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CITY-COUNTY AUDITORIUM, 520 ROOD AVENUE  
CITY OF GRAND JUNCTION, COLORADO  
LOCAL LICENSING AUTHORITY  
LIQUOR AND BEER  
MINUTES  
WEDNESDAY, MAY 17, 1989, 8:00 A.M.

I. CALL TO ORDER

Present: Philip Coebergh, Hearing Officer  
Neva Lockhart, City Clerk  
Dan Wilson, City Attorney

II. DECISION - RESOLUTION OF FINDINGS AND DECISION RE:  
APPLICATIONS FOR NEW LICENSES OR TO TRANSFER LOCATION

Resolution No. 5-89 of Findings and Decision re: Application by Jerald Rizk Studebaker for a 3.2% Beer License, Sales for Consumption "OFF" the Premises of the Licensee, at 1133 Patterson Road, Unit #1, under the Trade Name of "The Village Mart"

Denied (See Copy of Resolution Attached)

III. DECISION -  
LIQUOR AND BEER CODE VIOLATIONS

NONE

IV. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES

- A. House of Spirits, 1560 North Avenue (Retail Liquor Store)  
Mr. and Mrs. Henson were present Approved
- B. Skippers, 2826 North Avenue (3.2% Beer) Approved

V. APPLICATIONS FOR LICENSES - CHANGES OF OWNERSHIP - CHANGE IN CORPORATE  
STRUCTURE

- A. Application by Ty-We, Inc., for a Change in Corporate Structure under New Trade Name of "The Bayou"

President/Director/Stockholder: Steven J. Beham 100%  
(Replaces Pearl Hoyt)

Secretary/Treasurer/Director: Steven A. Kaminski  
(Replaces Linda Connors & David A. Hoyt)

Steven J. Beham and Steven A. Kaminski were present. The application was approved subject to the filing of Corporate Minutes, Copy of Stock Certificates, and Copy of Good Corporate Standing.

LIQUOR AND BEER MEETING

DATE: May 17, 1989

VI. APPLICATIONS TO REGISTER MANAGERS

NONE

VI A. APPLICATIONS TO CHANGE TRADE NAME

1. Bold Petroleum, Inc., 745 Horizon Drive  
Change from Gas-Rite to Acorn Food Store

Approved

VII. HEARING - APPLICATION FOR CHANGE OF LOCATION

NONE

VIII. HEARING - APPLICATIONS FOR NEW LICENSES

NONE

IX. ADJOURNMENT

NEXT REGULAR MEETING June 7, 1989

RESOLUTION NO. 5-89

DECISION ON APPLICATION FOR A 3.2%  
FERMENTED MALT BEVERAGE LICENSE  
JERALD RIZK STUDEBAKER UNDER TRADE NAME  
OF THE VILLAGE MART, 1133 PATTERSON  
ROAD, UNIT NO. 1

A public hearing was held on May 3, 1989, on the application by Jerald Rizk Studebaker for a 3.2% fermented malt beverage license for The Village Mart at 1122 Patterson Road, Unit No. 1, Grand Junction, Colorado, and the Local Licensing Authority having considered the evidence adduced at said hearing, FINDS:

1. The hearing held on May 3, 1989, on the application was held after proper notice thereof under C.R.S. 12-46-101, et seq.

2. The survey of the neighborhood conducted by the City revealed that 105 persons believed the reasonable requirements of the neighborhood were being met by existing outlets, while 34 felt the reasonable requirements were not being met. Of those who were inhabitants of the neighborhood, 92 desired that the license issue and 39 were opposed to the issuance of the license. There are four similar type outlets within one mile.

3. No one appeared at the hearing in opposition to the granting of the license, and no petitions of disapproval were received by the Local Licensing Authority.

4. During the hearing, the applicant presented no evidence. After the hearing, the applicant tendered a petition which, since not timely presented, is not considered.

5. The moral character and reputation of the applicant is good as determined by a check done by the Grand Junction Police Department.

6. The only evidence presented was the results of the City's survey. That evidence supports the conclusion that the reasonable requirements of the neighborhood are being met by other outlets, even though the adult inhabitants of the neighborhood appear to desire that the license issue.

NOW THEREFORE, BE IT RESOLVED BY THE LOCAL LICENSING AUTHORITY OF THE CITY OF GRAND JUNCTION:

That the application by Jerald Rizk Studebaker for a 3.2% fermented malt beverage license for The Village Mart at 1133 Patterson Road, Unit No. 1, Grand Junction, Colorado, is denied because the applicant failed to present any evidence to meet the required burden of proof; he presented no evidence to establish that the license should be issued.

PASSED and ADOPTED this 17th day of May, 1989.

Attest:

Neva B. Lockhart  
Neva B. Lockhart, CMC  
City Clerk

Philip Coebergh  
Philip Coebergh,  
LOCAL LICENSING AUTHORITY  
FOR THE CITY OF GRAND JUNCTION