

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

MINUTES

WEDNESDAY, MARCH 6, 2013, 2:00 P.M.

HEARING OFFICER MICHAEL GRATTAN

I. CALL TO ORDER

The meeting convened at 2:00 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. Valero Diamond Metro, Inc. dba Diamond Shamrock Corner Store #4115, 599 29 ½ Road, Grand Junction, CO 81504, 3.2% Beer Retail (Off Premises)

No one was present representing the applicant.

The application for renewal for Valero Diamond Metro, Inc. dba Diamond Shamrock Corner Store #4115 was found to be in order and approved.

2. Blazin Wings, Inc. dba Buffalo Wild Wings, 2412 Highway 6 and 50, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for Blazin Wings, Inc. dba Buffalo Wild Wings was found to be in order and approved.

3. PAT Services, LLC dba The Park, 800 Mantlo Circle, Grand Junction, CO 81501, 3.2% Beer (On/Off Premises)

Jack Sommers, Managing Member for PAT Services, LLC, was present.

Ms. Kemp reported that due to the seasonal operation for The Park, the Health Department will not be conducting an inspection until April 2013; however they have no objection to the renewal.

The application for renewal for PAT Services, LLC dba The Park, 800 Mantlo Circle was found to be in order and approved conditional on a satisfactory report from the Health Department.

III. APPLICATION TO RENEW LIQUOR AND BEER LICENSE AND MODIFICATION OF PREMISES

1. PAT Services, LLC dba The Rock, 2057 S. Broadway, Grand Junction, CO 81507, Hotel and Restaurant with three optional premises

Removal of existing bar and construction of new 10' x 11' (approximately) horseshoe shaped bar to extend into current bar and restaurant area

Jack Sommers, Managing Member for PAT Services, LLC, was present.

Ms. Kemp reported that due to the seasonal operation for The Rock, the Health Department will not be conducting an inspection until April 2013; however they have no objection to the renewal of the liquor license. The applicant needs to submit their remodel plans to the Health Department and a clearance must be obtained before the Health Department is alright with the modification of premises. Ms. Kemp also read into the record the results of the petition the applicant provided to address the needs and desires of the neighborhood and the desires of the adult inhabitants along with a letter submitted by the applicant (see attached).

Hearing Officer Grattan asked Mr. Sommers for confirmation that the requested modification does not change the perimeter of the licensed premises; it is just an internal bar change. Mr. Sommers confirmed that to be correct.

City Attorney Shaver asked Mr. Sommers to describe the proposed modification. Mr. Sommers said that the bar top is currently just a straight bar. The proposed modification is to construct a new horseshoe shaped bar. It would go from having four bar stools to eight or nine bar stools, the seating arrangement will change but the capacity will remain about the same.

City Attorney Shaver asked Mr. Sommers if he has personal knowledge of the survey. Mr. Sommers said yes. He placed the survey forms in the golf shop and in the bar and restaurant. When people came in for golf or the restaurant, they were asked to sign the survey forms. They conducted the survey for seven days and the golf shop was only open for five of those days. City Attorney Shaver asked Mr. Sommers if anyone showed opposition or had questions or comments regarding the survey that were not indicated in the results. Mr. Sommers said he did not hear anybody say they did not agree with it, or refused to sign it. City Attorney Shaver asked Mr. Sommers if he believes the results that Ms. Kemp read were true and accurate. Mr. Sommers said yes.

No one was present in opposition to the application.

Mr. Sommers stated that the modification will enhance the operation of the bar and restaurant and it won't create a scenario of any liquor violation.

Hearing Officer Grattan said that it was discussed and decided that to become a bit more customer friendly, for minor and immaterial modifications where the modification is more of an internal within the premises change versus an

expansion or external change, a full survey process would not be required. However, the City is duty bound to address the reasonable requirements of the neighborhood and desires of the adult inhabitants as required by the State Statutes. Hearing Officer Grattan said that the evidence presented on the proposed modification is sufficient for that purpose. City Attorney Shaver concurred with Hearing Officer Grattan.

Hearing Officer Grattan stated that the proposed modification is not a material change and the survey as presented satisfied the requirements set forth in Regulation 47-302(b) and found the application for renewal and modification for PAT Services, LLC dba The Rock to be in order and approved subject to a satisfactory inspection and a clearance for the modification from the Health Department.

IV. APPLICATION FOR NEW LICENSE – RESOLUTION AND FINDINGS AND DECISION – This item was moved ahead on the agenda

1. Grand FJ Japanese Restaurant, Inc. dba Sushi & Rok, 707 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

Mingkun Liu, 2819 Village Park Drive, Grand Junction, CO 81506

Mingkun Liu, President for Grand FJ Japanese Restaurant, Inc., was present.

Ms. Kemp advised that the address for this request was previously licensed which just recently expired, and the owner of the previous liquor license did not want to transfer it to this applicant. Ms. Kemp reported that the Health Department will conduct a final inspection before the restaurant opens. Ms. Kemp read the results of the survey that was conducted into the record (see attached).

Hearing Officer Grattan noted that there was no one in the audience in opposition to the issuance of the license.

City Attorney Shaver asked Mr. Liu who conducted the survey. Mr. Liu said that he and his wife conducted the survey. City Attorney Shaver asked Mr. Liu if they physically went door to door. Mr. Liu said yes. City Attorney Shaver asked Mr. Liu if believes what Ms. Kemp read into the record to be true and correct. Mr. Liu said yes.

City Attorney Shaver said that given the fact there is considerable evidence produced by the survey, there are no counterpetitions or opposition to the issuance of the license, and the fact that this was a long licensed establishment in the past, he recommended approval.

Hearing Officer Grattan agreed with City Attorney Shaver's recommendation and found that the application for a new hotel and restaurant liquor license submitted by Grand FJ Japanese Restaurant, Inc. dba Sushi & Rok was in order and approved subject to the Health Department inspection. The City Clerk's office will prepare a resolution for Hearing Officer Grattan's signature.

V. APPLICATION FOR MODIFICATION OF PREMISES

1. Grand Junction Regional Airport Authority dba Grand Junction Regional Airport Authority, 2828 Walker Field Dr., Suite 301, Grand Junction, CO 81506

Expand into a larger portion of their already secured terminal building known as the upper and lower boarding area

Amy Jordan, Deputy Director of Administration and oversees the Subway Restaurant at the airport, was present.

Ms. Kemp read a letter from the application requesting that the survey process be waived into the record (see attached).

Hearing Officer Grattan entered a document with additional information from the applicant into the record as Exhibit A (see attached).

Hearing Officer Grattan said that even though the proposed modification may not affect the neighborhood because of the request being behind the airport's secured area, the request is for a massive expansion which will affect all the users of the terminal. His concern is that, with the entire secured area of the terminal licensed, there would be no area or opportunity for a customer to escape the consumption of alcoholic beverages.

Discussion took place as to what method could be used to determine the desires of the adult inhabitants. City Attorney Shaver advised that perhaps a similar survey to what The Rock conducted for their modification request could be looked at for all of the airport facility.

Hearing Officer Grattan asked Ms. Jordan if she has evidence to present, other than the letter provided, to address the desires of the adult inhabitants. Ms. Jordan said she does not. Hearing Officer Grattan stated that he does need some evidence of that. The other area he has concern about is that there is no excluded area.

City Attorney Shaver said that a couple of other areas of concern would be the legal basis to expand the area, the supervision, and the assurance that someone that is not of lawful age won't consume alcoholic beverages.

Hearing Officer Grattan advised that he is open to an expansion of the premises, he is open to a mechanism to establish the desires of the adult inhabitants other than the full survey process, but not as it was presented.

The application for modification of premises for Grand Junction Regional Airport Authority dba Grand Junction Regional Airport Authority was continued to the April 3, 2013 Liquor and Beer Meeting to allow for the applicant to resubmit a diagram for a permissible licensed premises and to provide evidence concerning the desires of the adult inhabitants.

VI. OTHER BUSINESS

There was none.

VII. ADJOURNMENT

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

NEXT REGULAR MEETING – March 20, 2013



CITY CLERK

MEMO: Local Licensing Authority
 FROM: Debbie Kemp, Deputy City Clerk *DK*
 DATE: March 4, 2013
 SUBJECT: Application for a modification of premises to add outdoor dining area

PAT Services, LLC filed an application with the Local Licensing Authority on January 25, 2013 for a modification of premises at 2057 S. Broadway under the trade name of The Rock. The application and supplementary documents were reviewed, found to be in order, and accepted. The hearing date was set for March 6, 2013.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants, the applicant provided a letter detailing the purpose of the modification and also provided petition forms that were circulated among customers visiting the facility for golf, the restaurant, and the bar (see attached).

The results of that petition are as follows:

Customers visiting for golf, restaurant, and bar:	FAVOR: 54
	OPPOSE: 0
Customers visiting for golf and bar:	FAVOR: 1
	OPPOSE: 0
Customers visiting for golf and restaurant:	FAVOR: 4
	OPPOSE: 0
Customers visiting for restaurant and bar:	FAVOR: 3
	OPPOSE: 0
Customers visiting for restaurant only:	FAVOR: 2
	OPPOSE: 0
Customers visiting for golf only:	FAVOR: 1
	OPPOSE: 0

That concludes this report.

cc: Applicant
 John Shaver, City Attorney
 File

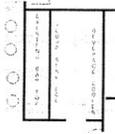
**PETITION TO THE LOCAL LICENSING AUTHORITY
FOR MODIFICATION OF A LIQUOR LICENSE**

City Clerk's Office 970.244.1509
250 N. 5th Street
Grand Junction CO 81501

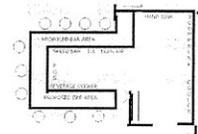
TYPE OF MODIFICATION

Removal of existing bar and construction of new 10' x 11' (approx.) horseshoe shaped bar to extend into current bar and restaurant area

EXISTING



PROPOSED



	NAME	DATE	PURPOSE OF VISIT			SUPPORT THE MODIFICATION	
			GOLF	RESTAURANT	BAR	YES	NO
1	Estoré La Roche	2-21-13	✓	✓	✓	✓	
2	Frank M Zanin	02-21-2013	✓	✓	✓	✓	
3	LARRY KEENE	2/21/13	✓	✓	✓	✓	
4	John Selcastro	2-26-13	✓	✓	✓	✓	
5	John Selcastro	2-26-13	✓	✓	✓	✓	
6	Effortery	2-26-13	✓		✓	✓	
7	Greg Bluff	2-26-13	✓	✓	✓	✓	
8	Paul Holloway	2/26	✓	✓	✓	✓	
9	Gene Catalano	2/26	✓	✓	✓	✓	
10	John Selcastro	2/26/13	✓	✓	✓	✓	
11	John Selcastro	2/26/13	✓	✓	✓	✓	
12	John Selcastro	2-26-13	✓	✓	✓	✓	
13	Christy White	11	✓	✓	✓	✓	
14	Yvette Porimow	2/26/13	✓	✓	✓	✓	
15	Sean Peltz	3/1/13	✓	✓	✓	✓	
16	Bob DeJoy	3/1/13	✓	✓	✓	✓	

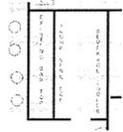
**PETITION TO THE LOCAL LICENSING AUTHORITY
FOR MODIFICATION OF A LIQUOR LICENSE**

City Clerk's Office 970.244.1509
250 N. 5th Street
Grand Junction CO 81501

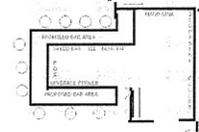
TYPE OF MODIFICATION

Removal of existing bar and construction of new 10' x 11' (approx.) horseshoe shaped bar to extend into current bar and restaurant area

EXISTING



PROPOSED



	NAME	DATE	PURPOSE OF VISIT			SUPPORT THE MODIFICATION	
			GOLF	RESTAURANT	BAR	YES	NO
1	Anna McInnis	2/21/13		✓		✓	
2	Pat F. ...	2/21/2013	X	X	X	✓	
3	Jessie Campbell	2/21/13	X	X	X	X	
4	Lita Chavacia	2/22/13	X	X	X	X	
5	Larry Barnett	2-22-13	X	X	X	Yes X ✓	
6	Roger McWilliams	2-22-13	X	X	X	✓	
7	Ken ...	2-23-13	X	X	X	✓	
8	Justin Gray	2-27-13	X	X		✓	
9	Sharon ...	2-27-13	X	X	X	X	
10	Wendy Utke	2-27-13	X	X	X	X	
11	Jul ...	2/27/13	X	X	X	X	
12	Shane R. ...	2/27/13	X	X	X	X	
13	Ken Wilcox	2/27/13		✓		✓	
14	Ed ...	2/28/13	X			X	
15	Wynne Elreffo	2/28/13	X	✓	✓	✓	
16	Debra ...	2/28/13	X	X		X	

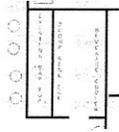
**PETITION TO THE LOCAL LICENSING AUTHORITY
FOR MODIFICATION OF A LIQUOR LICENSE**

City Clerk's Office 970.244.1509
250 N. 5th Street
Grand Junction CO 81501

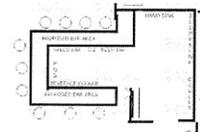
TYPE OF MODIFICATION

Removal of existing bar and construction of new 10' x 11' (approx.) horseshoe shaped bar to extend into current bar and restaurant area

EXISTING



PROPOSED



	NAME	DATE	PURPOSE OF VISIT			SUPPORT THE MODIFICATION	
			GOLF	RESTAURANT	BAR	YES	NO
1	Peter Miller	2-21-13	X	X	X	X	
2	Bill [unclear]	2-21-13	X	X	X	X	
3	James Skelton	2-21-13	X	X	X	X	
4	[unclear]	2-21-13	X	X	X	X	
5	[unclear]	2-21-13	X	X	X	X	
6	[unclear]	2-21-13		X	X	X	
7	Mike [unclear]	2/21/13	X	X	X	X	
8	[unclear]	2-21-13	X	X	X	X	
9	[unclear]	2-21-13	X	X	X	X	
10	Walter Valentin	2-21-13	X	X	X	X	
11	[unclear]	2-21-13	X	X		X	
12	[unclear]	2-21-13	X	X	X	X	
13	[unclear]	2-21-13	X	X	X	X	
14	[unclear]	2/21/13	X	X	X	X	
15	Judith G. [unclear]	2/21/13		X	X	X	
16	[unclear]	2/21/13		X	X	X	

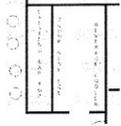
**PETITION TO THE LOCAL LICENSING AUTHORITY
FOR MODIFICATION OF A LIQUOR LICENSE**

City Clerk's Office 970.244.1509
250 N. 5th Street
Grand Junction CO 81501

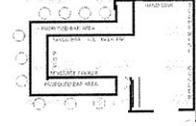
TYPE OF MODIFICATION

Removal of existing bar and construction of new 10' x 11' (approx.) horseshoe shaped bar to extend into current bar and restaurant area

EXISTING



PROPOSED



	NAME	DATE	PURPOSE OF VISIT			SUPPORT THE MODIFICATION	
			GOLF	RESTAURANT	BAR	YES	NO
1	Tom Fiedler	2-21-13	X	X	X	X	
2	WAYNE STONEMARK	2-21-13	X	X	X	X	
3	JAMES HEIT	2-21-13	X	X	X	X	
4	MIKE SPYKHALA	2-21-13	X	X	X	X	
5	PAUL FREEMAN	2-21-13	X	X	X	X	
6	COBY CAMPBELL	2-21-13	X	X	X	X	
7	STEVE SAWTHER	2-21-13	X	X	X	X	
8	BEN VIGI	2-23-13	X	X	X	X	
9	DANIEL TREBBI	2-23-13	X	X	X	X	
10	CHRIS CLARK	2-23-13	X	X	X	X	
11	DON TRUNZO	2-23-13	X	X	X	X	
12	DAN NEWTON	2-23-13	X	X	X	X	
13	JOHN WHITCOMB	2-23-13	X	X	X	X	
14	ADAM GLESH	2-27-13	X	X	X	X	
15	Ryan Parkin	2-28-13	X	X	X	X	
16	Dan TODD MAZLIN	3-1-13	X	X	X	X	
	SCOTT VOYTLICA	3-1-13	X	X	X	X	

Local Licensing Authority

City Clerk's Office, City of Grand Junction

250 No. 5th Street

Grand Junction, CO 81501

RE: Modification of Premises "The Rock", Tiara Rado Golf Course

Please accept this letter as request for modification of premises at The Rock located at Tiara Rado Golf Course. It is the consensus of PAT Services, LLC this modification will result in providing a more user friendly atmosphere at the same time meeting the needs and desires of golfers and non-golfers. PAT Services also believes the nature of the proposed modifications are not significant or material because they involve only extending the bar and adding a new bar top and server work area, amounting to less than 120 square feet, and the proposed bar top with seating will replace current tables and seating in the restaurant area. Current hours of operation and the no outside music or noise after 10pm policy will remain in effect.

The modification as shown in submitted drawings would involve removing the existing bar top and creating a new bar top and server work area (10' 9" x 11'—118.25 sq ft) that extends into restaurant seating area (40' x 50'-2,000 sq ft).

This modification will provide an upgrade to the facility with minimal material change as well as giving the concessionaire the ability to improve service to patrons.

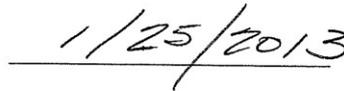
1. With the bar being extended into the restaurant area, staff will be able to more easily monitor the premises which include the patio area and golf course.
2. Moving the bar top (Less than 120 sq. ft.) into the existing area will be the only construction present no walls will be erected, openings created, eliminated or blocked off thus insuring the remodel will be of minor material significance.
3. In addition, with more bar top area improved customer service and shorter wait times will occur. As a multi-use facility that serves in building food and beverage customers, as well as golfer's take-out orders before or during their round the existing bar area becomes very congested at times and this modification will allow for more staff efficiently handle these situations.

Your consideration of the remodel of The Rock will be appreciated.



Jack R. Sommers

Managing Member, PAT Services, LLC



Date



MEMO: Local Licensing Authority
FROM: Debbie Kemp, Deputy City Clerk *DK*
DATE: February 20, 2013
SUBJECT: Application for a new hotel and restaurant liquor license by Grand FJ Japanese Restaurant, Inc. dba Sushi & Rok

Grand FJ Japanese Restaurant, Inc. filed an application with the Local Licensing Authority on January 28 2013 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 707 Horizon Drive under the trade name of Sushi & Rok. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for March 6, 2013. The Notice of Hearing was given by posting a sign on the property on or before February 24, 2013 and by publishing a display ad in the Daily Sentinel on February 22, 2013.

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 Interstate 70, F 1/2 Road on the South, 28 Road on the East and 26 1/2 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/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:	17
	OPPOSE:	0
Residential Results:	FAVOR:	86
	OPPOSE:	0

There were 2 responses disqualified; one for listing an address outside of the survey boundary area and the other one indicated they were not 21 years of age.

There were 2 "exhibits to survey petition" that indicated six people refused to sign and one address had no solicitors posted.

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

The Grand Junction Police Department has investigated the individual for local criminal history. The property will be inspected to ensure the Notice of Hearing has been posted in a timely manner. The fingerprints have been forwarded to CBI for further processing. Reports have been requested by the Grand Junction Fire Department, Mesa County Health Department, and City of Grand Junction Sales Tax Department.

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

Hotel and Restaurant – 10 (Bookcliff Country Club, Sang Garden Chinese Restaurant, Applebee's Neighborhood Grill & Bar, Doubletree – Grand Junction, Ristorante Pantuso's, Enzo's Pizzeria & Italian Café, Tepanyaki Japanese Steak House & Sushi Bar, W.W. Peppers, Grand Vista Hotel, and Holiday Inn Hotel & Suites GJ)

That concludes this report.

cc: Applicant
John Shaver, City Attorney
File



February 20, 2013

Local Licensing Authority
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

SUBJECT: Request to waive the process of conducting a local liquor survey for the Subway Café located at Grand Junction Regional Airport Authority, dba Grand Junction Regional Airport Authority, 2828 Walker Field Drive, Suite 301

To whom it may concern:

The Grand Junction Regional Airport Authority, Subway Café, currently holds a hotel and restaurant liquor license. Grand Junction Regional Airport Authority filed an initial application with the Local Licensing Authority on March 19, 2010 for a Hotel and Restaurant liquor license permitting sales of malt, vinous and spirituous liquors at our Subway Café premises at 2828 Walker Field Drive, Airport Terminal Building, Second Floor, under the trade name of Grand Junction Regional Airport Authority.

Over the last two and a half years, the need to expand the liquor premise has been realized. The current premise is located within the Airport Terminal Building and is approximately 1,980 square feet. The proposed premise will expand the overall premise to 15,027 square feet. The expansion of the premise will be solely in the secured part of the Airport Boarding Area, effectively alleviating any impact on the surrounding neighborhoods.

Upon initial application, in order to address the reasonable requirements set forth by the State of Colorado, the Grand Junction Regional Airport conducted a survey of adult inhabitants of the surrounding neighborhoods. The results of the survey indicated no appeal. Therefore, we would like to request that this application for the expansion of premise be accepted without requiring an additional survey.

Please contact me if you have any questions, or need additional information.

Respectfully,

Ben Peck
Deputy Director: Facilities
Grand Junction Regional Airport



ADDITIONAL INFORMATION

According to Colorado Liquor Rules, Regulation 47-302, Section B, number one thru five of the Colorado Liquor Rules, the following subject matter will be under consideration for the upgrade of liquor premises at the Grand Junction Regional Airport Subway Café. This additional information will help those individuals to understand the different circumstances the Airport faces as it pertains to the sale of liquor.

1. The Grand Junction Regional Airport conducted a survey of surrounding neighborhoods of adult inhabitants on March 19, 2010. After collecting 449, survey's 421 were in favor of the Subway Café conducting the sale of liquor. Since the date above, neither the Grand Junction Regional Airport nor the Subway Café has received a complaint, remonstrance, petition, or compliance issue regarding the sale of liquor.
2. No change will be made to the original liquor premise concerning the possession, ownership, lease, rental or other arrangement.
3. The proposed liquor premise complies with all local applicable zoning laws.
4. The proposed larger premise would not affect the surrounding neighborhood. The proposed premise is located on the secured side of the terminal and patrons would only be allowed to purchase liquor after going through security screening. At the exit of the security screening process, as well as the exit from the secured premise, security personnel monitors all patrons inside the upper and lower boarding areas until all patrons have exited the secured side. Therefore the security personnel will be available, together with Grand Junction Regional Airport to monitor and control the sale and use of liquor. Additionally all gates and doors in the controlled secured area are either locked or alarmed if unauthorized personnel exit or enter. As a precautionary act, the Grand Junction Regional Airport Authority will add additional signage to all exit gates, jet bridge exits, and door exits, stating the rules and regulations of the Colorado Liquor rules and regulations, as already stated in the original liquor premise.
5. The Grand Junction Regional Airport staff will continue to monitor and supervise the sale of liquor. Furthermore, to ensure the protection of the economic and social welfare and the health, peace, and morals of the people, the Grand Junction Regional Airport alongside employees of the Subway Café will perform routine perimeter checks every sixty minutes or when time allows assuring the liquor premise is being controlled in a professional matter.