license being issued because the existing outlets adequately serve the reasonable requirements of the designated area.

Business Results:	FAVOR:	57
	OPPOSE:	0

Residential Results:	FAVOR:	39
	OPPOSE:	0

There were four exhibit sheets that indicated three responses that refused to sign, two that was not 21 YOA, 25 no answer, four had no solicitors, and seven other.

There were five responses that were disqualified due to incomplete information, and nine due to addresses that were out of the area for a total of 14 disqualified signatures.

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

The Grand Junction Police Department will be investigating the owner and operating manager for local criminal history and verifying that the Notice of Hearing was posted in a timely manner and that the diagram matches the establishment. The fingerprints were forwarded to CBI for further processing. Reports have been requested by the Grand Junction Fire Department, the Grand Junction Sales Tax Department, and Mesa County Health Department.

The number of liquor licensed outlets in the survey area are:

Hotel and Restaurant = 17 (Fly'n Roosters, Bin 707 Food Bar, Dream Café, Two Rivers Convention Center, The Goat and Clover, Nepal Restaurant, Il Bistro Italiano, MX Tapas Bar, 626 on Rood – Modern American Cuisine & Wine Bar, Winery Restaurant, Junct'n Square Pizza, Blue Moon Bar & Grille, Le Rouge, Suehiro Japanese Restaurant, Las Marias, TacoParty and Taqueria Guadalajara)
Arts = 2 (The Main Street Gallery and Colorado Mesa University Downtown Art Gallery)
Beer and Wine = 3 (Pablo's Pizza, The Palette, Café Sol)
Brew Pub = 1 (Rockslide Brew Pub)
Club = 1 (Grand Junction Elks Lodge 575)
Lodging and Entertainment = 1 (Avalon Theater)
Retail Liquor Store = 1 (GC Discount Liquor)
Tavern = 8 (Charlie Dwellington's, Springhill Suites, Fairfield Inn & Suites, Twisted Turtle, Mesa Theater, La Calle 5, Quincy Bar & Grill, and Barons)
3.2% Beer (Off Premises) = 2 (Alta #6312, and City Market #32)

That concludes this report.

cc: Sam D. Starritt, Hearing Officer
John Shaver, City Attorney
Meghan Woodland, Grand Junction Police Department
Tim Babbitt, Applicant
File

A

SPECIAL EVENT PERMIT
QUESTIONNAIRE AND AFFIDAVIT

1. Name of Event: Boo 'n Brew

2. How many attendees are expected at the event? 400-600

3. Has the event been held in the past? If so, how many years? NO

4. Have there ever been any violations or citations issued during the event in the past?
Similar events have been held in the past with no violations.

5. Describe the premises at which the event will take place.
Mesa Mall South parking lot

6. What type of and how many security will be provided at this event and how will they be identified?
Mesa Mall / Allied Universal = 3 Mesa Mall Management = 4
Citadel = 1

7. What is the Control Plan for security at this event? (Use additional sheet if necessary)
There will only be one entrance and exit with fencing (orange snow fencing). Volunteers and Citadel officer will be checking ID and wristbanding at the entrance. Several other officers and mall management will be canvassing the space to ensure no beer leaves the garden or is passed. Servers/volunteers will all be trained or supervised by people who have taken city safe server class.

8. How will security personnel be identified?
Wearing security uniforms (Citadel & Allied Universal), Mesa Mall management will be in blue polo's.

9. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?
Yes. Beer garden area will be fenced with orange snow fencing with only one entrance and exit.

10. What method will be used in checking identification for proper age of attendees (i.e., at the door, at the bar, etc.) and how will underage patrons be identified so as not to be served alcohol beverages (i.e., stamp or mark on the hand, etc.)

At the beer garden, Citadel will be checking IDs and wristbanding. Underage patrons will not be wristbanded therefore they will not be served.

11. How will the conduct and level of intoxication of attendees be monitored and by whom?

By security officers and management staff. By checking for wristbands & properly IDing. If server questions the age of someone ordering beer they will check ID again at service station.

12. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?

Yes, they will have gone through city's safe server class or supervised by someone who has.

13. What types of alternate beverages and food/snacks will be available?

Food will be provided in the beer garden. Water will also be available.

14. Has a State and City Sales Tax Number been initiated by you or a member of your organization? If so, provide those numbers in the space provided.

no

I hereby certify, under penalty of perjury, that the information provided to the Grand Junction Liquor Licensing Authority contained in this affidavit is true and accurate to the best of my knowledge.

[Signature]
Applicant's Signature

9/12/18
Date

STATE OF COLORADO)
COUNTY OF MESA) SS.
CITY OF GRAND JUNCTION)

Subscribed and sworn to before me this 12th day of September, 2018.

Witness my hand and official Seal.

[Signature]
Notary Public

7-11-2022
My commission expires



