



City of Grand Island

Tuesday, July 25, 2006

Council Session

Item E3

Public Hearing on Request of Edwin D. Bolanos dba La Zona Rosa, 613 East 4th Street for a Change of Location for Class "C-70104" Liquor License to 611 East 4th Street

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: July 25, 2006

Subject: Public Hearing on Request of Edwin D. Bolanos dba La Zona Rosa, 613 East 4th Street for a Change of Location for Class “C-70104” Liquor License to 611 East 4th Street

Item #'s: E-3 & I-1

Presenter(s): RaNae Edwards, City Clerk

Background

Edwin D. Bolanos dba La Zona Rosa, 613 East 4th Street has submitted an application for a Change of Location for his Class “C-70104” Liquor License to 611 East 4th Street.

Discussion

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Clerk, Building, Fire, Health, and Police Departments. Attached is the Police Department’s background investigation and recommendation.

Based on information received from the Police, Building, and Fire Departments, Mr. Bolanos has not submitted the appropriate documents/plans or acquired the proper permits for converting a metal building to a public assembly located at 611 East 4th Street. There are also concerns with the parking lot.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.

4. Deny the application.

Recommendation

City Administration recommends that the Council deny the application for a change of location requested by Edwin D. Bolanos dba La Zona Rosa from 613 East 4th Street to 611 East 4th Street for his Class “C-70104” Liquor License.

Sample Motion

Move to deny the application for a change of location requested by Edwin D. Bolanos dba La Zona Rosa from 613 East 4th Street to 611 East 4th Street for his Class “C-70104” Liquor License.



Dave Heineman
Governor

STATE OF NEBRASKA

NEBRASKA LIQUOR CONTROL COMMISSION

Hobert B. Rupe

Executive Director

301 Centennial Mall South, 5th Floor

P.O. Box 95046

Lincoln, Nebraska 68509-5046

Phone (402) 471-2571

Fax (402) 471-2814

TRS USER 800 833-7352 (TTY)

web address: <http://www.lcc.ne.gov/>



June 28, 2006

Grand Island City Clerk
PO Box 1968
Grand Island, NE 68802

RE: Bolanos, Edwin D. DBA La Zona Rosa, Liquor License #C-70104.

The above referenced licensee has submitted a request for a change of location from 613 East 4th Street, Grand Island, NE 68801, Hall County, known as La Zona Rosa. New address 611 E. 4th Street, Grand Island, NE 68801, Hall County – One story building approx. 47' x 70'.

Please present this request to your board and send us the results of that action.

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

Katie Lanning
Licensing Division

kl

cc: file

Rhonda R. Flower
Commissioner

Bob Logsdon
Chairman

R.L. (Dick) Coyne
Commissioner

An Equal Opportunity/Affirmative Action Employer

Printed with soy ink on recycled paper

**APPLICATION FOR ADDITION,
DELETION, CHANGE OF LOCATION,
RECONSTRUCTION**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814

Website: www.lcc.ne.gov

FEE \$45.00

06-28-2006 RCVD

COPY
kl

LICENSEE'S NAME Edwin D Bolanos

TRADE NAME La Zona Restauraunt

PREMISE ADDRESS 613 East Fourth Street

CITY/COUNTY Grand Island / Hall

68801

LICENSE NUMBER 70104 -C PHONE NUMBER (308) 379-3627

PLEASE CHECK ONE OF THE FOLLOWING

☐ ADDITION ☐ RECONSTRUCTION ☐ DELETION

☒ CHANGE OF LOCATION (this application will not be accepted if the license is moving into another jurisdiction)

Address From: 613 East Fourth Street Grand Island NE 68801

Address To: 611 East Fourth Street Grand Island NE 68801

- 1) Include a sketch of the proposed area to be licensed (8 1/2 x 11 paper - no blueprints) indicate the dimensions of the area to be licensed and the direction "north" on the sketch
- 2) Submit a copy of your lease or deed demonstrating ownership
- 3) If you do not know what jurisdiction you are located in, call the city or county clerk
- 4) In order to clarify your changes, an attached explanation is always welcome

AFFIDAVIT

The above reference request, as filed, will comply with the rules and regulations of the Nebraska Liquor Control Act.

Edwin D Bolanos
Signature of licensee

Subscribed in my presence and first duly sworn to before me on this 22 day of

June 23, 2006

Joyce E. Holman
Notary Public signature and seal



FORM 35-4179

Buo ck 644
45-he

06-28-2006 RCVD

7'

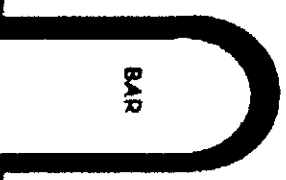
13' 16' 18'

OFFICE / STORAGE MEN'S BATHROOM WOMENS BATHROOM

36" DOOR

36" DOOR WINDOW

BAR



36" DOOR

WINDOW 36" DOOR

La Zona Rosa
611 East Fourth Street
Grand Island NE 68801



NORTH

70'

47'

One story bldg. approx. 47' x 70'



INTEROFFICE
MEMORANDUM
Building Department

*Working Together for a
Better Tomorrow. Today.*

DATE: July 19, 2006

TO: RaNae Edwards – City Clerk

FROM: Craig Lewis -- Building Dept. Director

RE: Liquor license for La Zona Rosa 611 E. 4th Street.

The above referenced location submitted a plan for building renovations on July 18, 2006, building permits have been issued to enlarge the restrooms and modify the electrical lighting but a permit renovate the facility into a public assembly has not at this time been issued. Additional information and revised plans showing compliance with local code regulations are needed before a permit will be issued to continue construction and renovations.

As no approved plans or permits have been issued as of this writing I could not recommend the Council approve any license for this location.

In the past the department has recommended approvals contingent upon final inspections and a certificate of occupancy being issued. Those recommendations were without exception made after a permit was issued based upon an approved plan for construction.

Again in this case no approved plan and no permits for a public assembly have been completed.



**INTEROFFICE
MEMORANDUM**
Police Department

*Working Together for a
Better Tomorrow. Today.*

DATE: July 19, 2006

TO: RaNae Edwards, City Clerk

FROM: Bradley Brush, Lieutenant, Police Department

RE: Application for Liquor License Change of Location
from 613 E 4th Street known as La Zona Rosa to
611 E 4th Street

The Grand Island Police Department received an application from 613 E 4th Street known as La Zona Rosa to the location of 611 E 4th Street, a change for the license from the restaurant to a night club/bar with alcohol no longer to be served in the restaurant.

There are partially open, as well as completely open, out buildings on the property or adjacent to the proposed night club that would make it difficult for law enforcement to monitor. The buildings appear rather inviting for inappropriate and/or illegal activity of minors as well as adult patrons, during night time hours. The buildings are located on the property of the La Pasadita Auto Sales lot, also owned by Bolanos and the present La Zona Rosa Restaurant owned by Bolanos.

A possible remedy for law enforcement's monitoring problems of these buildings would be to fence the buildings in, or the patrons of the night club and their vehicles out of the area of the buildings. I would suggest a solid-8-foot fence surrounding an area of sufficient size to park a reasonable number of vehicles. Bolanos mentioned that the maximum capacity of his night club is 350 people. This officer doesn't believe there is sufficient designated parking for vehicles for that number of people at this time. This officer would also advise, at the present time, there is no designated-handicap parking near the buildings at 611 or 613 E 4th Street.

If and when these concerns are addressed and/or met in fair and impartial manner, The assessment and a possible recommendation could be addressed.

BB/rk

A handwritten signature in black ink, appearing to read "J. Brush", written over the typed name "BB/rk".

07/17/06
15:13

Grand Island Police Dept.
LAW INCIDENT TABLE

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City : Grand Island
Occurred after : 15:41:18 07/11/2006
Occurred before : 15:41:18 07/11/2006
When reported : 15:41:18 07/11/2006
Date disposition declared : 07/12/2006
Incident number : L06071688
Primary incident number :
Incident nature : Liquor Lic Inv Liquor License Investigation
Incident address : 611 E 4th
State abbreviation : NE
ZIP Code : 68801
Contact or caller : RaNae Edwards
Complainant name number :
Area location code : PCID Police - CID
Received by : Brush B
How received : T Telephone
Agency code : GIPD Grand Island Police Department
Responsible officer : Brush B
Offense as Taken :
Offense as Observed :
Disposition : CLO Closed Case
Misc. number :
Geobase address ID :
Long-term call ID :
Clearance Code : CL Case Closed
Judicial Status :

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INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	27648		Bolanos, Edwin D	mentioned
NM	108974		LaZona Rosa Restaurant,	mentioned

LAW INCIDENT NARRATIVE:

Request for assessment & recommendation-Liquor License Location Transfer

The Liquor License for LaZona Rosa, 613 E 4th, requested to be transferred to 611 E 4th, GI NE 68801, by Edwin Bolanos.

Bolanos wants to transfer his liquor license #C-70104 from his restaurant to a building directly west of the restaurant to create a night club & bar and will no longer serve alcohol at the restaurant. In order to accomplish this goal, this officer believes that there are law enforcement concerns that need to be addressed.

Bolanos has ideas of having "Teen Nights", so as to provide a place to dance and drink for all ages. Bolanos has ideas of duplicating the activity at "PJ's in Hastings, NE", which is now closed. A copy of the Grand Island city code was discussed and given to Bolanos. It was understood that a "Teen Only Night" would require all alcoholic beverages be placed in storage and no sales

07/17/06
15:13

Grand Island Police Dept.
LAW INCIDENT TABLE

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of alcoholic beverages be made during that time.

"4-20. Minors Not Permitted After 9 P.M.

It shall be unlawful for any licensed retailer or his, her, or its agent or employee to suffer or permit any minor to be or remain in any room or compartment of such licensed premises where alcoholic liquor is being sold or consumed after 9 p.m. of any day; provided, that this section shall not apply to any minor who is accompanied by his or her parent or adult guardian, or to any licensed premises which derives its principal business from the sale of services or other commodities other than alcoholic liquor."

I discussed with Bolanos that the above city code which restricts those under 21 years of age from being in a bar after 9PM without parent or "Guardian" accompanying them. It is Bolanos' belief that a minor just has to be accompanied by an adult.

It is Bolanos' plans to have the minor sign a paper indicating whom they are with when they come in to his night club. Bolanos intends to place a band on the wrist of the adult as an identifier. This officer obtained a definition of "Guardian" from a legal dictionary on the internet and gave it to Bolanos. See copy attached.

Bolanos also had questions as to what hours on what days he could sell alcohol. I obtained an e-mail address and sent as an attachment a printout of the city ordinance that addresses his questions. Also see attached.

↓
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See attached photographs of the buildings.

If and when these concerns are addressed and or met in fair and impartial manner, the assessment & a possible recommendation could be addressed.





New Location for
Liquor License







