

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

MINUTES

WEDNESDAY, MARCH 7, 2001, 9:00 A.M.

I. **CALL TO ORDER** – The meeting was convened at 9:02 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and Senior Administrative Assistant Christine English.

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

1. Thomas L. Goerke dba C & D Food Store, 2685 Unawep Avenue, 3.2% Beer Off Premise

The application was in order and approved.

2. Metro Oil Company dba Total #4115, 599 29 ½ Road, 3.2% Beer Off Premise

The application was in order and approved.

3. Feather Petroleum Company dba Stop N Save, 213 North 1st Street, 3.2% Beer Off Premise

The application was in order and approved.

4. Loyal Order of Moose, Grand Junction Lodge #270, 567 25 ½ Road, Club

The application was in order and approved.

5. Andrew and Marilouise Marion dba Hilltop Liquor Store, 1563 Highway 50 South, Retail Liquor Store

The application was in order and approved.

6. Orchard Mesa Liquors LLC dba Orchard Mesa Liquors, 2706 Highway 50, Retail Liquor Store

The application was in order and approved.

7. Black Sam Incorporated dba Pantuso's Ristorante, 2782 Crossroads Blvd, Hotel and Restaurant

Christopher Blackburn, owner and manager, was present. The lease on the premises expired on February 28, 2001. Mr. Blackburn is in the process of purchasing the property. The premises is currently operating on a month to month lease. The closing date on the purchase is on or before March 31, 2001. The liquor license expires on April 16, 2001. Mr. Shaver recommended continuing this matter to the next regularly scheduled meeting. This will allow Mr. Blackburn time to complete the sale on the

property and obtain possession of the premises. Mr. Coebergh concurred and continued the application for renewal to the April 4, 2001 meeting.

III. APPLICATION FOR RENEWAL, REPORT OF CHANGE IN CORPORATE STRUCTURE, REGISTRATION OF MANAGER AND MODIFICATION OF PREMISES

1. Western States Motel Operations Incorporated dba Holiday Inn of Grand Junction, 755 Horizon Drive, Hotel and Restaurant

Vice President: Jerald E. Hill replaces Roy Teters
Secretary: Patricia Sechler replaces Terry Kinnick
Assistant Secretary: James E. Miller replaces Henry Teters

Manager: Lynne M. Sorlye replaces Norman L. Cook

Install new entry, remodel interior of restaurant and add new signage.

Norman Cook and Lynne Sorlye were present. The applications were in order and approved.

IV. MODIFICATION OF PREMISES

1. 7TH Street Café Incorporated dba Main Street Café, 504 Main Street, Beer and Wine

Expanding service to sidewalk patio seating.

Evan Gluckman was present. The application was not complete. Mr. Shaver stated there have been several attempts by the City Clerk's office and the Assistant City Attorney's office to explain to Mr. Gluckman the process he needed to go through in order to gain approval to serve alcohol at the tables located in the public right of way. It was recommended to Mr. Gluckman that he approach the Downtown Development Authority director to get a recommendation from the DDA and then go to the City Council to be granted permission to serve alcohol on public property. The Statutes require a licensee to have exclusive possession of the premises. Therefore, to serve alcohol on public property without a license or a lease is unlawful. Mr. Shaver stated he has received a letter from the DDA stating they are in favor of the concept of allowing alcohol service on the sidewalk in the Downtown area. No further action has come forward to the City Council concerning the private use of public property. Mr. Shaver recommended that legally there can not be service on the sidewalk area. Mr. Coebergh asked if this was a possession issue. Mr. Shaver responded yes.

Mr. Gluckman stated he was told to do this and that it was approved. Mr. Coebergh asked Mr. Gluckman to respond to the question of not having exclusive possession of the property. Mr. Gluckman stated this would be the same as 16th Street Mall, Beaver Creek, or any outside eating area owned by a city. It is standard operating procedure for restaurants. Mr. Gluckman stated he was told to make the application and that it was all approved. Mr. Coebergh asked Mr. Gluckman what had been approved. Mr. Gluckman stated he was told he was allowed to do this and paid a fee for this to the DDA. Mr. Shaver stated, for clarification, the DDA, under City Ordinance, has regulatory authority for purposes of commercial activity occurring in the downtown shopping park. Vendors are allowed to serve food, and the outside sales of merchandise and products on the downtown shopping park. This is administered by the DDA. The difficulty is Mr. Gluckman proposes to serve alcohol in the same area as the food service, as a sidewalk

restaurant. This is where the occupation and possession of the premises is required by Colorado Liquor law.

Mr. Gluckman stated that State Liquor Enforcement told him the issue of containment is not required by the State, and that the issue is the owner's ability to contain the liquor leaving the restaurant premises. Mr. Gluckman stated this was the main issue, and how was he going to fence on Main Street. Mr. Shaver stated he had talked with Mr. Gluckman concerning this and it is not the main concern. The issue is the legal right and authority given by the City Council and whether or not there has been any policy decision to allow service of alcohol on public property is the main legal issue. The letter from the DDA stating they support this idea is not deemed legally sufficient for the purpose of granting this license.

Mr. Coebergh stated from his understanding the application is not sufficient. The statute requires that Mr. Gluckman have exclusive possession of the property. The application was denied.

V. TRANSFER OF OWNERSHIP

1. MRB Holdings Incorporated dba Ground Zero, 715 Horizon Drive, Tavern

Transfer of Ownership from Kenneth M. Prescott, Brian G. Morris and Robert Shea dba The Pour House to MRB Holdings Incorporated dba Ground Zero

President: Edward R. Gibson, 1820 North 6th Street. Grand Junction

Edward Gibson was present. The application was in order. The premises is undergoing a cosmetic remodel, new tile, carpeting, countertops, painting, and is not open for business. No temporary permit has been applied for. Mr. Shaver asked Mr. Gibson to affirm the relationship as stated on the lease assignment. Mr. Gibson asked if this was relating to Rich LaMont and Merv Stevenson. Mr. Gibson stated the owner of the building housing the premises wanted them to stay on as guarantors on the lease. The transfer of ownership was approved.

VI. RESOLUTION OF FINDINGS AND DECISION RE: APPLICATION FOR NEW LICENSE- Continued from February 21, 2001 Liquor and Beer Meeting

1. Walterscheid Investment & Consulting Incorporated dba All Pro Liquor, 2913 F Road #104, Retail Liquor Store

Applicant: Walterscheid Investment & Consulting Incorporated
President: Leonard Walterscheid, 2312 I Road, Grand Junction

Ms. English read into the record the memorandum of findings on the prima facie examination of the opposition petitions (see attached).

Mr. Coebergh stated from the previous evidence presented and the report just given, he would render his decision at this hearing. The applicant and the opposition will be given the opportunity to present closing arguments. Mr. Shaver concurred and the evidentiary hearing was closed.

Attorney Tom LaCroix stated the opposition's petitions were circulated by retail liquor store competitors outside of the survey area. Mr. Walterscheid had a deadline to complete his survey, which was February 12, 2001. On the opposition petitions,

according to the dates on the petitions, 150 signatures were gathered after the February 12th deadline. There appear to be multiple signatures on the opposition petitions in the same handwriting. 100 signatures were obtained from the Racquet Club apartments which is outside the boundary of the survey area. The competing stores, outside the area, are trying to stifle competition and free enterprise in the area. The residents in this area have been bombarded with petitions. Mr. LaCroix requested the application be approved.

Attorney John Williams stated evidence was presented at the February 21, 2001 meeting by residents in the designated area that the needs of the neighborhood are currently being met by the competitors' outlets. The burden of proof for granting this license needs to be on the applicant. Very few signatures came from outside the designated area. There was testimony presented previously that the neighborhood feels the needs are being met all ready and they did not want the license issued. Mr. Walterscheid's petition signatures should be questioned based upon Mr. Smith's report. There was no testimony given by the applicant that every signature was witnessed by Mr. Walterscheid after Mr. Smith's report was given. Mr. Williams requested the application be denied.

Mr. Joe Hambright remarked on Mr. Smith's report concerning the signatures obtained on Dawn Drive and Dawn Court. Mr. Walterscheid's testimony concerning circulating the petition is inconsistent with the signed affidavits. Mr. Hambright agrees with free enterprise but the liquor business is not a free enterprise business, it is a quasi free enterprise business; it is regulated. Part of the State regulations say that residents of the neighborhood should have a voice in whether they want another liquor store. The neighborhood has said they do not want another liquor store, that the needs are all ready being met.

Mr. LaCroix responded to the opposition comments. Mr. LaCroix stated Ms. Walterscheid did testify that she and Shannon Secrest only obtained 4 signatures and that Mr. Walterscheid obtained the rest.

Mr. Shaver stated the numbers in the report presented by Ms. English show that support of and opposition to the license are very close. Mr. Shaver cited Colorado Liquor Regulation 47-310. The evidence appears very close. Given that this is a discretionary decision, and there are no other licenses in the survey area, broad discretion is given in making a decision relative to the issuance of this license. No testimony has been given suggesting there are any disqualifying defects in any of the applicant's or the proponent's position. There was some question on the circulator's affidavit, but based upon the questioning and the representation of Mr. LaCroix on behalf of his client, there is no fatal defect in the petitions. Based upon the way the law is written, it is the Hearing Officer's opinion of what the reasonable requirements and desires of the adult inhabitants of the neighborhood are in determining his decision. There is sufficient evidence to support Mr. Coebergh's decision either way. Mr. Shaver spoke on undue concentration, as defined in C.R.S. 12-47-301(2)(b). There has been no testimony presented to support this.

Mr. Coebergh stated his task was to look at the needs of the neighborhood and the desires of the adult inhabitants of the neighborhood. This is not a popularity contest. The applicant has provided adequate evidence as to the needs and desires by virtue of the petitions. The opposition also provided significant evidence showing that people in the area did not desire the license and that there was a lack of a need. Mr. Coebergh made note that the opposition came primarily from other liquor store owners and that there is no other store within one mile of this location. This is a commercial center with a large supermarket making it a commercial area. Based on the evidence from the applicant that shows there are a large number of people in the area that feel the needs are not being

met and desire the application be granted, Mr. Coebergh found the application to be in order and approved the issuance of the license.

VII. MOTION AND ORDER TO SHOW CAUSE

1. In the Matter of FJ40 of Colorado Incorporated dba Cruisers Southwestern Grill, 748 North Avenue, Hotel and Restaurant

Stephanie Rubinstein, Staff Attorney, was present. James Hadrath, owner, was present.

Ms. English reviewed the stipulation and agreement which was entered into on June 20, 2000 (see attached).

Ms. Rubinstein also reiterated the stipulation and agreement. Mr. Hadrath did not apply for a conditional use permit until November 27, 2000 which was well beyond the date agreed upon in the stipulation and agreement. Mr. Pat Cecil, Community Development Department, was present. Mr. Cecil sent letters to Mr. Hadrath notifying him that he was not in compliance with the application for a Conditional Use Permit. The current deadline for completion of the application is March 26, 2001. If this is not done, the Planning Commission at their April 9, 2001 meeting will recommend denial of the application. What is being requested today is a sanction be imposed based upon non-compliance. Ms. Rubinstein specifically asked for a suspension of the licence for 7 days, along with a deadline being set for Mr. Hadrath to come into compliance with the tavern license application. If the deadline is not met, the license must be revoked.

Mr. Coebergh asked if the licensee was in compliance operating as hotel and restaurant. Ms. Rubinstein stated Mr. Hadrath has been operating as a tavern, evidenced by the menu that was submitted in June, 2000.

Mr. Hadrath stated lunches have been served for the past 3 months. They have a full menu. The process to apply for a tavern license in this location has been very adruous. It has been very frustrating. Mr. Hadrath stated they had been providing free food which did not help them be in compliance. Mr. Hadrath said he still wants to change the license from a hotel and restaurant to a tavern.

Mr. Shaver asked Mr. Hadrath how much of his gross sales is food sales. Mr. Hadrath responded 30% to 40 %. Mr. Shaver asked if the 30% would represent only the period of the past few months since serving lunches. Mr. Hadrath stated yes. Mr. Shaver stated there is a specific statutory requirement in the Zoning and Development Code relative to food service and if it is 25% it would be constituted as a tavern. Mr. Coebergh asked what was needed for a hotel and restaurant. Mr. Shaver stated it is 25% food sales with 75% alcohol sales. Based upon this information, Mr. Coebergh asked Mr. Hadrath how he was in compliance with the requirements for a hotel and restaurant liquor license. Mr. Hadrath stated he has provided a full menu for lunch and dinners and has been trying to meet those requirements. Mr. Hadrath stated it is very difficult to sell food in that location.

Ms. Rubinstein stated the request today is being made based upon the stipulation and agreement signed in June 2000. Ms. Rubinstein submitted letters from the Community Development Department for review (see attached). Mr. Coebergh and Mr. Shaver reviewed the letters.

Mr. Pat Cecil, Development Services Supervisor, stated the applicant first met with him on August 2, 2000 regarding the requirements necessary to apply for a Conditional Use Permit which is required to establish a tavern or to convert to a tavern from a hotel and

restaurant use. Under the Zoning and Development Code, a tavern is a more intensive use than a hotel and restaurant. It requires a higher parking ratio for a tavern use. The formal application for a Conditional Use Permit was submitted on November 27, 2000. The application was incomplete. A revised plot plan was submitted recently which showed an effort was being made to comply with the landscaping requirements. The biggest issue is still the parking. A parking analysis needs to be submitted showing there is adequate parking provided. The Conditional Use Permit does have to be approved by the Planning Commission. The applicant has until March 16, 2001 to submit the information required regarding the parking issue. If this does not happen, the application will be sent to Planning Commission with the recommendation to deny it. Without the Conditional Use Permit, the tavern liquor license application could not be approved.

Mr. Shaver stated the Colorado Liquor Code requires compliance with all local regulations. Therefore, without the Conditional Use Permit, approval of a tavern liquor license would be unlawful.

Mr. Coebergh stated there are 9 days to come into compliance. Mr. Shaver recommended a 7-day suspension of the liquor license. This should allow the licensee time to focus on completing the Conditional Use Permit application. A review date should be set after the date of the Planning Commission meeting to check the status of the application.

Mr. Coebergh found that a violation has occurred. Mr. Coebergh imposed a 5-day suspension beginning Monday, March 12 through Friday, March 16, 2001. The premises need to be posted. The posters can be obtained in the City Clerk's office. Mr. Shaver stated the Zoning and Development Code requirement is 75% sales of food for a hotel and restaurant, and cited for the licensee, C.R.S. 47-600 in regards to posting the premises during the suspension of the license.

VIII. ADJOURNMENT – The meeting adjourned at 10:37 a.m.

NEXT REGULAR MEETING – March 21, 2001

MEMO TO: Phil Coebergh, Hearing Officer
John Shaver, Assistant City Attorney

FROM: Christine English, Sr. Administrative Assistant
DATE: March 5, 2001
RE: All Pro Petitions submitted at February 21, 2001 Liquor & Beer Meeting

The petitions submitted by Pam Hambricht, Bookcliff Liquor, Joe Hambricht, College Liquor and Jeannie Bristol, Fruitvale Liquor have been examined and the results compiled. The petitions were examined for prima facie defects, including the circulator's affidavit, and that they were within the designated neighborhood. A report has been run to show any duplication of addresses and the responses to the petition question.

Petitions were also submitted by attorney John Williams, representing Mr. Don Compte, Crown Liquor, from a previous survey conducted during the application process for Pat's Liquor. These petitions were also examined for prima facie defects but a comparison for duplicate signers was not conducted.

The results are as follows:

	Fruitvale	P. Hambricht	J. Hambricht	Walterscheid	Total & percent	Previous petitions
Question #1 Yes	71	221	201	16	509 62%	556
Question #1 No	1	6	14	336	357 44%	34
Question #2 Yes	2	12	32	343	389 48%	47
Question #2 No	71	205	186	10	472 58%	513
N/A	0	3	0	1	4 .05%	3
Outside of Area	0	26	4	0	30	10
Ques #2 as B Instead of R	0	1	0	0	1	19
Invalid Signature	0	0	1	0	1	0
Invalid Date	0	1	4	0	5	6
Invalid Address /No Address	0	2	1	1	4	1
B or R not designated	0	0	1	0	1	6

There were a total of 868 signatures (not including the previous petitions). Of this number, approximately **50 were duplicate signatures** (.06% of the total) spread through all of the petitions. Duplications were checked according to the address given since many of the signatures were unreadable. The date of signature and the petition signed were compared. Also, some of the

addresses were incomplete, i.e., no designations of N/S/E/W, Avenue, Road, Way, Lane or apartment numbers which made an accurate count difficult.

Many of the signatures were unreadable, but if the address was valid and the rest of the information was readable, the signature was counted. There were a total of **417 questionable and/or unreadable** signatures.

EXHIBIT A

CITY OF GRAND JUNCTION, COLORADO
LIQUOR AND BEER LICENSE HEARING OFFICER
LICENSE NO. 4000034

STIPULATION AND AGREEMENT

In The Matter of
FJ4O of Colorado, Inc. d/b/a Cruisers Southwestern Grill
748 North Avenue
Grand Junction, Colorado, RESPONDENT.

This Agreement between the City of Grand Junction and FJ4O of Colorado, d/b/a Cruisers Southwestern Grill, 748 North Avenue, Grand Junction, CO 81501, hereinafter "Licensee," is offered for the purpose of the settlement of the matters detailed in the Motion and Order to Show Cause attached hereto as Exhibit I. The above-named Licensee submits and agrees as follows:

1. The facts and allegations contained in the Motion and Order to Show Cause are true and accurate.
2. The Licensee agrees to apply for a Tavern license within thirty (30) days.
3. The Licensee has designated a new registered manager.
4. The Licensee acknowledges the State of Colorado Department of Revenue Liquor and Beer Code and the rules and regulations which it contains.
5. The Licensee acknowledges that as a duly-licensed establishment, it is necessary to follow all of the regulations in the Liquor and Beer Code.
6. Any sentence in this case shall be held in abeyance until July 21, 2000. If the Tavern license is applied for by that date, and is received by August 21, 2000, no further sentence shall be imposed upon the Licensee.
7. A sentencing hearing shall be set after August 21, 2000 if the conditions imposed in paragraph #5 are not met.

FJ4O of Colorado, Inc. d/b/a/Cruisers Southwestern Grill

Licensee /s/ James S.Hadrath Date /s/ 6/20/20

CITY OF GRAND JUNCTION

/s/Stephanie L. Rubinstein Date /s/ 6/20/00
Stephanie L. Rubinstein
Staff City Attorney

CITY OF GRAND JUNCTION, COLORADO
LIQUOR AND BEER LICENSE HEARING AUTHORITY
LICENSE NO. 4000034

MOTION AND ORDER TO SHOW CAUSE

In the Matter of
FJ40 of Colorado, Inc. d/b/a Cruisers Southwestern Grill
748 North Avenue
Grand Junction, Colorado, Respondent.

COMES NOW THE People of the City of Grand Junction, by and through the Office of the City Attorney and moves the Hearing Officer in and for the City of Grand Junction Liquor and Beer Licensing Authority for an Order to Show Cause why the Licensee should not be found in contempt of the Authority and furthermore why the license should not be suspended or revoked. As grounds therefor the following is stated:

1. On May 3, 2000, the Licensee appeared before the Authority on an application for a renewal license. A copy of the minutes of that hearing is attached hereto as Exhibit A.
2. The Licensee, by and through its member Kevin McCoy, noted that food service has been modified although a new menu had not at that time been submitted to the Authority, and while the hours of operation begin at 3:00 p.m., food service does not begin until 5:00 p.m.
3. The Licensee currently holds a hotel/restaurant license.
4. Section I2-47-411(1)(a) C.R.S. states that meals must be “actually and regularly served and provide not less than twenty-five percent of the gross income from sales of food and drink of the business of the licensed premises.”
5. The Licensee also informed the Authority that he was now the manager of the licensed premises.
6. Kevin McCoy is not currently listed as the registered manager.
7. Section I2-47-411(10) C.R.S. states that, “ a person ceases to be a registered manager of a hotel and restaurant license, for whatever reason, the hotel and restaurant licensee shall notify the licensing authorities within five days and shall designate a new registered manager within thirty days.”
8. On May 3, 2000, Hearing Officer James Majors informed Licensee that it was on notice regarding the problems with the menu and the lack of registering the manager.

9. On May 5, 2000, Licensee submitted to the Authority a copy of the new menu at Cruisers. This menu is substantially decreased from full meals to appetizers and sandwiches. Said menu is attached to this document as Exhibit B.

WHEREFORE, the People respectfully move the Licensing Authority to set a hearing on this matter and have the Licensee appear and show that such requirements of the State Liquor Licensing Authority have been taken, including but not limited to proof from Licensee's financial records that not less than 25% of gross income from sales of food and drink are from the sale of food.

Submitted this 16th day of May, 2000.

OFFICE OF THE CITY ATTORNEY

by: \s\ Stephanie L. Rubinstein
Stephanie L. Rubinstein, #27202
Staff City Attorney
250 North 5th Street
Grand Junction, CO 81501

(970) 244-1501

City of Grand Junction
Community Development Department Phone: (970) 244-1430
Planning • Zoning • Code Enforcement FAX: (970) 256-4031 *
250 North 5th Street
Grand Junction, CO 81501-2668

January 3, 2001

Chris Joufflas
748 Golfmore Drive
Grand Junction, CO 81506

Dear Chris

Re: CUP-2000-235, Cruisers

I have reviewed the response to comments and find that the project will not be able to proceed to public hearing until ordinance requirements are adequately addressed. Please provide a plan demonstrating compliance with the following:

1. The response regarding the need to bring the parking lot landscaping into compliance to be insufficient. The Zoning and Development Code requires that at a minimum, an eight foot landscape strip along the property road frontage be supplied along with 5% of the interior of the parking lot being landscaped. Please provide a plan reflecting compliance with the Code requirements.
2. A break down of the parking requirements for the three existing businesses is required, along with an accurate listing of business hours. Parking requirements for restaurants is 1 space per every three seats, and parking requirements for a bar is 1 space per every two seats, based on Fire Department occupancy standards. It must be demonstrated that there is adequate parking available, meeting Code requirements before any approval authorizing intensification of usage can be recommended.

If you have any questions regarding this notice, please feel free to contact me at 244. 1439.

Sincerely,

Pat Cecil
Development Services Supervisor

cc: Stephanie Rubinstein, Staff Attorney
Christine English, Senior Administrative Assistant

City of Grand Junction

Community Development Department Phone: (970) 244-1430
Planning • Zoning • Code Enforcement JAN FAX: (970) 256-4031
250 North 5th Street
Grand Junction, CO 81501-2668

January 26, 2001

James S. Hadrath
530 Orchard Avenue
Grand Junction, CO 81501

Dear James,

Re: CUP-2000-235 (Cruisers)

Your application for a Conditional Use Permit has been deemed incomplete for processing since December 20, 2000. The main items that still need to be adequately addressed are: 1) whether there is sufficient parking available on the site to accommodate the more intensive use of the site from a restaurant with bar service to a straight bar use; and 2) that the parking area will be brought up to minimal standards for landscaping, and a adequate plan submitted illustrating compliance.

To date, you have not adequately addressed these issues. The application will remain active until February 16, 2001. If at that time the application is not complete, the application shall be deemed abandoned. In the event that the application is abandoned, an enforcement action will commence to bring the site into compliance with all Code requirements.

If you have any questions regarding this notices please feel free to contact me at (970) 244-1439.

Sincerely,

/s/ Pat Cecil

Pat Cecil

Development Services Supervisor

cc: Christine English, City Clerk's Office
Stephanie Rubinstein, City Attorney office
Chris Joufflas, Property Owner
Rebecca Hadrath, Representative
Code Enforcement

City of Grand Junction

Community Development Department Phone: (970) 244-1430
Planning • Zoning • Code Enforcement FAX: (970) 256-4031
250 North 5th Street
Grand junction, CO 81501-2668

February 23, 2001

James S. Hadrath
530 Orchard Avenue
Grand Junction, CO 81501

Dear James,

Re: CUP-2000-235 (Cruisers)

Thank you for the revised plot plan for the above project submitted on February 16, 2001. The revised plot plan is a great improvement over previously submitted plans. The revised plot plan still requires additional work since it does not adequately describe the species of proposed plantings and the size of the trees and shrubs proposed. Unfortunately no parking breakdown accompanied the revised plot plan, and the project remains incomplete for processing until documentation is submitted that demonstrates that the site contains adequate parking for the expanded use in addition to the parking required for the adjacent restaurant uses.

A revised plot plan identifying the species and size of proposed landscape material along with an analysis of existing parking showing compliance with code requirements must be submitted by March. If the requested information is not submitted the project will be referred to the Planning Commission meeting of April 9th with a recommendation for denial. The denial recommendation will be based on an inadequate landscape plan and lack of documentation demonstrating compliance with parking requirements for the expanded use.

If you have any questions regarding this notification, please feel free to contact me at (970) 244-1439.

Sincerely,

Pat Cecil
Development Services Supervisor

Cc: Chris English, City Clerks office
Stephanie Rubinstein, City Attorney Office
Rebecca Hadrath, Representative
Code Enforcement