

**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, NOVEMBER 7, 2012, 2:00 P.M.**

**HEARING OFFICER MICHAEL GRATTAN**

**I. CALL TO ORDER**

The meeting convened at 2:02 p.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. Azzamco, Inc. dba Freeway Bowl Fun Center, 1900 Main Street, Grand Junction, CO 81501, Tavern – **Continued from October 17, 2012**

Antuan Azzam, owner of Freeway Bowl Fun Center, was present.

Ms. Kemp advised that this item was continued due to a critical violation that was reported by the Fire Department regarding the fire suppression system. Ms. Edwards with the Fire Department reported on October 31, 2012 that Curtis Engineering confirmed that the fire suppression system had been repaired and modified to meet the Fire Code.

City Attorney Shaver asked Mr. Azzam if the work had been performed and completed. Mr. Azzam confirmed that to be true.

The application for renewal for Azzamco, Inc. dba Freeway Bowl Fun Center was found to be in order and approved.

2. Mesa Mall BBQ, Inc., dba Famous Dave's Bar B Que, 2440 US Hwy. 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant

Shawna Shakespear, general manager for Famous Dave's Bar B Que, was present.

Ms. Kemp reported that there were critical violations found during the Health Department's inspection. Re-inspection was supposed to occur on November 5, 2012 but Ms. Kemp had not received a report as to whether the violations had been corrected.

Ms. Shakespear advised that the Health Department has not yet conducted the re-inspection.

The application for renewal for Mesa Mall BBQ, Inc., dba Famous Dave's Bar B Que was found to be in order and approved conditioned on a satisfactory report from the Health Department.

3. Sang Garden, Inc. dba Sang Garden Chinese Restaurant, 687 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for Sang Garden, Inc. dba Sang Garden Chinese Restaurant was found to be in order and approved.

4. P and S, Inc. dba Orchard Mesa Lanes, 295 27 Road, Grand Junction, CO 81503, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for P and S, Inc. dba Orchard Mesa Lanes was found to be in order and approved.

5. Los Potrillos, Inc. dba Aztecas Family Mexican Restaurant, 603 Hwy. 50, Grand Junction, CO 81503, Hotel and Restaurant

No one was present representing the applicant.

Hearing Officer Grattan advised that the owners of this establishment are clients of his, however he has not done any work for this entity for a long time.

City Attorney Shaver said that as long as it is not active representation, he would waive any conflict relative to this matter.

The application for Los Potrillos, Inc. dba Aztecas Family Mexican Restaurant was found to be in order and approved.

Hearing Officer Grattan advised that he has recently formed a new LLC and reviewed, negotiated, and altered a lease for a new restaurant for these clients and they have applied for a Liquor License for the new restaurant that will be coming before the Licensing Authority on December 5<sup>th</sup>. City Attorney Shaver said that once the applicants are in possession of the property, it would be best if Hearing Officer Grattan would step back from hearing the matter.

Ms. Kemp advised that she would contact Mr. Starritt, the alternate Hearing Officer, to see if he would be available on December 5<sup>th</sup> to hear the application for a new license for Aztecas Family Mexican Restaurant.

### **III. APPLICATION TO RENEW LIQUOR AND BEER LICENSE WITH OUTDOOR DINING LEASE**

1. Buon Appetito, Inc. dba Il Bistro Italiano, 400 Main Street, Grand Junction, CO 81501, Hotel and Restaurant

Brunella Gualerzi, owner of Il Bistro Italiano, was present.

Ms. Kemp reported that the paperwork is in order but the outdoor dining lease is still waiting signatures.

The application for renewal with outdoor dining lease for Buon Appetito, Inc. dba Il Bistro Italiano was found to be in order and approved subject to the outdoor dining lease having all required signatures.

#### **IV. APPLICATION TO REGISTER A NEW MANAGER**

1. The Grand Inn, LLLP dba Holiday Inn Hotel and Suites Grand Junction, 2751 Crossroads Boulevard, Grand Junction, CO 81506, Hotel and Restaurant

Randy L. Rudd, 1634 Bultman Road, #102, Madison, WI 53704, replaces Tammy Mower

No one was present representing the applicant.

The application for registering a new manager for The Grand Inn, LLLP dba Holiday Inn Hotel and Suites was found to be in order and approved.

#### **V. APPLICATION FOR A TRANSFER OF OWNERSHIP**

1. Apple Colorado, LLC, dba Applebee's Neighborhood Grill & Bar (State Master File created), 711 Horizon Drive, Grand Junction, CO 81506, transfer from AmRest, LLC, dba Applebee's Neighborhood Grill & Bar

Managing Member: Apple American Group II, LLC, 6200 Oak Tree Blvd, Suite 250, Independence, OH 44131  
CEO: Gregory G. Flynn, 3821 Jackson Street, San Francisco, CA 94118  
President: D. Brad Pettinger, 15029 21<sup>st</sup> Drive SE, Mill Creek, WA 98012  
EVP & CFO: Lorin M. Cortina, 2110 Redington Road, Hillsborough, CA 94010  
Secretary: Ronald S. Igarashi, 920 Eastlake Drive, Eastlake, OH 44095  
Registered Mgr.: Paula S. Martin, 576 Fairfield Court, Grand Junction, CO 81506

Paula Martin, registered manager for Applebee's Neighborhood Grill & Bar, was present.

City Attorney Shaver asked Ms. Kemp if the Master File with the State is for Apple Colorado, LLC or AmRest, LLC. Ms. Kemp stated that AmRest, LLC had a Master File for the Applebee's that they owned and Apple Colorado, LLC has obtained their own State Master File for the Applebee's that they now own.

Ms. Martin advised that Apple Colorado, LLC bought a total of 106 Applebee's from AmRest, LLC throughout the United States making them the largest Applebee's franchise in the United States.

The application for transfer of ownership for Apple Colorado, LLC, dba Applebee's Neighborhood Grill & Bar was found to be in order and approved.

## **VI. ADVISEMENT HEARING**

1. Manuel Alvarez dba Taqueria Valparaiso, 511 30 Road, Grand Junction, CO 81504, Hotel and Restaurant

Manuel Alvarez, owner of Taqueria Valparaiso, and his son and interpreter, Francisco Alvarez, were present.

DeLayne Merritt, City Staff Attorney, advised that this advisement hearing was scheduled because a violation for sale to a minor occurred on July 11, 2012, yet Mr. Alvarez has not contacted her to schedule a pre-hearing conference even after numerous phone calls to the establishment and to the contact phone number on file (Mr. Alvarez's daughter) were made. Liquor Enforcement Officer Patrick and a detective also showed up to the establishment but no one was there. A Spanish speaking employee from the Police Department called and spoke to Mr. Alvarez and advised him that this is a pending matter and needs to be addressed and asked Mr. Alvarez to please call the City Attorney's office. Since the advisement hearing was set, Mr. Alvarez's daughter, Maria, called and spoke to Ms. Merritt and asked her what they need to do. Ms. Merritt advised her that she does not have any conference times available prior to the scheduled advisement hearing.

Hearing Officer Grattan asked Ms. Merritt if it is her hope to work something out. Ms. Merritt said yes, she feels that it is difficult because of the language barrier and not being sure who she needs to be speaking with.

Hearing Officer Grattan advised Mr. Francisco Alvarez that his dad has the right to a trial, to be heard on the issue, or he can meet with Ms. Merritt and try to work out a stipulation. He asked Mr. Francisco Alvarez to explain this to his dad.

Hearing Officer Grattan asked Ms. Merritt if she would have the time to meet with the Alvarez's now. Ms. Merritt said she did, especially since the son is here to translate for Mr. Alvarez.

Hearing Officer Grattan continued the advisement hearing for Manuel Alvarez dba Taqueria Valparaiso for one week until November 14, 2012. If the matter is resolved in a week, then a stipulation could be handled without further appearance. If not, then a hearing could be scheduled for a later date to allow Mr. Alvarez enough time to prepare for it.

**VII. OTHER BUSINESS**

Hearing Officer Grattan asked City Attorney Shaver what part he will play regarding the newly passed Constitutional Amendment legalizing marijuana; will he possibly be hearing cases? City Attorney Shaver said there is a possibility that he could hear cases. He will share a memo with him that he has prepared to brief the City Council on the matter and keep him informed as to where City Council wants to go with this matter.

**VIII. ADJOURNMENT**

The meeting was adjourned at 2:40 p.m.

**NEXT REGULAR MEETING – November 21, 2012**