

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

MINUTES

WEDNESDAY, OCTOBER 4, 2006 9:00 a.m.

I. **CALL TO ORDER** – The meeting convened at 9:00 a.m. Those present were Hearing Officer Phil Coebergh, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp.

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

1. Thrifty Payless, Inc. dba Rite Aid #6178, 1834 N. 12th Street, Grand Junction, CO 81501, 3.2% Beer Retail (Off Premises)

The application for renewal was found to be in order and approved.

2. Tyluk, Inc. dba Whiskey River, 490 28 ¼ Road, Grand Junction, CO 81501, Tavern

Louis Boyd, President of Tyluk, Inc., was present.

Ms. Kemp reported that the Police Department advised that there were 163 calls for police services at the establishment over the past year.

Mr. Boyd stated that most of the calls were made by his staff requesting assistance or for identification problems.

The application for renewal was found to be in order and approved.

3. Fruitvale Shell, LLC dba Shell Food Mart, 401 30 Road, Grand Junction, CO 81504, 3.2% Beer Retail (Off Premises)

The application for renewal was found to be in order and approved.

4. College Liquors, Inc. dba College Liquors, 1133 Patterson Road, Unit 9, Grand Junction, CO 81501

John Stevenson, representing College Liquors, was present.

The application for renewal was found to be in order and approved.

5. Thunder Mountain Tavern, LLC dba Thunder Mountain Tavern, 2701 Hwy. 6 & 50, Grand Junction, CO 81503

The application for renewal was found to be in order and approved.

6. Bold Petroleum, Inc. dba Acorn Food Store, 2222 Hwy. 6 & 50, Grand Junction, CO 81505

The application for renewal was found to be in order and approved.

III. RESOLUTION OF FINDINGS AND DECISION RE: APPLICATION FOR NEW LICENSE

1. David Foster dba David's, 2913 F Road, Suite 101, Grand Junction, CO 81504, Hotel and Restaurant

Owner: David Foster, 2948 G Road, Grand Junction, CO 81504

David Foster, owner of David's, was present.

Ms. Kemp reported the paperwork is in order and the reports are fine with the Police, Fire, Code Enforcement, Health, and Sales Tax Departments. A report from C.B.I. is still pending. Ms. Kemp read the results of the survey into the record. Two corrections were noted on the results. Number 1 was read as 11 saying yes and 0 saying no, and it should have been 0 saying yes and 11 saying no. Instead of the number of similar-type outlets in the survey area being 2, it should have been the number of similar-type outlets in a one mile area are 2 (see attached).

City Attorney Shaver asked Mr. Foster if he believed the results of the survey Ms. Kemp read was true and accurate and he asked Mr. Foster who conducted the survey and how was it conducted. Mr. Foster stated that he did feel the survey results were true and accurate and stated that he, his wife, and a manager for the Racquet Club apartments conducted the survey and they went door to door. Mr. Shaver asked Mr. Foster if there was anyone who objected to the issuance of the license and it was not recorded on the petition. Mr. Foster said there were not, he asked everyone to sign the petition whether they were for or against the license.

Mr. Coebergh asked Mr. Shaver for his thoughts on the confusion of the first question and the applicant not having residential answer the first question. Mr. Shaver stated that even though the question was not answered by residential, there were not any letters of opposition or remonstrances received in the City Clerk's office and the survey does show overall in favor of the issuance of the license.

Mr. Coebergh found the requirements have been met and approved the issuance of the hotel and restaurant liquor license on a local level. The City Clerk's office will prepare a resolution for Mr. Coebergh's signature.

IV. ADJOURNMENT – The meeting adjourned at 9:13 a.m.

NEXT REGULAR MEETING – October 18, 2006

MEMO: Local Licensing Authority
FROM: Debbie Kemp, Deputy City Clerk
DATE: September 19, 2006
SUBJECT: Application for a new hotel and restaurant liquor license by David Foster, dba David's, 2913 F Road, Suite 101

REVISED

David Foster filed an application with the Local Licensing Authority on August 28, 2006 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 2913 F Road, Suite 101 under the trade name of David's. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for October 4, 2006. The Notice of Hearing was given by posting a sign on the property on or before September 24, 2006 and by publishing a display ad in the Daily Sentinel on September 22, 2006.

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 F ½ Road, on the South by Sandra Avenue, on the East by Darby Drive, and on the West by 28 ½ Road. The results of that survey are as follows:

1. As an owner of property in the neighborhood, an employee or a business lessee of property in the neighborhood, and/or an inhabitant residing in the neighborhood for more than six months each year, I believe the reasonable requirements of the neighborhood are already being met by other existing outlets.

Yes	0
No	11

Please note that there was a misunderstanding on statement #1 and the applicant only had businesses and not residential answer.

2. As an inhabitant who resides in the neighborhood for more than six months each year, it is my desire that the license be issued.

Yes	180
No	17
Not Applicable	14

There were six signatures disqualified to residing or having a business outside the boundary area.

The Grand Junction Police Department has investigated the applicant for local criminal history. The fingerprints have been forwarded to CBI for further processing. Reports have been requested by the Grand Junction Fire Department, Code Enforcement, Mesa County Health Department, and the City of Grand Junction Sales Tax Department.

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

Hotel and Restaurant – 0

The number of similar-type outlets in a one mile area are as follows:

Hotel and Restaurant – 2 (Zen Garden and Texas Roadhouse)

That concludes this report.

cc: Applicant
John Shaver, City Attorney
TJ Rix, Grand Junction Police Department
File