

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

MINUTES

WEDNESDAY, October 1, 2003, 9:00 A.M.

I. **CALL TO ORDER** - The meeting convened at 9:05 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and Deputy City Clerk Juanita Peterson.

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

1. Bold Petroleum Inc., dba Acron Food Store, 2222 Highway 6 & 50, 3.2% Beer (Off Premises)

The application was found to be in order and approved.

2. Inafuku Inc., dba Suehiro Restaurant, 541 Main Street, Hotel and Restaurant

The application was found to be in order but final inspection from Mesa County Health Department on a re-inspection of the Restaurant is pending. Upon final report, the license will be approved.

3. The Corral Inc., dba The Corral, 539 Colorado Avenue, Tavern

The application was found to be in order and approved.

4. Warren G. Roger, dba This is It Grocery, 215 S. 11th Street, 3.2% Beer (Off Premises)

The application was found to be in order and approved.

5. Stop N Save No. 2, 2050 North Avenue, 3.2% Beer (Off Premises)

The application was found to be in order and approved.

6. College Liquors, Joseph A. Hambright, 1133 Patterson, Retail Liquor Store

The application was found to be in order and approved.

III. **APPLICATION TO REGISTER MANAGER**

1. Red Robin International, Inc., dba Red Robin America's Gourmet Burgers & Spirits, 2530 Rimrock Avenue, Grand Jct., 81503

William J. Haerer, 6565 S. Syracuse Way #1707, Englewood, CO 80111 replaces James P. McCloskey

Mr. Haerer was present. The application was found to be in order and the new manager was approved subject to the CBI report being clear.

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

1. Wal-Mart Stores Inc., dba Wal-Mart Supercenter #5099, 3.2% Beer Retail (Off Premises)

Applicant: Wal-Mart Stores Inc.

President, CEO Dir.: H. Lee Scott Jr., 61 Champions Blvd., Rogers, AR 72758

VP of Tax: David L. Bullington, 11473 Peach Orchard Road, Bentonville, AR 72712

VP of Finance: Rick W. Brazile, 25 Stonehenge Dr. Bentonville, AR 72712

Mr. Brian Wood, the new Manager of the new Wal-Mart and Mr. Max Scott with Oedipus Inc. was present. Ms. Peterson read into the record the results of the survey (see attached). Ms. Peterson stated that Oedipus Inc. conducted the survey using their petition. Mr. Shaver questioned how the survey for needs and desires was conducted. Mr. Scott explained the surveyor was here for 3 days and it is their policy if there isn't someone present, they do return and try again. Mr. Shaver asked Mr. Scott to explain the seemingly high number of residents who opposed this license application. There were 25. Mr. Scott said these numbers are average with an "off-premise" license. They typically see more in this type of license than a hotel/restaurant or even a tavern. They believe with an "off-premises" license there is more opposition due to less control of the liquor after it is bought.

There was no opposition present. The applicant was asked when the estimated time of opening will be. Mr. Wood stated the 29th of October.

The application was approved. A resolution of findings and approval will be prepared for Mr. Coebergh's signature.

V. ADJOURNMENT – The meeting adjourned at 9:18 a.m.

NEXT REGULAR MEETING – October 15, 2003

MEMO: Local Licensing Authority
FROM: Juanita Peterson, Deputy City Clerk
DATE: September 23, 2003
SUBJECT: Application by Wal-Mart Stores Inc., for a Retail 3.2% Beer (Off Premises) License at 2545 Rimrock Avenue, under the trade name of Wal-Mart Supercenter #5099

Wal-Mart Stores Inc. filed an application with the Local Licensing Authority on August 22, 2003, for a new Retail 3.2% Beer (Off Premises) license for the sales of fermented malt beverages in sealed containers not for consumption at place where sold at 2545 Rimrock Avenue under the trade name of Wal-Mart Supercenter #5099. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for October 1, 2003. The Notice of Hearing will be given by posting a sign on the property on September 19, 2003 and by publishing a display ad in The Daily Sentinel on September 19, 2003.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood, the applicant authorized Oedipus Inc., to conduct a survey. The neighborhood was defined as the area bounded by the Colorado River to the south (including the Riverside area) then extending west along Highway 340 to the Redlands Canal and west to 24 ½ Road; 1st Street to the east and Patterson Road to the north and includes both sides of the street as the outer boundaries. The results of that survey are as follows:

1. If you favor and support this application for a Retail 3.2% Beer FMB (3.2% Beer) License, Off Premise consumption (to sell 3.2% beer in sealed containers as a grocery item to be consumed off the licensed premises only) because it is your opinion the reasonable requirements of the adult inhabitants of the defined neighborhood (see map) are not now being adequately served by existing businesses that hold the same or similar type of liquor license now doing business in the defined neighborhood, and it is your desire this retail 3.2% FMB (3.2% Beer) license be issued.

If you Oppose and do not support this application for a retail 3.2 % Beer FMB (3.2% Beer) license, please sign and check the oppose column, and please write in your reason why you oppose this license application.

Business Results:	FAVOR:	19
	OPPOSE:	3
	N/A:	0
Residential Results:	FAVOR:	126
	OPPOSE:	25
	N/A:	5

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

The Grand Junction Police Department has investigated the corporate officers for local criminal history and none was found. The fingerprints have been forwarded onto C.B.I. for further processing.

The applicant does have a current "master file" with the State Liquor Enforcement Division. The premises will be inspected by the Grand Junction Fire Department and Mesa County Health Department upon completion. A Certificate of Occupancy from the Mesa County Building Department will need to be filed in this office prior to the issuance of the approved license.

The number of similar-type outlets in the survey area is as follows: 11

3.2 FMB (3.2% Beer) Retail License – Albertson's Fuel and Food Stores, Super Mart, City Market #32 and #9, Loco Food #12, Rite Aid #6367, Gay Johnson's, Diamond Shamrock, Gofer Foods and Sam's Club

The number of similar type outlets in a one mile area in addition to the above:

3.2 FMB (3.2% Beer) Retail License – 0

That concludes this report.

C: Applicant
Oedipus, Inc.
John Shaver, Assistant City Attorney
Craig Campbell, Grand Junction Police Department
File